

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FIRST LEGISLATIVE DAY
FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 4, 1943

Pursuant to the requirements of the Constitution of the State of California and the law, at the hour of 12 o'clock meridian, the Assembly of the Fifty-fifth Session of the Legislature of California was called to order by Arthur A. Ohnimus, Chief Clerk of the Fifty-fourth Session.

In conformity with the law, the following officers of the Fifty-fourth Session were also present: C. William Queale, Minute Clerk, and Wilkie Ogg, Sergeant-at-Arms.

PRAYER

In the absence of the Rev. Thomas H. Markham, Chaplain of the Assembly for the Fifty-fourth Session, who is now serving with the armed forces, and upon invitation of the Chief Clerk, prayer was offered by the Rev. H. W. Opperman, Chaplain of the Senate for the Fifty-fourth Session of the Legislature.

CERTIFICATE FROM SECRETARY OF STATE

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

STATE OF CALIFORNIA, DEPARTMENT OF STATE

I, FRANK M. JORDAN, Secretary of State of the State of California, do hereby certify that the following is a complete list of those duly elected at the general election held on the third day of November, A.D. 1942, to represent the people of the State of California as Members of the Assembly at the Fifty-fifth Session of the Legislature of said State, as appears from the statement of vote received from the county clerks of the various counties and the registrar of voters of the City and County of San Francisco, comprising the several Assembly districts of the State of California, said statement of vote being a record of and on file in my office, viz:

Members of the Assembly-Elect

<i>Name</i>	<i>District</i>	<i>County or Counties Comprising District</i>
Michael J. Burns-----	First -----	Del Norte, Humboldt, Mendocino
Paul Denny-----	Second -----	Siskiyou, Modoc, Lassen, Shasta, Trinity, Sierra, Plumas
Lloyd W. Lowrey-----	Third -----	Tehama, Glenn, Colusa, Yolo
Albert M. King-----	Fourth -----	Butte, Yuba, Sutter

<i>Name</i>	<i>District</i>	<i>County or Counties Comprising District</i>
Ernest C. Crowley	Fifth	Lake, Napa, Solano
Allen G. Thurman	Sixth	Placer, El Dorado, Amador, Alpine, Nevada, Mono, Calaveras, Tuolumne, Mariposa, Inyo
Richard H. McCollister	Seventh	Sonoma, Marin
Chester F. Gannon	Eighth	Sacramento
Earl D. Desmond	Ninth	Sacramento
Harold F. Sawallisch	Tenth	Contra Costa
Charles M. Weber	Eleventh	San Joaquin
James E. Thorp	Twelfth	San Joaquin
Francis Dunn, Jr.	Thirteenth	Alameda
Randal F. Dickey	Fourteenth	Alameda
Bernard A. Sheridan	Fifteenth	Alameda
Arthur W. Carlson	Sixteenth	Alameda
Edward J. Carey	Seventeenth	Alameda
Gardiner Johnson	Eighteenth	Alameda
Bernard R. Brady	Nineteenth	San Francisco
Thomas A. Maloney	Twentieth	San Francisco
Albert C. Wollenberg	Twenty-first	San Francisco
George D. Collins, Jr.	Twenty-second	San Francisco
William Clifton Berry	Twenty-third	San Francisco
Edward F. O'Day	Twenty-fourth	San Francisco
Gerald P. Haggerty	Twenty-fifth	San Francisco
Edward M. Gaffney	Twenty-sixth	San Francisco
Harrison W. Call	Twenty-seventh	San Mateo
Raup Miller	Twenty-eighth	Santa Clara
John F. Thompson	Twenty-ninth	Santa Clara
Ralph M. Brown	Thirtieth	Stanislaus
George A. Clarke	Thirty-first	Madera, Merced
Jacob M. Leonard	Thirty-second	San Benito, Santa Cruz
Fred Weybret	Thirty-third	Monterey, San Luis Obispo
J. G. Crichton	Thirty-fourth	Fresno
S. L. Heisinger	Thirty-fifth	Fresno
C. L. Guthrie	Thirty-sixth	Kings, Tulare
Alfred W. Robertson	Thirty-seventh	Santa Barbara
Walter J. Fount	Thirty-eighth	Ventura
Thomas Harold Werdel	Thirty-ninth	Kern
William H. Rosenthal	Fortieth	Los Angeles
Julian Beck	Forty-first	Los Angeles
Everett G. Burkhalter	Forty-second	Los Angeles
C. Don Field	Forty-third	Los Angeles
John B. Pelletier	Forty-fourth	Los Angeles
Thomas J. Doyle	Forty-fifth	Los Angeles
Glenn M. Anderson	Forty-sixth	Los Angeles
Willis Sargent	Forty-seventh	Los Angeles
T. Fenton Knight	Forty-eighth	Los Angeles
Lee T. Bashore	Forty-ninth	Los Angeles
Thomas M. Erwin	Fiftieth	Los Angeles
Elwyn S. Bennett	Fifty-first	Los Angeles
Jonathan J. Hollibaugh	Fifty-second	Los Angeles
Lothrop Smith	Fifty-third	Los Angeles
John B. Knight	Fifty-fourth	Los Angeles
Vernon Kilpatrick	Fifty-fifth	Los Angeles
Ernest E. Debs	Fifty-sixth	Los Angeles
Franklin J. Potter	Fifty-seventh	Los Angeles
Frank J. Waters	Fifty-eighth	Los Angeles
Charles W. Lyon	Fifty-ninth	Los Angeles
Jesse Randolph Kellems	Sixtieth	Los Angeles
Lester A. McMillan	Sixty-first	Los Angeles
Augustus F. Hawkins	Sixty-second	Los Angeles
Don A. Allen	Sixty-third	Los Angeles
John C. Lyons	Sixty-fourth	Los Angeles
John W. Evans	Sixty-fifth	Los Angeles
Jack Massion	Sixty-sixth	Los Angeles
Clayton A. Dills	Sixty-seventh	Los Angeles
Vincent Thomas	Sixty-eighth	Los Angeles
Ralph C. Dills	Sixty-ninth	Los Angeles
Lorne D. Middough	Seventieth	Los Angeles
Fred N. Howser	Seventy-first	Los Angeles
R. Fred Price	Seventy-second	San Bernardino

<i>Name</i>	<i>District</i>	<i>County or Counties Comprising District</i>
Douglas P. Armstrong-----	Seventy-third -----	San Bernardino
Clyde A. Watson-----	Seventy-fourth -----	Orange
Sam L. Collins-----	Seventy-fifth -----	Orange
Nelson S. Dilworth-----	Seventy-sixth -----	Riverside
Harvey E. Hastain-----	Seventy-seventh -----	Imperial
Frederick H. Kraft-----	Seventy-eighth -----	San Diego
Kathryn T. Niehouse-----	Seventy-ninth -----	San Diego
Charles W. Stream-----	Eightieth -----	San Diego

WITNESS my hand and the Great Seal of the State of California, at office in Sacramento, this fourth day of January, A.D. 1943.

[SEAL]

FRANK M. JORDAN, Secretary of State

ROLL CALL BY COUNTIES

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

MEMBERS SWORN IN

As required by Section 239 of the Political Code, the Chief Clerk called the roll of counties in alphabetical order, and the following members-elect appeared before the bar of the Assembly, presented their certificates of election, and duly qualified by taking and subscribing to the following oath administered by Hon. Phil S. Gibson, Chief Justice of the State Supreme Court:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Member of the Assembly for the Fifty-fifth Session of the Legislature of the State of California, according to the best of my ability, so help me God.

Francis Dunn, Jr.; Randal F. Dickey, Bernard A. Sheridan, Arthur W. Carlson, Edward J. Carey, Gardiner Johnson, Allen G. Thurman, Albert M. King, Lloyd W. Lowrey, Harold F. Sawallisch, Michael J. Burns, J. G. Crichton, S. L. Heisinger, Harvey E. Hastain, Thomas Harold Werdel, C. L. Guthrie, Ernest C. Crowley, Paul Denny, William H. Rosenthal, Julian Beck, Everett G. Burkhalter, John B. Pelletier, Thomas J. Doyle, Glenn M. Anderson, Willis Sargent, Lee T. Bashore, Thomas M. Erwin, Elwyn S. Bennett, Jonathan J. Hollibaugh, Lothrop Smith, John B. Knight, Vernon Kilpatrick, Ernest E. Debs, Franklin J. Potter, Frank J. Waters, Charles W. Lyon, Lester A. McMillan, Augustus F. Hawkins, Don A. Allen, John C. Lyons, John W. Evans, Jack Massion, Clayton A. Dills, Vincent Thomas, Ralph C. Dills, Lorne D. Middough, Fred N. Howser, George A. Clarke, Richard H. McCollister, Fred Weybret, Clyde A. Watson, Sam L. Collins, Nelson S. Dilworth, Chester F. Gannon, Earl D. Desmond, Jacob M. Leonard, R. Fred Price, Douglas P. Armstrong, Frederick H. Kraft, Kathryn T. Niehouse, Charles W. Stream, Thomas A. Maloney, Albert C. Wollenberg, William Clifton Berry, Edward F. O'Day, Gerald P. Haggerty, Edward M. Gaffney, Charles M. Weber, James E. Thorp, Harrison W. Call, Alfred W. Robertson, Raup Miller, John F. Thompson, Ralph M. Brown, and Walter J. Fourt.

ANNOUNCEMENT

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

MEMBER SWORN IN

Hon. George D. Collins, Jr., of the Twenty-second Assembly District, appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Hon. Phil S. Gibson, Chief Justice of the Supreme Court of the State of California:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Member of the Assembly for the Fifty-fifth Session of the Legislature of the State of California, according to the best of my ability, so help me God.

NOMINATIONS FOR SPEAKER

Mr. Lee T. Bashore of Glendora placed in nomination for Speaker Mr. Charles W. Lyon of Beverly Hills.

The nomination of Mr. Charles W. Lyon was seconded by Mr. Thomas A. Maloney of San Francisco.

Nominations Closed

Mr. Alfred W. Robertson moved that nominations for Speaker be now closed.

Motion carried.

ELECTION OF SPEAKER

The roll was called with the following result:

For MR. CHARLES W. LYON—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—70.

The Chief Clerk announced the vote of the Assembly, and declared Hon. Charles W. Lyon the choice of the Assembly for Speaker for the Fifty-fifth Session of the Legislature.

APPOINTMENT OF COMMITTEE OF ESCORT

The Chief Clerk appointed Messrs. Bashore, Maloney, and Robertson as a Select Committee to escort Speaker-elect Hon. Charles W. Lyon to the chair.

OATH OF OFFICE ADMINISTERED

Upon arriving at the bar of the Assembly, Speaker-elect Hon. Charles W. Lyon took and subscribed to the following oath, administered by Hon. Phil S. Gibson, Chief Justice of the Supreme Court of the State of California:

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

Speaker Presiding

At 1.35 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

NOMINATIONS FOR SPEAKER PRO TEMPORE

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

Mr. Albert C. Wollenberg of San Francisco placed in nomination for Speaker pro tempore Mr. Thomas A. Maloney of San Francisco.

The nomination of Mr. Thomas A. Maloney was seconded by Mr. Harrison W. Call of Redwood City.

Nominations Closed

Mr. Earl D. Desmond moved that nominations for Speaker pro tempore be now closed.

Motion carried.

MEMBERS SWORN IN

The Hon. Jesse R. Kellems, of the Sixtieth Assembly District, and the Hon. C. Don Field, of the Forty-third Assembly District, appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Charles J. Hagerty, Deputy Secretary of State:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Member of the Assembly for the Fifty-fifth Session of the Legislature of the State of California, according to the best of my ability, so help me God.

ELECTION OF SPEAKER PRO TEMPORE

The roll was called, with the following result:

For Mr. THOMAS A. MALONEY—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowlev, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

NOES—None.

Hon. Thomas A. Maloney, being the choice of the Assembly for Speaker pro tempore, the Speaker declared him duly elected.

APPOINTMENT OF COMMITTEE OF ESCORT

The Speaker appointed Messrs. Wollenberg, Call, and Desmond as a Select Committee to escort Speaker pro tempore-elect Hon. Thomas A. Maloney to the bar of the Assembly

OATH OF OFFICE ADMINISTERED

Upon arriving at the bar of the Assembly, Speaker pro tempore-elect Hon. Thomas A. Maloney took and subscribed to the following

oath, administered by Hon Chas. J. Hagerty, Deputy Secretary of State:

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

MOTION TO PRINT IN JOURNAL

Mr. Leonard moved that the nominating speech by Mr. Bashore and the remarks by Speaker Charles W. Lyon, be printed in the Journal.

Mr. Kellems seconded the motion.

Motion carried.

SPEECH BY ASSEMBLYMAN BASHORE

Mr. Chief Clerk and Members of the Fifty-fifth Session of the California Legislature:

Twenty-five years ago many Members of this body were serving in the armed forces of the United States in France. At that time, we were fighting for the purpose of making the world safe for Democracy. We completed our work very satisfactorily, but subsequent to that time, through the lack of proper leadership in our Federal Government, we permitted this Nation's defenses to become weakened to the point that we were attacked by an aggressor nation. I am firmly convinced that, had we had proper leadership during that 25 years, it would not now be necessary for my boys, or for your boy, Mrs. Niehouse, or yours, Mr. Knight, or yours, Mr. Robertson, or yours, Mr. Heisinger, to now be engaged in finishing a job that we attempted to do 25 years ago. God forbid that we ever again permit this Nation to become so devoid of leadership that it will be necessary for our grandchildren to engage in a bloody war. Never before in the history of the United States have the people become so interested in leadership as they are at the present time. Each one of you were elected to your present position because of the leadership that you possess. Certainly many other people in your respective districts were qualified to serve as Members of the California Legislature, but the people of each respective district elected you to the Legislature because of the outstanding leadership displayed by you.

We are now assembled as members of the first wartime Legislature of the Second World War. The Constitution places upon us the responsibility of choosing a leader to serve as Speaker of the Assembly for the ensuing term. Each Member of this Legislature has the ability to serve as Speaker; however, if we are to be outstanding in our efforts in California, then we must choose the one best qualified for that leadership. I have written a letter to my son who is in the armed forces which I intend to mail to him on the fifteenth day of May this year, and I am going to read to you what I have written.

May 15, 1943

*Glenn H. Bashore
Somewhere With the United States Navy*

DEAR SON: I have just returned home from the Fifty-fifth Session of the California Legislature. Looking at your vacant chair at the dinner table, I felt that you might be interested in some of our accomplishments. This session of the Legislature was the most harmonious, and achieved more in less time than any previous session. I think, Son, that this was accomplished by two reasons. First, the intelligence displayed by the Members of the Legislature in choosing a Speaker. The Speaker we chose was an individual qualified to conduct the affairs of the Legislature, maintaining proper decorum, and conducting all of its activities in a very businesslike manner. But I think the second reason is probably more important than the first, and that second reason is this: For the first time in the history of the Legislature, the Speaker was unanimously elected on the first ballot. Partisan politics were thrown out for the duration. Members of the Democratic party, even though they were in the minority, put aside any party differences and served only as Americans. The Republicans, on the other hand, even though they were in the majority, did not use that majority in an attempt to whip into line those of the minority party. I think, Son, that this occurred because of the fact that members of both parties realized that those boys who gave their lives at Pearl Harbor and those who have subsequently given their lives at Guadalcanal, Africa, and other theaters of war did not do so as Democrats or Republicans, but did so as Americans.

We were able to reduce State expenditures, and we reduced State taxes, thereby enabling the citizens of California to purchase more war bonds to assist you and your buddies in your great effort. We amended our Old Age Law so that our senior citizens will no longer have fear of their future welfare

We provided appropriations to build our State institutions into the finest institutions in the World, and above all, Son, it appeared that every Member of the Legislature was thinking of you and all your buddies, and wisely provided for a post-war program so that when once again after victory you return you will be assured of ample employment at decent wages in private enterprise.

May God bless you and protect you, and may He speed the day when we will attain ultimate victory, and you will once again occupy the vacant chair at the dinner table.

Your DAD

It is with a feeling of personal friendship and high esteem that I'm about to nominate an individual for Speaker who has a smiling countenance, an amiable and agreeable disposition, a friendliness that is warm; a temper never ruffled, be the weather turbulent or serene; a man of outstanding ability and particularly well qualified for your presiding office.

A quarter of a century of legislative experience rests on the shoulders of Charles W. Lyon—whom I now nominate for Speaker.

SPEECH BY SPEAKER CHARLES W. LYON

Members of this Assembly:

First, let me express my deep thanks and gratitude for the honor you have just bestowed upon me.

Having been a member of the Legislature almost continuously since 1915, you may well know my present feeling of sincere appreciation.

As Speaker, it will be my hope—it will be the aim of my every act—to justify the confidence of the Members of the Assembly for honoring me with this high position.

As for the business at hand:

Our Country is at war

Our Nation finds itself involved in the bitterest and bloodiest conflict in history.

Former colleagues of ours are now serving under the Colors. There is hardly a family represented by you members which has not been touched directly by the great holocaust.

It is, therefore, our duty to make this Legislature a *war Legislature!* May I hope—not a "warring" Legislature!

I believe that, as far as possible, we should confine our efforts to legislation needed in the successful prosecution of the war and the defense of the people of our great State.

Nothing but our best will do. Anything less, to my mind, would be legislative treason!

There are certain legislative matters which must be considered in the light of present day conditions.

Personally, I feel that we should cooperate with the military forces in every way, and I am sure that this Assembly feels the same as I do in this particular

Specifically, the splendid work of defending our lives and property, particularly in California, by the Army and Navy authorities should, and I know will, receive 100 per cent cooperation from the Members of the Legislature and from the people of the State of California.

There is an immediate need for the correction and the simplification of birth certificate procedure; revision of the State Guard and State Militia statutes.

There is the matter of the war-time budget. Reduction of taxes, considerations of added aged relief, and other such matters as probably will be contained in the Governor's message, should, as nearly as possible, be the scope of our work.

Matters involving the State Guard and civilian defense should be finally disposed of during this January session.

The first and foremost war-time objective of the Members of the Legislature and of all city and county governments is to streamline their governmental activities, particularly since the Federal Government has taken over so many of the functions of the State, county and city governments. The terrific tax burdens that are being imposed by the Federal Government make this necessary.

I feel that there should be an elimination of the overlapping functions in Government in order that taxes may be reduced as much as possible in order to meet war needs.

The income tax should be materially reduced.

I believe California State taxes should be reduced as nearly as possible in the same proportion as Federal taxes are increased. With a tremendous cash reserve already on hand, and growing larger daily, there appears no good reason why the individual taxpayer should not be relieved of as great a burden of State and local taxes as is consistent with fixed charges, in order to put the taxpayer in a better position to provide the funds for carrying on the war effort.

Committee designations have quite generally followed the Weber Plan. Meeting times, to be fixed I believe will result in a minimum of confusion and will be an additional time saver for all members.

The decision as to whether we streamline the Assembly and reduce the number of committees, thus making for, what I believe, more orderly legislation, depends entirely upon your adoption of the new Standing Rules as proposed by your Committee on Legislative Organization which will be presented for your approval.

I feel our experience during the past sessions should be the best reason for the adoption of the new Rules. We've lost time through lack of quorums; through no particular fault of our own we've inconvenienced many persons who journeyed long distances to come to Sacramento to appear before our committees.

Many of these faults will be corrected by the proposed streamlining.

I feel certain better and more constructive legislation will result in our having fewer committees; less duplication of effort.

The value of your service to our State will be enhanced. It should make the individual Legislator's work more interesting and, certainly, less arduous.

In making the selections for committees, let me say that I will zealously strive to comply as nearly as possible with the members' requests, and the particular fitness and experience of the individual members—not partisanship. It is my sincere hope that, with your kind understanding of the difficulties involved, you will approve, and that the appointments will be as nearly satisfactory as possible under the circumstances.

You will note when the committees are announced that in addition to the chairman I have named a vice chairman for each committee. In my opinion, there is as much honor and prestige in being named a vice chairman of a committee, with the present small number of committees, as it would have been to be named a chairman under our former Rules.

Plans have already been formulated with the Legislative Counsel Bureau as to the introduction of bills, which will substantially reduce the number of measures by avoiding certain duplications. This will reduce their number and definitely shorten the length of our session.

While I have spoken of the desire to limit our present legislative scope to those matters dealing directly with the war, and our fullest cooperation with the National Government in bringing the awful conflict to a speedy and successful conclusion, we should not be unmindful of the problems the peace will present to us.

The post war period will test our mettle, our ingenuity and our ability as we never before have been tested.

The "California problem" will be the greatest problem in the Nation.

On every hand we have seen gigantic developments; tremendous expansion in our airplane and our shipbuilding industries.

Countless new enterprises, all directly or indirectly stemming from our war effort, have been established in California.

Each industry, each new product, has meant new employment. JOBS! Unemployment is almost the forgotten word!

California was not able to meet these new manpower demands. Literally thousands upon thousands of fine people from the other States of the Union have come to California to take advantage of these new job opportunities which the great war concerns have generated.

On the other hand, some small businesses have suffered and are likely to be further threatened as the war progresses.

God willing, we can play an important part in keeping our State and our people from many of the trials which the peace is certain to bring in its wake.

Employment will loom large as a major question on the peace horizon.

The transition from the manufacture of the weapons of war to the pursuits of peace can not be made over night.

Large enterprises must not be looked upon as tax sources alone, but, rather, great reservoirs of opportunities for employment.

Equally important is the problem of the survival of the small enterprise.

Donald Nelson, Chairman of the War Production Board, has said: "If we are to win the peace as well as the war, the principle of independent enterprise—small business—must not only survive but also become a stronger, more effective force in our economic life."

Our Nation, built upon the firm foundation of free enterprise, must not sacrifice that cornerstone of our Democracy.

These are but a few of the issues we will soon be called upon to face, and face them squarely we must. It is our duty.

And it is a duty, I am convinced, that you men and women of the Legislature, you who have been elected to represent the people of our State, WILL meet.

You will meet and surmount those duties because you, as Californians, will be ever-courageous, ever-faithful and ever-true to the trust the people of our great Commonwealth have imposed upon you.

It shall be my endeavor to make this session as short a one as possible, consistent with the enactment of good legislation. I am sure that every member will agree with that sentiment.

May I again thank you for the faith and trust you have placed in me in electing me your Speaker.

Let me say again on this, one of the happiest moments in my long career as a legislator, that by my every act; by my offer of the fullest cooperation with every individual of this, the Fifty-fifth Session of the Legislature, I shall endeavor to merit the tribute you have paid me today.

I thank you.

RESOLUTIONS

The following resolutions were offered:

By Mr. Maloney:

House Resolution No. 1

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

Speaker.....Hon. Charles W. Lyon
Speaker pro tempore.....Hon. Thomas A. Maloney

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 1, at this time, without reference to committee.

Resolution read and adopted.

Appointment of Select Committee

Pursuant to the provisions of the above resolution, the Speaker announced the appointment of Messrs. Maloney, Erwin, and Mrs. Niehouse, as such Select Committee.

By Mr. Sawallisch:

House Resolution No. 2

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

Request for Unanimous Consent

Mr. Sawallisch asked for, and was granted, unanimous consent to take up House Resolution No. 2, at this time, without reference to committee.

Resolution read and adopted.

Appointment of Select Committee

Pursuant to the provisions of the above resolution, the Speaker announced the appointment of Messrs. Sawallisch, Gaffney, Thurman, Bennett, and Burns as such Select Committee.

By Mr. Weber:

House Resolution No. 3

Resolved by the Assembly of the State of California, That until further notice the Standing Rules of the Fifty-fourth (Regular) Session, adopted January 14, 1941, and appearing upon pages 198 to 218 of the Assembly Journal for 1941, together with all amendments adopted thereto, be and the same are hereby adopted as the Temporary Rules of this House until otherwise ordered, with the following changes, to wit: 1943 to be inserted in lieu of 1941 wherever those figures might appear.

Notwithstanding anything to the contrary, a majority vote of the entire elected membership may amend any of the temporary rules.

Request for Unanimous Consent

Mr. Weber asked for, and was granted, unanimous consent to take up House Resolution No. 3, at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

By Mr. Dilworth:

House Resolution No. 4

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

Request for Unanimous Consent

Mr. Dilworth asked for, and was granted, unanimous consent to take up House Resolution No. 4, at this time, without reference to committee.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

By Mr. Debs:

House Resolution No. 5

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

Request for Unanimous Consent

Mr. Debs asked for, and was granted, unanimous consent to take up House Resolution No. 5, at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

By Mr. Middough:

House Resolution No. 6

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

Request for Unanimous Consent

Mr. Middough asked for, and was granted, unanimous consent to take up House Resolution No. 6, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Dickey:

House Resolution No. 7

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

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 7, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Stream:

House Resolution No. 8

Resolved by the Assembly of the State of California, That the Speaker appoint a Select Committee of Three to wait upon the Senate and invite that honorable body to meet with the Assembly in Joint Convention at 2.45 p.m., for the purpose of attending the inaugural ceremonies for Governor Earl Warren and Lieutenant Governor Frederick F. Houser.

Request for Unanimous Consent

Mr. Stream asked for, and was granted, unanimous consent to take up House Resolution No. 8, at this time, without reference to committee.

Resolution read and adopted.

Appointment of Select Committee

Pursuant to the provisions of the above resolution, the Speaker announced the appointment of Messrs. Stream, Hawkins, and Desmond as such Select Committee.

By Mr. Hawkins:

House Resolution No. 9

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

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Michael J Burns	Eureka, Humboldt County	312	--	--	312	624	\$31 20
2	Paul Denny	Erva, Siskiyou County	295	37	--	332	664	33 20
3	Lloyd W Lowrey	Rumsey, Yolo County	23	36	--	59	118	5 90
4	Albert M King	Oroville, Butte County	86	--	--	86	172	8 60
5	Ernest C Crowley	Fairfield, Solano County	40	--	--	40	80	4 00
6	Allen G Thurman	Colfax, Placer County	37	17	--	54	108	5 40
7	Richard H McCollister	Mill Valley, Marin County	105	8	--	113	226	11 30
8	Chester F Cannon	Sacramento, Sacramento County	--	--	--	--	--	--
9	Earl D Desmond	Sacramento, Sacramento County	--	--	--	--	--	--
10	Harold F Sawalisch	Richmond Contra Costa County	62	22	--	84	168	8 40

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
11	Charles M. Weber	Stockton, San Joaquin County	48	--	--	48	96	\$4 80
12	James E. Thorp	Lockeford, San Joaquin County	48	--	3	45	90	4 50
13	Francis Dunn, Jr.	Oakland, Alameda County	84	--	--	84	168	8 40
14	Randal F. Dickey	Alameda, Alameda County	84	5	--	89	178	8 90
15	Bernard A. Sheridan	Oakland, Alameda County	84	--	--	84	168	8 40
16	Arthur W. Carlson	Piedmont, Alameda County	84	--	--	84	168	8 40
17	Edward J. Carey	Emeryville, Alameda County	84	--	2	82	164	8 20
18	Gardiner Johnson	Berkeley, Alameda County	84	--	1	83	166	8 30
19	Bernard R. Brady	San Francisco, San Francisco County	90	--	--	90	180	9 00
20	Thomas A. Maloney	San Francisco, San Francisco County	90	--	--	90	180	9 00
21	Albert C. Wollenberg	San Francisco, San Francisco County	90	--	--	90	180	9 00
22	George D. Collins, Jr.	San Francisco, San Francisco County	90	--	--	90	180	9 00
23	William Clifton Berry	San Francisco, San Francisco County	90	--	--	90	180	9 00
24	Edward F. O'Bay	San Francisco, San Francisco County	90	--	--	90	180	9 00
25	Gerard P. Haggerty	San Francisco, San Francisco County	90	--	--	90	180	9 00
26	Edward M. Gaffney	San Francisco, San Francisco County	90	--	--	90	180	9 00
27	Harrison W. Call	Redwood City, San Mateo County	119	--	--	119	238	11 90
28	Raup Miller	Palo Alto, Santa Clara County	128	18	--	146	292	14 60
29	John F. Thompson	San Jose, Santa Clara County	128	--	--	128	256	12 80
30	Ralph M. Brown	Modesto, Stanislaus County	77	--	--	77	154	7 70
31	George A. Clarke	Le Grand, Merced County	114	15	--	129	258	12 90
32	Jacob M. Leonard	Hollister, San Benito County	173	--	--	173	346	17 30
33	Fred Weybret	Soledad, Monterey County	208	34	--	242	484	24 20
34	J. G. Crichton	Fresno, Fresno County	169	--	--	169	338	16 90
35	S. L. Heisinger	Fresno, Fresno County	169	--	--	169	338	16 90
36	C. L. Guthrie	Porterville, Tulare County	206	28	--	234	468	23 40
37	Alfred W. Robertson	Santa Barbara, Santa Barbara County	460	--	--	460	920	46 00
38	Walter J. Fourt	Ventura, Ventura County	490	--	--	490	980	49 00
39	Thomas Harold Werdell	Bakersfield, Kern County	278	--	--	278	556	27 80
40	William H. Rosenthal	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
41	Julian Beck	San Fernando, Los Angeles County	447	--	21	426	852	42 60
42	Everett G. Burkhalter	North Hollywood, Los Angeles County	447	--	--	447	894	44 70
43	C. Don Field	Glendale, Los Angeles County	447	--	10	437	874	43 70
44	John B. Pelletier	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
45	Thomas J. Doyle	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
46	Glenn M. Anderson	Hawthorne, Los Angeles County	447	12	--	459	918	45 90
47	Wilms Saigent	Pasadena, Los Angeles County	447	13	--	460	920	46 00
48	T. Penton Knight	La Canada, Los Angeles County	447	16	--	463	926	46 30
49	Lee T. Bashore	Glendora, Los Angeles County	447	26	--	473	946	47 30
50	Thomas M. Erwin	El Monte, Los Angeles County	447	14	--	461	922	46 10
51	Elwyn S. Bennett	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
52	Jonathan J. Hollibaugh	Huntington Park, Los Angeles County	447	6	--	453	906	45 30
53	Lothrop Smith	San Gabriel, Los Angeles County	447	9	--	456	912	45 60
54	John B. Knight	Eagle Rock, Los Angeles County	447	--	--	447	894	44 70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
56	Ernest E. Debs	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
57	Franklin J. Potter	Hollywood, Los Angeles County	447	--	--	447	894	44 70
58	Frank J. Waters	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
59	Charles W. Lyon	Beverly Hills, Los Angeles County	447	8	--	455	910	45 50
60	Jesse Randolph Kellems	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
61	Lester A. McMillan	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
62	Augustus F. Hawkins	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
63	Don A. Allen	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
64	John C. Lyons	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
65	John W. Evans	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
66	Jack Massion	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
67	Clayton A. Dills	Gardena, Los Angeles County	447	11	--	458	916	45 80
68	Vincent Thomas	San Pedro, Los Angeles County	447	23	--	470	940	47 00
69	Ralph C. Dills	Compton, Los Angeles County	447	18	--	465	930	46 50
70	Lorne D. Middough	Long Beach, Los Angeles County	447	22	--	469	938	46 90
71	Fred N. Howser	Long Beach, Los Angeles County	447	22	--	469	938	46 90
72	R. Fred Price	Ontario, San Bernardino County	508	--	23	485	970	48 50
73	Douglas P. Armstrong	Redlands, San Bernardino County	508	9	--	517	1,034	51 70
74	Clude A. Watson	Orange, Orange County	481	--	--	481	962	48 10
75	Sam L. Collins	Fullerton, Orange County	481	--	11	470	940	47 00
76	Nelson S. Dilworth	Itemet, Riverside County	512	34	--	546	1,092	54 60
77	Harvey E. Hastam	Brawley, Imperial County	661	--	15	646	1,292	64 60
78	Fredereck H. Kraft	San Diego, San Diego County	573	--	--	573	1,146	57 30
79	Kathryn T. Ntehouse	San Diego, San Diego County	573	--	--	573	1,146	57 30
80	Charles W. Stream	Chula Vista, San Diego County	573	10	--	583	1,166	58 30

Name	Address	Distance from county seat	Distance from county seat, less	Mileage, one way	Total mileage	Amount at 10 cents per mile
Arthur A Ohlmus	San Francisco, San Francisco County	90	--	90	180	\$18 00
C William Queale	Fullerton, Orange County	481	--	11	470	94 00
Wikie Ogg	Sacramento, Sacramento County	--	--	--	--	--

Resolution read, and referred to Committee on House Functions

By Mr. Sam L. Collins:

House Resolution No. 10

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

Resolved, That no additional mailing list shall be allowed or authorized, unless the sum of fifty dollars (\$50) each is paid therefor, to the State Printer and which sum shall be credited to legislative printing and accounted for to the Legislature; and be it further

Resolved, That the total number of bills to be printed in no event, unless otherwise authorized, shall be over two thousand five hundred (2,500).

Resolution read, and referred to Committee on House Functions.

COMMITTEE FROM THE SENATE

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

REPORT OF SELECT COMMITTEE

The Select Committee appointed to wait upon the Senate reported that the Senate was organized, and ready to proceed with the regular business.

APPOINTMENT OF STANDING COMMITTEE

The Speaker announced the appointment of the following members to the Committee on House Functions.

Messrs. Collins, Sam L., Chairman; Desmond, Vice Chairman; Burns, Bashore, Dickey, Dills, Ralph C., Doyle, Field, Johnson, Knight, John B., Sawallisch, Wollenberg, and Call—13 members.

REPORT OF SELECT COMMITTEE

The Select Committee appointed to wait upon the Governor reported that it had been cordially greeted by the Governor who requested that the committee extend his greetings to the Assembly, and his congratulations upon its organization.

RESOLUTIONS

The following resolution was offered:

By Mr. Johnson:

C. C. House Resolution No. 11

84
Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-five (85) sets of the 1941 edition of Deering's Codes of the State of California, consisting of the following:—

Civil Code (Deering) 1941, 1 volume
 Code of Civil Procedure, including Probate Code (Deering) 1941, 1 volume
 Penal Code (Deering) 1941, 1 volume
 Political Code (Deering) 1937, 1 volume
 Commission's Code (Deering) 1937, 2 volumes
 Commission's Code (Deering) 1939, 1 volume
 General Laws (Deering) 1937, 2 volumes
 Supplement to (Deering) 1937, Code & General Laws, 1 volume, 1939
 Supplement to (Deering) 1937, Codes & General Laws, 1 volume, 1941
 Constitution (Treadwell) 6th Ed., 1931, with amendments to January 1, 1941, 1 volume

Resolved, further, That the Chief Clerk of the Assembly purchase eighty-five (85) copies of Roberts Rules of Order; and be it further

Resolved, That the Chief Clerk of the Assembly be, and he is hereby directed to deliver one (1) complete set of the codes; also one (1) copy of Roberts Rules of Order, to each member of the Assembly; two (2) to the Committee on Judiciary, and one (1) to the Committee on Ways and Means, and two (2) copies to the Chief Clerk of the Assembly.

Resolution read, and referred to Committee on House Functions.

EXPLANATION OF VOTE

I wish to state that the reason for my name not appearing on the roll call for the election of Assemblyman Charles Lyon as Speaker was due to the fact that my train was four hours late. I heartily approve Mr. Lyon's election and wish it known that I would have voted for him had I been here.

JESSE RANDOLPH KELLEMS

MEMBER SWORN IN

Hon. Bernard R. Brady, of the Nineteenth Assembly District, appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Charles J. Hagerty, Deputy Secretary of State:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Member of the Assembly for the Fifty-fifth Session of the Legislature of the State of California, according to the best of my ability, so help me God

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS

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

Assembly Bill No. 1: By Mr. Sam L. Collins—An act making an appropriation for the mileage of the members and statutory officers of the Assembly, to take effect immediately.

Without reference to committee.

Assembly Bill No. 2: By Mr. Sam L. Collins—An act to amend Sections 245 and 246 and to repeal Sections 268 and 269 of the Political Code, relating to officers and employees of the Legislature, and declaring the urgency thereof, to take effect immediately.

Without reference to committee.

Assembly Concurrent Resolution No. 1: By Messrs. Maloney, Lyon, Robertson, Johnson, and Kilpatrick—Relative to the selection of the Legislative Counsel of California.

Request for Unanimous Consent

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

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 1

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

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75

NOES—None.

Resolution ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

The following resolution was offered:

Assembly Concurrent Resolution No. 2: By Messrs. Lyon, Robertson, and Collins, Sam L.—Relative to accredited press representatives and the authentication thereof.

Without reference to committee.

RECESS

At 1.25 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2.30 p.m.

REASSEMBLED

At 2.30 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

COMMUNICATIONS

The following communications were received and read:

From Conference on Agricultural Legislation, California, expressing appreciation for use of the Assembly Chamber.

From Jean B. Gidney, expressing appreciation for Assembly resolution of sympathy on the passing of her father, former member, Archibald E. Brock.

From Edward J. Flynn, Chairman, Democratic National Committee, expressing appreciation for Assembly resolution of congratulation on the appointment of Hon. Edwin W. Pauley.

From Mrs. Grace Dempster, expressing appreciation for Assembly resolution of sympathy on the passing of former member, Charles W. Dempster.

From Mrs. Lee Geyer, expressing appreciation for Assembly resolution of sympathy on the passing of Congressman Lee Geyer.

From the War Department, Office of the Chief Engineers (Miles Reber), acknowledging receipt of Assembly Joint Resolution No. 16, Special Session, 1942, relative to flood control.

From the War Department, Office of the Chief Engineers (John R. Hardin), acknowledging receipt of Assembly Joint Resolution No. 16, Special Session, 1942, relative to flood control.

From United States Department of Agriculture, acknowledging receipt of Assembly Joint Resolution No. 4, Special Session of 1941.

From John L. Rogers, Interstate Commerce Commission, in appreciation for Assembly resolution relative to his appointment.

From War Department, Office of the Chief Engineers, acknowledging receipt of House Resolution No. 47 and Joint Resolutions Nos. 17 and 25, 1942 Special Session, relative to flood control.

From the Attorney General of the State of California, relative to members' deductions for income tax purposes.

From Daniel Affrine, Mrs. George N. Nelson, and Mr. and Mrs. Fred Nygren, expressing appreciation for Assembly resolution of sympathy.

From David Darrin, requesting cooperation between State and Federal Government in the war effort.

The following communications were received, read, and ordered referred to the Committee on Judiciary:

From Pacific Greyhound Lines, relative to a claim by, against the State of California.

From Trusts and Estates, requesting reference of letter to proper committee

The following communications were received, read, and ordered filed with the Secretary of State:

DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, May 27, 1942

Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento, California

Subject: Filing of State Engineer reports pursuant to Ch. 1, Stats. 1940, 2d extra session, as amended.

DEAR SIR: Handed you herewith for filing is the following report of the State Engineer:

A-127 County of Colusa, File No. Col. 40-5
Willow Creek Bridge

This report is on an application filed under authority of said Chapter 1, Statutes of 1940, as amended, and is transmitted to you pursuant to the requirements of Section 1 thereof.

A copy of letter dated May 25, 1942, from the State Controller, with reference to this report is also inclosed.

Very truly yours,

EDWARD HYATT, State Engineer
By A. D. EDMONSTON, Deputy State Engineer

DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, May 28, 1942

Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento, California

Subject: Filing of State Engineer reports pursuant to Ch. 1, Stats. 1940, 2d extra session, as amended.

DEAR SIR: Handed you herewith for filing is the following report of the State Engineer:

A-128 County of Tehama, File No. Teh. 40-8
China Slough Bridge

This report is on an application filed under authority of said Chapter 1, Statutes of 1940, as amended, and is transmitted to you pursuant to the requirements of Section 1 thereof.

Very truly yours,

EDWARD HYATT, State Engineer
By A. D. EDMONSTON, Deputy State Engineer

DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, July 16, 1942

Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
State Legislature, State Capitol Building, Sacramento, California

DEAR SIR: In compliance with Senate Concurrent Resolution No. 43, I am transmitting herewith a report on the Mount Tamalpais Ridgecrest Boulevard, for filing at the first opportunity when the Legislature is in session.

This report is being forwarded to you in the exact form in which it has been furnished to me by Mr. C. H. Purcell, State Highway Engineer, under whose direction the report was compiled.

A duplicate copy is being sent to the Secretary of the Senate.

Very truly yours,

FRANK W. CLARK
Director of Public Works

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 4, 1943

MR. SPEAKER: I am directed to inform your Honorable Body that the Senate on this day elected the following statutory officers:

<i>President pro tempore</i> -----	Jerrold L. Seawell
<i>Secretary</i> -----	Joseph A. Beek
<i>Sergeant-at-Arms</i> -----	Joseph F. Nolan
<i>Minute Clerk</i> -----	John F. Lea
<i>Chaplain</i> -----	Richard C. Dwyer

J. A. BEEK, Secretary of the Senate

SENATE CHAMBER, SACRAMENTO, January 4, 1943

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

Senate Concurrent Resolution No. 1.

J. A. BEEK, Secretary of the Senate

INTRODUCTION AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 1—Relative to inaugural ceremonies.

Request for Unanimous Consent

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

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 1

Senate Concurrent Resolution No. 1—Relative to inaugural ceremonies.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Helsingier, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr Sam L. Collins:

House Resolution No. 12

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of two thousand dollars (\$2,000), said amount

being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding two thousand dollars (\$2,000) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars (\$25).

Request for Unanimous Consent

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

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Hoyser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

NOES—None.

COMMUNICATIONS

The following communication was received and read:

WOODLAKE, CALIFORNIA, October 15, 1942

*Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
Assembly Chamber, Sacramento, California*

This is to advise you that I have appointed the following committee to attend the funeral of Godfrey Andreas at St. George Catholic Church, Ontario, at 9:30 a.m., October 16th:

Messrs. Lyon, Bashore, Allen, Russell, Houser, Frederick F., and Dilworth.

Sincerely yours,

GORDON H. GARLAND

Speaker of the Assembly, Fifty-fourth Session

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 3: By Messrs. Lyon, Price, Armstrong, Bashore, and Collins, and Sam L.—Relative to the death of Godfrey Augustus Andreas.

Request for Unanimous Consent

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

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 3

Assembly Concurrent Resolution No. 3—Relative to the death of Godfrey Augustus Andreas.

Resolution read and adopted unanimously.

Resolution ordered transmitted to the Senate.

RECESS

At 2:55 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed to meet with the Senate in Joint Convention.

IN JOINT CONVENTION

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, January 4, 1943

At 3 p m. the Senate and the Assembly met in Joint Convention.

ASSEMBLY ROLL CALL

Hon. Charles W. Lyon, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of the Assemblymen.

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

Messrs. Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Holhbaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

The Speaker declared a quorum of the Assembly present.

SENATE ROLL CALL

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

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

Senators Biggar, Brown, Burns, Carter, Colher, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Engle, Fletcher, Gordon, Jespersen, Judah, Keating, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, and Ward—35

The President declared a quorum of the Senate present.

REGULAR ORDER OF BUSINESS

By direction of the President of the Senate, the Secretary of the Senate read sections of the Constitution of the State of California as follows:

Of the Constitution (Article V):

SEC 45. The Legislature may regulate by law the manner of making returns of elections for Governor and Lieutenant Governor.

The legislation enacted at the Fifty-third Session of the Legislature regulating the manner of making returns of elections for Governor and Lieutenant Governor is hereby ratified and validated, and it shall have the same force and effect as if it had been passed after the adoption of this provision of the Constitution.

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

ANNOUNCEMENT

The Speaker of the Assembly announced that the certificate of election from the Secretary of State had been received relative to the election of Earl Warren as Governor and Frederick F. Houser as Lieutenant Governor of the State of California.

APPOINTMENT OF SENATE COMMITTEES OF ESCORT

The President of the Senate announced the appointment of the following Senate Committees on Escort:

To escort Governor Culbert L. Olson and Governor-elect Earl Warren to the inaugural ceremonies: Senators Shelley, McBride, Fletcher, McCormack, Swan, and Powers.

To escort Lieutenant Governor-elect Frederick Houser to the inaugural ceremonies: Senators Burns, Carter, and Dillinger.

APPOINTMENT OF ASSEMBLY COMMITTEES OF ESCORT

Hon. Charles W. Lyon, Speaker of the Assembly, announced the appointment of the following Assembly Committees on Escort:

To escort Governor Culbert L. Olson and Governor-elect Earl Warren to the inaugural ceremonies: Assemblymen Robertson, Gaffney, Niehouse, Stream, Desmond, and Burns.

To escort Lieutenant Governor-elect Frederick F. Houser to the inaugural ceremonies: Assemblymen Field, Armstrong, and Lowrey.

INAUGURAL CEREMONIES

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

Hon. Ellis E. Patterson, President of the Senate.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

REPORT OF COMMITTEES OF ESCORT

The Senate and Assembly Committees of Escort appeared at the platform in company with His Excellency, Culbert L. Olson, Governor; Hon. Earl Warren, Governor-elect, and Hon. Frederick F. Houser, Lieutenant Governor-elect.

Invocation was offered by Dr. Clarence A. Kircher.

INTRODUCTION OF GOVERNOR CULBERT L. OLSON

Governor Culbert L. Olson was then presented to the Joint Convention by the Hon. Charles W. Lyon, Speaker of the Assembly.

ADMINISTRATION OF OATH OF OFFICE

Hon. Earl Warren took and subscribed to the following oath, administered by Hon. Phil S. Gibson, Chief Justice of the Supreme Court of the State of California:

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

INTRODUCTION OF GOVERNOR EARL WARREN

Hon. Charles W. Lyon, Speaker of the Assembly, then introduced Governor Earl Warren to the Joint Convention.

INAUGURAL ADDRESS OF GOVERNOR EARL WARREN

Governor Earl Warren then proceeded to address the Joint Convention as follows:

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

We meet here today under conditions which strip the occasion of all gloss and pompous ceremony.

We meet as men and women assembled to undertake an emergency task—a task which for fulfillment will require that adherence to unity of purpose which we find in our fighting men as they respond to the call to their battle stations.

We meet here as representatives of the people of California in an hour of crisis. Hourly, thousands of those whom we represent will be offering their lives to protect our right to meet.

I feel that you legislators sitting before me will rise to a man in seconding the declaration that we must not leave these halls without a record of accomplishment in keeping with need. I know we are in agreement in the abstract thought that we have a patriotic duty to perform. But, more than that, I believe we are in agreement that we must immediately remove all mental barriers and get to work.

Thus, as we assemble at our battle stations, I appear before you, not only in compliance with statute, but because of an earnest wish to give you an understanding of my own thoughts in regard to our critical problems. I want to work with you. What we undertake and accomplish here during the next few months will radiate an influence upon the present and future well-being of every Californian and will contribute to the strengthening of the position of our Nation which is, in its entirety, being harnessed to the requirements of unprecedented mechanized global warfare.

The meaning of war—its compulsions, its disruptions, its distortions and its cold mecrency already shadows our lives and encompasses our thoughts. This Nation is, I repeat, caught in its entirety in the current of global strife. Where the ship of democracy sails we will sail for we are an integral part of the ship. We in California constitute a vital part of the ship structure—the exposed side of the ship at water's edge.

Clear Thinking Required

As representatives of the people of California, we have been entrusted to find ways of gearing the machinery of State Government so as both to absorb the shocks imposed by war and to alleviate the severity of post-war uncertainties.

In rising to the abnormal responsibility imposed, it is obvious that we must cut out all the dry rot of petty politics, partisan jockeying, inaction, dictatorial stubbornness and opportunistic thinking. We must seek with singleness of purpose to make use of every fiber of energy that can be tooled to close the niches of weakness which exist and harden the resistance to impacts to come.

There has never been a period in our history when the need for understanding and appreciation of the true concepts of democracy was so important. Nor has there been a session of the California Legislature at which the full use of democratic processes was more imperative.

We are in the midst of an era in which doubt has been cast upon the efficiency of democratic government. We are at war because in another land a power-mad sign painter capitalized upon the distress of a depressed and confused people to seize dictatorial powers. Once mobilized he raised his challenge to free men the world over in the belief that the Achilles heel of free government would be its indecision and slowness to act.

Our fighting men are disproving his false theory on far-flung battle fronts today but the theory will not be repudiated with finality until a double victory has been achieved. We glory in the caliber of our fighting men but let it never be considered that they alone are carrying the responsibility of our day. Confronting us here on the home front is an equally imperative challenge—the challenge for perfection of that for which they fight—the broadening of popular understanding, faith and reliance in the machinery of democracy and its religious ideals.

We gather here in accordance with the democratic principles for which young men from our home towns are manning guns in Tunisia, over North Africa, over Burma, on Guadalcanal, in Iceland, England over all continents of the world and on each of the seven seas. We have seen the signs of confusion arise over the slowness of democracies to function. Ours is an opportunity to restore confidence in those who have become distraught and misguided. Ours is an opportunity to strengthen faith in men's ability to work together for the common good.

I would not be here addressing you today if the people of this great State had not made their own analysis of their common problems and ordered a change in administration. They sent you here as legislators and honored me with the Governorship for one reason alone—they expect us to work together and produce results. They rely upon our ability to fix our minds upon common objectives which are in their interests and reach achievement in goals through cooperative action.

I share in this reliance. It is one of the reasons I have said many times that the immediate restoration of good will in California will be one of my primary objectives. I want to see State Government achieve a balance obtainable only through warm cooperation and courteous consideration. I recognize you, the Legislature, as a coordinate branch of democratic government, possessed of the dignity and the right to meet when you desire, and to plan and initiate legislation which is just as much in keeping with the public wish as that which I may suggest. I want to restore and maintain a balance of understanding and confidence which, through mutuality of effort, facilitates action in behalf of the people as a whole.

Californians Are Not Timid

As we approach our respective tasks let me say: This State has never been afraid to be progressive. It has never been afraid to try new things which it understood. I know that you as legislators are responsive to the ideals, principles and forward outlook which has so pronouncedly dominated California thought and that you share in the belief of the voters that no clique, no faction and no party holds priority on all the rights of helping the common man.

I come before you today with a list of suggestions which I consider in need of immediate legislative attention. In making these suggestions, let me say at the outset that I believe we must, in facilitating the war effort, pursue what might be termed a policy of first things first. That which is involved in the war effort must of necessity be given preference.

There has accumulated in California a wide range of subject matter which, broadly interpreted, comes under the heading of "wartime legislative needs." Some of it calls for remodeling and streamlining existing social and humanitarian endeavors which show the strain of war conditions. Some of it calls for progressive innovations which correct abuses and advance the considerations given those engaged in war effort. Much of it calls for the introduction of broad protective programs which will blossom forth with their peak benefits after the war has ended. And, some of it is strictly martial in character, the direct result of our specific position as a theater of war.

The impelling force of your session will be the need for action in compliance with the needs of war. In part, these war-time needs arise from aggravations of long-existing needs among the people. They loom as emergency in character today but they do so primarily because they have so far failed to win proper evaluation in our long-range planning. Ours is the challenge of so streamlining government that its efficiency meets the need of the day and at the same time moves forward in the recognition of older problems which we see accentuated by war.

In the latter we will meet the test of our knowledge of needs and also the test of our progressivism.

Must Protect Public Health

There has arisen in California since the conditions of war became so manifest, a tremendous problem involving public health. Long-established cities have found themselves transformed by population shifts into communities with burdens exceeding all previous conception. Even more startling has been the transformation of mere trailer camps into communities faced with the sanitary responsibilities of large cities.

Behind the outward veneer of these remarkable developments lurks a problem which must be given recognition by government. The strain upon sanitary facilities, the arrival of new peoples, and the extra hours of human effort required by war needs join in creating a health problem of undeniable magnitude. As we approach this problem, we must keep in mind the necessity of long range planning for the day will come when California becomes the funnel through which men, now fighting in strange lands throughout the world, will be returned to normal contacts. The tests of our ability to control and resist disease are destined to increase.

Nor is the broad consideration of the present and future protection of health the only problem accentuated by the rush of war workers to our State and the return of fighting men from disease-infested lands. Among those workers in production in this State are thousands undertaking tasks with which they are unfamiliar—tasks at which they are at first unskillful and without full appreciation of hazards. We must act to protect them, to protect our war production manpower and to protect our structures which cushion, at least to some degree, the human suffering which is entailed.

New Problems Confront Women

In our efforts to build protective services to the highest point of efficiency, we must direct new thought to those unprecedented considerations forced upon us by the emergency participation of women in war effort. We have seen women, by the thousands, respond patriotically to the call to relieve men needed elsewhere in war activities and, as they have responded, we have recognized the imposition of new strains upon our social structure. We must recognize that women have assumed their emergency burdens at the sacrifice of normal home life, normal family contacts and also, at the as yet unmeasured risk of impairment of health.

We must survey this field in its entirety to determine the extent to which human values are involved, for numbered among its deeper aspects is the question of stability of family influence. There must be no weakened generation in California chargeable to failure of the State to recognize the strains of this emergency upon either child welfare or sacrifices called for on the part of our women.

While our schools must, of necessity, perform services in connection with the war effort, we must guard against being sidetracked from appreciation of their fundamental purpose. We must remember that the schools are maintained for the training of our youth. Democracy is not a static form of government. It is maintained by constant struggle. Every generation finds a new assault being made

against it by new forces with new devices and the struggle for freedom is always the greatest task of the future as it has been throughout the past. The permanence of a democracy will therefore depend upon the training and inspiration provided for its youth.

Nor should we permit the hysteria of war times to cause neglect in our responsibility to such of our youth as loses its way in these times of uncertainty. We want a program for child welfare designed to bring out the best in every child.

In this field there lies a neglected opportunity through which we can make a great additional contribution of future welfare. From out of a long experience in law-enforcement work, I have come to feel with certainty that we have been making a wrong approach to our crime problem. I am convinced we must revise our programs so that the emphasis is placed upon prevention instead of suppression. If we can bring our juvenile courts, our trial courts, our law-enforcement agencies and our penal institutions into harmony with such an approach, I am confident we will have made a definite contribution to our future welfare.

We have, I feel, already agreed upon the necessity of expanding the influence of the California Youth Correction Authority. I visualize such transfers and consolidations of existing agencies as will streamline, under this Authority, all services in the interests of youth in dire need of a helping hand. In broader aspect, I visualize adherence to a policy in all government activities which reflects a sincere desire to help men, women and children to develop and unfold the best that is within them—something that can never be done under a policy which places reliance almost entirely upon crime suppression.

Penal Reform Necessary

In our efforts to rehabilitate those whose missteps in adult life have led to State assumption of responsibility, I want to take every bit of politics out of the parole system and the pardoning power. I shall appoint to the Board of Prison Terms and Paroles only men of character, experience and a healthy normal approach to our prison problems. We must make certain that those who are paying their debt to society are not ground further into the mire by the pressure of the cruel heel of politics.

People, men, women and children, can not develop the best that is within them without doing useful work. Our practice of matter-of-fact confinement of people without affording them, through work, an outlet for body and mental energy, is wholly wrong. I want to stimulate the employment of all people in our penal institutions. I want to see them engaged in activities which develop their bodies and spur their desire to be restored to society.

I shall later ask you to consider a new approach to the parole problem. There lies within most men who have been removed from ordinary contact with society, a desire to prove their right to the confidence of their fellow man. Procedure could be established under which these men could be restored to community life and permitted, through rightful living, to earn pardon recognition from the courts in the community in which they have demonstrated a right to such consideration.

Local Government

As we approach the serious emergency problems which have arisen as a result of the war, I want to express the hope that there can be developed a new co-relation between the efforts of cities, counties and State agencies. I believe that the very essence of democracy is the right of people to govern themselves and this starts in local communities. Our State administration must be responsive to the needs of the people and it must counsel with and be ever regardful of the thoughts of smaller units of government. I say this because I believe it to be fundamental. People retain their interest in government only as they are encouraged to participate in it, and it is in local government that we find the greatest opportunity for participation and therefore the greatest reflection of public will.

Manpower Utilization

We must, in our State Government, increase the flexibility of all agencies which are not yet fully participating in the war effort and break down those barriers which retard decision and action. In accomplishing this we will be doing no more than accepting the responsibility of leadership which is expected. We face no greater immediate challenge than to turn loose the full power of State energy in search of solutions for which farm, industrial and labor groups are now groping as they strive to meet unprecedented production demands.

We have desperate need at the moment of advancing in the solution of our critical farm labor problem. Our contribution to the better utilization of such manpower as is available will come only after study of the participation that can be expected of our men, women and children and of possible supplemental labor from sources developed in cooperation with the Federal Government. We must make certain that this study is not prolonged beyond the present brief seasonal respite from peak demand.

Our State has mushroomed in industrial growth and at the same time made heavy contributions to the armed forces. Proper emergency utilization of all labor

otherwise available is becoming a matter, not only of State, but of National concern. It rises as a problem which we must recognize as far too serious to be hampered by false conceptions or the delays of red tape.

Supplementing this urgency consideration of manpower utilization there must be launched a companion study of post-war utilization. Patriotic duty is now causing dislocations which will later sorely test our recuperative powers. Yet, I hold that it is possible to plan now in a manner which will add to our strength when these post-war tests occur.

California of the Future

The California I visualize after the war is not one which we have so far known. It is a greater California—a California which has recognized its resources and opportunities and made them ready for peacetime utilization.

There have been introduced into California during recent months vast shipbuilding, aircraft and war material industries which came here, not as a result of normal competitive advantages, but as a result of Nationally directed war effort. Regardless of how they came, they are shaping the destiny of our State and changing our economy. Whether these sources of manpower utilization and productive energy remain with us after the war will depend, in a large measure, upon our appreciation of opportunity.

If we are to move forward rapidly after the war, we must do those things required to attract and hold these and other industries in competition with the rest of the world. To hold them we must make for ourselves every advantage which our geographical position, our climate, the rich deposits in our hills and our many other resources permit. We must probe beneath the surface and exploit those advantages which have heretofore been but vaguely recognized.

Proper development of these and other resources will inescapably call for new considerations in connection with highway planning. Here again is an activity of State Government which I hope can be raised to a scientific level far above the hindrances of petty politics. In substitute for a wholly political highway commission, I believe there should be set up a division of highways which will utilize in the full the research and planning done by our capable State engineers.

Ours is the task of so planning the conservation and development of our resources that industry feeds upon them for its own peacetime recovery and in so doing increases the utilization of our manpower. In pursuance of this task we will be adhering to what I believe to be a fundamental principle of democratic government—the encouragement of free enterprise in a manner which benefits the people as a whole. I hold to the conviction that government and industry share joint obligation in this connection. It is the obligation to so plan and organize that our people have assurance of security and adequate return for services rendered—the opportunity to work.

As safeguards against extremes which may cause a lag in the full realization of our peacetime development, I urge the preparation of a manpower utilization program which can serve to take up the slack. We must avoid a return to the dole. We must set ourselves to the scientific preparation of a backlog of construction projects which coordinate in purpose and service the physical improvement of our State and the bolstering of morale through beneficial utilization of surplus manpower.

Pension Study Planned

In supplement to these studies, it is my hope that a way can be found of improving the lot of our elder citizens through the broadening of our approach to the pension problem. They are the first to suffer in periods of labor surplus and the last to receive the benefits of industrial activity. They are therefore entitled to our consideration.

It is my conviction that our pension system should not be based upon the requirement of pauperism. I want it to be based upon social right. I believe, as most of you believe, that the ultimate solution of the pension problem will come through advances made on a National scale. Yet, we should not permit this thought to delay our own efforts to build and maintain a pension structure within the limits of our ability to pay.

No sound contribution can be made by us in the advancement of our own and National thinking on the pension problem without removing the issue from the field of politics and propaganda. There must be a correlation of all sincere thinking on the subject in order that we may move in unison toward the most practical goal obtainable. In furtherance of this thought, I am preparing to appoint a representative committee whose duty it shall be to examine the entire problem and prepare a basic report for your immediate consideration.

Reorganize Civilian Defense

California is caught, not only in the economic grasp of these uncertain times but faces specific uncertainties arising from actual military conflict. We reside in a

theater of war. State leadership has no patriotic alternative but to assume responsibility for assisting all agencies in the protection of life, home and property.

We must guard against the emotional fluctuations produced by daily variances in the news of the war and proceed to place government in a position to perform with promptness and thoroughness all emergency services which may be required. We must offer the people a positive type of leadership—one backed with authority to act and advise—one which invites full public cooperation and confidence.

In making an approach to the reorganization of procedures surrounding our civilian defense efforts, we are all aware that there must, in the interests of speed and complete efficiency, be some further emergency power and authority in the State Government. In this connection, however, I would want you, as legislators, to satisfy yourselves in full measure that the innovations adopted will not destroy that fine balance between the executive and legislative processes which our National and State Constitutions contemplate.

There must be a new analysis made of the general scheme of civilian defense and law enforcement and it must be made with new conceptions of the need for closely knit action on the part of all city, county, State, National and volunteer agencies. We must achieve a new balance of responsibility and cooperation between State and local governments.

It is my intention to treat the entire subject of civilian defense more fully in a special message to the Legislature and ask that you give its proposals your earliest consideration. It will be my request that you reexamine the entire civilian defense structure in a cooperative effort to clarify, revitalize and complete our emergency protections.

It shall be my purpose to afford you the benefit of factual information developed in separate studies encouraged by my office and to urge your consultation with many men and women whom I have found possess broad understanding of specific phases of the problem. I take occasion now to commend to you the efforts of the officers and men of the State Guard who have labored under difficulties to build and maintain that important branch of protective service. Nor should words of encouragement be omitted for that body of citizenry which has shown a patriotic willingness to mobilize for auxiliary law enforcement and other war services in home communities.

Must Protect State Surplus

California is now favored with a sizeable surplus. It has come to us very largely from taxes upon war industry. It comes to us in trust, for it is the money of all the people of California.

This surplus, by its very existence, constitutes a constant temptation to everyone to spend it just because it is there. Everyone sees, according to his own lights, a way, a place and a need for spending it and in some instances even for purposes that have never before been considered State purposes.

I hold to the conviction that this money must be lifted above the dissipating reach of grab-bag tactics. If we yield to such temptations, this surplus will soon be transformed into a deficit by processes which will result in an actual denial of the interests of the people as a whole. I want to see this money either committed for essential State projects or conserved. It is my firm belief that we must use this money for the war effort which produced it and for essential services of government or conserve it faithfully for purposes which will relieve the distress which inevitably follows wars.

Budget-Making Policies

Later this month there will be presented, for your analysis, the Administration recommendation in regard to budgetary allotments. I can say to you now that the principle under which this budget is being prepared grants recognition to the times, both in proposed curtailment of expenditures unrelated to war effort and in extra allowance to efforts which can be made the forerunners of better times for our people when the war has ended. We will make provision, not only for war needs but also for the humanitarian services which will keep our structure strong.

We are undertaking moves toward general economy at a time when our tax structure is producing revenue in surplus amounts. It follows, therefore, that we must, in the interests of already burdened taxpayers, proceed immediately to the examination of possibilities for tax reduction.

It is my belief that taxes can be reduced. In evaluating our financial position, however, I see danger signs which we can not afford to ignore to the point of extreme action. We must bear in mind that the conditions which have created our favorable revenue balance are of a highly transient nature and of a type likely to leave a swell of new problems in their wake. It is not wise, under such circumstances, to blindly trade tax stability for temporary advantage.

It is my intention to render all service and assistance possible to the Legislature as it examines the opportunities for altering and reducing our revenue claims upon the people. In an effort to expedite the development of factual information, I am preparing to appoint a committee of representative citizens which will be charged

with the responsibility of submitting recommendations for general consideration. I am proceeding in this manner in the belief that there is need for full discussion of all phases of the problem. It is a practice I shall follow whenever possible in dealing with difficult problems for it is predicated upon my belief that Democracy thrives best when it encourages the suggestions of all.

Civil Service Needs Protection

No State Administration can rise above the standards of public service which it maintains. In California we have endeavored to elevate and fix the standards of personnel through a comprehensive system of civil service. The provisions of our Constitution and the statutes on the subject entitle us to a position of leadership throughout the Nation.

There is a general consciousness today that the administration of these laws has, in recent years, been such that the entire structure of civil service is in danger. The situation is not the fault of civil service employees themselves for they have been zealous in trying to guard and respect the protections afforded them. It is the direct result of the brazen application of political pressure upon them. Such tactics must cease immediately. Civil service must be restored to its rightful place where the applicant for public service obtains a position through honest competition and merit and retains that position because of merit.

One can not probe, within the limitations of a single speech, into all the problems which lie before us, and it is not my purpose here to do so. It is my sincere hope that, through warm association and frequent exchanges of ideas, we can advance together in the solution of our common problems.

We meet at a time when the full might of our energy must be loosed to help rid the world of evil aggression which is ravenously feeding upon the rights of free men. Ours is the responsibility of organizing State efficiency in every direction which will help speed the military conclusion of the conflict.

Paralleling this endeavor must be the assumption of responsibility for preventing the backlash of emergency disruptions from undermining confidence in the structure of Democracy itself. Our stake in the struggle is both the prevention of the eclipse of our right to improve our way of life and the prevention of the destruction of the way of life itself.

This is an era of crisis. Christianity itself will wander homeless over the world unless we fight for the right to harbor it in open covenant in our hearts and keep its light reflecting through our social, economic and political undertakings. These are times when the requisites for courage and cool deliberate action press upon us in inseparable demand. These are times when the formula of government must be derived from the deepest conceptions within men's hearts.

It is with this consciousness and with the determination to make our State Administration serve all the people that I assume my duties as Governor of California.

ADMINISTRATION OF OATH OF OFFICE

Hon. Frederick F. Houser took and subscribed to the following oath administered by Hon. Phil S. Gibson, Chief Justice of the Supreme Court of the State of California:

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

INTRODUCTION OF LIEUTENANT GOVERNOR FREDERICK F. HOUSER

Hon. Charles W. Lyon, Speaker of the Assembly, then introduced Lieutenant Governor Frederick F. Houser to the Joint Convention.

ADDRESS BY LIEUTENANT GOVERNOR FREDERICK F. HOUSER

Lieutenant Governor Frederick F. Houser then addressed the Joint Convention as follows:

We are gathered here today for the convening of the Legislature and for the inauguration of our chief executive officers at the most critical period in the history of our Country, of which we are all so proud.

Attacked treacherously and in violation of all the rules of international law, by foes without principle, we were caught by surprise and, until the last few weeks, have been forced to beat a slow and dogged retreat. The very treachery of the attack however united the people all over the Nation, solidified them as nothing else

could have done. We became 100 per cent united in a grim determination to preserve the liberty and freedom which our ancestors some 160 years ago won for us, at bloody cost, upon such sacred ground as Saratoga and Valley Forge and Yorktown. And we are likewise 100 per cent united in our determination to defeat our betrayers so completely and overwhelmingly that never again will they be in a position to turn the entire world into a battlefield in order to satisfy their personal ambitions.

Now, therefore, more than ever is the time for cooperation—cooperation between the Federal Government and each of the 48 States, cooperation between Republicans and Democrats, and between Legislatures and Governors. Cooperation is always practiced by real statesmen, but today if we are to win this war we *must* work together as a team.

Now by cooperation I do not mean for one moment a surrender of all power by the legislative branch to the executive, for this is contrary to our entire philosophy of government, although I think we can all agree that during war a Chief Executive must be given far greater power than during peace times. By cooperation I mean a give and take on the part of both branches of our Government—a willingness on the part of each to consider the views of the other and to reach a fair and just agreement. Only in this manner can we move smoothly and rapidly toward our goal.

You have heard Governor Warren today describe in some detail his views relative to State affairs. This inauguration should be brought to a rapid close but I can not conclude without stating, very briefly and in the broadest of terms, my own views on certain important problems affecting our beloved State of California.

In my opinion there is tremendous need for State tax reduction. The Federal Government this year is collecting eleven hundred million dollars from California's citizens where only four years ago it was collecting three hundred million dollars, and the worst is yet to come. If our citizens are to be able to go on paying the Federal taxes which are necessary to win the war, and at the same time purchase war bonds, then State and local taxes must be cut to the bone. The State of California can well afford to cut taxes with its income exceeding its expenditures by four million dollars each month and with a surplus of more than seventy million dollars, as of today.

Old age pensions should eventually be paid entirely by the Federal Government and not by the individual States. For some 11 years, however, I have advocated an amendment to our Old Age Pension Law here in California providing for the payment of pensions as a matter of *right* and *not* as *charity* and the amount of the pension should be substantially increased while the pensioner should be allowed to earn additional income.

I sincerely trust that, in the next few years, both here in Sacramento and in Washington, great care will be exercised in separating the wheat from the chaff. We should recognize that good ideas can and do originate with both parties. Let us be sure to keep and augment those particular social and economic gains which have demonstrated their merit.

Another thing which we must do is to plan for the future. A carefully worked-out program of worth-while public improvements and conservation of our natural resources should be all ready to go into high gear just as soon as the war is won. As a Member of the Legislature in 1931 I introduced a bill along this same line, and have been preaching it ever since. A portion of our State surplus could very well be set aside and earmarked for this specific purpose.

The ideal for which our boys are fighting—yes, and dying for—all over the world is to preserve the rights and liberties which are the essence of Democracy—but you can't have a true Democracy without an independent legislative body elected by the people. Our Legislatures and our Congress are the very heart of Democracy.

Having served as one of you for six years I can honestly say I deeply regret leaving, even though I will continue to be a sort of *ex officio* member, as President of the Senate.

Knowing you all as I do, and knowing Governor Warren as I do, I am convinced that we will all accept the great responsibility which is ours at this time and that California will have the finest session in its history—a session to which the people can point with pride in later years and truly say "They did their level best for California and for the United States."

ADJOURNMENT OF JOINT CONVENTION

At 4:20 p. m. there being no further business, upon motion of Senator Swing, seconded by Assemblyman Sam L. Collins, the Joint Convention was declared adjourned sine die.

IN ASSEMBLY

At 4:25 p. m., the Assembly reconvened
Speaker Lyon in the chair.

Committee Assignment

The Speaker referred to the Committee on House Functions the matter of assigning Assembly offices.

CONSIDERATION OF ASSEMBLY BILL NO. 1

Assembly Bill No. 1—An act making an appropriation for the mileage of the members and statutory officers of the Assembly, to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Sam L. Collins:

Resolved, That Assembly Bill No. 1 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 1—An act making an appropriation for the mileage of the members and statutory officers of the Assembly, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

NOES—None

Assembly Bill No. 1—An act making an appropriation for the mileage of the members and statutory officers of the Assembly, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain,

Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 2

Assembly Bill No. 2—An act to amend Sections 245 and 246 and to repeal Sections 268 and 269 of the Political Code, relating to officers and employees of the Legislature, and declaring the urgency thereof, to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Sam L. Collins:

Resolved, That Assembly Bill No. 2 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and that the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 2—An act to amend Sections 245 and 246 and to repeal Sections 268 and 269 of the Political Code, relating to officers and employees of the Legislature, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

NOES—None

Assembly Bill No. 2—An act to amend Sections 245 and 246 and to repeal Sections 268 and 269 of the Political Code, relating to officers

and employees of the Legislature, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 2, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 2

Assembly Concurrent Resolution No. 2—Relative to accredited press representatives and the authentication thereof.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Bashore:

House Resolution No. 13

WHEREAS, The State Printer has compiled, published, and distributed a State Blue Book; and

WHEREAS, It is fitting that the Members of the Assembly should receive copies of the State Blue Book in order that they and their constituents may be better acquainted with the information therein contained; and

WHEREAS, A number of members have been elected to the Fifty-fifth Session of the Legislature who were not Members of the Fifty-fourth Session of the Legislature, and who have therefore not previously received copies of the State Blue Book; now, therefore, be it

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly is authorized to deliver to the Members of the Fifty-fifth Session of the Legislature copies of the State Blue Book as follows: To each Member of this Assembly who was not a Member of the Fifty-fourth Session of the Legislature, 10 copies, and to each Member of this Assembly who was also a Member of the Fifty-fourth Session of the Legislature, upon his written request to the Chief Clerk, five copies

Request for Unanimous Consent

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

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Elwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellemis, Kilpatrick, King, Knight, John B., Kraff, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheidan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75

NOES—None

MOTION TO PRINT IN JOURNAL

Mr. Doyle moved that the speeches delivered before the Joint Convention by Governor Olson, Governor Warren, and Lieutenant Governor Houser, be printed in the Journal.

Motion carried.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Watson and Collins, Sam L.:

House Resolution No. 14

WHEREAS, Former Assemblyman W. O. Hart was recently taken by death, and **WHEREAS**, His son, Staff Sergeant W. C. Hart, while only 21 years of age, was killed in an accident en route to his father's funeral; and

WHEREAS, W. O. Hart had been all his life a man of principle, engaged in pursuits contributing to the public service, including that as a publisher, as a Member of the Assembly of California, and as a member of the armed forces of the United States during the first World War; and

WHEREAS, Staff Sergeant W. C. Hart had been a football star at the University of California College of Agriculture at Davis until his graduation, and thereafter, emulating the good example of his father, had devoted himself to an enterprise of public service as business manager of the Orange Daily News, until, even as his father had done in the last Great War, he offered himself in the military service of his Country and enlisted in the Army Air Force where he was serving when his untimely death occurred; and

WHEREAS, Because of the particularly tragic circumstances in the death of these men, this Assembly wishes to express its heartfelt sympathy to Mrs. Elsie Hart, widow of W. O. Hart and mother of Staff Sergeant W. C. Hart; now, therefore, be it

Resolved by the Assembly of the State of California, That when this Assembly adjourns this day, it do so out of respect to the memory of the late W. O. Hart and his son, Staff Sergeant W. C. Hart, and be it further

Resolved, That a suitably engrossed copy of this resolution be transmitted by the Chief Clerk of this Assembly to Mrs. Elsie Hart of Orange, California.

Request for Unanimous Consent

Messrs. Watson and Collins, Sam L., asked for, and were granted, unanimous consent to take up House Resolution No 14, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr. Weber :

House Resolution No. 15

Resolved by the Assembly of the State of California, That the following Rules are hereby adopted as the Permanent Standing Rules of the Assembly for the Fifty-fifth Session :

**PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE
FIFTY-FIFTH SESSION—1943-1945**

Hours of Meeting

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

Following the constitutional recess, the Assembly shall meet promptly at 10 o'clock a.m., daily (Sundays excepted), unless otherwise ordered by a majority vote of the members present.

Speaker to Call Assembly to Order

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

Roll Call and Quorum

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

Order of Business

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

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

4.5. On each Monday morning during the session, following the prayer by the Chaplain, the members of the Assembly and its officers, attaches, and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America.

Reading of the Previous Day's Journal

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

Approval of the Journal

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

Motion to Correct Journal

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

Presentation of Petitions

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

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

Reports of Committees

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

Messages From the Governor

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

Messages From the Senate

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

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

Bills Defined

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

Introduction and Reference of Bills

13. Each bill shall be signed by the member, or by each of the members, who is an author of the bill before it is introduced. If any bill is introduced which does not contain the signature of such author or co-author, the same shall be stricken from the file on motion of the member whose name appears thereon without such signature after the majority vote of the members. In each legislative session on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill, constitutional amendment, concurrent or joint resolution.

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

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

Introduction of Bills After Constitutional Recess

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

Examining of Bills by Legislative Counsel Bureau

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

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

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

Daily File

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

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

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

Motions and Resolutions

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

Adjournment

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

Duties of Assembly Officers

Duties of the Speaker

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

- (a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.
- (b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.
- (c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by members as private offices.

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

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

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

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

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

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

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

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

(l) The Speaker shall be ex officio member of all Assembly, joint, and interim committees.

Duties of the Speaker Pro Tempore

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

Duties of the Chief Clerk

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

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

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

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

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

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

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

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

(h) Before the commencement of any regular session of the Legislature the Chief Clerk of the Assembly may mail to each member a blank form on which the member may indicate his committee preferences. Accompanying such blank shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for the convenience of the member in returning such form when he has indicated his preferences thereon. All such communications

shall be delivered to the Speaker immediately upon the organization of the Assembly.

Duties of the Sergeant-at-Arms

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

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

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

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

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

(e) To execute all commands of the Speaker.

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

Members' Decorum and Privileges

Order in Speaking to Questions

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

No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question shall have the right to close the debate thereon. No member shall be allowed to speak more than 10 minutes to open and five minutes to close the debate thereon, and no member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon. No member shall yield to any other member the time for which he is entitled to speak on any matter.

Speaker to Decide Who Is Entitled to Floor

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

Members Called to Order for Transgressing Rules

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

shall be at liberty to proceed; if otherwise, he shall be required to keep his seat. Every such decision by the Speaker shall be subject to an appeal to the Assembly.

Members Called to Order for Offensive Words

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

Members Voting

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

The name of any member who refuses to vote as required by this rule after being requested by the Speaker to do so and who has not been excused from doing so shall be entered on the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed on the Journal, provided no such explanation shall exceed 50 words in length.

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

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

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

Ayes and Noes

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

Voting Not to Be Interrupted

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

Changing Vote

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

Members at Clerk's Desk

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

Tie Vote

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

Call of Assembly

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

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

Leave of Absence

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

Personal Privilege

35. Any member may rise to explain a matter personal to himself and shall forthwith be recognized by the Speaker, but shall not discuss

a question in such explanation. Such matters of personal privilege yield only to a motion to recess or adjournment.

Objection to Reading of Any Paper

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

Assignment of Desks to Members

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

Motions and Questions

Precedence of Motions During Debate

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

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

Questions of Order Decided Without Debate

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

Appeal From Decision of the Speaker

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

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

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

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

To Adjourn

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

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

To Recess to a Time Certain

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

To Lay on the Table

43. A motion to lay on the table is not debatable and can not be amended.

A motion to table a bill, constitutional amendment, concurrent or joint resolution requires a majority vote of the entire elected membership.

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

A motion to lay an amendment on the table may be adopted by a majority vote of the members present.

The Previous Question

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

Motion to Set Special Order

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

Motion to Postpone to a Time Certain

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

Motion to Postpone Indefinitely

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

Motion to Amend

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

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

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

A motion to lay an amendment on the table may be adopted by a majority vote of the members present, as provided in Rule 43.

Amendment to Be Germane

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

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

Substitute Motion

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

Motions in Writing

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

Consideration of Motions

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

Division of Questions

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

Resolutions

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

Withdrawal of Motions

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

Motion to Be Germane

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

Bills Reported Back to Assembly

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

Motion to Withdraw and Recall Bills

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

No bill or resolution shall be withdrawn from committee and placed upon the File except upon two days' notice thereof and except by a recorded vote of a majority of the elected members.

Bills Stricken From File

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

Motion to Rescind Action and Expunge Record

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

Reference of Bills to Committee

61. Immediately following its first reading, the Speaker shall refer each bill to a committee, unless upon a motion the Assembly, by a majority vote of its entire elected membership, shall refer it to some other committee. Such motion to refer a bill shall not be debatable.

Should several different committees be proposed, preference shall be given as follows:

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

Record of Bills

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

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions

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

Second Reading of Bills

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

Committee Amendments

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

Amendments From the Floor

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

Committee on Legislative Procedure

67. There is a Committee on Legislative Procedure consisting of ---- members, including the Speaker, which shall be the Committee on Engrossment and Enrollment within the meaning of the Joint Rules. It shall be the duty of the Committee on Legislative Procedure to compare all bills, ordered or considered engrossed by the Assembly with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original,

with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Legislative Procedure shall be in order at any time.

Engrossing and Enrolling Bills

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

Bills Transmitted to the Senate

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

Bills Considered During Last Seven Days

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

Concurrence in Senate Amendments

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

Nonconcurrence in Senate Amendments

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

Committee on Conference

73. Should the Senate refuse to recede from its amendments and so notify the Assembly, the Speaker shall thereupon appoint three members as a Committee on Conference. If there be a minority vote on concurrence, two of such members shall be selected from those voting against concurrence and the third member shall be selected from those voting for concurrence. The Chairman of the Senate Committee on

Conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than four of the members constituting the Committee on Conference to agree upon a report and the report shall be submitted to both the Senate and the Assembly. Such report is not subject to amendment, and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a Committee on Conference shall be appointed a member of another Committee on Conference on the same bill. The presentation and consideration of any report of a Committee on Conference shall always be in order, except during a roll call or when a Member has the floor. It shall require the same affirmative recorded vote to adopt any conference report as required by the Constitution upon the final passage of the bill affected by such report. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to adopt any conference report affecting any Assembly bill which contains an item or items of appropriation which are subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution.

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

Enrollment

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

Committees

Standing Committees

75. There shall be standing committees of the Assembly upon the several subjects stated below, as follows:

1. Rules and House Functions
2. Legislative Procedure
3. Conservation, Natural Resources, and Planning
4. Roads and Highways
5. Fish and Game
6. Governmental Efficiency and Economy
7. Revenue and Taxation
8. Ways and Means
9. Education
10. Universities and Colleges
11. Crime and Correction
12. Public Morals
13. Public Health
14. Social Welfare
15. Civil Service and State Departments
16. Military Affairs
17. Municipal and County Government

18. Elections and Reapportionment
19. Judiciary
20. Constitutional Amendments
21. Agriculture
22. Live Stock and Dairies
23. Public Utilities, Manufacturing, and Corporations
24. Labor and Capital
25. Finance and Insurance
26. Commerce and Navigation
27. Motor Vehicles

Prior to the assignment of members to serve on the several standing committees, the Speaker shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time, and the Speaker thereafter shall determine the number and the members to serve on each standing committee. Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the Assembly.

Committee Quorum

76. A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business. At least two-thirds of those committee members present and voting shall be required to report a bill out of committee.

Meetings of Standing Committees

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

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

Standing Committee Rules

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

Signing Bills Out of Committee

79. No bill shall be signed out of committee unless the committee has failed to hold a meeting on two consecutive scheduled dates, or having so met, has failed to have a quorum present for the transaction of business.

Committee Expenditures

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

Appointment of Attaches

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

Committee on Ways and Means

82. The Committee on Ways and Means shall consider all bills to appropriate money, other than contingent expenses of the Assembly.

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

Committee on Rules and House Functions

82a. There is a Committee on Rules and House Functions consisting of -- members which shall, for the purpose of Joint Rule 2, be deemed to be the Rules Committee of the Assembly.

Committee of the Whole

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

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

Reconsideration of Vote

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

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

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

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

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

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

Printing

Authority for Printing

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

Printing Style, Form and Amount to Be Printed

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

Printing Assembly History

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

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

Printing of Maps

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

Rules

Adoption of Standing Rules

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

Parliamentary Rules

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

Suspension of Rules

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

Amending Standing Rules

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

Temporary Rule

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

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

Miscellaneous

Press Privileges

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

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

Privilege of Addressing the Assembly

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

Smoking in Assembly Chamber

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

Fees for Witnesses

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

Use of Assembly Chamber

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

Persons Admitted to Floor of the Assembly

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

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

Lobbying in the Assembly Chamber

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

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

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

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

Speaker Explains Order of Business

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

Admission to Assembly Chamber

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

House Resolution No 15 read, and referred to the Committee on House Functions.

LEAVE OF ABSENCE GRANTED

Mr. Watson moved that Mr. T. Fenton Knight be granted a leave of absence for the day, due to illness.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Johnson and Carlson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. and Mrs. Joseph R. Knowland of Oakland, Hon. H. P. (Jack) Gleason, Sheriff of Alameda County; William F. Reichel of Oakland, Hon. Ralph Hoyt, District Attorney of Alameda County, and Mrs. Ralph Hoyt.

On request of Mr. Thomas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Don Terry of Van Nuys, Mr. and Mrs. Louis Shapiro of Hollywood, and Miss Delphine Meyer, attorney at law, from Los Angeles.

On request of Messrs. Carlson and Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to O. D. Hamlin, Jr., Tom Ferro, Howard Cross, Mr. and Mrs. George Helms, William Fitzmaurice, Joseph Rosborough, Clair Goodwin, Richard H. Chamberlain, Frank Coakley, and Claude Faw.

ADJOURNMENT

At 4.38 p m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned out of respect to the memory of the late Hon. Godfrey A. Andreas, Hon. W. O. Hart, and Staff Sergeant W. C. Hart, until 11 a.m., January 5, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SECOND LEGISLATIVE DAY
SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, January 5, 1943

The Assembly met at 11 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Our Heavenly Father, we seek Thy guidance as we begin the duties of this session. Keep ever before us the challenge of our task that we may never find our duties onerous or neglected. Teach us how to be abased and how to abound. Keep our feet from unbidden or unworthy paths and our lips from speaking guile.

Fill our hearts with gratitude for citizenship and leadership in a land of freedom and opportunity. Shelter our families and loved ones, preserve our brave defenders, send us again the blessings of peace and brotherhood.

Accept our gratitude for mercies daily renewed, and let our lives be of service to our fellowmen. Thine shall be the Kingdom and power and glory, we ask in the name of Jesus Christ our Lord.

AMEN

READING OF THE JOURNAL DISPENSED WITH

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

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

CABLE VIA C.P.C. 1/63—F U.S.NAV. 3 3.15P JANUARY 4, 1943

*Speaker, California State Assembly
Sacramento, California*

Hearty greetings to you and all hands. This includes the genial third house, the attaches, and the newsboys—all of whom will help make this a short session. Hear you have a shortage of living space. Army having taken over the hotels. Tell the

Army we have lots of room. The members can sleep in their seats—nothing new to some of the boys. Mike Burns can live with the squirrels. Mess Sergeant Ogg can take care of all rationing. If it's as dry there as here liquid refreshments won't bother you. You folks in California are doing a fine job. With a little more speed, dash, and accuracy back there we will have the Ogg pay you boys back home before you know it. By the way, who plays left half in that backfield? Suppose Robbie is still first string quarter. Would advise Sam Collins to lay off the WAACS and WAVES in the end zone. My best wishes to a grand gathering of fine folks doing an important duty.

JOHN B. COOKE

ANNOUNCEMENT BY THE SPEAKER

The Speaker directed the Chief Clerk to answer the communication and to express the good will and best wishes of this Assembly to Commander Cooke, and to express to the Commander the wish of this body for his health, safety, and happiness.

The Speaker announced that Mrs. Cooke was present at the time the cablegram was read, and expressed the appreciation of the members for her visit.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, JANUARY 4, 1943

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

Assembly Concurrent Resolution No. 3

J. A. BEEK, Secretary of the Senate

Above resolution ordered enrolled.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Leonard and Dickey:

House Resolution No. 16

WHEREAS, The Members of the Assembly have learned with exceeding regret of the death of William Higby at the age of 75 years; and

WHEREAS, The late Mr. Higby was formerly a Member of this Assembly and served therein with distinction. He represented San Benito County; and

WHEREAS, While he was a native of the State of New York, he had lived in California since his early childhood and at the time of his death was an honored resident of the City of Alameda; now, therefore, be it

Resolved by the Assembly of the State of California, That we do hereby extend our sincere condolences to Mr. Higby's widow, Mrs. Alice L. Higby, and to his two daughters, Mrs. Claire Bacon of Oakland, California, and Mrs. Carol Eschen of Alameda, California; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably engrossed copy of this resolution to his bereaved widow, Mrs. Alice L. Higby.

Request for Unanimous Consent

Mr. Leonard asked for, and was granted, unanimous consent to take up House Resolution No. 16, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Guthrie:

House Resolution No. 17

Relating to the memory of the Honorable George Washington Wyllie

WHEREAS, George Washington Wyllie, who served the State of California as a Member of the Legislature for two terms in 1909 and 1911 has been called to his reward at the age of 86 years; and

WHEREAS, George Washington Wyllie became widely known for his advocacy of local option and was the author of the Wyllie Local Option Act which was effective in California for many years; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby expresses its deep and sincere sympathy upon the death of former Colleague George Washington Wylie; and be it further

Resolved, That a suitably engrossed copy of this resolution be transmitted by the Chief Clerk of this Assembly to Mrs. Robert Cochran of Dinuba, California, a daughter and to the other members of the bereaved family; and be it further

Resolved, That when the Assembly adjourns this day, it do so out of respect to the memory of the late George Washington Wylie, former Member of the California Legislature.

Request for Unanimous Consent

Mr. Guthrie asked for, and was granted, unanimous consent to take up House Resolution No. 17, at this time, without reference to committee.

Resolution read and adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 4: By Messrs. Lyon and Pelletier—Relative to adjournment in respect to the memory of former Senator Dwight H. Hart.

Request for Unanimous Consent

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

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 4

Assembly Concurrent Resolution No. 4—Relative to adjournment in respect to the memory of former Senator Dwight H. Hart.

Resolution read.

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

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crowley, Debs, Denny, Desmond, Dickey, Dills, Gaxton A. Dills, Ralph C. Dilworth, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Miller, Niehouse, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—62

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Rosenthal:

House Resolution No. 18

Relative to the creation of a Committee on Problems of Peoples of Spanish or Mexican Origin

WHEREAS, There is today in California a large group of persons who are of Spanish or Mexican origin, which persons because of their heritage or environment are not afforded the right of advancement now enjoyed by others in California; and

WHEREAS, The economy of the State of California is closely bound up with the welfare of all of its inhabitants, and especially with that of the group who are of Spanish or of Mexican origin whose services are essential to the continued growth and success of California's industry and agriculture; and

WHEREAS, When the State of California is not enjoying the fortunes of prosperity, a great many of these people of Spanish or Mexican origin through no fault of their own become dependent on public or private assistance in order to maintain their very existence, which results in a tremendous drain on public funds; and

WHEREAS, A great many suggestions are perennially showered upon the Legislature relative to legislative measures which should be enacted to aid in the ameliorating of the economic conditions and the social status of these persons of Spanish or Mexican origin who are in California; and

WHEREAS, The Legislature should be in possession of factual and authentic information and data pertaining to these persons of Spanish or Mexican origin and their problems in order to consider and act upon the various matters presented to it; now, therefore, be it

Resolved by the Assembly of the State of California, That a Committee on Problems of Peoples of Spanish or Mexican Origin is hereby created to study and survey, accurately and in detail, all matters relating to the employment, education, health, and living conditions of persons of Spanish or Mexican origin in California and all other problems of such people which might be corrected or solved by legislative action, and to report its recommendations to the Legislature at any time prior to final adjournment of the Fifty-fifth Legislature.

The committee hereby created shall consist of five Members of the Assembly appointed by the Speaker of the Assembly. The Speaker of the Assembly shall fill any vacancies in the membership of the committee.

The committee hereby created is authorized to act during the session of the Fifty-fifth Legislature, and the constitutional recess, but not beyond final adjournment of the Fifty-fifth Legislature. The committee hereby created shall have all powers conferred upon investigating committees by the Joint Rules and the Rules of the Assembly as they are now or may hereafter be amended.

The Sergeant-at-Arms of the Assembly, or other officers designated by him is hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars (\$8) per day.

The sum of _____ dollars (\$ _____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on House Functions.

By Mr. Maloney:

House Resolution No. 19

WHEREAS, Assemblyman Harrison W. Call is, on this fifth day of January, 1943, celebrating his forty-fifth birthday; and

WHEREAS, This congenial and witty colleague has, for six years, endeared himself to the Members of this Assembly; and

WHEREAS, This distinguished Member of the Assembly has represented his district honestly, efficiently, and in a manner that has won the plaudits of his constituents; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly extends to the Hon. Harrison W. Call its best wishes, good luck, and congratulations on this his birthday, and wishes him many happy returns of the day; and be it further

Resolved, That suitable copies of this resolution be prepared and submitted to the very charming wife of Mr. Harrison W. Call and to his two children.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 19, at this time, without reference to committee.

Resolution read and adopted.

COMMUNICATIONS

A communication from the Farmer-Labor Party of Colorado, Inc., relative to Anti Lynching Laws, was received, and ordered filed with the Secretary of State.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered :

Assembly Concurrent Resolution No. 5: By Messrs Gannon, Desmond, and Sargent—Relative to adjournment out of respect to the memory of Frank H. Cory.

Request for Unanimous Consent

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

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 5

Assembly Concurrent Resolution No. 5—Relative to adjournment out of respect to the memory of Frank H. Cory.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastan, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weidel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Resolution ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered :

Assembly Concurrent Resolution No. 6: By Messrs. Desmond and Gannon—Relative to approving a certain amendment to the charter of the County of Sacramento, State of California, submitted to, voted for, and ratified by the electors of said county at the general election held on the third day of November, 1942

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 6, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 6

Assembly Concurrent Resolution No. 6—Relative to approving a certain amendment to the charter of the County of Sacramento, State of California, submitted to, voted for, and ratified by the electors of said county at the general election held on the third day of November, 1942.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn,

Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Concurrent Resolution No. 7: By Messrs. Desmond and Gannon—Relative to approving a certain amendment to the charter of the County of Sacramento, State of California, submitted to, voted for, and ratified by the electors of said county at the general election held on the third day of November, 1942.

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 7, at this time, without refer-ence to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 7

Assembly Concurrent Resolution No. 7—Relative to approving a certain amendment to the charter of the County of Sacramento, State of California, submitted to, voted for, and ratified by the electors of said county at the general election held on the third day of November, 1942.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Concurrent Resolution No. 8: By Messrs. Kilpatrick and Bennett, and Mrs. Niehouse—Relative to service flags for the State Capitol in Sacramento, the State Buildings in San Francisco and the State Building in Los Angeles.

Referred to Committee on House Functions.

REPORTS OF STANDING COMMITTEES

Committee on House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1943

MR. SPEAKER: Your Committee on House Functions, to which was referred:
House Resolution No. 15

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended

SAM L. COLLINS, Chairman

**UNANIMOUS CONSENT GRANTED TO AMEND
HOUSE RESOLUTION NO. 15**

By unanimous consent, the following committee amendments to House Resolution No 15 were adopted:

Amendment No. 1

In Rule 13, line 1, of the printed Rules, between "or" and "each", strike out "by"; in line 2, paragraph 2, strike out "be referred to the Speaker for assignment to the proper committee, and when so assigned it shall"; in line 7 of the same paragraph, strike out "the", and insert "a", and in line 7, after the word "committee", insert "be"

Amendment No. 2

In Rule 19, paragraph (7), line 2, of the printed Rules, after "committee", strike out the period, and insert "with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member."

Amendment No. 3

In Rule 21, paragraph (h) line 2, of the printed Rules, strike out "may", and insert "shall"

Amendment No. 4

In Rule 23, paragraph 2, line 4, of the printed Rules, after "right to", insert "open and".

Amendment No. 5

In Rule 67, line 2, of the printed Rules, strike out "members, including the Speaker," and insert "member,".

Amendment No. 6

In Rule 76, line 2, of the printed Rules, strike out "two-thirds of those committee members present and voting", and insert "a majority of all members constituting such committee".

Amendment No. 7

In Rule 77, line 1, of the printed Rules, after "hour", insert "and the place"; in line 2 of the same paragraph, strike out "committees may hold such additional meetings as the chairman of the committee may deem necessary; provided, that no committee shall meet during any session of the Assembly without first obtaining permission from the Assembly", and insert "no committee shall meet during any session of the Assembly without first obtaining permission from the Assembly"; and in the last line of paragraph 2, strike out "session", and insert "committee"

Amendment No. 8

Strike out all of Rule 90 of the printed Rules, and insert "90. In all cases not provided for by the Constitution, these Rules, or by the Joint Rules of the Senate and Assembly the authority shall be Mason's Manual of Legislative Procedure".

Amendment No. 9

In Rule 94, line 1, paragraph 2, of the printed Rules, after "desks", insert "to accredited newspaper representatives authenticated by the standing committee of the Capitol Correspondents' Association".

Amendment No. 10

In every Rule where the words "printed on the Journal" appear, insert "printed in the Journal".

HOUSE RESOLUTION NO. 15, AS AMENDED

By Mr. Weber:

House Resolution No. 15

Resolved by the Assembly of the State of California, That the following Rules are hereby adopted as the Permanent Standing Rules of the Assembly for the Fifty-fifth Session

PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE FIFTY-FIFTH SESSION—1943-1945*Hours of Meeting*

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

Following the constitutional recess, the Assembly shall meet promptly at 10 o'clock a.m., daily (Sundays excepted), unless otherwise ordered by a majority vote of the members present.

Speaker to Call Assembly to Order

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

Roll Call and Quorum

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

Order of Business

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

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

4.5. On each Monday morning during the session, following the prayer by the Chaplain, the members of the Assembly and its officers, attaches, and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America.

Reading of the Previous Day's Journal

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

Approval of the Journal

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

Motion to Correct Journal

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

Presentation of Petitions

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

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

Reports of Committees

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

Messages From the Governor

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

Messages From the Senate

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

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

Bills Defined

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

Introduction and Reference of Bills

13. Each bill shall be signed by the member, or each of the members, who is an author of the bill before it is introduced. If any bill is introduced which does not contain the signature of such author or co-author, the same shall be stricken from the file on motion of the member whose name appears thereon without such signature after the majority vote of the members. In each legislative session on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill, constitutional amendment, concurrent or joint resolution.

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

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

Introduction of Bills After Constitutional Recess

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

Examining of Bills by Legislative Counsel Bureau

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

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

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

Daily File

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

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

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

Motions and Resolutions

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

Adjournment

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

Duties of Assembly Officers

Duties of the Speaker

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

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

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

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

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

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

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

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

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

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

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

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

(l) The Speaker shall be *ex officio* member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member.

Duties of the Speaker Pro Tempore

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

Duties of the Chief Clerk

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

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

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

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

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

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

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

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

(h) Before the commencement of any regular session of the Legislature the Chief Clerk of the Assembly shall mail to each member a blank form on which the member may indicate his committee preferences. Accompanying such blank shall be mailed a

stamped envelope addressed to the Chief Clerk of the Assembly for the convenience of the member in returning such form when he has indicated his preferences thereon. All such communications shall be delivered to the Speaker immediately upon the organization of the Assembly.

Duties of the Sergeant-at-Arms

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

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

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

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

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

(e) To execute all commands of the Speaker.

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

Members' Decorum and Privileges

Order in Speaking to Questions

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

No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question shall have the right to open and close the debate thereon. No member shall be allowed to speak more than 10 minutes to open and five minutes to close the debate thereon, and no member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon. No member shall yield to any other member the time for which he is entitled to speak on any matter.

Speaker to Decide Who Is Entitled to Floor

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

Members Called to Order for Transgressing Rules

25. If any member, in speaking or otherwise, transgresses the Rules of the Assembly, the Speaker shall, or any member may, call the offending member to order. The member so called to order shall immediately take his seat, unless permitted to explain; if called to order by a member, such member shall immediately state the point of order. The

point of order shall be decided by the Speaker without debate. If the decision of the Speaker be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall be required to keep his seat. Every such decision by the Speaker shall be subject to an appeal to the Assembly.

Members Called to Order for Offensive Words

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

Members Voting

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

The name of any member who refuses to vote as required by this Rule after being requested by the Speaker to do so and who has not been excused from doing so shall be entered in the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed in the Journal, provided no such explanation shall exceed 50 words in length.

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

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

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

Ayes and Noes

28. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, or by viva voce when demanded

by three members or when ordered by the Speaker, and on any other question when called for by three members or ordered by the Speaker, the names of which members shall be entered in the Journal.

Voting Not to Be Interrupted

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

Changing Vote

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

Members at Clerk's Desk

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

Tie Vote

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

Call of Assembly

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

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

Leave of Absence

34. No member shall absent himself from attendance at any session of the Assembly without leave of the Assembly, and no member shall

obtain such leave of absence or be excused for nonattendance, except by a two-thirds vote of all members elected to the Assembly, or by unanimous consent.

Personal Privilege

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

Objection to Reading of Any Paper

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

Assignment of Desks to Members

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

Motions and Questions

Precedence of Motions During Debate

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

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

Questions of Order Decided Without Debate

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

Appeal From Decision of the Speaker

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

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

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

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

To Adjourn

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

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

To Recess to a Time Certain

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

To Lay on the Table

43. A motion to lay on the table is not debatable and can not be amended.

A motion to table a bill, constitutional amendment, concurrent or joint resolution requires a majority vote of the entire elected membership.

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

A motion to lay an amendment on the table may be adopted by a majority vote of the members present.

The Previous Question

44. The previous question shall be put only when demanded by five members, and in this form: "Shall the question be now put?" And its effect, when sustained by a majority of the members present, shall

be to put an end to all debate and bring the House to a vote only on the question then pending; except that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

Motion to Set Special Order

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

Motion to Postpone to a Time Certain

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

Motion to Postpone Indefinitely

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

Motion to Amend

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

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

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

A motion to lay an amendment on the table may be adopted by a majority vote of the members present, as provided in Rule 43.

Amendment to Be Germane

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

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

Substitute Motion

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

Motions in Writing

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

Consideration of Motions

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

Division of Questions

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

Resolutions

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

Withdrawal of Motions

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

Motion to Be Germane

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

Bills Reported Back to Assembly

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

Motion to Withdraw and Recall Bills

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

No bill or resolution shall be withdrawn from committee and placed upon the File except upon two days' notice thereof and except by a recorded vote of a majority of the elected members.

Bills Stricken From File

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

Motion to Rescind Action and Expunge Record

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

Reference of Bills to Committee

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

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

Record of Bills

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

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions

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

Second Reading of Bills

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

Committee Amendments

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

Amendments From the Floor

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

Committee on Legislative Procedure

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

Engrossing and Enrolling Bills

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

Bills Transmitted to the Senate

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

Bills Considered During Last Seven Days

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

Concurrence in Senate Amendments

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

Nonconcurrence in Senate Amendments

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

Committee on Conference

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

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

Enrollment

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

Committees*Standing Committees*

75. There shall be standing committees of the Assembly upon the several subjects stated below, as follows:

1. Rules and House Functions
2. Legislative Procedure
3. Conservation, Natural Resources, and Planning
4. Roads and Highways
5. Fish and Game
6. Governmental Efficiency and Economy
7. Revenue and Taxation
8. Ways and Means
9. Education
10. Universities and Colleges
11. Crime and Correction
12. Public Morals
13. Public Health
14. Social Welfare
15. Civil Service and State Departments
16. Military Affairs
17. Municipal and County Government
18. Elections and Reapportionment
19. Judiciary
20. Constitutional Amendments
21. Agriculture
22. Live Stock and Dairies
23. Public Utilities, Manufacturing, and Corporations
24. Labor and Capital
25. Finance and Insurance
26. Commerce and Navigation
27. Motor Vehicles

Prior to the assignment of members to serve on the several standing committees, the Speaker shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time, and the Speaker thereafter shall determine the number and the members to serve on each standing committee. Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the Assembly.

Committee Quorum

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

Meetings of Standing Committees

77. All standing committees shall meet at the hour and the place provided by schedule, unless otherwise ordered by the Assembly. No committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

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

Standing Committee Rules

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

Signing Bills Out of Committee

79. No bill shall be signed out of committee unless the committee has failed to hold a meeting on two consecutive scheduled dates, or having so met, has failed to have a quorum present for the transaction of business.

Committee Expenditures

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

Appointment of Attaches

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

Committee on Ways and Means

82. The Committee on Ways and Means shall consider all bills to appropriate money, other than contingent expenses of the Assembly.

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

Committee on Rules and House Functions

82a. There is a Committee on Rules and House Functions consisting of -- members which shall, for the purpose of Joint Rule 2, be deemed to be the Rules Committee of the Assembly.

Committee of the Whole

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

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

Reconsideration of Vote

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

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

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

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon

an affirmative recorded vote of a majority of the entire elected Assembly membership, except that constitutional amendments to be so reconsidered shall require an affirmative recorded vote of two-thirds of the entire Assembly elected membership.

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

Printing

Authority for Printing

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

Printing Style, Form and Amount to Be Printed

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

Printing Assembly History

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

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

Printing of Maps

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

Rules

Adoption of Standing Rules

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

Parliamentary Rules

90. In all cases not provided for by the Constitution, these Rules, or by the Joint Rules of the Senate and Assembly the authority shall be Mason's Manual of Legislative Procedure.

Suspension of Rules

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

Amending Standing Rules

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

Temporary Rule

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

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

Miscellaneous

Press Privileges

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

The Speaker shall assign the Assembly press desks to accredited newspaper representatives authenticated by the standing committee of the Capitol Correspondents' Association; also the necessary rooms for the exclusive use of such accredited press representatives.

Privilege of Addressing the Assembly

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

Smoking in Assembly Chamber

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

Fees for Witnesses

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

Use of Assembly Chamber

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

Persons Admitted to Floor of the Assembly

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

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

Lobbying in the Assembly Chamber

100. All persons appearing or being, or desiring to appear or be, at or in the Assembly Chamber, or at or in any committee room of the Assembly for the purpose of advocating the adoption or defeat of any bill, measure, or resolution introduced in, pending before, or being considered by the Assembly or by any committee thereof, or for the purpose of soliciting the vote of any member of the Assembly upon any such bill, measure, or resolution, shall register with the Sergeant-at-Arms his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by or intended to be represented by him, and shall file with the Sergeant-at-Arms his written authority to represent such person, corporation, or interest; and thereupon the Sergeant-at-Arms shall issue to such person a certificate that he has so registered in conformity with this rule, which

certificate shall be exhibited to the chairman of a committee upon request. A complete record of all persons so registered, together with their respective addresses and the persons, corporations, or interest represented by them, shall be kept and preserved by the Sergeant-at-Arms, and shall be open at all times to public inspection.

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

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

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

Speaker Explains Order of Business

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

Admission to Assembly Chamber

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

REQUEST FOR UNANIMOUS CONSENT

Mr. Sam L. Collins asked for unanimous consent to take up House Resolution No. 15, as amended, at this time.

Mr. Carlson withheld unanimous consent.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Sam L. Collins moved that the Rules be temporarily suspended for the purpose of considering House Resolution No. 15, as amended, at this time.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Bashore, Collins, Sam L., Crichton, Crowley, Denny Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Fourt, Johnson, Knight, John B., Lyons, McCollister, Middough, Miller, Pelletier, Sargent, Sawallusch, Smith, Stream, Waters, Weber, and Weybret—25.

NOLS—Allen, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Debs, Evans, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Kellems, Kilpatrick, Kraft, Lowrey, Maloney, Massion, McMullan, Potter, Price, Robertson, Sheridan, Thomas, Thurman, Watson, Werdel, and Wollenberg—35.

APPOINTMENT OF STANDING COMMITTEES

The Speaker announced the appointment of the following standing committees for the Fifty-fifth Legislative Session to be effective upon the adoption of the Permanent Standing Rules of the Assembly:

Committee 2—Legislative Procedure—Pelletier (Chairman). (1 member)

Committee 3—Conservation, Natural Resources, and Planning—Dills, Ralph C. (Chairman), O'Day (Vice Chairman), Bashore, Burkhalter, Burns, Collins, Sam L.; Crichton, Denny, Fourt, Guthrie, Hastain, Howser, Kilpatrick, Leonard, Middough, Sheridan, Thurman, Waters, Weber, Werdel, and Weybret. (21 members.)

Committee 4—Roads and Highways—Stream (Chairman), Thurman (Vice Chairman), Anderson, Brady, Clarke, Crowley, Hastain, Kraft, Leonard, Lowrey, Price, Weber, and Werdel. (13 members.)

Committee 5—Fish and Game—Watson (Chairman), Burkhalter (Vice Chairman), Burns, Call, Collins, Sam L., Denny, Dickey, Doyle, Erwin, Guthrie, Haggerty, Howser, King, Kraft, Leonard, Lowrey, McMillan, Middough, Thomas, Thorp, and Thurman. (21 members.)

Committee 6—Governmental Efficiency and Economy—Field (Chairman), Leonard (Vice Chairman), Brown, Carey, Collins, Sam L., Debs, Dickey, Dills, Ralph C., Evans, Fourt, Hollibaugh, King, Kellems, Massion, Pelletier, Sargent, Sheridan, Stream, Waters, Weber, and Werdel. (21 members.)

Committee 7—Revenue and Taxation—Bashore (Chairman), Robertson (Vice Chairman), Call, Carlson, Collins, George D., Denny, Desmond, Dilworth, Erwin, Gannon, Haggerty, Hawkins, Howser, Kellems, Price, Smith, Watson, Weybret, and Wollenberg. (19 members.)

Committee 8—Ways and Means—Wollenberg (Chairman), Sheridan (Vice Chairman), Allen, Burkhalter, Burns, Carey, Crichton, Crowley, Doyle, Field, Gannon, Hastain, Johnson, Knight, T. Fenton; Kraft, O'Day, Potter, Robertson, Sargent, Thurman, Watson, Weber, and Weybret. (23 members.)

Committee 9—Education—Dilworth (Chairman), Lowrey (Vice Chairman), Beck, Brown, Burkhalter, Clarke, Collins, George D., Debs, Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Hastain, Johnson, Knight, T. Fenton; McMillan, Niehouse, Robertson, Smith, Stream, Thompson, and Weber. (23 members.)

Committee 10—Universities and Colleges—Johnson (Chairman), Kellems (Vice Chairman), Anderson, Bennett, Brady, Burns, Lowrey, McMillan, Miller, Robertson, and Wollenberg. (11 members.)

Committee 11—Crime and Correction—Middough (Chairman), Dickey (Vice Chairman), Berry, Carey, Collins, George D., Fourt, Gaffney, Haggerty, Hollibaugh, Kellems, King, Kraft, Lyons, Massion, and Price. (15 members.)

Committee 12—Public Morals—Howser (Chairman), McMillan (Vice Chairman), Allen, Call, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Kellems, Maloney, Massion, McCollister, Sawallsch, Stream, and Thorp. (19 members.)

Committee 13—Public Health—Potter (Chairman), Debs (Vice Chairman), Carey, Collins, Sam L., Desmond, Dills, Ralph C., Field, Gaffney, Gannon, Hawkins, Knight, John B., Kraft, Leonard, Massion, McCollister, Miller, Niehouse, O'Day, Pelletier, Smith, Thompson, Thorp, and Waters. (23 members.)

Committee 14—Social Welfare—Niehouse (Chairman), Kilpatrick (Vice Chairman), Beck, Bennett, Brown, Burkhalter, Clarke, Dilworth, Dunn, Erwin, Fourt, Hastain, Kellems, Knight, T. Fenton; McMillan, O'Day, Pelletier, Sheridan, and Smith. (19 members.)

Committee 15—Civil Service and State Departments—Knight, T. Fenton (Chairman), Gannon (Vice Chairman), Berry, Brady, Hawkins, Johnson, Maloney, Stream, and Thompson. (9 members.)

Committee 16—Military Affairs—McCollister (Chairman), Gannon (Vice Chairman), Allen, Anderson, Burkhalter, Collins, George D., Dilworth, Doyle, Fourt, Hollibaugh, Kellems, Kilpatrick, Miller, Pelletier, Rosenthal, Sargent, and Werdel. (17 members.)

Committee 17—Municipal and County Government—Carlson (Chairman), Smith (Vice Chairman), Allen, Anderson, Armstrong, Bennett, Dickey, Evans, Gaffney, Guthrie, Heisinger, Kilpatrick, Knight, John B.; Middough, Potter, Rosenthal, Sawallsch, Thomas, and Thurman. (19 members.)

Committee 18—Elections and Reapportionment—Robertson (Chairman), Denny (Vice Chairman), Armstrong, Carlson, Clarke, Dunn, Evans, Guthrie, and Niehouse. (9 members.)

Committee 19—Judiciary—Call (Chairman), Werdel (Vice Chairman), Armstrong, Beck, Bennett, Brown, Carlson, Collins, George D., Crichton, Crowley,

Desmond, Dickey, Fourt, Gannon, Howser, Johnson, King, McMillan, O'Day, Potter, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Waters, and Wollenberg. (27 members.)

Committee 20—Constitutional Amendments—Crowley (Chairman), Clarke (Vice Chairman), Allen, Call, Debs, Dills, Clayton A., Lyons, Maloney, McCollister, Sawallisch, and Thomas (11 members.)

Committee 21—Agriculture—Weybret (Chairman), Hastam (Vice Chairman), Armstrong, Bashore, Beck, Brown, Crichton, Dilworth, Erwin, Fourt, Guthrie, Heisinger, King, Lowrey, Miller, Price, Stream, Thompson, Thorp and Watson. (21 members.)

Committee 22—Live Stock and Dairies—Thorp (Chairman), Heisinger (Vice Chairman), Burns, Clarke, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Erwin, Guthrie, Leonard, Lowrey, McCollister, Sawallisch, and Weybret. (15 members.)

Committee 23—Public Utilities, Manufacturing, and Corporations—Allen (Chairman), Armstrong (Vice Chairman), Bashore, Call, Erwin, Evans, Field, Guthrie, Hawkins, Kellems, Knight, T. Fenton; Robertson, and Watson (13 members.)

Committee 24—Labor and Capital—Hawkins (Chairman), Gaffney (Vice Chairman), Armstrong, Bennett, Berry, Brady, Denny, Gannon, Guthrie, Hastam, Hollibaugh, Kellems, Kilpatrick, Lyons, Maloney, Massion, Miller, Pelletier, Price, Rosenthal, Thomas, Thompson, and Watson. (23 members.)

Committee 25—Finance and Insurance—Waters (Chairman), Middough (Vice Chairman), Carey, Collins, Sam L., Crichton, Desmond, Dills, Clayton A., Haggerty, Howser, Knight, John B., Knight, T. Fenton; Lyons, Maloney, McCollister, Miller, Niehouse, Potter, Robertson, and Sargent (19 members.)

Committee 26—Commerce and Navigation—Maloney (Chairman), Thomas (Vice Chairman), Berry, Brady, Kraft, Middough, Niehouse, Sheridan, and Weber. (9 members.)

Committee 27—Motor Vehicles—Sawallisch (Chairman), Burns (Vice Chairman), Anderson, Carey, Carlson, Dills, Clayton A., Dunn, Doyle, Field, Gaffney, Haggerty, Lyons, Price, Rosenthal, Thomas, Thompson, Thurman, and Waters (18 members.)

VOTE OF THANKS

Mr. Allen moved that the Assembly extend a vote of thanks to Mr. Weber for his untiring efforts on behalf of the organization of the standing committees.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 5, 1943

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

Assembly Bill No. 1
Assembly Bill No. 2

J. A. BEEK, Secretary of the Senate

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 5, 1943

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

Assembly Concurrent Resolution No. 1

J. A. BEEK, Secretary of the Senate

Above resolution ordered enrolled

REPORTS OF STANDING COMMITTEES

Committee on House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1943

MR. SPEAKER Your Committee on House Functions, to which was referred.

House Resolution No. 9

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 9. at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 9

House Resolution No. 9

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

District	Name	Address	Distance from county seat	Distance from county seat, more--	Distance from county seat, less--	Mileage, one way	Total mileage	Amount at 5 cents per mile
1	Michael J Burns	Eureka, Humboldt County	312			312	624	\$31 20
2	Paul Denny	Etna, Siskiyou County	245	37		332	664	33 20
3	Lloyd W Lowrey	Rumsey, Yolo County	23	36		59	118	5 90
4	Albert M King	Oroville, Butte County	86			86	172	8 60
5	Ernest C Crowley	Fairfield, Solano County	40			40	80	4 00
6	Allen G Thurman	Colfax, Placer County	37	17		54	108	5 40
7	Richard H McColister	Mill Valley, Marin County	105	8		113	226	11 30
8	Chester F Gannon	Sacramento, Sacramento County						
9	Earl D Desmond	Sacramento, Sacramento County						
10	Harold F Sawalisch	Richmond, Contra Costa County	62	23		84	168	8 40
11	Charles M Weber	Stockton, San Joaquin County	48			48	96	4 80
12	James E Thoup	Lockeford, San Joaquin County	48		3	45	90	4 50
13	Francis Dunn, Jr	Oakland, Alameda County	84			84	168	8 40
14	Randal F Dickey	Alameda, Alameda County	84	5		89	178	8 90
15	Bernard A Sheridan	Oakland, Alameda County	84			84	168	8 40
16	Arthur W Carlson	Piedmont, Alameda County	84			84	168	8 40
17	Edward J Casey	Emeryville, Alameda County	84		2	82	164	8 20
18	Gardiner Johnson	Berkeley, Alameda County	84		1	83	166	8 30
19	Bernard R Brady	San Francisco, San Francisco County	90			90	180	9 00
20	Thomas A Maloney	San Francisco, San Francisco County	90			90	180	9 00
21	Albert C Wollenberg	San Francisco, San Francisco County	90			90	180	9 00
22	George D Collins, Jr	San Francisco, San Francisco County	90			90	180	9 00
23	William Clifton Berry	San Francisco, San Francisco County	90			90	180	9 00
24	Edward F O'Day	San Francisco, San Francisco County	90			90	180	9 00
25	Gerald P Haggerty	San Francisco, San Francisco County	90			90	180	9 00
26	Edward M Gaffney	San Francisco, San Francisco County	90			90	180	9 00
27	Harison W Call	Redwood City, San Mateo County	119			119	238	11 90
28	Rupp Miller	Palo Alto, Santa Clara County	128	18		146	292	14 60
29	John F Thompson	San Jose, Santa Clara County	128			128	256	12 80
30	Ralph M Brown	Modesto, Stanislaus County	77			77	154	7 70
31	George A Clarke	Le Grand, Merced County	114	15		129	258	12 90
32	Jacob M Leonard	Hollister, San Benito County	173			173	346	17 30
33	Fred Weybret	Soledad, Monterey County	208	34		242	484	24 20
34	J G Crichton	Fresno, Fresno County	169			169	338	16 90
35	S L Helsing	Fresno, Fresno County	169			174	348	17 40
36	C L Gutbue	Porterville, Tulare County	206	28		234	468	23 40
37	Alfred W Robertson	Santa Barbara, Santa Barbara County	460			460	920	46 00
38	Walter J Fourt	Ventura, Ventura County	490			490	980	49 00
39	Thomas Harold Werdel	Bakersfield, Kern County	278			278	556	27 80
40	William H Rosenthal	Los Angeles, Los Angeles County	447			447	894	44 70
41	Julian Beck	San Fernando, Los Angeles County	447			447	894	44 70
42	Everett G Bunkhalter	North Hollywood, Los Angeles Co	447		21	426	852	42 60
43	C Don Field	Glendale, Los Angeles County	447		10	447	894	44 70
44	John B Pelletier	Los Angeles, Los Angeles County	447			447	894	44 70
45	Thomas J Doyle	Los Angeles, Los Angeles County	447			447	894	44 70
46	Glenn M Anderson	Hawthorne, Los Angeles County	447	12		459	918	45 90
47	Willis Sargent	Pasadena, Los Angeles County	447	13		460	920	46 00
48	Lee T Bashore	Glendora, Los Angeles County	447	26		473	946	47 30
49	Thomas M Erwin	El Monte, Los Angeles County	447	14		461	922	46 10
51	Elwyn S Bennett	Los Angeles, Los Angeles County	447			447	894	44 70
52	Jonathan J Hollibaugh	Huntington Park, Los Angeles County	447	6		453	906	45 30
53	Lothrop Smith	San Gabriel, Los Angeles County	447	9		456	912	45 60
54	John B Knight	Eagle Rock, Los Angeles County	447			447	894	44 70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447			447	894	44 70
56	Ernest E Debs	Los Angeles, Los Angeles County	447			447	894	44 70
57	Franklin I Potter	Hollywood, Los Angeles County	447			447	894	44 70
58	Frank J Waters	Los Angeles, Los Angeles County	447			447	894	44 70
59	Charles W Lyon	Beverly Hills, Los Angeles County	447	8		455	910	45 50
60	Jesse Randolph Kellem	Los Angeles, Los Angeles County	447			447	894	44 70
61	Lester A McMillan	Los Angeles, Los Angeles County	447			447	894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447			447	894	44 70
63	Don A Allen	Los Angeles, Los Angeles County	447			437	874	43 70

District	Name	Address	Distance from county seat	Distance from county seat, less	Mileage, one way	Total mileage	Amount at 5 cents per mile
64	John C. Lyons	Los Angeles, Los Angeles County	447	--	447	894	\$ 14 70
65	John W. Evans	Los Angeles, Los Angeles County	447	--	447	894	44 70
66	Jack Massion	Los Angeles, Los Angeles County	447	--	447	894	44 70
67	Clayton A. Dills	Gardena, Los Angeles County	447	11	458	916	45 80
68	Vincent Thomas	San Pedro, Los Angeles County	447	23	470	940	47 00
69	Ralph C. Dills	Compton, Los Angeles County	447	18	465	930	46 50
70	Lorne D. Middough	Long Beach, Los Angeles County	447	22	469	938	46 90
71	Fred N. Howser	Long Beach, Los Angeles County	447	22	469	938	46 90
72	R. Fred Price	Ontario, San Bernardino County	508	23	485	970	48 50
73	Douglas P. Armstrong	Redlands, San Bernardino County	508	9	517	1,034	51 70
74	Clyde A. Watson	Orange, Orange County	481	--	481	962	48 10
75	Sam L. Collins	Fullerton, Orange County	481	11	470	940	47 00
76	Nelson S. Dilworth	Hemet, Riverside County	512	34	546	1,092	54 60
77	Harvey E. Haslam	Brawley, Imperial County	661	15	646	1,292	64 60
78	Frederick H. Kraft	San Diego, San Diego County	573	--	573	1,146	57 30
79	Kathryn T. Niehouse	San Diego, San Diego County	573	--	573	1,146	57 30
80	Charles W. Stream	Chula Vista, San Diego County	573	10	583	1,166	58 30

Name	Address	Distance from county seat	Distance from county seat, less	Mileage, one way	Total mileage	Amount at 10 cents per mile
Arthur A. Ohmhus	San Francisco, San Francisco County	90	--	90	180	\$18 00
C. William Queale	Fullerton, Orange County	481	11	470	940	94 00
Wilkie Ogg	Sacramento, Sacramento County	--	--	--	--	--

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fout, Gaffney, Guthrie, Haggerty, Haston, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John P., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73

NOES—Desmond and Gannon—2.

RESOLUTIONS

The following resolution was offered:

By Mr. Rosenthal:

House Resolution No. 20

Relative to an investigation and report by the Superintendent of Public Instruction as to the advisability of establishing a junior college in the Nineteenth Congressional District.

WHEREAS, There is no junior college in the Nineteenth Congressional District, and WHEREAS, The absence of a junior college within this district is depriving students of this educational asset, due to the long distances they are required to travel to reach a junior college; and

WHEREAS, The establishment of a junior college within this district will reduce the burden now imposed upon transportation facilities and will aid in compliance with gas rationing and the conservation of rubber; now, therefore, be it

Resolved by the Assembly of the State of California, That the Superintendent of Public Instruction be requested to make an investigation and report to the Legislature of the State of California as to the advisability of the establishment of a junior college in the Nineteenth Congressional District; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby instructed to forward a copy of this resolution to the Superintendent of Public Instruction.

Resolution read, and referred to Committee on Universities and Colleges.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 1: By Messrs. Heisinger and Guthrie—Relative to Kings River flood control.

Referred to Committee on House Functions.

COMMUNICATIONS

A communication from P. Philip Lacovara relative to enacting statutes to cover disability to act due to military or other war service, was received and referred to Committee on Judiciary.

A communication from Cooley, Crowley and Supple, Attorneys, relative to claim of Pacific Greyhound Lines, was received and referred to Committee on Judiciary.

ADJOURNMENT

At 12.17 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 11 a.m., January 6, 1943, out of respect to the memory of the late Senator Dwight H. Hart, the late Frank H. Cory, and the late George Washington Wyllie.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

THIRD LEGISLATIVE DAY
THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, January 6, 1943

The Assembly met at 11 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carison, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—79.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Almighty God, who art beyond the reach of our highest thought; and yet within the heart of the lowliest, we pray Thee to come to us in all the beauty of light, in all the tenderness of love, in all the liberty of truth and make Thyself known unto us. Thou dost satisfy us in the morning with Thy mercy, that we may be glad all the day. Help us this day, we pray Thee, to act justly, to love mercy and to walk humbly with Thee. May our agreements be greater than our differences and our unity in Thee sanctify all our natural diversities of opinion.

May we so live that our homes may be restored in Thee, our cities rebuilt, and all the world reflect the radiance of Thy Throne, which is eternal in the heavens.

AMEN

READING OF THE JOURNAL DISPENSED WITH

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

COMMUNICATIONS

The following communications were received, read, and ordered printed in the Journal:

CALIFORNIA FEDERATION OF WOMEN'S CLUBS, LOS ANGELES DISTRICT
LOS ANGELES, CALIFORNIA, December 8, 1942

*Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento, California*

DEAR SIR: At its regular monthly meeting held on Friday, December 4, 1942, the Executive Board of Los Angeles District, California Federation of Women's Clubs, voted to go on record as opposing any change in the present California Compulsory Education Law. We feel that the law as it now stands is sufficiently flexible to take care of any situations arising from the present war emergency.

Yours very truly,

LOS ANGELES DISTRICT,
CALIFORNIA FEDERATION OF WOMEN'S CLUBS
By MRS. C. H. ONEAL, President

Resolution No. 1413

A resolution of the City Council of the City of Hawthorne, California, requesting the removal from the City of Hawthorne of all native-born Germans and Italians.

The City Council of the City of Hawthorne, California, does resolve as follows:

SECTION 1. There is a state of war existing between the United States of America and the German and Italian Governments, and at present time there are many native-born Germans and Italians in the City of Hawthorne; and

SEC. 2. The city council does believe that it is doubtful whether any of said Germans and Italians are loyal to the United States of America and that their continued presence in the City of Hawthorne would be detrimental to the security of the City of Hawthorne and the surrounding territory; and

SEC. 3. That the Governor of the State of California, State Senate, the State Assembly and the Board of Supervisors of Los Angeles County are hereby respectively requested and urged to take such action as may be necessary to vacate and remove from the City of Hawthorne all native-born Germans and Italians except naturalized citizens of the United States of America; and

SEC. 4. The city clerk is hereby directed to send a certified copy of this resolution to the Honorable Governor of the State of California, the State Senate, the State Assembly and the Board of Supervisors of Los Angeles County.

PASSED, APPROVED and ADOPTED this twenty-fourth day of February, 1942.

C. E. VAN DER OEF

Mayor of the City of Hawthorne, California

ATTEST: HELEN M. LEHNE, City Clerk

By: YVONNE M. TAYLOR, Deputy City Clerk

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } ss.
CITY OF HAWTHORNE }

I, HELEN M. LEHNE, City Clerk of the City of Hawthorne, California, do hereby certify that the foregoing resolution, being Resolution No. 1413, was duly passed and approved by the City Council of the City of Hawthorne, California, at a regular meeting of the said council held on the twenty-fourth day of February, 1942, and the same was adopted by the following vote:

AYES: Councilmen Chutry, Fraser, Hauser, Anderson, and Van Der Oef.

NOES: None.

ABSENT: None.

HELEN M. LEHNE, City Clerk of the City of Hawthorne, California

By: YVONNE M. TAYLOR, Deputy City Clerk

A communication from the California Women's Society of Christian Service relative to resolution opposing sale of liquor to soldiers, and rationing of tires to liquor delivery trucks was received, and ordered filed with the Secretary of State.

A communication from Filipino Community of Stockton and vicinity relative to a resolution petitioning authorities to enable Filipinos to lease land for farming purposes, was received, and ordered filed with the Secretary of State.

A communication from the Department of Public Works, relative to reports pursuant to Chapter 1, Statutes of 1940, Second Extra Session, as amended, was received, and ordered filed with the Secretary of State.

MEMBER SWORN IN

The Hon. T. Fenton Knight, of the Forty-eighth District, appeared before the bar of the Assembly, and took and subscribed to the follow-

ing oath of office, administered by Hon. Frank M. Jordan, Secretary of State :

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Member of the Assembly for the Fifty-fifth Session of the Legislature of the State of California, according to the best of my ability, so help me God.

RECESS

At 11.12 a.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 11.24 a.m. to hear from former Governor Frank F. Merriam.

REASSEMBLED

At 11.24 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

COMMUNICATIONS

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

AUBURN, CALIFORNIA, December 28, 1942

*Speaker of the Assembly, California State Legislature
Sacramento, California*

DEAR SIR: Inclosed please find a copy of a resolution passed recently by the Grand Jury of Placer County. This is being sent you at the request of the grand jury, as it is their hope that the weakness in the present Alien Land Law may be corrected before the war ends. It is their hope that you will do your part to that end.

Very truly yours,

GRAND JURY OF PLACER COUNTY

By HARRY C. GORDON, Foreman
By GUY W. BRUNDAGE, Secretary

Resolution of the Grand Jury of the County of Placer, State of California, relative to Japanese, both alien and native born, and proposing amendments to the Alien Land Law of the State of California and Federal Legislation to prevent said Japanese from becoming citizens.

WHEREAS, The Honorable Earl Warren, Attorney General of the State of California, called a meeting of all the district attorneys, sheriffs and law enforcement officers generally at his office in the State Building in the City of San Francisco on the second day of February, 1942, for the purpose of discussing and considering the problem of both the alien and citizen Japanese in the State of California, and the question of the enforcement of the Alien Land Law of the State of California, and to devise ways and means of meeting all of said problems and bringing about a solution of the serious situation then confronting the people of the State of California by reason of the presence of upwards of 1,000,000 alien and native born Japanese in the said State of California; and

WHEREAS, At said meeting, many facts and much confidential information were submitted and considered, and the views and opinions of all present were expressed and given careful consideration, and it was finally determined and agreed that the only possible solution of the manifold problems involved was the immediate and total evacuation of all Japanese, both alien and citizen, forthwith, from all the territory in the State of California within 300 miles of the shoreline along the Pacific Coast; and

WHEREAS, It was further determined at said meeting that each district attorney in the State of California, under the direction and supervision of and in conjunction with the Attorney General of the State of California, should make a complete and detailed survey of all the Japanese residing in the 58 counties of the State of California, with the object in view of ascertaining the number of said Japanese residing in each of said counties, both alien and native born Japanese, and the activities of said Japanese, both alien and native born, particularly with relation to probable and apparent violations of the Alien Land Law of the State of California; and

WHEREAS, As a result of said investigation, it was found that the Alien Land Law of the State of California was being, and has been for a number of years, flagrantly and openly violated by said Japanese, both alien and native

born, by numerous and ingenious schemes and devices, all of which were condoned, aided, abetted, and encouraged by many American citizens; and

WHEREAS, It was also found as a result of said investigation that the Alien Land Law of the State of California was wholly inadequate and unsuited to meet the war emergency which existed on the Pacific Coast after the vicious attack made by the Japanese upon Pearl Harbor, and further urgent requests were made that the Federal Government immediately take steps to evacuate and remove all Japanese, both alien and native born, from the State of California, Oregon, and Washington; and

WHEREAS, On March 2, 1942, the Headquarters, Western Defense Command and the Fourth Army, U. S. A., at the Presidio, San Francisco, California, did by Proclamation No. 1, issued under and by authority of Executive Order No. 9066, dated February 19, 1942, by the President of the United States, establish and set up certain military areas on the Pacific Coast from the Mexican Border to the Canadian Border, designated as Prohibited Zone "A-1" and Restricted Zone "B," and did in said proclamation require and order all Japanese, both alien and native born, to be immediately evacuated from said zones, which said order was promptly and expeditiously carried into effect, and all Japanese in said zones were finally evacuated, all said Japanese being finally evacuated from the County of Placer on Thursday, May 21, 1942; and

WHEREAS, This grand jury believes that the Alien Land Law of the State of California should be amended in such a manner as to make same enforceable and effective in the future, and further believes that now is the opportune time for the people of the State of California to insist not only that our State Legislature provide effective and adequate legislation to meet the Japanese problem in the State of California, but also to demand that the United States Congress pass National legislation which will make it impossible for Japanese, either alien or native born, to become citizens of the United States or to own, hold, enjoy, occupy, and use agricultural lands in any of the States of the Union; now, therefore, be it

Resolved by the Grand Jury of the County of Placer, in regular meeting assembled, this tenth day of December, 1942. That the Alien Land Law of the State of California be amended in the manner and form set forth in Exhibit "A" attached hereto and made a part hereof; and be it further

Resolved, That a copy of these amendments to the Alien Land Law of the State of California be spread upon the minutes of the Grand Jury of the County of Placer; that a copy of said proposed amendments be mailed to the Honorable Jerrold L. Seawell, State Senator representing the County of Placer, and the Honorable Allen G. Thurman, State Assemblyman representing the County of Placer, with the request that they introduce proper legislation amending the Alien Land Law of the State of California in accordance with said suggested amendments; and be it further

Resolved, That a copy of this resolution be mailed to every grand jury of every county in the State of California, with the request that said grand jury take immediate action indorsing and approving said proposed amendments, and that each such said grand jury immediately contact the State Senator and Assemblyman representing said county in the State Legislature of the State of California, and request that they make every effort to have the said Alien Land Law of the State of California amended in accordance with the said proposed amendments hereinbefore set forth; and be it further

Resolved, That the State Legislature of the State of California memorialize the United States Congress and each and every Congressman and Senator representing the State of California in said United States Congress, urging, demanding, and requesting that adequate National legislation be passed by the United States Congress, and if necessary that our Federal Constitution be amended, to prohibit all Japanese, both alien and native born, from owning, possessing, enjoying, using, or occupying agricultural lands or enjoying or having the use of the proceeds received from the sale of products grown and produced upon agricultural lands, and that all Japanese, both alien and native born, be forever prohibited from becoming citizens of the United States of America; and be it further

Resolved, That each grand jury of the several counties of the State of California, be and they are hereby urged and requested to adopt resolutions indorsing and approving in principle the State and Federal legislation proposed herein, and further, that said grand juries immediately forward such said resolutions to their State Assemblyman and Senator, requesting immediate favorable action thereon.

HARRY C. GORDON, Foreman

Attest: GUY W. BRUNDAGE, Secretary

Exhibit "A"

Proposed Amendments to the Alien Land Law of the State of California

SEC 10a Any person who violates any of the provisions of this act shall be punishable by imprisonment in the county jail not to exceed one year or in the State penitentiary not exceeding two years, or by a fine not to exceed five thousand dollars (\$5,000), or both.

SEC 10b The Attorney General of the State of California or the district attorney of the proper county is hereby granted the power to institute in the name of the People of the State of California injunction proceedings to enjoin and restrain any and all persons from entering into any written or oral agreements in violation of the terms and provisions of the act, and said Attorney General or district attorney shall have the power to file such said injunction proceedings for the purpose of restraining and enjoining any person from operating or conducting farming and agricultural operations in violation of the terms and provisions of this act; all such said injunction proceedings shall be instituted in the superior court of the county in which the real property involved is situated. In so far as applicable said injunction proceedings shall be governed by the terms and provisions of Part 2, Title 7, Chapter 3, of the Code of Civil Procedure of the State of California.

SEC 10c The Attorney General of the State of California and the district attorney of the proper county is hereby granted power to institute proceedings in the name of the People of the State of California under this act, in the superior court of the county in which the land involved is located, for the purpose of testing and determining by a civil action in a declaratory manner whether or not any agricultural land is being farmed or used under a contract written or oral in violation of the terms and provisions of this act.

SEC 10d Section 8 of said act is hereby amended to read as follows.

Sec. 8 Escheat of leasehold. Escheat of stock. Any leasehold or other interest in real property less than the fee, including cropping contracts which are hereby declared to constitute an interest in real property less than the fee, *hereafter created and acquired in violation of the provisions of this act by any landlord or owner of land and any alien mentioned in Section 2 of this act*, or by any company, association, or corporation mentioned in Section 3 of this act, shall escheat to the State of California, as of the date of such acquiring in violation of the provisions of this act. The Attorney General or the district attorney of the proper county shall institute proceedings *against both the landlord or owner of the land and the alien mentioned in Section 2 of this act, to have such escheat adjudged and enforced* in the same manner as is provided in Section 7 of this act. In such proceedings the court shall determine and adjudge the value of such leasehold or other interest in such real property, including both the landlord's interest and the interest of the lessee, as of the date of such acquisition in violation of the provisions of this act, and enter judgment for the State for the amount thereof together with costs. The said judgment so entered shall be considered a lien against the real property in which such leasehold or other interest less than the fee is so *created and acquired* in violation of the provisions of this act, which lien shall exist as of the date of such unlawful acquisition. Thereupon the court shall order a sale of the real property covered by such leasehold, or other interest, in the manner provided by Section 1271 of the Code of Civil Procedure. Out of the proceeds arising from such sale, the amount of the judgment rendered for the State shall be paid into the State Treasury and the balance shall be deposited with and distributed by the court in accordance with the interest of the parties thereon. Provided that the court shall fix and determine the total costs and expenses of the county in which the case is tried in preparing and prosecuting such escheat cause, and same shall thereupon be repaid to said county out of the State Treasury. Any share of stock or the interest of any member in a company, association or corporation hereafter acquired in violation of the provisions of Section 3 of this act, and it is hereby declared that any such share of stock or the interest of any member in such a company, association or corporation so acquired in violation of the provisions of Section 3 of this act is an interest in real property. Such escheat shall be adjudged and enforced against both the *lessor and the lessee* in the same manner as is provided in this section for the escheat of a leasehold or other interest in real property less than the fee.

SEC 11a All leases, cropping agreements, and any other agreements to acquire, possess, enjoy, use, cultivate, occupy, and transfer real property for farming or agricultural purposes or to transfer in whole or in part the beneficial use of said lands when said lease agreements, cropping contracts or other contracts are made in the name of the wife or child of any alien mentioned in Section 2 of this act, or made in the name of any other person, shall be illegal and void and in violation of the terms and provisions of this act where such

said alien mentioned in Section 2 of this act is allowed to remain upon the land, farm and cultivate same and enjoy directly or indirectly the beneficial use of such said agricultural lands or obtains or has a beneficial interest in or use of the proceeds received from the sale of the agricultural crops produced on said lands, and in all such cases all of said persons signing and entering into any such said agreements shall be guilty of violation of the terms and provisions of this act, and upon conviction thereof shall be punished in the manner provided in Sections 10 and 10a hereof, and the Attorney General or the district attorney of the proper county shall have the power to institute injunction proceedings in the name of the People of the State of California against any and all such persons for the purpose of enjoining and restraining them from carrying or farming operations on any agricultural lands in the State of California, under the terms and provisions of any such said agreements, contracts, or leases, as hereinbefore provided.

SEC 11b. Section 4 having been declared unconstitutional by the Supreme Court of the State of California, it is hereby amended to read as follows:

The present wording of said Section 4 is hereby repealed and the following wording substituted therefor:

Whenever any alien mentioned in Section 2 hereof is appointed by any court as a guardian of his native-born minor child or children, or as a guardian of any other person or persons, it shall be unlawful for such said alien guardian to farm, operate, or manage any land or lands held by such said guardianship estate, except solely for the use and benefit of the ward or wards of said estate, or to enjoy, possess or have, in whole or in part, the beneficial use of any such said land or lands so held or possessed or which belong to any such said guardianship estate, nor shall said alien guardian have or enjoy or receive directly or indirectly the beneficial use of such said lands or the proceeds received from the sale of any crops produced, grown, or raised thereon, it being the intent of this section that no alien mentioned in Section 2 hereof shall by any guardianship proceedings whatsoever evade or violate or seek to evade or violate any of the provisions of this statute.

In all such said guardianship estates, the alien guardian must make a monthly report to the court in which said guardianship estate is pending, showing in detail and supported by receipts, all money disbursed, expended, and paid out by said guardian, to whom same was paid, for what purpose, and the date of such said disbursement or payment. Also all money received, from whom received, for what purpose received, and the date of the receipt thereof. Failure on the part of the said alien guardian so to do will constitute a direct violation hereof, for which said guardian may be prosecuted and punished as set forth in Sections 10 and 10a hereof.

Said alien guardian shall include in such said monthly report such other matters and items as the court may require, the said alien guardian to be under the absolute jurisdiction and control of the court at all times, and the court may from time to time require said alien guardian to make special reports on all things pertaining to said guardianship estate. The court may also require the ward of any such said guardianship estate to be produced in court whenever said court may deem such procedure necessary and proper for the protection of said guardianship estate. In no case shall the said ward of any such said guardianship estate leave the State of California without first obtaining the written permission of the court so to do.

The court shall have power to fix the compensation of the said alien guardian at such amount as the court may determine, but in no case shall said amount exceed the actual and necessary expenses of said alien guardian in the performance of his duties. The court shall also fix the amount of bond to be given by said alien guardian. The court shall also fix and determine the amount of attorney's fees in all such guardianship matters. In no event, however, shall said attorney's fees exceed the sum of one hundred fifty dollars (\$150) per annum.

Whenever any alien guardian shall fail, neglect, or refuse to comply with the terms and provisions hereof, he may be removed as guardian of said estate by the court, when deemed to be for the best interests of said estate.

The court shall require a final account to be filed on behalf of any such guardianship estate at the time the ward or wards shall become 21 years of age. Such final account must be prepared and filed by the alien guardian and must contain in detail a full and complete accounting of all property, both real and personal, belonging to said estate, all money disbursed and paid out on account of said guardianship estate and all money received on account thereof. The court may also require such other matters to be included in said report as said court may deem to be necessary and proper. No such guardianship estate shall be finally closed until the final report shall have been filed and approved by the court.

COMMUNICATIONS

The following communications were received, read, and ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1943

Mr. SPEAKER. Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 4

Assembly Concurrent Resolution No. 5

Assembly Concurrent Resolution No. 6

Assembly Concurrent Resolution No. 7

And reports the same correctly engrossed.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1943

Mr. SPEAKER: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1—An act making an appropriation for the mileage of the members and statutory officers of the Assembly, to take effect immediately;

Assembly Bill No. 2—An act to amend Sections 245 and 246 and to repeal Sections 268 and 269 of the Political Code, relating to officers and employees of the Legislature, and declaring the urgency thereof, to take effect immediately;

Assembly Concurrent Resolution No. 1—Relative to the selection of the Legislative Counsel of California;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of January, 1943, at 4 30 p.m.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1943

Mr. SPEAKER: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 3—Relative to the death of Godfrey Augustus Andreas;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of January, 1943, at 4 30 p.m.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 21

Resolved by the Assembly of the State of California, That the State Controller be and he hereby is directed and ordered to draw his warrant on the proper fund in favor of the following Member of the Assembly for the amount set opposite his name, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat, more	Distance from county seat, less	Mileage, one way	Total mileage	Amount at 5 cents per mile
48	T. Fenton Knight	La Canada, Los Angeles County	447	16	463	926	\$46 30

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 21, at this time, without reference to committee.

Resolution read

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, King, Knight, John B., Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1943

MR. SPEAKER: Your Subcommittee on Assignment of Office Rooms respectfully reports the following recommendations:

<i>Room No.</i>	<i>Names</i>	<i>Room No.</i>	<i>Names</i>
1	Leonard and Weybret	19	Desmond and Burns
2	Dills, Ralph C., and Dills, Clayton A.	20	Thurman and Denny
3	Thomas, Anderson, and Gaffney	21	Kilpatrick, Evans, and Beck
4	Doyle and Robertson	22	Thorp and McCollister
5	Kellems, Bashore, and Howser	24	Johnson and Carlson
6	Dickey, Weber, Sheridan, and Carey	25	Heisinger and Crichton
7	Kraft and Stream	26	Field and Potter
8	Lyons and Hollibaugh	27	Call and Wollenberg
9	Niehouse and Smith	28	Dilworth and Hastain
10	Berry	29	Hawkins and Pelletier
11	Middough and Burkhalter	30	Watson and Knight, John B.
12	Miller and Werdel	31	Collins, Sam L., Waters, and Fourt
13	Debs and McMillan	32	Haggerty and Brady
14	Crowley and Brown	33	Erwin and Gannon
15	Collins, George D., and O'Day	34	Price and Armstrong
16	Allen and King	35	Bennett and Rosenthal
17	Maloney and Sawallisch	36	Clarke and Guthrie
18	Knight, T Fenton; and Sargent	37	Lowrey and Thompson
		38	Massion and Dunn

Respectfully submitted.

SAM L. COLLINS, Chairman

MOTION TO ADOPT REPORT

Mr. Doyle moved the adoption of the above report.

Motion carried unanimously.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 5, 1943

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

Senate Concurrent Resolution No. 2
Senate Concurrent Resolution No. 3

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 2—Approving a certain amendment to the charter of the County of San Bernardino, State of California.

Request for Unanimous Consent

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

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2

Senate Concurrent Resolution No. 2—Approving a certain amendment to the charter of the County of San Bernardino, State of California.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Buins, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—78.

NOES—None.

Resolution ordered transmitted to the Senate.

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 3—Relative to approving amendments to the charter of the County of Fresno, State of California, which were submitted to the qualified electors of said county and voted on and ratified by them at the general election held therein on November 3, 1942.

Request for Unanimous Consent

Mr. Heisinger asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 3, at this time. without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 3

Senate Concurrent Resolution No. 3—Relative to approving amendments to the charter of the County of Fresno, State of California, which were submitted to the qualified electors of said county and voted on and ratified by them at the general election held therein on November 3, 1942.

Resolution read.

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

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Weber:

House Resolution No. 22

Relative to creation of Assembly Committee on Legislative Organization

WHEREAS, In order to enable the Assembly to determine what rules, organization and facilities are best suited to its needs in its consideration of legislation, it is imperative that all pertinent facts directly or indirectly related thereto be found, assembled and analyzed, and that such facts be reported to the Assembly for consideration by its members; and

WHEREAS, The facts can best and most expeditiously be ascertained and analyzed by the Assembly through a committee of the Assembly charged with the study of every phase of legislative rules, organization and facilities, to act during this session and any other sessions of this Legislature or after final adjournment thereof, but except for the purpose of making its report, not beyond the convening of the regular session of the Fifty-fifth Legislature, and to report to the Assembly as soon as may be; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee, designated the "Committee on Legislative Organization," of three members of the Assembly appointed by the Speaker thereof is hereby created, the Speaker to designate the chairman thereof; and be it further

Resolved, That the committee shall have and exercise the duty and power:

(1) To study the Standing Rules of the Assembly, the Joint Rules of the Legislature, the existing organization of the Legislature, questions of economy in the legislative procedure, the physical facilities for the use of the Legislature, the rearranging of space in the State Capitol, and the advisability of creating in aid of the legislative function an agency or agencies to study and report to the Legislature and its committees upon assigned subjects of legislation or of prospective legislation, to assure the obtaining of full information and enable the Legislature and its members to act advisedly in such matters;

(2) To adopt and from time to time to amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as to it may appear appropriate;

(3) To make a complete study, survey and investigation of every phase of all subjects within the scope of its power to consider and to report its findings and recommendations to the Assembly from time to time and at any time;

(4) To meet at any and all times during this session of the Legislature, whether the Assembly be actually then sitting or not, and at any and all places in the State in the performance of its duties and in carrying out the objects and purposes of this resolution;

(5) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties and accomplish the objects and purposes of this resolution; and, be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish such committee upon request, any and all such assistance, and information, records and documents as the committee deems proper for the accomplishment of the purposes for which the committee is created; and, be it further

Resolved, That the committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-fifth Legislature. The committee may report to any session of this Legislature or to the Regular Session of the Fifty-fifth Legislature, on or before March 15, 1945.

Request for Unanimous Consent

Mr. Weber asked for, and was granted, unanimous consent to take up House Resolution No. 22. at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dicker, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier,

Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—79.

NOES—None.

RECESS

At 12.45 p.m., Mr. Sam L. Collins moved that the Assembly do now recess until 2 p.m.

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

AYES—Anderson, Armstrong, Beck, Bennett, Brown, Burkhalter, Bunn, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Desmond, Dickey, Dunn, Erwin, Fourt, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McMillan, Middough, Nichouse, Potter, Price, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Wollenberg—48.

NOES—Allen, Berry, Collins, Sam L., Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Field, Gaffney, Gannon, Johnson, King, Kraft, Lyons, Massion, McCollister, Miller, O'Day, Pelletier, Robertson, Rosenthal, Thomas, and Weybret—24.

Whereupon the Speaker declared the Assembly at recess until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE

CONSIDERATION OF HOUSE RESOLUTION NO. 15

House Resolution No. 15—Relative to the adoption of the Permanent Standing Rules of the Assembly for the Fifty-fifth Session.

Resolution read.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments offered by Mr. Johnson:

Amendment No. 1

In the last line of Rule 75, as printed on page 77 of the Assembly Daily Journal of January 5, 1943, after "the", insert "elected membership of the".

Amendment No. 2

In the last line of Rule 77, as printed on page 78 of the Assembly Daily Journal of January 5, 1943, strike out "committee", and insert "session"

Amendment No. 3

In the last line of paragraph 4 of Rule 84, as printed on page 79 of the Assembly Daily Journal of January 5, 1943, strike out "Assembly".

Amendments read and adopted.

Motion to Amend

Mr. Carlson moved the adoption of the following amendment:

Amendment No. 1

In Assembly Rule 90, as it appears on page 82 of the Assembly Journal for January 5, 1943, in the third line of the second paragraph after "session" and before "No", insert: "Wives of Members of the Legislature and members of the immediate families of Members of the Legislature shall be permitted to sit in front of the rail"

Demand for Previous Question

Messrs. Robertson, Howser, Allen, Debs, and Knight, John B. demanded the previous question.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Evans, Fourt, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Kilpatrick, King, Knight,

John B. Leonard, Lowrey, Massion, McCollister, Middough, Miller, Niehouse, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—44.

NOES—Berry, Brady, Carey, Carlson, Clarke, Collins, George D. Desmond, Dilworth, Doyle, Field, Gaffney, Gannon, Guthrie, Hastain, Johnson, Kellems, Knight, T. Fenton; Kraft, Lyons, Maloney, McMillan, O'Day, Potter, Price, Sheridan, Stream, Thomas, Thurman, Watson, and Weber—30.

The question being on the adoption of the amendment by Mr. Carlson.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Brown, Carey, Carlson, Clarke, Dilworth, Field, Gaffney, Gannon, John-son, Kilpatrick, Knight, T. Fenton; Pelletier, Potter, Sheridan, Thomas, Thurman, Watson, and Weber—18.

NOES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollbaugh, Howser, Kellems, King Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amend-ments:

Amendment No. 1

In Rule 1, as it appears on pages 61 and 62 of the Assembly Journal for January 5, 1943, strike out all of the text of the rule, and insert:

"The Assembly shall meet daily, beginning at 10 a.m. (Sundays excepted), unless otherwise ordered by a majority vote of the members present."

Amendment No. 2

In Rule 77, as it appears on pages 77 and 78 of the Assembly Journal for January 5, 1943, at the end of the first paragraph (line 2, page 78) after "Assembly" and before the period, insert "by a majority vote of the members present".

Amendment No. 3

In Rule 94, as it appears on page 81 of the Assembly Journal for January 5, 1943, in the second paragraph of said rule, after the semicolon, insert, "the action of the committee last aforesaid is subject to revision or reversal by a majority of the members present;"

Amendments read.

Division of Question

Mr. Johnson asked for a division of the question on the amendments offered by Mr. George D. Collins.

Amendment No. 2

In Rule 77, as it appears on pages 77 and 78 of the Assembly Journal for January 5, 1943, at the end of the first paragraph (line 2, page 78) after "Assembly" and before the period, insert "by a majority vote of the members present".

Amendment No. 2 read and refused adoption.

Amendment No. 3

In Rule 94, as it appears on page 81 of the Assembly Journal for January 5, 1943, in the second paragraph of said rule, after the semicolon, insert, "the action of the committee last aforesaid is subject to revision or reversal by a majority of the members present;"

Amendment read.

Roll Call Demanded

Messrs. Bennett, Collins, George D., and Doyle demanded a roll call.

The roll was called, and Amendment No. 3 refused adoption by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Collins, George D., Debs, Dills, Clayton A., Dunn, Evans, Gaffney, Haggerty, Hawkins,

Heisinger, Kilpatrick, Knight, John B., Lowrey, Massion, McMillan, Middough, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Thomas, and Thompson—30.

NOES—Armstrong, Bashore, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Howser, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCallister, Miller, Niehouse, Potter, Sargent, Sawallsch, Smith, Stream, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—47

Amendment No. 1

In Rule 1, as it appears on pages 61 and 62 of the Assembly Journal for January 5, 1943, strike out all of the text of the rule, and insert:

"The Assembly shall meet daily, beginning at 10 a.m. (Sundays excepted), unless otherwise ordered by a majority vote of the members present."

Substitute Amendment

Mr. Bashore moved the adoption of the following substitute amendment:

Amendment No. 1

In Rule 1, at the bottom of page 61 of the Rules as printed in the Assembly Journal of January 5, 1943, strike out lines 1 to 3 inclusive; and at the top of page 62, strike out "Following the Constitutional recess"; in line 3 at the top of page 62, strike out "present", and insert "elected".

Substitute amendment read and refused adoption

The question being on the adoption of Amendment No. 1 by Mr. George D. Collins.

Amendment read.

Demand for Previous Question

Messrs. Desmond, Doyle, Knight, John B., Collins, Sam L., and Kraft demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendment No. 1 by Mr. George D. Collins.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Collins, George D., Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Gaffney, Haggerty, Heisinger, Kilpatrick, King, Lyons, McMillan, Middough, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, and Thompson—33

NOES—Armstrong, Bashore, Burns, Call, Clarke, Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dilworth, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Howser, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCallister, Miller, Niehouse, Potter, Sargent, Sawallsch, Smith, Stream, Thomas, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—42.

Motion to Amend

Mr. Heisinger moved the adoption of the following amendment:

Amendment No. 1

In Rule 84, as it appears on page 79 of the Assembly Journal of January 5, 1943, paragraph 3, line 9, following "vote" and preceding "A", strike out the period and insert ", and upon a two-thirds affirmative vote of the elected membership the reconsideration shall be immediately considered."

Amendment read.

Roll Call Demanded

Messrs. Heisinger, Desmond and O'Day demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Beck, Brady, Burkhalter, Collins, George D., Crichton, Debs, Desmond, Dills, Clayton A., Dilworth, Guthrie, Heisinger, Hollibaugh, Kilpatrick, King, Lowrey, Massion, McMillan, Pelletier, Rosenthal, Thompson, and Watson—22

NOES—Allen, Armstrong, Bashore, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crowley, Denny, Dickey, Dills, Ralph C. Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gaunon, Haggerty, Hastain, Howser, Johnson, Kellems, Kraft, Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thurman, Waters, Weybret, Wollenberg, and Mr. Speaker—49.

Request for Unanimous Consent

Mr Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 15, as amended, at this time.

Consideration of House Resolution No. 15, as Amended

By Mr. Weber:

House Resolution No. 15

Resolved by the Assembly of the State of California, That the following Rules are hereby adopted as the Permanent Standing Rules of the Assembly for the Fifty-fifth Session:

PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE FIFTY-FIFTH SESSION—1943-1945

Hours of Meeting

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

Following the constitutional recess, the Assembly shall meet promptly at 10 o'clock a.m., daily (Sundays excepted), unless otherwise ordered by a majority vote of the members present.

Speaker to Call Assembly to Order

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

Roll Call and Quorum

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

Order of Business

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

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

4.5. On each Monday morning during the session, following the prayer by the Chaplain, the members of the Assembly and its officers, attaches, and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America.

Reading of the Previous Day's Journal

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

Approval of the Journal

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

Motion to Correct Journal

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

Presentation of Petitions

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

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

Reports of Committees

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

Messages From the Governor

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

Messages From the Senate

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

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

Bills Defined

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

Introduction and Reference of Bills

13. Each bill shall be signed by the member, or each of the members, who is an author of the bill before it is introduced. If any bill is introduced which does not contain the signature of such author or co-author, the same shall be stricken from the file on motion of the member whose name appears thereon without such signature after the majority vote of the members. In each legislative session on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill, constitutional amendment, concurrent or joint resolution.

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

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

Introduction of Bills After Constitutional Recess

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

Examining of Bills by Legislative Counsel Bureau

15. After introduction, all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form

as prescribed by law or Assembly rule. He shall have authority to correct any clerical error such as orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, and in any other particular wherein the bill does not comply in form with law or Assembly rule. He shall have authority to correct any error in the title of an amendatory bill wherein it does not enumerate the sections added or amended of a particular act or code.

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

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

Daily File

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

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

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

Motions and Resolutions

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

Adjournment

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

Duties of Assembly Officers

Duties of the Speaker

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

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

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

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

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

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

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

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

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

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

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

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

(l) The Speaker shall be ex officio member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member.

Duties of the Speaker Pro Tempore

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

Duties of the Chief Clerk

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

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

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

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

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

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

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

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

(h) Before the commencement of any regular session of the Legislature the Chief Clerk of the Assembly shall mail to each member a blank form on which the member may indicate his committee preferences. Accompanying such blank shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for the convenience of the member in returning such form when he has indicated his preferences thereon. All such communications shall be delivered to the Speaker immediately upon the organization of the Assembly.

Duties of the Sergeant-at-Arms

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

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

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

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

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

(e) To execute all commands of the Speaker.

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

Members' Decorum and Privileges

Order in Speaking to Questions

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

No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question shall have the right to open and close the debate thereon. No member shall be allowed to speak more than 10 minutes to open and five minutes to close the debate thereon, and no member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon. No member shall yield to any other member the time for which he is entitled to speak on any matter.

Speaker to Decide Who Is Entitled to Floor

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

Members Called to Order for Transgressing Rules

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

Members Called to Order for Offensive Words

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

Members Voting

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

The name of any member who refuses to vote as required by this rule after being requested by the Speaker to do so and who has not been excused from doing so shall be entered in the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed in the Journal, provided no such explanation shall exceed 50 words in length.

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

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

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

Ayes and Noes

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

Voting Not to Be Interrupted

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

Changing Vote

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

Members at Clerk's Desk

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

Tie Vote

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

Call of Assembly

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

Those members who are found to be absent, and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call, the Assembly may

consider and transact any matter of business by unanimous consent. No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, at which time the completion of the roll call pending when the call of the Assembly was ordered shall become the immediate order of business before the Assembly.

Leave of Absence

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

Personal Privilege

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

Objection to Reading of Any Paper

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

Assignment of Desks to Members

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

Motions and Questions

Precedence of Motions During Debate

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

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

Questions of Order Decided Without Debate

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

Appeal From Decision of the Speaker

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

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

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

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

To Adjourn

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

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

To Recess to a Time Certain

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

To Lay on the Table

43. A motion to lay on the table is not debatable and can not be amended.

A motion to table a bill, constitutional amendment, concurrent or joint resolution requires a majority vote of the entire elected membership.

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

A motion to lay an amendment on the table may be adopted by a majority vote of the members present.

The Previous Question

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

Motion to Set Special Order

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

Motion to Postpone to a Time Certain

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

Motion to Postpone Indefinitely

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

Motion to Amend

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

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

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

A motion to lay an amendment on the table may be adopted by a majority vote of the members present, as provided in Rule 43.

Amendment to Be Germane

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

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

Substitute Motion

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

Motions in Writing

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

Consideration of Motions

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

Division of Questions

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

Resolutions

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

Withdrawal of Motions

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

Motion to Be Germane

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

Bills Reported Back to Assembly

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

Motion to Withdraw and Recall Bills

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

No bill or resolution shall be withdrawn from committee and placed upon the File except upon two days' notice thereof and except by a recorded vote of a majority of the elected members.

Bills Stricken From File

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

Motion to Rescind Action and Expunge Record

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

Reference of Bills to Committee

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

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

Record of Bills

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

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions

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

Second Reading of Bills

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

Committee Amendments

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

Amendments From the Floor

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

Committee on Legislative Procedure

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

Engrossing and Enrolling Bills

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

Bills Transmitted to the Senate

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

Bills Considered During Last Seven Days

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

Concurrence in Senate Amendments

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

Nonconcurrence in Senate Amendments

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

Committee on Conference

73. Should the Senate refuse to recede from its amendments and notify the Assembly, the Speaker shall thereupon appoint three members as a Committee on Conference. If there be a minority vote on concurrence, two of such members shall be selected from those voting against concurrence and the third member shall be selected from those voting for concurrence. The Chairman of the Senate Committee on Conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote not less than four of the members constituting the Committee on Conference to agree upon a report and the report shall be transmitted to both the Senate and the Assembly. Such report is not binding on amendment, and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed.

member who has served on a Committee on Conference shall be appointed a member of another Committee on Conference on the same bill. The presentation and consideration of any report of a Committee on Conference shall always be in order, except during a roll call or when a member has the floor. It shall require the same affirmative recorded vote to adopt any conference report as required by the Constitution upon the final passage of the bill affected by such report. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to adopt any conference report affecting any Assembly bill which contains an item or items of appropriation which are subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution.

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

Enrollment

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

Committees

Standing Committees

75. There shall be standing committees of the Assembly upon the several subjects stated below, as follows:

1. Rules and House Functions
2. Legislative Procedure
3. Conservation, Natural Resources, and Planning
4. Roads and Highways
5. Fish and Game
6. Governmental Efficiency and Economy
7. Revenue and Taxation
8. Ways and Means
9. Education
10. Universities and Colleges
11. Crime and Correction
12. Public Morals
13. Public Health
14. Social Welfare
15. Civil Service and State Departments
16. Military Affairs
17. Municipal and County Government
18. Elections and Reapportionment
19. Judiciary
20. Constitutional Amendments
21. Agriculture
22. Live Stock and Dairies

23. Public Utilities, Manufacturing, and Corporations
24. Labor and Capital
25. Finance and Insurance
26. Commerce and Navigation
27. Motor Vehicles

Prior to the assignment of members to serve on the several standing committees, the Speaker shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time, and the Speaker thereafter shall determine the number and the members to serve on each standing committee. Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the elected membership of the Assembly.

Committee Quorum

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

Meetings of Standing Committees

77. All standing committees shall meet at the hour and the place provided by schedule, unless otherwise ordered by the Assembly. No committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

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

Standing Committee Rules

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

Signing Bills Out of Committee

79. No bill shall be signed out of committee unless the committee has failed to hold a meeting on two consecutive scheduled dates, or having so met, has failed to have a quorum present for the transaction of business.

Committee Expenditures

80. No member or committee shall be permitted to incur any expense without first receiving the consent of the Assembly, except that the Chairman of the Committee on Ways and Means shall be allowed his

actual expenses for the performance of any duties of his office during the constitutional recess.

Appointment of Attaches

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

Committee on Ways and Means

82. The Committee on Ways and Means shall consider all bills to appropriate money, other than contingent expenses of the Assembly.

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

Committee on Rules and House Functions

82a. There is a Committee on Rules and House Functions consisting of -- members which shall, for the purpose of Joint Rule 2, be deemed to be the Rules Committee of the Assembly.

Committee of the Whole

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

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

Reconsideration of Vote

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

A notice of motion to reconsider a vote must be given by a member voting on the bill, constitutional amendment, concurrent or joint resolution, and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the bill, constitutional amendment, concurrent or joint resolution shall forthwith be placed upon the unfinished business file, and no further action shall be

taken prior to the next legislative day. When a notice of a motion to reconsider has once been made, the same shall be considered to be the property of the Assembly. The notice of motion to reconsider may be called up by any member on the next legislative day after the notice of reconsideration of the bill, constitutional amendment, concurrent or joint resolution has been given.

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

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

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

Printing

Authority for Printing

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

Printing Style, Form and Amount to Be Printed

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

Printing Assembly History

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

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

Printing of Maps

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

Rules

Adoption of Standing Rules

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

Parliamentary Rules

90. In all cases not provided for by the Constitution, these Rules, or by the Joint Rules of the Senate and Assembly the authority shall be Mason's Manual of Legislative Procedure.

Suspension of Rules

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

Amending Standing Rules

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

Temporary Rule

93. The Committee on Rules and House Functions may at any time report a temporary rule. Upon adoption by an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly,

such temporary rule shall have the effect for the time being, of a standing rule. If such temporary rule shall be in conflict with a standing rule, it shall supersede such standing rule only for the time being.

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

Miscellaneous

Press Privileges

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

The Speaker shall assign the Assembly press desks to accredited newspaper representatives authenticated by the standing committee of the Capitol Correspondents' Association; also the necessary rooms for the exclusive use of such accredited press representatives.

Privilege of Addressing the Assembly

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

Smoking in Assembly Chamber

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

Fees for Witnesses

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

Use of Assembly Chamber

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

Persons Admitted to Floor of the Assembly

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

All guests shall be seated only in the chairs in back of the rail in the rear of the Assembly Chamber and shall not be permitted to sit at the

desks of the members while the Assembly is in session. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the balcony shall be reserved for those holding guest cards.

Lobbying in the Assembly Chamber

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

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

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

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

Speaker Explains Order of Business

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

Admission to Assembly Chamber

102. Persons admitted to the Assembly Chamber, other than members and attaches, shall not be permitted to stand in the lobby in the

rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

House Resolution No. 15 read, as amended.

Mr. Johnson moved that House Resolution No. 15, as amended, be adopted.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dieker, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastann, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellem, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

MOTION TO PRINT REPORT

Mr. Weber moved that the Preliminary Report of the Committee on Legislative Organization be approved, adopted, and printed in the Journal; and that the Rules, as amended and adopted by the Assembly by House Resolution No. 15, shall be considered as a part of the report. Motion carried.

PRELIMINARY REPORT ON RATIONAL ORGANIZATION OF STANDING COMMITTEES OF THE ASSEMBLY (1943)

By the Committee on Legislative Organization

CHARLES M. WEBER, Chairman

THOMAS J. DOYLE

CHARLES W. LYON

SACRAMENTO, December 1, 1942

HON. GORDON GARLAND

Speaker of the Assembly

DEAR MR. SPEAKER: Pursuant to the adoption of H.R. 253 on June 14, 1941 (page 4424 Assembly Journal), which authorized the appointment of a Committee on Legislative Organization, the Speaker acting upon the authority given him appointed Messrs. Doyle, Lyon and Weber, on July 16, 1941, to act as members of the committee.

Paragraph One of the Resolution directs the committee "To study the Standing Rules of the Assembly, the Joint Rules of the Legislature, the existing organization of the Legislature, questions of economy in the legislative procedure, the physical facilities for the use of the Legislature, the rearranging of space in the State Capitol, and the advisability of creating as an adjunct to the Legislature an office or position to be filled by a person qualified to report directly to the Legislature on all matters respecting departmental budgets and personal assignments in so far as the same may be embraced in matters pending before the Legislature." (Page 4058 Assembly Journal, June 7, 1941.)

On June 14, 1941 (page 4504), the Assembly by a vote of 50 to 1 adopted H.R. No. 254 which amends the rules so as to consolidate and reduce the number of Standing Committees from 58 to 27 and establishes new methods for organizing the Assembly and new legislative procedure for the simplification of the handling of the bills as they proceed through the committees and the House. A motion by Mr.

Weber was adopted which directed the Committee on Legislative Organization to make a report, to be printed in proper form, to contain matters appertaining to the subject matter in H.R. No. 254. (Page 4504 Assembly Journal, June 14, 1941.)

The Resolution embodies a plan for the reorganization of the standing committees of the Assembly, only slightly different from that adopted two years previously, on June 20, 1939, but which failed to be readopted during the regular session of 1941.

The reduction in the number of committees has mainly been accomplished by the consolidation of existing committees. However, the reorganization of committee structure has been along the lines of a rational plan by which work will be divided on a functional basis. The assignment of bills and measures to committees will also follow the outlines of this plan.

The Resolution is designed to accelerate House procedure and to remove duplication of committees, thereby preventing the great confusion and fatigue which had arisen during several previous regular sessions.

In order to conform to the powers and duties imposed upon it by H.R. No. 253 and by the motion supplemental to H.R. No. 254, the committee submits herewith in printed form: a preliminary report embodying matters pertinent to the reorganization of the standing committees of the Assembly and containing the following subjects:

1. A diagram setting forth the new rational plan for the organization of the standing committees and containing a schedule for the time and place of committee meetings and providing for a convenient means whereby any member may tentatively select his preferred committees and determine at once any conflicts that might occur as to the time of meeting under the established schedule, thereby expediting the work of the Speaker and the Committee on Legislative Organization in organizing the standing committees.

2. Instructions to the Speaker and to the Committees on Rules and House Functions, Legislative Organization and Legislative Procedure as to their powers and duties and as to methods of fulfilling them.

Conforming further to the same duties cited above, the committee proposes, upon proper authorization, to submit a final report which will contain the following subject matter:

1. Resume of previous reports of the Interim Committee on Legislative Organization.

2. Suggestions for further modifications of the time schedules of the meetings of the standing committees of both the Senate and the Assembly, so that the work of members of each legislative body in the other house may be expedited and likewise the work of the public appearing before the committees of both houses be simplified.

3. All other data that might make the report a manual for the use of the members in legislative procedure.

The committee recommends that after the Speaker has been elected and is seated, a House Resolution be presented to and adopted by the members which authorizes the appointment of a new permanent Committee on Legislative Organization. The new committee may immediately continue the work of the old permanent committee and aid the Speaker and the Chief Clerk in the organization of the standing committees, preparing the temporary rules for adoption by the Assembly and also the new permanent rules, for consideration by the Committee on Rules and House Functions, and thereafter by the Assembly.

The committee recommends that the Resolution further direct the Committee on Legislative Organization during the session of 1943 and thereafter throughout the biennium to undertake the following program:

A. To observe the operation of the House under the new rules with a view towards improving them where necessary.

B. A simplification of the Standing Rules of the Assembly by rearranging the present subject matter in a more logical and concise manner, thus eliminating useless verbiage and clarifying meanings, and saving time and printing.

C. Setting up a simplified and proper form of stating motions and all legislative actions so as to reduce the monotonous flow of words resulting from the form used at present, thus saving time and printing.

D. Cooperating with the Senate to amend the Joint Rules if found necessary.

E. Analyzing the functions of the Chief Clerk of the Assembly and his staff, the manual and mechanical operations necessary to the proper fulfillment of his duties with a view to designing desks and space and other apparatus appropriate to the expeditious carrying out of those operations.

F. Same studies as above for the Sergeant-at-Arms and his staff.

G. Same studies as above for the Members of the Assembly so that the location of their seats will be coordinated with the use of the loud speaking system, thus aiding in attention to debate, and moreover to aid in the design of desks which will conveniently hold detachable containers for the handling of the very large volumes of printed bills and other printed records and files of the Legislature and its members.

H. To initiate plans for the rearranging of space in the State Capitol so that the functions of the Legislature may proceed in a rational and orderly manner and to provide in future State building plans for proper space for those departments displaced by the Legislature.

I. To study the advisability of creating an office or bureau similar in form to the Legislative Counsel Bureau for the purpose of doing research work on all matters respecting departmental budgets and personal assignments in so far as the same may be embraced in matters pending before the Legislature, thereby setting up an agency which will enable the Legislature to do sound creative work in the organization of government.

The committee further recommends the adoption as the Standing Rules of the Assembly for the Fifty-fifth Session of the Legislature, the proposed rules embodied in this report and submitted herewith

The committee recommends the adoption of the report so that it may be printed in the Journal.

Respectfully submitted.

COMMITTEE ON LEGISLATIVE ORGANIZATION

CHARLES M. WEBER, *Chairman*

THOMAS J. DOYLE

CHARLES W. LYON

Organization of Standing Committees

Great care should be taken in organizing the standing committees, for it is upon their proper functioning that the duration and cost of the legislative session depend.

Moreover, the psychological factor can be greatly improved by reducing that nerve strain and fatigue suffered by the members, which is the result of defective organization.

With a view toward aiding the Speaker in this most important work suggestions and instructions are herewith submitted.

The Standing Committees

There are many factors which limit and prescribe the methods by which the membership of the standing committees should be selected. Therefore, in many cases, the preference of the members to serve on certain committees should be subservient to other limiting factors. Indeed, such things as the number of bills pertaining to particular types of legislation and their controversial aspects, the number of committee rooms available, and their size, are among these items.

Other factors should be given consideration, such as the elimination of conflict between committee work and the legislative sessions, and also the courtesies which should be extended to persons appearing before committees expecting to have hearings of sufficient length so that their work may be consummated and they may return to their homes, thus avoiding the great expense involved in repeated journeyings to the Capitol.

Submitted herewith on page 13 is a proposed schedule for the Assembly committee meetings. In formulating this schedule, the larger rooms have been assigned to those committees which past experience has shown require them.

Where two consecutive periods of time are available and where the number of bills before a committee demands much time, it would be well to prolong the meetings from the first period into the second, thus greatly simplifying the schedule.

A study of the schedule shows that in most cases there are no more than three committee meetings at the same time.

It will be noted that there are no committee meetings scheduled for Fridays. This reduces the number of available meeting periods during the week, and thereby has a tendency to increase the conflicts in the schedule of the members. This has the advantage, however, of leaving the mornings, afternoons and evenings of Fridays open for sessions of the Assembly, when that body is required to clear its Calendar of accumulated business.

No member should serve on more than four committees. However, a reasonably satisfactory schedule with a limited number of conflicts may result if each member is assigned to five committees. But if each member serves on six committees it will be found that the conflicts will be increased out of proportion and that too great a burden will be placed upon the rational organization of the standing committees.

By consulting the committee schedule and indicating their preference for committees, the members themselves will be able to eliminate, to a great extent, conflict in their schedule prior to the Speaker's consideration of such matters.

Previous to the time for the convening of the regular session of the newly elected House, the Committee on Legislative Organization, or the Chief Clerk should submit to all the elected members the printed form which sets forth the plan for the organization of the standing committees, containing a schedule for the time and place of committee meetings. This will provide a convenient means whereby any member may tentatively select his preferred committee and determine at once

any conflicts that might occur as to the time of meetings under the established schedule. This logical and cooperative effort will expedite in advance the work of both the new Speaker, when he takes office, and the new Committee on Legislative Organization in organizing the standing committees. Inserted at page 14 is such a form.

The Use of the Printed Schedule

In using the form submitted herewith as an aid in simplifying his preference for committee assignments, each member should, by number, indicate the order of his preference, by marking in the proper column that number and the meeting period in the column under the day upon which the committee meets. Repeating this procedure for each of the four or possibly six preferred committees, the member himself may then see at a glance, by noting the meeting periods in the column under any designated day, whether, at a specified period, there will be a conflict in his schedule. Very possibly the member may then select another committee less preferred, thereby eliminating the conflict. The member may then retain one copy for himself and submit to the Speaker, or the Chief Clerk, the duplicate. The Committee on Legislative Organization, or the Chief Clerk, will then be able to combine all of the designated preferences of the members into a form which will offer a greatly simplified and rational means of organizing the standing committees without conflict in schedules. It should be noted that there are three periods of time in any one day for the meeting of the committees designated as numbers I, II, and III, or, for example, 3 to 4.30 p.m., 4.30 to 6 p.m., and 8 p.m.

It must be kept in mind that on several of the very important committees the experience of some of the veteran members should be retained and some preference given to them in order to expedite the business of the Legislature throughout the session. This is necessary for the benefit of all the members, and the public.

Conflicts in schedule are not desirable, but the Speaker may make exceptions where proper representation of a member's district or previous committee experience makes it necessary to allow the conflict to exist.

Selection of Committeemen

Selection of the committeemen should be based on natural and educational qualifications to consider and study particular types of subject matter contained in bills coming before the committee. Moreover, the value of the legislator serving on a committee would be greatly enhanced by his experience in serving during successive sessions on the same committee, because through his experience he will have become something of an expert on special subjects.

Committee on Legislative Organization

At the beginning of the session, before the standing committees have been appointed and after the Speaker has been elected and seated, a House Resolution should be presented to and adopted by the Assembly which authorizes the appointment of the new permanent Committee on Legislative Organization, so that the newly appointed committee

may immediately continue the work of the old permanent committee and aid the Speaker and the Chief Clerk in the organization of the standing committees and preparing the temporary rules for adoption by the Assembly and also the new permanent rules for consideration by the Committee on Rules and House Functions and thereafter by the Assembly.

This committee should continuously observe the operation of the House under the existing rules with a view towards improving them if necessary. The committee should undertake to make studies and formulate plans for the more efficient functioning of the Assembly as a parliamentary body in its relationship with the Senate and the public. These broad duties would cover such items as legislative printing, detailed analysis of the manual functions of the Chief Clerk and the Sergeant-at-Arms, the physical problem of seating the House, the proper functioning of the voting, the comfort of the members, coordinating organization and procedure with the Senate, the design of floor plans for the housing of the Assembly and its committees.

There is a continuous need for the operations of such a permanent committee.

Committee on Rules and House Functions

Upon adoption by the House of the temporary rules, the Speaker should next appoint the Committee on Rules and House Functions. The committee will then consider the permanent rules as recommended in the report of the Committee on Legislative Organization. The Speaker may direct the Committee on Rules and House Functions to consider the personnel to be presented to the House for election as attaches in its service. This committee should consider matters relating to House rules and joint rules of the Senate and Assembly and such further House functions as contingent expenses, contested elections, mileage, and all else concerning the proper functioning of the House.

Committee on Legislative Procedure

Early in the session, even prior to the selection of the standing committees, the Speaker should either undertake the duties of or appoint the Committee on Legislative Procedure consisting of one or several members. This committee should act as a steering committee to manage all legislation as it proceeds through the House. This committee also should form a liaison with the Legislative Counsel so as to receive the Counsel's aid in bringing about greater efficiency in the consideration of bills.

If necessary, the committee should seek the aid of the chairmen of the standing committees in classifying the subject matter of the bills presented before the constitutional recess. In this manner an organized force will be assisting in handling the great volume of legislation. With the permission of the authors, the committee should seek to consolidate bills where duplication or similarity occurs. This may be accomplished by conferring with the authors before the bill is formally entered for first reading. The committee also should aid the chairman of the several standing committees in formulating consolidated bills which relate to the same subject so that these bills may be

put through the House under the names of the several authors or if appropriate the names of the committee members who propose it.

This committee functions as a Committee on Introduction of Bills and as a Committee on Engrossment and Enrollment as prescribed by the Constitution, the Rules of the House and the Joint Rules of the Senate and the Assembly.

In the past it has been the custom to wait until the constitutional recess before indexing the bills which have been introduced. It would be well to cause this clerical work to proceed at all times during the session. The information thus obtained would materially aid the Legislative Counsel and the Committee on Legislative Procedure in the classification and study of proposed bills.

Standing Committees

The remaining twenty-five standing committees, namely: those organized for the purpose of considering bills relating to Government and to Industry, present a greatly simplified legislative procedure.

The number of persons on each committee are not designated in the amended rules. However, they may, and should be, varied in number if it is found desirable to do so when studies are being made for the adoption of the schedule of committee meetings and the selection of their members.

Committee appointments on the larger committees are limited by the capacity of the meeting rooms as well as by the conflict that would arise in the committee schedules of individual members.

Prior to the assignment of members to serve on the several standing committees, the Speaker or the Committee on Legislative Organization shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time and the Speaker thereafter shall determine the number and the members to serve on each standing committee. Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee should be made otherwise than by a majority vote of the Assembly.

Assignment of Bills to Committees

In designating the committees to which bills are to be referred, the Speaker or the Committee on Legislative Procedure should consider the character of the legislation to be considered, not according to the methods heretofore used, but from a new viewpoint. Therefore, the recommendations which follow, suggest subject matters to be considered by the respective committees.

It must be kept in mind that under the rules subcommittees may be formed to study and report back with recommendations to the committee.

Broadly speaking, all bills and resolutions may be placed under three separate categories: those pertaining to Legislative Organization, to Government and to Industry.

The functions and duties of the three committees concerned with legislative organization have been discussed in the preceding pages.

These committees are the permanent committee on Legislative Organization and the two standing committees named Rules and House Functions, and Legislative Procedure.

Bills Pertaining to Government

Those bills coming under the general category of government can be more particularly classified as pertaining to conservation and planning, fiscal matters, education, social welfare, civil service and State departments, military and police, political subdivisions and judiciary and laws.

Those bills pertaining to conservation and planning, which affect uses of land for purposes of conservation or for the public welfare in general, concerning public rights of way of all kinds, such as highway, reservoir sites, flood control channels, and which pertain to conservation of any natural resource, more particularly matters pertaining to conservation, drainage, flood control, State grounds and parks, irrigation and water conservation, soil conservation, land use problems affecting human habitation, and other matters relating to State, regional, and city and county planning, should be referred to the Committee on Conservation, Natural Resources and Planning. Those particularly pertaining to roads and highways should go to the Committee on Roads and Highways.

Those bills applying to fish and game should be assigned to the committee of that name.

Those bills falling under the classification of fiscal matters in government, and more particularly classified as pertaining to matters involving governmental efficiency and economy, revenue and taxation, and ways and means, should be referred to the three committees designated by those respective titles.

Those bills classified as referring to education, and more particularly concerning education in general and in the public school system, State colleges, and in universities, should be referred to the Committee on Education, and the Committee on State Colleges and Universities.

Coming under the general category of social welfare are bills which affect the morals, health and general welfare of the citizens and the governmental services required pertaining thereto. Those bills more particularly defined as pertaining to crime problems and prisons and reformatories, public charities and corrections, should be referred to the Committee on Crime and Correction.

Those pertaining to public morals and behavior should be referred to the Committee on Public Morals.

Those pertaining to public health and quarantine should be referred to the Committee on Public Health.

Those pertaining to social service, relief, and public welfare, should be referred to the Committee on Social Welfare.

All matters pertaining to departmental organization and civil service should be referred to the Committee on Civil Service and State Departments.

All matters pertaining to the police and military, and heretofore embodied in military affairs, and matters pertaining to soldiers and sailors and State police, should be referred to the Committee on Military Affairs.

All those bills which affect the powers and duties which reside in local legislative authorities and which pertain more particularly to the political subdivisions of the State and their proper functioning, and which affect county government, municipal corporations, county and public libraries, should be referred to the Committee on Municipal and County Government.

Those pertaining to elections in political subdivisions should be referred to the Committee on Elections and Reapportionment.

Coming under the classification of Judiciary and Laws, matters affecting the codified laws of the State and those measures pertaining to the judiciary and to general laws should be referred to the Committee on Judiciary.

Those measures affecting constitutional amendments, the initiative and referendum, should be referred to the Committee on Constitutional Amendments.

Those measures which heretofore have been considered by the Committee on Federal Relations should be referred to the particular committee which covers the subject matter in the measure.

Bills Pertaining to Industry

Those bills and resolutions coming under the general category of industry and more particularly relating to the production of wealth may be further classified under the heading of (a) Agriculture, and (b) Means of Production. Bills relating to live stock and dairies should be referred to a separate committee by that name while all other bills relating to agriculture in general and to exhibitions and fairs should be referred to the Committee on Agriculture.

Those bills relating to the means of production may be assigned to the Committee on Public Utilities, Manufacturing and Corporations and to the Committee on Labor and Capital.

Those bills which refer to labor as a force of production, and capital as an economic tool, and to unemployment, should be referred to the Committee on Labor and Capital. This committee is a very important one and its membership should be carefully selected so as not to represent the political aspect of problems involving labor and capital, but should be capable of judging the economic aspect of the complex relations that exist between labor as a producing force on one hand, and capital as an economic tool on the other hand. In the past the committee has considered primarily the problems of the former without judging these matters in their close relationship to the latter, with the result that such important bills as those relating to mediation, wages and hours, and other extremely important subjects, have failed of passage in the Legislature because no compromises which would have clarified conflicting viewpoints could be made before committee.

Those bills classified as relating to the matter of finance in industry, and more particularly described as pertaining to banking, financial institutions, building and loan, and insurance, should be referred to the Committee on Finance and Insurance.

Those measures classified under transportation and distribution of production, and particularly referring to commerce and navigation, rail and truck rates, and the movement of commodities, should be referred to the Committee on Commerce and Navigation, while those

which pertain to the regulation of motor vehicles on public highways should be referred to the Committee on Motor Vehicles.

Statement

The Standing Rules as proposed by the Committee on Legislative Organization and as amended and adopted by the Assembly are printed in full in House Resolution No. 15.

SCHEDULE OF ASSEMBLY COMMITTEE MEETINGS

Monday

Period I. 3:00 to 4:30 p.m.	Room	Period II. 4:30 to 6:00 p.m.	Room	Period III. 8:00 p.m.	Room		
Ways and Means.....	435	Ways and Means.....	435	Finance and Insurance.....	432		
Elections and Reapportionment.....	432	Elections and Reapportionment.....	432			Universities and Colleges.....	426
Crime and Correction.....	426	Public Morals.....	426				

Tuesday

Period I. 3:00 to 4:30 p.m.	Room	Period II. 4:30 to 6:00 p.m.	Room	Period III. 8:00 p.m.	Room		
Fish and Game.....	435	Military Affairs.....	435	Constitutional Amendments, Public Utilities, Manu- facturing, and Corporations.....	435		
Agriculture.....	432	Live Stock and Dairies.....	432				
Motor Vehicles.....	426	Motor Vehicles.....	426				432

Wednesday

Period I. 3:00 to 4:30 p.m.	Room	Period II. 4:30 to 6:00 p.m.	Room	Period III. 8:00 p.m.	Room
Governmental Efficiency and Economy.....	435	Governmental Efficiency and Economy.....	435	Judiciary.....	435
Municipal and County Government.....	432	Municipal and County Government.....	432	Civil Service and State Departments.....	432
Roads and Highways.....	426	Commerce and Navigation.....	426	Public Health.....	426

Thursday

Period I. 3:00 to 4:30 p.m.	Room	Period II. 4:30 to 6:00 p.m.	Room	Period III. 8:00 p.m.	Room
Revenue and Taxation.....	435	Revenue and Taxation.....	435	Judiciary.....	435
Conservation, Natural Resources, and Planning.....	432	Conservation, Natural Resources, and Planning.....	432	Labor and Capital.....	432
Social Welfare.....	426	Social Welfare.....	426	Education.....	426

Subject to Call of Speaker or Chairman

	Room
Rules and House Functions.....	428
Legislative Procedure.....	429
Legislative Organization.....	431
Ingressment and Enrollment.....	423
Sergeant-at-Arms.....	431

PLACE AND TIME OF COMMITTEE MEETINGS

Room 435 Seats 27 Committeemen and 75 spectators	GOVERNMENT		
		Conservation and Planning	
	Fish and Game.....		Tuesday, 3 00 to 4 30 p m.
		Fiscal Matters	
	Governmental Efficiency and Economy.....		Wednesday, 3 00 to 6 00 p m
	Revenue and Taxation.....		Thursday, 3 00 to 6 00 p m
	Ways and Means.....		Monday, 3 00 to 6 00 p m.
		Judiciary and Laws	
	Judiciary.....		Wednesday and Thursday, 8 00 p m
	Constitutional Amendments.....		Tuesday, 8 00 p m.
	Military and Police		
Military Affairs.....		Tuesday, 4 30 to 6 00 p m.	
Room 432 Seats 21 Committeemen and 75 spectators	GOVERNMENT		
		Conservation and Planning	
	Conservation, Natural Resources, and Planning.....		Thursday, 3 00 to 6 00 p m.
	Civil Service and State Departments.....		Wednesday, 8 00 p m
		Political Subdivisions	
	Municipal and County Government.....		Wednesday, 3 00 to 6 00 p m
	Elections and Reapportionment.....		Monday, 3 00 to 6 00 p m
	INDUSTRY		
		Agriculture	
	Agriculture.....		Tuesday, 3 00 to 4 30 p m
	Live Stock and Dairies.....		Tuesday, 4 30 to 6 00 p m
		Means of Production	
Public Utilities, Manufacturing, and Corporations.....		Tuesday, 8 00 p m	
Labor and Capital.....		Thursday, 8 00 p m	
	Finance		
Finance and Insurance.....		Monday, 8 00 p m	
Room 426 Seats 21 Committeemen and 75 spectators	GOVERNMENT		
		Conservation and Planning	
	Roads and Highways.....		Wednesday, 3 00 to 4 30 p m
		Education	
	Education.....		Thursday, 8 00 p m
	Universities and Colleges.....		Monday, 8 00 p m.
		Social Welfare	
	Crime and Correction.....		Monday, 3 00 to 4 30 p m.
	Public Morals.....		Monday, 4 30 to 6 00 p m
	Public Health.....		Wednesday, 8 00 p m
	Social Welfare.....		Thursday, 3 00 to 6 00 p m
INDUSTRY			
	Distribution and Transportation		
Commerce and Navigation.....		Wednesday, 4 30 to 6 00 p m	
Motor Vehicles.....		Tuesday, 3 00 to 6 00 p m	
Room 430	To be used for special meetings of subcommittees Seats 21 Committeemen and 50 spectators		
Room 428	Rules and Legislative Functions and special committee meetings		
Room 431	Committee on Legislative Organization and Sergeant-at-Arms		
Room 423	Engrossment and Enrollment Clerk		
Room 429	Committee on Legislative Procedure Introduction of bills		

ANNOUNCEMENT OF ASSEMBLY STANDING COMMITTEES

The Speaker announced that the committee appointments appearing on pages 84 and 85 of the Assembly Journal of January 5, 1943, would constitute the permanent standing committees of the Assembly for the Fifty-fifth Session of the Legislature.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 6, 1943

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

Senate Concurrent Resolution No. 5
Senate Concurrent Resolution No. 6

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 5—Approving certain amendments to the charter of the County of San Mateo, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held on the third day of November, 1942.

Request for Unanimous Consent

Mr. Call asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 5, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5

Senate Concurrent Resolution No. 5—Approving certain amendments to the charter of the County of San Mateo, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held on the third day of November, 1942.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCallister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalbsch, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—73

NOES—None.

Resolution ordered transmitted to the Senate.

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 6—Approving a certain amendment to the charter of the City of San Leandro, a municipal corporation of the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the third day of November, 1942.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 6, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 6

Senate Concurrent Resolution No. 6—Approving a certain amendment to the charter of the City of San Leandro, a municipal corporation of the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the third day of November, 1942.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Helsing, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 9: By Messrs. Johnson and Carey—Relative to approving an amendment to the charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on the twenty-sixth day of May, 1942.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 9, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 9

Assembly Concurrent Resolution No. 9—Relative to approving an amendment to the charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on the twenty-sixth day of May, 1942.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Helsing, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson,

Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.
NOES—None.

Resolution ordered transmitted to the Senate.

COMMUNICATIONS

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

51ST EVACUATION HOSPITAL, A. P. O. 309
FORT LEWIS, WASHINGTON, January 2, 1943

*Mr. Arthur Ohnimus, Chief Clerk, California Assembly
State Capitol, Sacramento, California*

DEAR ARTHUR: Your letter of December 15, 1942, was delayed in the process of forwarding and reached me only today. As you will note from the above address, I am now serving as Chaplain in the Army, and therefore can not accept your kind invitation to officiate at the opening of the Fifty-fifth Session.

I have pleasant recollections of my Chaplaincy in the last Session. I am very grateful to all who made it such a happy privilege.

I haven't learned the name of my successor, but whoever he is, he will find it very pleasant as long as he doesn't filibuster in his prayers.

With warmest regards, Arthur, I am,

Sincerely yours,

LT. THOMAS H. MARKHAM, Chaplain

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 10: By Messrs. Middough and Howser—Relative to approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the second day of June, 1942.

Request for Unanimous Consent

Mr. Middough asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 10, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 10

Assembly Concurrent Resolution No. 10—Relative to approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the second day of June, 1942.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

NOMINATIONS FOR CHIEF CLERK

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

Mr. Sam L. Collins of Fullerton placed in nomination for Chief Clerk Mr. Arthur A. Ohnimus of San Francisco.

The nomination of Mr. Arthur A. Ohnimus was seconded by Messrs. Albert C. Wollenberg of San Francisco, Clyde A. Watson of Orange, and John W. Evans of Los Angeles.

Nominations Closed

Mr. Thomas J. Doyle moved that nominations for Chief Clerk be now closed.

Motion carried.

ELECTION OF CHIEF CLERK

The roll was called with the following result:

For MR. ARTHUR A. OHNIMUS—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McColhster, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—77.

NOES—None.

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

OATH OF OFFICE ADMINISTERED

Mr. Arthur A. Ohnimus appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Hon. Charles W. Lyon, Speaker of the Assembly:

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

NOMINATIONS FOR SERGEANT-AT-ARMS

The Speaker declared the nomination and election of Sergeant-at-Arms of the Assembly now in order.

Mr. Earl D. Desmond of Sacramento placed in nomination for Sergeant-at-Arms Mr. Wilkie Ogg of Sacramento.

The nomination of Mr. Wilkie Ogg was seconded by Mr. Ernest E. Debs of Los Angeles.

Nominations Closed

Mr. Waters moved that nominations for Sergeant-at-Arms be now closed.

Motion carried.

ELECTION OF SERGEANT-AT-ARMS

The roll was called with the following result:

For MR. WILKIE OGG—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins,

George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallich, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—77.

NOES—None.

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

OATH OF OFFICE ADMINISTERED

Mr. Wilkie Ogg appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Hon. Charles W. Lyon, Speaker of the Assembly:

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

NOMINATIONS FOR MINUTE CLERK

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

Mr. Lee T. Bashore of Glendora placed in nomination for Minute Clerk Mr. C. William Queale of Fullerton.

The nomination of Mr. C. William Queale was seconded by Mr. Thomas A. Doyle of Los Angeles.

Nominations Closed

Mr. Albert C. Wollenberg moved that nominations for Minute Clerk be now closed.

Motion carried.

ELECTION OF MINUTE CLERK

The roll was called with the following result:

FOR MR. C. WILLIAM QUEALE—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallich, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—77.

NOES—None.

Mr. C. William Queale, being the choice of the Assembly for Minute Clerk, the Speaker declared him duly elected.

OATH OF OFFICE ADMINISTERED

Mr. C. William Queale appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Hon. Charles W. Lyon, Speaker of the Assembly:

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

NOMINATIONS FOR CHAPLAIN

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

Mr. Earl D. Desmond of Sacramento placed in nomination for Chaplain Rev. Clarence A. Kircher of Sacramento.

The nomination of Rev. Clarence A. Kircher was seconded by Mr. Chester F. Gannon of Sacramento.

Nominations Closed

Mr. William Clifton Berry moved that nominations for Chaplain be now closed.

Motion carried.

ELECTION OF CHAPLAIN

The roll was called with the following result:

FOR REV. CLARENCE A. KIRCHER—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Helsing, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—77.

NOES—None.

Rev. Clarence A. Kircher, being the choice of the Assembly for Chaplain, the Speaker declared him duly elected.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 6, 1943

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

Assembly Concurrent Resolution No. 2

And respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of the Senate

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up the Senate amendments to Assembly Concurrent Resolution No. 2 at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 2—Relative to accredited press representatives and the authentication thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 2?

Amendment No. 1

On page 1 of the printed resolution, at the end of line 21, strike out "Rule ----- Joint" and lines 22, 23, and 24, and insert "the Joint Rules and Rules of the Senate and Assembly."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Concurrent Resolution No. 2 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

Assembly Concurrent Resolution No. 2 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBLER, SACRAMENTO, January 6, 1943

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

Senate Bill No. 14

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time.

Senate Bill No. 14—An act making an appropriation for the mileage of the members and statutory officers of the Senate, to take effect immediately.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Senate Bill No. 14, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NO. 14

Senate Bill No. 14—An act making an appropriation for the mileage of the members and statutory officers of the Senate, to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Sam L. Collins:

Resolved, That Senate Bill No. 14 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 14—An act making an appropriation for the mileage of the members and statutory officers of the Senate, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.
NOES—None.

Senate Bill No. 14—An act making an appropriation for the mileage of the members and statutory officers of the Senate, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berrv, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Crichton, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Earl J. Cecil of Fresno.

On request of Messrs. Lyon, Howser, Middough, and Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to former Governor Frank F. Merriam of Long Beach.

On request of Mr. Kraft, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dan Rossi of San Diego, Edward Speacuse of Los Angeles, and Dr. Gigolotti Lamesa of San Diego.

On request of the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James M. Sims, Jr., Yeoman 3d Class, United States Naval Reserve of San Francisco.

ADJOURNMENT

At 5.20 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 11 a.m., Thursday, January 7, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FOURTH LEGISLATIVE DAY

FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, January 7, 1943

The Assembly met at 11 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—79.

Quorum present.

OATH OF OFFICE ADMINISTERED

Rev. Clarence Albert Kircher appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Hon. Charles W. Lyon, Speaker of the Assembly:

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

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher.

"Lord of all being, throned afar,
Thy glory flames from sun and star;
Center and soul of every sphere,
Yet to each loving heart how near!
Grant us Thy truth to make us free
And kindling hearts that burn for Thee
Till all Thy living altars claim,
One holy light, one heavenly flame."

We thank Thee for a night of rest and for the opportunities of a new day. We thank Thee for those who defend our homes upon the land, or sea or in the air.

We thank Thee for our families and our loved ones. We thank Thee for those who rule over us in Nation, State and city. May we never be slothful in service but rather fervent in spirit, serving the Lord in whose blessed Name we pray

AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:
Mr. Field, on motion of Mr. Potter.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Sargent, Lyon, Price, and Kellems:

House Resolution No. 23

Relating to the memory of Mrs. Katie Oberholtzer Bashore

WHEREAS, The Members of the Assembly have learned with deep sorrow of the passing of Mrs. Katie Oberholtzer Bashore, mother of our colleague, Lee Bashore; and

WHEREAS, Mrs. Bashore was a pioneer resident of California; in 1863 at the age of three months she crossed the plains from Illinois to California with her parents; at the age of two years she traveled to Pennsylvania on a sailing vessel; and at the age of 10 years she returned to California where she thereafter resided; and

WHEREAS, The Members of the Assembly wish to pay tribute to the memory of this pioneer resident of California and to extend their deepest sympathy to Colleague Lee Bashore and other members of the bereaved family; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly this day adjourns it do so out of respect to the memory of Mrs. Katie Oberholtzer Bashore; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit to Assemblyman Lee Bashore a suitably engrossed copy of this resolution.

Request for Unanimous Consent

Mr. Sargent asked for, and was granted, unanimous consent to take up House Resolution No. 23, at this time, without reference to committee.

Resolution read, and adopted unanimously.

By Mr. Crowley:

House Resolution No. 24

Relating to the death of Dan H. White

WHEREAS, Death has come to Dan H. White, resident and public educator of Solano County, in the seventy-eighth year of his long and useful life; and

WHEREAS, Dan H. White was, for 42 years, Superintendent of Schools of Solano County; and

WHEREAS, During that time he not only gave in full of his own energies and talents to the development and improvement of the public schools but also gave inspiration for the same kind of service to many of his students, including the late Will C. Wood, known to all Californians for his work as State Superintendent of Public Instruction; and

WHEREAS, In the passing of Dan H. White the State of California as well as Solano County and the cause of education in general has lost a devoted friend and public servant; and

WHEREAS, It is the wish of the Assembly of California to give recognition to the great and faithful service of Dan H. White, and to express its sympathy to his children in the loss of their beloved father; now, therefore, be it

Resolved by the Assembly of the State of California, That when this Assembly adjourns this day, it do so out of respect to the memory of the late Dan H. White; and be it further

Resolved, That a suitably engrossed copy of this resolution be transmitted by the Chief Clerk of this Assembly to the children of Dan H. White: Mrs. Hamilton L. Hintz of Sacramento, R. White of Vallejo, C. H. White of Fairfield, and Douglas C. White of Santa Barbara.

Request for Unanimous Consent

Mr. Crowley asked for, and was granted, unanimous consent to take up House Resolution No. 24, at this time, without reference to committee.

Resolution read, and adopted unanimously.

By Mr. Sam L. Collins:

House Resolution No. 25

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

Carroll Dudley, File Clerk, January 4, 5, 6, 3 days at \$7 per day	\$21 00
William Queale, Minute Clerk, January 4, 5, 2 days at \$9 per day	18 00
Mildred Watson, History Clerk, January 4, 5, 6, 3 days at \$7 per day	21 00
Velma Dunlap, Assistant Clerk, January 4, 5, 6, 3 days at \$7 per day	21 00
Hattie Newsome, Assistant Sergeant-at-Arms, January 4, 5, 6, 3 days at \$5 per day	15 00
Edward Nathan, Assistant Sergeant-at-Arms, January 4, 5, 6, 3 days at \$5 per day	15 00
Arthur A. Ohnimus, Chief Clerk, January 1, 2, 3, 4, 5, 5 days at \$10 per day	50 00
Irene Anderson, Assistant Clerk, January 1, 2, 3, 4, 5, 6, 6 days at \$7 per day	42 00
Juanita Dependener, Assistant Clerk, January 1, 2, 3, 4, 5, 6, 6 days at \$7 per day	42 00
Harold Lewright, Assistant Clerk, January 1, 2, 3, 4, 5, 6, 6 days at \$7 per day	42 00
Wilkie Ogg, Sergeant-at-Arms, January 1, 2, 3, 4, 5, 5 days at \$8 per day	40 00
Charles Robbins, Engrossing-Enrolling Clerk, January 4, 5, 6, 3 days at \$7 per day	21 00
Dorothy Sims, Assistant Minute Clerk, January 4, 5, 6, 3 days at \$7 per day	21 00
Lillian Slater, Assistant Minute Clerk, January 4, 5, 6, 3 days at \$7 per day	21 00
Albert Day, Journal Clerk, January 4, 5, 6, 3 days at \$7 per day	21 00
Lillian Larkin, Assistant Sergeant-at-Arms, January 4, 5, 6, 3 days at \$5 per day	15 00
Mike Connolly, Assistant Sergeant-at-Arms, January 4, 5, 6, at \$5 per day	15 00
Mrs. Crowley, Assistant Sergeant-at-Arms, January 4, 5, 6, at \$5 per day	15 00
Mrs. Heisinger, Assistant Sergeant-at-Arms, January 4, 5, 6, at \$5 per day	15 00
James Doyle, Assistant Sergeant-at-Arms, January 4, 5, 6, at \$5 per day	15 00
E. E. Gehring, Assistant Sergeant-at-Arms, January 4, 5, 6, at \$5 per day	15 00
Morris Martin, Assistant Sergeant-at-Arms, January 4, 5, 6, at \$5 per day	15 00
Geo. Petrick, Assistant Sergeant-at-Arms, January 4, 5, 6, at \$5 per day	15 00
J. W. Dotts, Assistant Sergeant-at-Arms, January 4, 5, 6, at \$5 per day	15 00
H. Smedley, Assistant Sergeant-at-Arms, January 4, 5, 6, at \$5 per day	15 00
W. J. Greene, Assistant Sergeant-at-Arms, January 4, 5, 6, at \$5 per day	15 00
Jess Patterson, Assistant Sergeant-at-Arms, January 4, 5, 6, at \$5 per day	15 00
Joe Maloney, Assistant Sergeant-at-Arms, January 4, 5, 6, at \$5 per day	15 00

George Ashe, Assistant Sergeant-at-Arms, January 4, 5, 6, at \$5 per day	\$15 00
J. McCarthy, Assistant Sergeant-at-Arms, January 4, 5, 6, at \$5 per day	15 00
Peter Finney, Assistant Sergeant-at-Arms, January 4, 5, 6, at \$5 per day	15 00
Jack Shafer, Chief Page, January 4, 5, 6, at \$3 per day	9 00
Rolin Robson, Page, January 4, 5, 6, at \$2.50 per day	7 50
Bruce Allen, Page, January 4, 5, 6, at \$2.50 per day	7 50
Allan Shelley, Page, January 4, 5, 6, at \$2.50 per day	7 50
Leal Norton, Page, January 4, 5, 6, at \$2.50 per day	7 50
Stanley Mattox, Page, January 4, 5, 6, at \$2.50 per day	7 50
Rev. Clarence Albert Kircher, Chaplain, January 4, 5, 6, at \$4 per day	12 00
Vera Fowler, Stenographer, January 4, 5, 6, at \$5 per day	15 00
Kay Johnson, Stenographer, January 4, 5, 6, at \$5 per day	15 00

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 25, at this time, without reference to committee.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1943

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 2—Relative to accredited press representatives and the authentication thereof;

And reports that the same has been correctly enrolled, and presented to the Governor on the seventh day of January, 1943, at 11.15 a. m.

PELLETIER, Chairman

COMMUNICATIONS

The following communications were received, read, and ordered printed in the Journal:

PASADENA, CALIFORNIA, January 5, 1943

*Mr. Willis Sargent
Sacramento, California*

MY DEAR MR. SARGENT: I wish to congratulate you upon your induction into office, and to wish for you an enjoyable and profitable session. In imagination I was with you all on yesterday throughout the proceedings.

Last night I dreamed that I went back up to visit. But, like Rip Van Winkle, no one knew me and I knew no one. I went to my old seat and the man sitting there said "Are you the woman who used to sit here?" When I replied "Yes," his response was "My Lord!" Good luck and a Happy New Year.

Very sincerely,

ELEANOR MILLER

Charles Lyon, Speaker of the House

Holding Pension meeting in Committee Room 415, 4th floor, Capitol.

All of the large State Pension movements will be represented.

This committee extends a cordial invitation to the Members of the Assembly and Senate to attend this meeting at 7.30 this evening, January 7th.

The purpose of this meeting is to reach an agreement as to the fundamental changes necessary to the Old Age Aid in California.

WILFORD HOWARD, Chairman
California Joint Welfare Committee

RESOLUTIONS

The following resolution was offered:

By the Committee on Rules and House Functions:

House Resolution No. 26

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

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

<i>Commencing Thursday, January 7, 1943:</i>		<i>Per day</i>
Chief Clerk, Arthur A. Ohnimus	X	\$15 00
First Assistant Clerk, Harold Lewright	X	11 00
Sergeant-at-Arms, Wilkie Ogg	X	11 00
Minute Clerk, C. William Queale	X	11 00
Chaplain, Rev. Clarence Albert Kircher	X	5 00
History Clerk, _____	X	8 00
Assistant History Clerk, Velma Dunlap	X	7 00
File Clerk, _____	X	8 00
Engrossing-Enrolling Clerk, Charles W. Robbins	X	8 00
Assistant Engrossing-Enrolling Clerk, Marian Hendricks	X	7 00
Journal Clerk, Albert Day	X	8 00
Assistant Journal Clerk	X	7 00
Chief Stenographer, Juanita L. Dependener	X	8 00
Secretary to Speaker, Kay Johnson	X	8 00
Secretary to Chief Clerk, Irene Anderson	X	8 00
Secretary to Judiciary	X	8 00
Secretary to Ways and Means, Vera Fowler	X	8 00
Assistant Minute Clerk, _____	X	7 00
Assistant Minute Clerk, Lillian Slater	X	7 00
Assistant Clerk	X	8 00
Assistant Clerk	X	8 00
Bookkeeper to Sergeant-at-Arms, Ed Nathan	X	7 00
Assistant Sergeants-at-Arms:		
Mike Connolly		6 00
Mrs. Crowley		6 00
Mrs. Heisinger		6 00
James Doyle		6 00
E. E. Gehring		6 00
Morris Martin		6 00
George Petrick		6 00
J. W. Dotts		6 00
H. Smedley		6 00
W. J. Greene		6 00
Jess Patterson		6 00
Joe Maloney		6 00
George Ash		6 00
J. McCarthy		6 00
Chief Page, Jack Shafer		4 00
Pages:		
Rolin Robson		3 00
Bruce Allen		3 00
Allan Shelley		3 00
Leal Norton		3 00
Stanley Mattox		3 00
Postmistress, Lillian Larkin		6 00
Assistant Postmistress, Hattie M. Newsom		5 00

And be it further

Resolved, That the compensation of the above named attaches shall be on a 7-day per-week basis.

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 26, at this time, without reference to committee.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

COMMUNICATIONS

A communication from Orange County Board of Supervisors, relative to a resolution re sales tax and schools, was received and ordered filed with the Secretary of State.

A communication from Mr. Frank J. Hogan, relative to a suggested legislative program for 1943, was received and ordered filed with the Secretary of State.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 3: By Mr. Bashore—An act to amend Section 2011 and to repeal Sections 2181, 2224, 3088, and 3474 of the Welfare and Institutions Code, to repeal Article 3, comprising Sections 2576 and 2577 of Chapter 2, Division 4 of the Welfare and Institutions Code, and to repeal Section 3 of Chapter 1254 of the Statutes of 1941 and Section 20 of the California Unemployment Relief Act of 1935, relating to the legal responsibility of relatives and others for support of persons receiving public assistance.

Referred to Committee on Social Welfare.

Assembly Bill No. 4: By Mr. Beck—An act to amend Sections 2020, 2021, and 2187 of the Welfare and Institutions Code, and to add Sections 2020.3 and 2187.5 thereto, relating to aid to the aged, providing for increases in the amount of such aid proportionate to increases in the cost of living, providing for the respective participation of the State and the counties in the payment of the cost of such aid, and making an appropriation.

Referred to Committee on Social Welfare.

Assembly Bill No. 5: By Messrs. Bennett, Kilpatrick, Rosenthal, Hollibaugh, and Anderson—An act to add Chapter 1a, comprising Sections 3.143 to 3.148, inclusive, to Part 2 of Division 3 of the School Code, and Chapter 4.5, comprising Sections 8451 to 8456, inclusive, to Division 4 of the Education Code, relating to nurseries and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 6: By Mr. Burkhalter—An act to amend Sections 2493 and 2494 of the Business and Professions Code, relating to license fees of the Board of Osteopathic Examiners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 7: By Mr. Crichton—An act to amend Section 411 of the Code of Civil Procedure, relating to service of summons.

Referred to Committee on Judiciary.

Assembly Bill No. 8: By Mr. Crowley—An act to add Section 10183 to the Health and Safety Code, relating to the delayed registration of birth certificates.

Referred to Committee on Judiciary.

Assembly Bill No. 9: By Mr. Desmond—An act to amend Section 2181 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 10: By Mr. Dilworth, Mrs. Niehouse, and Messrs. Weybret, Miller, Thurman, Clarke, Dunn, Thorp, Bashore, Stream, Watson, Dills, Ralph C., Anderson, Beck, Price, Leonard, Bennett, Burkhalter, Call, Knight, T. Fenton; Thomas, Massion, Rosenthal, Kilpatrick, Armstrong, Werdel, Middough, Maloney, Wollenberg, Burns, Erwin, King, Lyons, Sheridan, Dills, Clayton A., Fourt, Doyle, Kellems, Kraft, Waters, Sargent, Hollibaugh, Hastain, McMillan, Thompson, Field, Potter, Johnson, Gannon, Lowrey, Smith, O'Day, Dickey, Debs, Carey, Collins, George D., Haggerty, Berry, Brady, Denny, Sawallisch, Crichton, Gaffney, Guthrie, Evans, Desmond, Weber, Brown, Heisinger, and Hawkins—An act to add Chapter 85 (comprising Sections 10615 to 10622 inclusive) to Division 9 of the Health and Safety Code, relating to the registration of previously unregistered births, marriages and deaths, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 11: By Messrs. Doyle, Dills, Ralph C., Dills, Clayton A., Middough, Knight, John B., and Burkhalter—An act to amend Section 6359 of and to add Section 6385 to the Revenue and Taxation Code, relating to sales and use taxes, and exemptions therefrom

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 12: By Mr. Dunn—An act to amend Section 501 of the Elections Code, relating to election precincts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 13: By Mr. Erwin—An act to amend Sections 2020, 2021, 2187, and 2222 of the Welfare and Institutions Code, relating to aid to the aged, increasing the amount thereof, providing for the respective participation of the State and the counties in the payment of the cost thereof, and making an appropriation.

Referred to Committee on Social Welfare.

Assembly Bill No. 14: By Mr. Evans—An act to amend Section 18734 of the Business and Professions Code, relating to amateur boxing contests.

Referred to Committee on Public Morals.

Assembly Bill No. 15: By Mr. Field—An act to amend Section 6 of the Inheritance Tax Act of 1935, relating to inheritance taxation, to take effect immediately.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 16: By Mr. Guthrie—An act to amend Sections 4026 and 4026.1 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 17: By Messrs. Hastain, Dilworth, Kraft, Stream, Watson, Fourt, Waters, Weybret, Erwin, Bashore, Middough, Howser, and Mrs. Niehouse—An act to amend Section 8 and to repeal Section 4 of, and to add Section 4, 10a, 10b, 10c, 11a, and 12a to, an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," approved by the electorate November 2, 1920, relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to contracts for the use, leasehold or other interest in real property less than the fee, including cropping contracts, providing for escheats in certain cases, prescribing the procedure therein, defining the powers and duties of the Attorney General or the district attorney of the proper county in reference thereto, providing as to the duties, powers and authority of any alien appointed by any court as guardian of his native born minor child or children, or as guardian of any other person, or persons, and prescribing the procedure in such cases, and to provide a penalty.

Referred to Committee on Judiciary.

Assembly Bill No. 18: By Mr. Hawkins—An act to add Article 5.5, comprising Section 775, to Chapter 1, Part 2, Division 1, of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 19: By Mr. Heisinger—An act to amend Sections 7351, 8351, 8352, and 8360 of, to add Sections 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 to, and to repeal Part 4, comprising Sections 9601 to 10501, of Division 2 of, the Revenue and Taxation Code and to add Section 18.5 to the Motor Vehicle Fuel License Tax Act, relating to the distribution of motor vehicle fuel, increasing the rate of tax thereon, and making an appropriation of the revenue derived from such increase; to repeal an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933; to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 20: By Mr. Johnson—An act to amend Section 506 of the Public Resources Code, relating to the State Park Commission and the Chief of the Division of Parks.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 21: By Mr. John B. Knight—An act to amend Section 8322 of the Streets and Highways Code, relating to the vacation of city streets.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 22: By Messrs. Kraft, Pelletier, Stream, Rosenthal, and Mrs. Niehouse—An act to add Part 2, comprising Chapter 1, Sections 4001 to 4083, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 23: By Mr. Lowrey—An act to amend Section 8 and to repeal Section 4 of, and to add Sections 4, 10a, 10b, 10c, 11a, and 12a to, an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," approved by the electorate November 2, 1920, relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to contracts for the use, leasehold or other interest in real property less than the fee, including cropping contracts, providing for escheats in certain cases, prescribing the procedure therein, defining the powers and duties of the Attorney General or the district attorney of the proper county in reference thereto, providing as to the duties, powers and authority of any alien appointed by any court as guardian of his native born minor child or children, or as guardian of any other person, or persons, and prescribing the procedure in such cases, and to provide a penalty.

Referred to Committee on Judiciary.

Assembly Bill No. 24: By Messrs. Maloney, Wollenberg, and Lyon—An act to establish an Emergency Reserve Fund in the State Treasury, to make an appropriation thereto, and to declare the purposes for which said fund is intended.

Referred to Committee on Ways and Means.

Assembly Bill No. 25: By Mr. McCollister—An act to add Sections 37 and 37.5 to the Personal Income Tax Act and to add Sections 19453 and 19453.5 to the Revenue and Taxation Code, relating to filing of returns, assessment, levy, collection, and payment of income taxes during the time of war, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 26: By Mrs. Niehouse and Messrs. Hollibaugh, Price, and Kraft—An act to amend Sections 2001, 2020, 2021, 2160, 2160.5, 2187, 2188, and 2222 of the Welfare and Institutions Code, relating to aid to the aged, increasing the amount of aid to be granted, prescribing the age of eligibility for such aid, providing for reimburse-

ment to the counties by the State for the full amount expended as such aid, and making an appropriation.

Referred to Committee on Social Welfare.

Assembly Bill No. 27: By Messrs. Rosenthal, Beck, Hawkins, McMillan, Massion, and Bennett—An act to amend Sections 51 and 52 of the Civil Code pertaining to equal rights of citizens, to prevent discrimination and provide a penalty.

Referred to Committee on Judiciary.

Assembly Bill No. 28: By Mr. Sawallisch—An act to add Section 510.5 to the Vehicle Code, relating to speed limits, to take effect immediately.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 29: By Messrs. Stream and Kraft—An act to amend Section 980 of the Streets and Highways Code, relating to public roads and highways and the powers and duties of county boards of supervisors, county surveyors, and county planning commissions in relation thereto.

Referred to Committee on Roads and Highways.

Assembly Bill No. 30: By Mr. Thomas—An act to amend Sections 295 and 296 of the Elections Code, relating to penalties for failure to vote.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 31: By Mr. Thurman—An act to amend Section 8 and to repeal Section 4 of, and to add Sections 4, 10a, 10b, 10c, 11a, and 12a to, an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith." Approved by the electorate November 2, 1920, relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to contracts for the use, leasehold or other interest in real property less than the fee, including cropping contracts, providing for escheats in certain cases, prescribing the procedure therein, defining the powers and duties of the Attorney General or the district attorney of the proper county in reference thereto, providing as to the duties, powers and authority of any alien appointed by any court as guardian of his native born minor child or children, or as guardian of any other person, or persons, and prescribing the procedure in such cases, and to provide a penalty.

Referred to Committee on Judiciary.

Assembly Bill No. 32: By Messrs. Waters, Fourt, Sheridan, Bennett, McMillan, Armstrong, Potter, Howser, Rosenthal, Beck, Johnson, Call, Dickey, Sargent, Wollenberg, Werdel, and Robertson—An act to

amend Sections 595 and 1054 of the Code of Civil Procedure, relating to extensions of time and continuances.

Referred to Committee on Judiciary.

Assembly Bill No. 33: By Mr. Watson—An act to amend Sections 511, 511.1, 511.2, 512.1, and 515.5 of the Vehicle Code, relating to the regulation of speeds on public streets and highways, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 34: By Mr. Werdel—An act to add Section 613.3 to the Streets and Highways Code, relating to State highways, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Roads and Highways.

Assembly Bill No. 35: By Mr. Weybret—An act to add Sections 10202, 10631, and 10632 to the Health and Safety Code, relating to birth certificates.

Referred to Committee on Judiciary.

Assembly Bill No. 36: By Messrs. Wollenberg, Gannon, Armstrong, Burns, Miller, Weybret, Hollibaugh, Carey, Potter, Maloney, O'Day, Haggerty, Gaffney, Berry, and Johnson—An act to amend Section 4 of the Budget Act of 1941, relating to approval of withdrawals from appropriations, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 37: By Mr. Werdel—An act to add Section 10501.1 to the Insurance Code, relating to secret or fraternal societies, lodges, chapters or councils organized for the purpose of mutual protection and relief of their members.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 38: By Mr. Waters—An act making an appropriation to pay the claim of Clyde T. Bondeson against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 39: By Mr. Stream—An act to add Section 1480 1 to the Probate Code, relating to guardians' bonds.

Referred to Committee on Judiciary.

Assembly Bill No. 40: By Mr. Sawallisch—An act to amend Section 668 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 41: By Messrs. Rosenthal, Bennett, and Hawkins—An act to add Sections 2751, 2805, 2806, and 2807 to the Labor Code, relating to employment to prevent discrimination and provide a penalty.

Referred to Committee on Labor and Capital.

Assembly Bill No. 42: By Mrs. Niehouse and Mr. Evans—An act to add Section 2805 to the Labor Code, relating to discrimination in employment, and providing a penalty.

Referred to Committee on Judiciary.

Assembly Bill No. 43: By Mr. McCollister—An act to amend Section 410 of, and to repeal Sections 410.5, 411, 411.5, 412, and 413 of, the Vehicle Code, relating to financial responsibility.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 44: By Messrs. Massion, Rosenthal, Evans, Dills, Ralph C., Debs, Pelletier, Hollibaugh, Bennett, Lyons, Anderson, Kraft, Hawkins, Robertson, Thomas, O'Day, McMillan, Kilpatrick, Haggerty, Gaffney, Berry, and Collins, George D.—An act to add Section 6363 to the Revenue and Taxation Code, relating to the sales and use taxes and to the exemption of medicines and drugs.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 45: By Mr. Maloney—An act to amend Sections 6051 and 6201 of the Revenue and Taxation Code, relating to the sales and use taxes and providing when the act shall take effect.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 46: By Messrs. Lowrey and Gannon—An act to amend Sections 990, 990 1, and 990 5 of the Fish and Game Code, relating to commercial fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 47: By Mr. Kraft and Mrs. Niehouse—An act amending Section 1 of "An act granting to the City of San Diego certain parcels of the State-owned lands in Mission Bay State Park upon certain trusts and conditions," approved July 24, 1939, relating to tidelands in Mission Bay State Park.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 48: By Mr. Howser—An act to amend Section 6.37 of, and to add Section 6.38 to the School Code, and to add Sections 18058 and 18059 to the Education Code, relating to the letting of contracts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 49: By Mr. Heisinger—An act to amend Section 8651 of the Revenue and Taxation Code, relating to rate of use fuel tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 50: By Mr. Hawkins—An act to add Section 2806 to the Labor Code, relating to discrimination.

Referred to Committee on Labor and Capital.

Assembly Bill No. 51: By Mr. Evans—An act to add Articles 9 and 10 to Chapter 2 of Part 4 of Division 3 of the School Code, and to add Articles 8 and 9 to Chapter 8 of Division 4 of the Education Code, relating to day nurseries and nursery schools.

Referred to Committee on Education.

Assembly Bill No. 52: By Mr. Doyle—An act to amend Sections 2555 and 2556 of the Welfare and Institutions Code, relating to residence qualifications for county aid to indigents.

Referred to Committee on Judiciary.

Assembly Bill No. 53: By Messrs Dilworth, Watson, and Debs—An act to amend Section 7373 and to amend and renumber Section 7444 of the Business and Professions Code, relating to hairdressers, cosmeticians, cosmetologists and junior electrologists.

Referred to Committee on Public Health.

Assembly Bill No. 54: By Messrs Crowley and Robertson—An act to amend Section 736b of Part 3, Title 1, Chapter 5 of the Political Code, relating to judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 55: By Mr. Crichton—An act to amend Section 4 of the California Water Storage District Act, relating to giving of notice of proposed organization of a water storage district to land owners.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 56: By Messrs. Burkhalter and Debs—An act to amend Section 6051 and 6021 of the Revenue and Taxation Code, relating to the rates of the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 57: By Mr. Bennett—An act to add Sections 3211.2, 3211.4, 3211.6, and 3352.5 to, and Chapter 10, comprising Sections 4301 to 4436, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 7, comprising Sections 1570 to 1573, inclusive, to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to civilian defense workers, including the limiting of the liability of the State of California, counties, cities, and civilian defense organizations for injuries arising out of and occurring in the course of activities as a civilian defense worker, authorizing the State Council of Defense to certify civilian defense organizations and to make rules and regulations for the classifying and registering of civilian defense workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits.

Referred to Committee on Military Affairs.

Assembly Bill No. 58: By Mr. Beck—An act establishing the "State Commission for Post-War Reconstruction," prescribing its powers and duties, and authorizing it to conduct hearings and make investigations, analyses, reports, recommendations and plans for a program to promote employment and a stable peacetime economy; making an appropriation.

Referred to Committee on Rules and House Functions.

Assembly Bill No. 59: By Messrs. Bashore, Fourt, and Burkhalter—An act to amend Sections 13300, 13600, and 13601 of the Health and Safety Code, to add Article 4.5, consisting of Sections 13425 to 13433, inclusive, to Chapter 2 of Part 2, Division 12, thereof, and to add Article 5.5, consisting of Sections 13700 to 13708, inclusive, to Chapter 3 of Part 2, Division 12 thereof, providing for a method of marking articles accepted for cleaning, dyeing, steam cleaning, spotting, sponging, or pressing, to facilitate the identification of such articles by law enforcement agencies.

Referred to Committee on Public Health.

Assembly Bill No. 60: By Mr. Lyon—An act to amend Section 1161 of the Code of Civil Procedure, relating to unlawful detainer.

Referred to Committee on Judiciary.

Assembly Bill No. 61: By Mr. Lyon—An act to amend Sections 555 and 556.1 of, to add Sections 556.5, 556.6, and 556.7 to, and to repeal Sections 555.2 and 556.4 of the Military and Veterans Code, relating to the State Guard, making an appropriation for the operation, maintenance, and organization of the State Guard and providing for the expenditure thereof, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military Affairs.

Assembly Bill No. 62: By Mr. Lyon—An act to add Chapter 3, comprising Section 2650, to Division 4 of the Welfare and Institutions Code, to repeal certain laws and parts of laws therein specified, relating to relief and public assistance due to and caused by unemployment, abolishing the State Relief Administration, the State Relief Commission and the Office of State Relief Administrator and prohibiting the expenditure of money for certain purposes.

Referred to Committee on Social Welfare.

Assembly Bill No. 63: By Mr. Lyon—An act to add Section 132.5 to the Vehicle Code, relating to hearings conducted by the Department of Motor Vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 64: By Mr. Lyon—An act to repeal Section 4535 of the Elections Code, relating to the filing of vouchers.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 65: By Mr. Lyon—An act empowering the California Highway Commission to cancel road contracts and arrange settlement with contractors by negotiation or judicial action.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 66: By Mr. Lyon (By request)—An act adding to the Political Code Section 790, relating to the exercise of duties as a notary public.

Referred to Committee on Judiciary.

Assembly Bill No. 67: By Mr. Burkhalter—An act to add Section 1176 5 to the Fish and Game Code, relating to falcons and pigeons.

Referred to Committee on Fish and Game.

Assembly Bill No. 68: By Mr. Crichton—An act to amend Section 737j of the Political Code, relating to judges' salaries in Fresno County.

Referred to Committee on Judiciary.

Assembly Bill No. 69: By Mr. Heisinger—An act to amend Section 11005 of the Revenue and Taxation Code, relating to the disposition of money in the Motor Vehicle License Fee Fund.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 70: By Mr. Thomas—An act to amend Section 21.5 of the Municipal Court Act of 1925, relating to mileage of judges of the municipal court in any city or city and county of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 71: By Mr. Thomas—An act to amend Section 7351 of the Revenue and Taxation Code, relating to the motor vehicle fuel license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 72: By Messrs. Beck and Burkhalter—An act making an appropriation to pay the claim of Charles H. Kellogg against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 73: By Mr. Beck—An act to add Article 3.5, comprising Sections 10215 to 10222, inclusive, to Chapter 3 of Division 9 of the Health and Safety Code, relating to the delayed registration of births, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 74: By Mr. Beck—An act to regulate the hours of business of retail establishments, prescribing penalties for the violation of its provisions, and providing that this act shall take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 75: By Mr. Beck—An act to appropriate funds to the Division of Libraries for making micro-films of United States Census returns.

Referred to Committee on Ways and Means.

Assembly Bill No. 76: By Mr. Beck—An act to repeal Sections 9350, 9351, 9352, 9353, 9354, 9355, 9356, 9357, 9358, 9359, 9360, 9370, 9371, 9372, 9373, 9374, 9375, 9376, and 9377 of the Public Resources Code, relating to the formation, powers, property, and finance of soil conservation districts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 77: By Messrs. Rosenthal, Bennett, and Hawkins—An act to add Section 1636.1 to Part 6, Chapter 1, Article 3 to the Labor Code, relating to employment agencies.

Referred to Committee on Labor and Capital.

Assembly Bill No. 78: By Messrs. Rosenthal and Kilpatrick—An act to add Section 5 to an act entitled "An act providing for the designation of money in the State Treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, relating to the investment of a percentage of surplus money in United States bonds and obligations, declaring the urgency of this act, and providing that this act shall take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 79: By Messrs. Rosenthal, Beck, and Kilpatrick—An act to add Section 511.4 to the Vehicle Code, relating to the regulation of speeds on public highways or streets during the war emergency.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 80: By Messrs. Rosenthal, Bennett, and Kilpatrick—An act to amend Section 6359 of, and to add Section 6362 to, the Revenue and Taxation Code, relating to exemptions from the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 81: By Mr. Hawkins—An act to amend Sections 6051 and 6201 of the Revenue and Taxation Code, relating to the rates of the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 82: By Mr. Hawkins—An act to amend Section 3352 and to repeal Section 3358.5 of the Labor Code, relating to workmen's compensation benefits for household domestic servants.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 83: By Mr. Hawkins—An act to amend Section 664a of the Political Code, relating to the payment of State officers and employees.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 84: By Mr. Kilpatrick—An act to repeal Chapter 2 of Division 4 of the Welfare and Institutions Code, comprising Sections 2500 and 2615, inclusive, and to add a new Chapter 2, comprising Sections 2500 to 2595, inclusive, to said Division 4, relating to public assistance, and making an appropriation.

Referred to Committee on Social Welfare.

Assembly Bill No. 85: By Messrs. Kilpatrick, Bennett, Massion, Anderson, Burkhalter, and Debs—An act to add Section 2504.5 to the

Welfare and Institutions Code, relating to county aid and relief to indigents.

Referred to Committee on Social Welfare.

Assembly Bill No. 86: By Messrs. Kilpatrick, Bennett, Massion, Anderson, Burkhalter, and Debs—An act to amend the headings of Division 4, of Chapter 2, of Division 4, and of Article 4 of Chapter 2 of Division 4 of, and to amend Sections 2500, 2502, 2503, 2504, 2505, 2601, 2602, 2603, and 2606 of the Welfare and Institutions Code, relating to aid to needy persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 87: By Mr. Dilworth—An act to amend Section 2742 of the Elections Code, relating to the nomination of candidates.

Referred to the Committee on Elections and Reapportionment.

Assembly Bill No. 88: By Messrs. Desmond and Gannon—An act to amend Section 11c of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 89: By Messrs. Desmond and Gannon—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 90: By Mr. John B. Knight—An act to add Chapter 3, consisting of Sections 8330 and 8331, to Part 3, Division 9, of the Streets and Highways Code, relating to the vacation of city streets and providing for the reservation of certain easements therein.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 91: By Mr. Thomas—An act to amend Section 2237 of the Political Code, and to amend Section 20752 of the Education Code, relating to the establishment of a residential school for the hard of hearing children of school age, and making an appropriation therefor.

Referred to Committee on Education.

Assembly Bill No. 92: By Mr. Crowley—An act to amend Section 1425 of the Penal Code, relating to criminal jurisdiction of justices' courts.

Referred to Committee on Judiciary.

Assembly Bill No. 93: By Mr. Crowley—An act to amend Section 117d of the Code of Civil Procedure, relating to small claims court and the time for appearance therein.

Referred to Committee on Judiciary.

Assembly Bill No. 94: By Mr. Crowley—An act to amend Section 117 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court.

Referred to Committee on Judiciary.

Assembly Bill No. 95: By Mr. Crowley—An act making an appropriation to pay the claim of Aram Boyajian against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 96: By Mr. Crowley—An act to amend Section 1263 of the Civil Code of the State of California, relating to homesteads.

Referred to Committee on Judiciary.

Assembly Bill No. 97: By Mr. Crowley—An act to amend Section 538 of the Code of Civil Procedure, relating to the issuance of writs of attachment and the affidavit therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 98: By Mr. Crowley—An act to add Section 66a to the Code of Civil Procedure and to amend Section 737vv of the Political Code, relating to the number of superior court judges and providing for the appointment of an additional superior court judge in and for the County of Solano, and providing for his compensation.

Referred to Committee on Judiciary.

Assembly Bill No. 99: By Mr. Crowley—An act to amend Section 12 of "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, as amended, relating to a county peace officers' retirement system.

Referred to Committee on Judiciary.

Assembly Bill No. 100: By Mr. Evans—An act to add Section 486 to the Streets and Highways Code, relating to State highways, including the making of an appropriation for the acquisition of rights of way for State highways and the deeding by local agencies of rights of way to the State of California.

Referred to Committee on Roads and Highways.

Assembly Bill No. 101: By Mr. Evans—An act to add Section 486 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 102: By Mr. McCollister—An act to amend Section 736.3 of the Agricultural Code, relating to assessments of milk producers, distributors, or both under stabilization and marketing plans.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 103: By Mr. McCollister—An act to add Section 73 to the State Civil Service Act, relating to payment for overtime to State civil service employees.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 104: By Mr. McCollister—An act making an appropriation for the construction and maintenance of a jetty at the mouth of the Russian River

Referred to Committee on Ways and Means.

Assembly Bill No. 105: By Mr. McCollister—An act to amend Section 810.5 of the Fish and Game Code, relating to clams.

Referred to Committee on Fish and Game

Assembly Bill No. 106: By Mr. McCollister—An act to add Section 116c to the Code of Civil Procedure, relating to the duty of the Judicial Council to prescribe uniform papers, documents, instruments, and other forms and require their use by the justices of the peace.

Referred to Committee on Judiciary.

Assembly Bill No. 107: By Mr. McCollister—An act to provide for the acquisition of a park at Healdsburg, Sonoma County, as part of the State Park System, and making an appropriation.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 108: By Mr. McCollister—An act to amend Section 50 of the Agricultural Code, relating to the powers and duties of county agricultural commissioners.

Referred to Committee on Agriculture

Assembly Bill No. 109: By Mr. McCollister—An act to add Section 63 to the Unemployment Insurance Act, relating to the payment of benefits to persons attaining the age of 60, irrespective of employment status.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 110: By Mr. McCollister—An act to amend Section 2011 and to repeal Sections 2181, 2224, 2576, 2577, 3088, and 3474 of, and to add Sections 2224, 2576, 3048, and 3451 to the Welfare and Institutions Code and to repeal Section 3 of Chapter 1254 of the Statutes of 1941 and Section 20 of the California Unemployment Relief Act of 1935, relating to the legal responsibility of relatives and others for support of persons receiving public assistance.

Referred to Committee on Judiciary.

Assembly Bill No. 111: By Mr. McCollister—An act making an appropriation to the Department of Natural Resources, Division of Parks, for the acquisition of land in Marin County as part of the State Park System, and to repeal an act entitled "An act making an appropriation to the Department of Natural Resources, Division of Parks, for the acquisition of land in Marin County as part of the State Park System," approved July 12, 1941.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 112: By Mr. McCollister—An act to provide for the disposal of certain real property of the State in Sonoma County, and for the disposition of the proceeds of such sale.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 113: By Mr. Howser—An act to amend Section 395.2 of the Military and Veterans Code, relating to leaves of absence of school employees.

Referred to Committee on Education.

Assembly Bill No. 114: By Mr. Howser—An act to amend Section 446 of the Code of Civil Procedure, relating to the verification of pleadings.

Referred to Committee on Judiciary.

Assembly Bill No. 115: By Messrs. Bennett, Kilpatrick, Howser, Anderson, and Hollibaugh—An act to add Section 512 to the Vehicle Code, relating to speed limits during the war emergency.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 116: By Mr. Bennett—An act to amend Sections 2005, 2007, 2011, 2020, 2021, 2140, 2141, 2160, 2160.5, 2160.6, 2160.7, 2180, 2181, 2182, 2183, 2184, 2186, 2187, 2188, 2200, 2220, 2221, 2222, 2223, and 2224 of the Welfare and Institutions Code, to amend the article heading of Article 2 of Chapter 1 of Division 3 thereof, and to repeal Sections 2012, 2022, 2023, 2185, and 2189 thereof, all relating to aid to the aged, transferring all powers and duties of the counties in relation thereto to the State Department of Social Welfare, providing for payment by the State of the cost thereof, and making an appropriation, to become operative as therein provided.

Referred to Committee on Ways and Means.

Assembly Bill No. 117: By Mr. Heisinger—An act to amend Sections 7351, 8351, 8352, and 8360 of, to add Sections 8361, 8362, 8363, 8364, 8365, and 8366 to, and to repeal Part 4, comprising Sections 9601 to 10501, inclusive, of Division 2 of, the Revenue and Taxation Code and to add Section 18.5 to the Motor Vehicle Fuel License Tax Act, relating to the distribution of motor vehicle fuel, increasing the rate of tax thereon, and making an appropriation of the revenue derived from such increase; to repeal an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933; to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 118: By Mr. Howser—An act to amend Sections 4.5 and 10 of an act entitled, "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy

a special tax," approved May 5, 1931, as amended, relating to a county peace officers' retirement system, including withdrawals therefrom.

Referred to Committee on Judiciary.

Assembly Bill No. 119: By Mr. Howser—An act to amend Section 10 of the Municipal Court Act of 1925, relating to municipal court attaches.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 120: By Mr. Ralph C. Dills—An act to amend Section 3.370 of the School Code and to amend Section 8821 of the Education Code, relating to admission of students to junior colleges, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Universities and Colleges.

Assembly Joint Resolution No. 2: By Messrs. Kilpatrick, Evans, Crowley, Bennett, Massion, Field, Rosenthal, Dills, Ralph C., Dills, Clayton A., Thomas, Anderson, Burkhalter, Debs. and Mrs. Niehouse—Relative to hearing-instruments for persons who are hard of hearing.

Referred to Committee on Public Health.

Assembly Joint Resolution No. 3: By Mr. Thurman—Relative to memorializing the President and the Congress of the United States to enact adequate legislation by the United States Congress to prohibit all Japanese, both alien and native born, from owning, enjoying, using or occupying agricultural lands.

Referred to Committee on Judiciary.

Assembly Joint Resolution No. 4: By Mr. McCollister—Relative to the return of unemployment insurance premiums.

Referred to Committee on Finance and Insurance.

Assembly Joint Resolution No. 5: By Mr. Lowrey—Relative to memorializing the Congress of the United States to initiate proper action and legislation to determine the identity, and forfeit the citizenship of those holding a dual citizenship in any other country and prohibiting such citizenship.

Referred to Committee on Judiciary.

Assembly Joint Resolution No. 6: By Mr. Lowrey—Relative to memorializing the Congress of the United States to propose an amendment to the Constitution of the United States barring persons of Japanese descent from citizenship and requesting said Congress to propose said amendment for ratification by the Legislatures of the several States.

Referred to Committee on Judiciary.

Assembly Joint Resolution No. 7: By Messrs. Kilpatrick, Massion, Robertson, Howser, Rosenthal, Crowley, Dills, Clayton A., Bennett, Evans, Thomas, Anderson, Burkhalter, Debs, and Mrs. Niehouse—Relative to memorializing Congress to give a larger part in the war effort to the small businesses of the United States.

Referred to Committee on Rules and House Functions.

Assembly Joint Resolution No. 8: By Messrs. Werdel and Guthrie—Relative to memorializing Congress to make an additional appropriation for completion of Madera and Friant-Kern Canals and related portions of the Central Valley Project and for installation of control gates at Friant Dam, and urging the War Priority Board to grant the necessary priorities for strategic material.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Constitutional Amendment No. 1: By Messrs. Anderson, Massion, Bashore, Middough, Bennett, Debs, McMillan, Sargent, Price, Erwin, Beck, Rosenthal, Smith, Hollibaugh, Knight, T. Fenton; Thomas, Armstrong, Dills, Ralph C., and Kraft—Proposed amendment to Section 1 $\frac{1}{4}$ of Article XIII of the Constitution, relative to exemptions of property on account of military service.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 2: By Mr. Lyon—Proposed amendment to Article IV, Section 23, of the Constitution, relative to the compensation of Members of the Legislature.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 3: By Mr. Howser—Proposed amendment to Article XII, adding Section 22 $\frac{1}{2}$ of the Constitution, changing the name of the Railroad Commission.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 11: By Messrs. O'Day, Haggerty, Gaffney, Collins, George D., Wollenberg, Maloney, Berry, and Brady—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the third day of November, 1942.

Request for Unanimous Consent

Mr. O'Day asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 11, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 11

Assembly Concurrent Resolution No. 11—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the third day of November, 1942.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, King, Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith.

Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—70.
 NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 11

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No. 11, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 11

House Resolution No. 11

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-five (85) sets of the 1941 edition of Deering's Codes of the State of California, consisting of the following:

Civil Code (Deering) 1941, 1 volume
 Code of Civil Procedure, including Probate Code (Deering) 1941, 1 volume
 Penal Code (Deering) 1941, 1 volume
 Political Code (Deering) 1937, 1 volume
 Commission's Code (Deering) 1937, 2 volumes
 Commission's Code (Deering) 1939, 1 volume
 General Laws (Deering) 1937, 2 volumes
 Supplement to (Deering) 1937, Code & General Laws, 1 volume, 1939
 Supplement to (Deering) 1937, Codes & General Laws, 1 volume, 1941
 Constitution (Treadwell) 6th Ed., 1931, with amendments to January 1, 1941, 1 volume

Resolved, further, That the Chief Clerk of the Assembly purchase eighty-five (85) copies of Roberts Rules of Order; and be it further

Resolved, That the Chief Clerk of the Assembly be, and he is hereby directed to deliver one (1) complete set of the codes; also one (1) copy of Roberts Rules of Order, to each Member of the Assembly; two (2) to the Committee on Judiciary, and one (1) to the Committee on Ways and Means, and two (2) copies to the Chief Clerk of the Assembly.

Resolution read.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

In House Resolution No. 11, as printed on page 14 of the Assembly Daily Journal of January 4, 1943, line 8, strike out "Roberts Rules of Order", and insert "Mason's Manual of Legislative Procedure".

Amendment No. 2

In House Resolution No. 11, as printed on page 14 of the Assembly Daily Journal of January 4, 1943, between lines 8 and 9, insert "*Resolved*, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-five (85) copies of the following:

1941 Larnac Consolidated Index to Constitution and Laws of California; and be it further".

Amendment No. 3

In House Resolution No. 11, as printed on page 14 of the Assembly Journal of January 4, 1943, strike out the last paragraph and insert

Resolved, That the Chief Clerk of the Assembly be, and he is hereby directed to deliver one (1) complete set of the codes; also one (1) copy of Mason's Manual of Legislative Procedure and one (1) copy of the 1941 Larmac Index to each Member of the Assembly; two (2) to the Committee on Judiciary, and one (1) to the Committee on Ways and Means, and two (2) copies to the Chief Clerk of the Assembly"

Amendments read and adopted.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No 11, as amended, at this time.

Consideration of House Resolution No. 11, as Amended

House Resolution No. 11

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-five (\$5) sets of the 1941 edition of Deering's Codes of the State of California, consisting of the following:

Civil Code (Deering) 1941, 1 volume
 Code of Civil Procedure, including Probate Code (Deering) 1941, 1 volume
 Penal Code (Deering) 1941, 1 volume
 Political Code (Deering) 1937, 1 volume
 Commission's Code (Deering) 1937, 2 volumes
 Commission's Code (Deering) 1939, 1 volume
 General Laws (Deering) 1937, 2 volumes
 Supplement to (Deering) 1937, Code & General Laws, 1 volume, 1939
 Supplement to (Deering) 1937, Codes & General Laws, 1 volume, 1941
 Constitution (Treadwell) 6th Ed., 1931, with amendments to January 1, 1941,
 1 volume

Resolved, further, That the Chief Clerk of the Assembly purchase eighty-five (\$5) copies of Mason's Manual of Legislative Procedure; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-five (\$5) copies of the following:

1941 Larmac Consolidated Index to Constitution and Laws of California; and he it further

Resolved, That the Chief Clerk of the Assembly be, and he is hereby directed to deliver one (1) complete set of the codes; also one (1) copy of Mason's Manual of Legislative Procedure and one (1) copy of the 1941 Larmac Index to each Member of the Assembly; two (2) to the Committee on Judiciary, and one (1) to the Committee on Ways and Means, and two (2) copies to the Chief Clerk of the Assembly.

Resolution read, as amended.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, King, Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thuman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
 OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Concurrent Resolution No. 12: By Messrs. Lyon and Burns—Relative to commendation of former Members of the Legislature serving in the armed forces of the United States.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 12, at this time, without reference to committee, print. or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 12

Assembly Concurrent Resolution No. 12—Relative to commendation of former Members of the Legislature serving in the armed forces of the United States.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, King, Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Concurrent Resolution No. 13: By Messrs. Desmond and Gannon—Relative to adjournment in respect to the memory of Frank J. Ruhstaller.

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 13, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 13

Assembly Concurrent Resolution No. 13—Relative to adjournment in respect to the memory of Frank J. Ruhstaller.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, King, Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Crichton, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Walter E. Blanchard of Fresno.

On request of Mr. Dunn, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Supervisors George

A. Jansen, George P. Hellwig, Harry Bartell, Thomas E. Caldecott, and Clifford Wixon, J. C. Holland, Clerk of the Board. Mrs. George A. Jansen, Mrs. J. C. Holland, and Charles Beller, all of Alameda County.

On request of Mr. Denny, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John Branley, Supervisor of Plumas County.

ADJOURNMENT

At 12.35 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned out of respect to the memory of the late Mrs. Katie Oberholtzer Bashore, Dan H. White, and Frank J. Ruhstaller, until 11 a m., Friday, January 8, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTH LEGISLATIVE DAY

FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, January 8, 1943

The Assembly met at 11 a.m.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Our Father, which art in Heaven, hallowed be Thy Name

We bring to Thy Throne this day our Nation and our defenders, our President and our leaders, our citizens and our allies. We acknowledge the teaching of Thy Holy Book, "righteousness exalteth a nation, but sin is a reproach to any people." We pray for a righteous victory in the conflict which has come upon us and for a just and durable peace for the days to come

May the spiritual ideals and the blood-red sacrifices of those who founded and pioneered our Nation remain within our hearts and be genuinely cherished today.

"Our Father's God to Thee.

Author of liberty,

To Thee we sing

Long may our land be bright,

With freedom's holy light,

Protect us by Thy might,

Great God our King."

AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Kellems, on motion of Mr. Doyle.
 Mr. Field, on motion of Mr. Potter.
 Mr. Weber, on motion of Mr. Burns.
 Mr. O'Day, on motion of Mr. George D. Collins.

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

Mr. Werdel, on motion of Mr. Robertson.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 12

Assembly Concurrent Resolution No. 13

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolutions ordered on file for adoption.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 27

Resolved, That the following named person be stricken from the list of Assembly attaches and his name be stricken from the pay roll of the Assembly, to take effect upon the completion of work on Friday, January 8, 1943:

	<i>Per day</i>
Leal Norton, Page-----	\$3 00

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 27, at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weybret, and Wollenberg—65.

NOES—None.

By Mr. Carlson:

House Resolution No. 28

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly is hereby directed to have no more than one bill set for each two Assemblymen placed upon the desks of the Members of the Assembly, except in such instances where members do not have seat mates.

Resolution read, and referred to Committee on Rules and House Functions.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

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

Assembly Bill No. 121: By Mr. Call—An act to amend Section 173 of the State Civil Service Act, relating to disciplinary action under the State Civil Service Act.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 122: By Mr. Call—An act to repeal Sections 778, 779 and 780 of, and to add Section 783 to, and to amend Sections 777 and 782 of, the Political Code, relating to the publication of the reports of the Supreme Court and the district courts of appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 123: By Mr. Howser—An act to amend Section 7304 of Revenue and Taxation Code, relating to definition of "motor vehicle fuel."

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 124: By Messrs. Thomas and Howser—An act to amend Section 1065 of the Fish and Game Code, relating to sardines, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Fish and Game.

Assembly Bill No. 125: By Messrs. Thomas and Howser—An act to add Section 842 5 to the Fish and Game Code, relating to the use of nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 126: By Mr. Debs—An act to amend Sections 5245 and 5252 of the Streets and Highways Code, relating to special assessment proceedings and the calling for bids.

Referred to Committee on Roads and Highways.

Assembly Bill No. 127: By Messrs. Call and Field—An act to add Section 57.1 to the State Civil Service Act, relating to placing employees of the Railroad Commission under civil service.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 128: By Mr. Leonard—An act to add Section 3005 to the Elections Code, relating to independent nominations for partisan offices.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 129: By Mrs. Niehouse and Mr. Kraft—An act to add Section 6363 to the Revenue and Taxation Code, relating to taxation, and providing for the exemption of drugs and medicines from the taxes imposed by the Sales and Use Tax Law.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 130: By Mr. Ralph C. Dills (By request)—An act to amend Section 4986 of the Revenue and Taxation Code, relating to procedure and cancellation of uncollected tax penalties or costs.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 131: By Mr. Ralph C. Dills (By request)—An act to amend the chapter heading of Chapter 5.7, Part 6, Division 1, and to amend Sections 3620, 3625, 3627, 3631, 3635, and 3637, and to add Section 3638 of the Revenue and Taxation Code, relating to a taxpayer's action to contest the validity of a tax sale or tax deed, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 132: By Mr. Hawkins—An act to amend Section 1182 of the Labor Code, relating to minimum wage to be paid to women.

Referred to Committee on Labor and Capital.

Assembly Bill No. 133: By Mr. Hawkins—An act to amend Section 1360 and to repeal Sections 1362, 1363, 1364, 1365, 1366 and 1367 of the Fish and Game Code, relating to hunting clubs.

Referred to Committee on Fish and Game.

Assembly Bill No. 134: By Mr. Hawkins—An act to add Section 19701 to the Health and Safety Code, relating to the construction of doors in buildings, or structures.

Referred to Committee on Judiciary.

Assembly Bill No. 135: By Mr. Doyle—An act to amend Sections 1515, 2601, 2619, 3150 and 3711 of, and to add Chapter 5, comprising Sections 3300 to 3317, inclusive, to Division 5 of, the Elections Code, relating to elections and the furnishing, printing, and distribution of autobiographical records of candidates for nomination and election, including changing the dates for mailing sample ballots and ballot pamphlets.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 136: By Messrs. Kraft, Stream, and Mrs. Niehouse—An act to amend Section 9 of the Municipal Court Act 1925, relating to the constitution of the court and to compensation of officials.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 4: By Mr. Call—Proposed amendment to Article V, adding Section 8a, of the Constitution, relative to the power of the Governor to make appointments.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 9: By Messrs. Dunn, Robertson, Gaffney, Crichton, Sawallisch, O'Day, Haggerty, Brady, Berry, and Debs — Relative to memorializing Congress to request the Jefferson Bicentennial Commission, Senator Carter Glass, Chairman, to invite the Nations and peoples of the World to join with the people of the United States of America in observing and celebrating the Bicentennial of Jefferson's Day of Birth, April 13, 1943.

Request for Unanimous Consent

Mr. Dunn asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 9, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 9

Assembly Joint Resolution No. 9—Relative to memorializing Congress to request the Jefferson Bicentennial Commission, Senator Carter Glass, Chairman, to invite the Nations and peoples of the World to join with the people of the United States of America in observing and celebrating the Bicentennial of Jefferson's Day of Birth, April 13, 1943.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weybret, and Wollenberg—64.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)

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

Assembly Bill No. 137: By Messrs. Kilpatrick and Crowley—An act to add Chapter 1.5, comprising Sections 135 to 139, inclusive, to Division 1 of the Welfare and Institutions Code, relating to public assistance, penalizing wilful omissions to perform duty by public officers and employees engaged in the administration thereof, requiring the filing of official bonds by certain officers engaged in the administration thereof, providing for applications therefor, and providing for the allowance of attorneys' fees in actions therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 138: By Mr. Bashore—An act to amend Section 1272 of, and to add Section 1273.5 to, the Agricultural Code, relating to commission merchants.

Referred to Committee on Agriculture.

Assembly Bill No. 139: By Messrs. Massion, Anderson and McMillan—An act to amend Sections 2011, 2181 and 2224 of the Welfare and Institutions Code, and to amend the chapter heading of Chapter 1 of Division 3 thereof, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 140: By Mr. McCollister—An act to aid the prosecution of the war by authorizing housing authorities to develop or administer projects to provide housing for persons engaged in war industries or activities and to cooperate with the Federal Government in making housing available for such persons; to grant certain powers to public bodies; to make obligations issued for such projects of housing authorities legal investments and security for deposits; and to declare an urgency, to take effect immediately.

Referred to Committee on Military Affairs.

Assembly Bill No. 141: By Messrs. Waters, Lyon and Bashore—An act to amend Sections 3, 4, 5, 10 and 13 of the Personal Income Tax Act and Sections 17052, 17951, 17953, 18401, 18402, 18405 and 18431 of the Revenue and Taxation Code, relating to taxation of the incomes of individuals, estates, and trusts, including exemptions, returns, and imposition of tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 142: By Mr. Johnson—An act to amend Section 69 of the Civil Code, relating to marriage.

Referred to Committee on Judiciary.

Assembly Joint Resolution No. 10: By Messrs. Bashore, Stream, Erwin, Watson, and Knight, T. Fenton—Relative to the allocation and distribution of food and farm labor.

Referred to Committee on Rules and House Functions.

Assembly Joint Resolution No. 11: By Mr. Heisinger—Relative to memorializing the President and Congress to enact legislation to secure all aged citizens against want or poverty by means of a system of Federal old age pensions.

Referred to Committee on Rules and House Functions.

Assembly Constitutional Amendment No. 5: By Messrs. Massion, Anderson, and McMillan—Proposed amendment to the Constitution, by adding to Article XIII a new section to be numbered 1c, relating to exemptions from taxation.

Referred to Committee on Constitutional Amendments.

COMMUNICATIONS

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

DEPARTMENT OF SOCIAL WELFARE
SACRAMENTO, JANUARY 6, 1943

*Mr. Vernon Kilpatrick, Member of the Assembly
State Capitol, Sacramento, California*

MY DEAR MR. KILPATRICK: The following information is being sent to you in response to your verbal request of December 28, 1942. I am writing to Mrs. Buhler of the Office of Legislative Counsel, as per your instructions, to say that we are sending the information directly to you.

Present Basis

If the law remains unchanged, we estimate that the total cost of Old Age Security for the 1943-1945 Biennium would approximate \$130,000,000 shared as follows:

Federal	-----	\$65,000,000
State	-----	32,600,000
County	-----	32,400,000

This estimate is based upon the assumptions of an average case load of 147,000, and an average monthly grant of \$36.75. It may be that the case load will run somewhat lower, and that the average grant may run somewhat higher, but this is our "best guess" at this time.

\$60 at Age 60

The total cost for Old Age Security for the 1943-1945 Biennium, if the maximum grant were increased to \$60 and the minimum age decreased to 60 years, is estimated at \$233,000,000 shared as follows:

Federal	-----	\$70,400,000
State	-----	81,800,000
County	-----	81,100,000

Here we have assumed an average grant of \$56.75 and have assumed that approximately 36,900 persons aged 60-64 years would be added to the case load over a

period of 18 months beginning July 1, 1943. If this group were on aid for the entire biennium, the total cost would be more than \$250,000,000. Under peacetime conditions the number aged 60-64 would probably exceed 48,000 persons. Assuming that many additional recipients aged 60-64 were on aid for an entire biennium, the total cost of the program would exceed \$265,000,000.

As you are aware, of course, the Federal Government does not participate in aid to aged persons under 65 years.

The above estimates are based upon our case load estimate for recipients aged 65 and over, shown under "Present Basis" above.

We have no tangible evidence upon which to estimate the probable increase in case load which might result from the increase of the maximum grant to \$60. It is very likely that intake would increase substantially, and that discontinuances would decline somewhat under these circumstances.

\$60 at Age 65

If the maximum grant were increased to \$60 without changing the minimum age, we estimate the total cost of Old Age Security for the 1943-1945 Biennium at approximately \$200,700,000 shared as follows:

Federal -----	\$70,400,000
State -----	65,400,000
County -----	64,900,000

The case load and average grant assumptions are the same as above. Here again we are unable to predict the effects of such a change upon the size of the case load.

\$50 at Age 65

If the maximum grant were increased to \$50 without changing the minimum age, the total cost of Old Age Security for the 1943-1945 Biennium would probably approximate \$165,300,000 shared as follows:

Federal -----	\$69,000,000
State -----	48,300,000
County -----	48,000,000

If the county share were limited to \$10 per case, the Federal share would be unchanged, the State share would approximate \$60,900,000 and the county share \$35,400,000. If the county share were set at one-third of the total grant, less the Federal share, the State share would approximate \$64,200,000 and the county share \$32,100,000.

It is likely that such an increase in maximum grant likewise would have the effect of increasing intake and decreasing discontinuances, just how much we are unable to say.

\$50 at Age 60

If the maximum grant were increased to \$50 and the minimum age decreased to 60, the total cost of Old Age Security for the 1943-1945 Biennium would approximate \$192,000,000 shared as follows:

Federal -----	\$69,000,000
State -----	61,700,000
County -----	61,300,000

This estimate assumes an average grant of \$46.75, and approximately 36,900 persons aged 60-64 added to the case load in 18 months beginning July 1, 1943. If this group were on aid for the entire biennium, the total cost would approximate \$206,000,000. Moreover, if one assumes that 48,000 persons aged 60-64 (our estimate of the probable addition under peacetime conditions) were on aid for the entire biennium, the total cost of old age security would approximate \$230,000,000. As you know the amount of the Federal share would not be affected by the addition of persons under age 65, hence, the increased cost due to such an addition would have to be met by the State and counties.

Support from Responsible Relatives

You asked what would be the probable cost of changing the minimum income, below which no support from responsible relatives is required under the Relatives Contribution Scale (Section 2181 of the Welfare and Institutions Code) from \$95 to \$195. The only information we can give you on this question is as follows:

Such a change might very well result in discontinuance of relatives' contributions to 90 per cent or more of old age security recipients now receiving such contributions. We estimate the total value of such contributions would approximate \$5,400,000 per biennium. (We expect to have a revised estimate based upon more recent information sometime during the next three or four weeks.)

How many persons now fully supported by responsible relatives would cease to receive such support and successfully apply for old age security if the proposed change were made effective is anybody's guess. The number might be very substantial, but we have no tangible basis for an estimate.

State Support and Administration of General Relief

In November, 1942, there were approximately 31,300 persons who received a total of \$411,411 in aid payments. General relief at this rate would cost approximately \$9,900,000 per biennium. At \$20 per person the cost would approximate \$14,800,000 per biennium.

It is probably not very realistic, however, to assume the present wartime situation as typical. During the fiscal year ending June 30, 1940, the average monthly case load for county indigent aid included approximately 72,000. Such a case load at \$20 per person would cost approximately \$34,600,000 per biennium.

The administrative cost for county indigent aid as reported to this department for September, 1942, (latest month available) amounted to \$128,315. (This includes \$11,700 reported as the administrative cost of "other welfare programs.") If the administrative cost continued at this level for a biennium, the total biennial administrative cost would approximate \$3,100,000.

In addition to the above questions which you discussed with me personally, the letter from Mrs. Buhler raises this question:

What is the estimated increase of cost under the present law which the department believes will be incurred due to the liberalization in granting aged aid which the department has recently put into effect?

It is practically impossible for us to give any sort of definitive reply to this question at the moment. According to the best evidence at hand, there were, at the end of December, approximately 8,500 old age security recipients receiving aid on the budget basis. The average grant in October, 1942, was \$36.52. This increased to \$36.75 in November, and we tentatively estimate a further increase to about \$36.92 for December. This would amount to an increase in the average grant of 40 cents since October. The average grant had remained relatively static at about \$36.50 since October, 1941.

We expect to have more information on this subject very soon and will communicate with you when it becomes available.

You will appreciate that the above estimates are "best guesses" from the information at hand, and that the dynamic character of economic developments might make them "bad guesses" six months hence. Should more recent information relevant to these problems become available to us, we will call any major revisions in the estimates to your attention.

We hope this information will be helpful to you, and we shall be glad to give you any further information we can.

Very sincerely yours,

MARTHA A. CHICKERING, Director
By PHILIP E. KELLER, Division of Research and Statistics

RESOLUTIONS

The following resolution was offered:

By Messrs. Dills, Ralph C., Evans, Potter, Allen, Kilpatrick, Debs, Waters, Doyle, Knight, John B., Middough, Knight, T. Fenton; Watson, Hawkins, Pelletier, Thomas, Massion, Howser, Robertson, Bashore, and Burkhalter:

House Resolution No. 29**Relative to the illness of Joseph Timmons**

WHEREAS, It appears that Joseph Timmons, honored press representative of the Los Angeles Examiner, is now covering an assignment at the Good Samaritan Hospital, Los Angeles, instead of at this, the Fifty-fifth Session of the California Legislature; and

WHEREAS, His busy activity is sorely missed by the veterans of the Legislature, particularly those from Southern California, who have been blessed with his kindly counsel and guidance; many of them owing much of their political success to his conscientious and untiring reporting of their activities and his looking over with unseeing eyes their inactivities; and

WHEREAS, All the membership, in the good fellowship of nonpartisanship are united in a salvage drive to save paper and thus are entering fewer measures to be reported in the public prints; and

WHEREAS, The biggest battle, that revolving around the question of the seating of the wives of the members in the safety of the reservation inside the rail or behind; and

WHEREAS, The male members, joined by our only feminine colleague, having decided to cast the wives upon the wiles of the Third House; and

WHEREAS, Such facts and decisions will make Mr. Timmons' tasks less arduous;
and

WHEREAS, The Assembly Chamber is but a poor imitation of its former self without the presence of our genial and beloved "Joe"; now, therefore, be it

Resolved by the Assembly of the State of California. That the Members of the Assembly express their deep regrets over the illness of Joe Timmons and wish him a speedy and successful recovery and return to Sacramento where he may once again lend his dignity, his ability and his prestige to the other fine members of the "Fourth Estate."

Request for Unanimous Consent

Mr. Ralph C. Dills asked for, and was granted, unanimous consent to take up House Resolution No. 29, at this time, without reference to committee.

Resolution read and adopted unanimously.

COMMUNICATIONS

A communication from J. E. Boyan, relative to aid to aged, was received, and ordered filed with the Secretary of State.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Howser and Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. A. T. Jergins.

ADJOURNMENT

At 11.31 a.m., on motion of Mr. Carlson, the Speaker declared the Assembly adjourned until 11 a.m., Monday, January 11, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTH LEGISLATIVE DAY
EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, January 11, 1943

The Assembly met at 11 a. m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

O God, the Framer of the heavens, and Indweller in human hearts, to Thee the generations have lifted their hands and hearts in prayer since man became man. We reverently seek a place in Thy holy presence.

Thou art the fountain of Life, and without Thee we can do nothing. Thy grace is sufficient for us and our weakness is made perfect in Thy strength.

As we begin another week of service, help us to make the prayer of Oliver Wendell Holmes our own:

"Build thee more stately mansions, O my soul,
As the swift seasons roll!
Leave thy low-vaulted past!
Let each new temple, nobler than the last
Shut thee from heaven with a dome more vast,
Till thou at length art free,
Leaving thine outgrown shell by life's unresting sea."
In Thy Eternal Name

AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Desmond, on motion of Mr. Burns.

Mrs. Niehouse, on motion of Mr. Stream.

Mr. Weber, on motion of Mr. Burns.

Mr. Weybret was excused for the balance of this legislative day, by unanimous consent.

MOTION TO PRINT PRAYER IN JOURNAL

Mr. Bashore moved that the daily prayer offered by the Chaplain be reduced to writing, and printed in each day's Journal.

Motion carried unanimously.

MOTION TO APPROVE JOURNALS

On motion of Mr. Sam L. Collins, the Journal of Monday, January 4th; Tuesday, January 5th; Wednesday, January 6th; Thursday, January 7th; and Friday, January 8th, were approved as corrected by the Minute Clerk.

COMMUNICATIONS

A communication from the Los Angeles County Council, American Legion, relative to a resolution on the creation of State Guard legislation, was received and ordered filed with the Secretary of State.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

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

Assembly Bill No. 143: By Mr. Weybret—An act making an appropriation for the additional support of the California Polytechnic School, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Universities and Colleges.

Assembly Bill No. 144: By Mr. Ralph C. Dills—An act to amend Section 7b of the Municipal Court Act of 1925, relating to the salaries of marshal's deputies and assistants in cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 145: By Mr. Thomas—An act to amend Section 337a of the Penal Code, relating to pool-selling, book-making, bets and wagers.

Referred to Committee on Public Morals.

Assembly Bill No. 146: By Mr. Thomas—An act to add Section 842.5 to the Fish and Game Code, relating to the use of nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 147: By Mr. Thomas—An act to repeal the Personal Income Tax Act, Chapter 329 of the Statutes of 1935, as amended, and to repeal Part 10 of Division 2 of the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 148: By Mr. Lyons—An act to amend Section 277 of the Vehicle Code, relating to chauffeur's licenses.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 149: By Mr. Lyon—An act to amend Sections 1005 and 1013 of the Code of Civil Procedure, relating to notices and papers.

Referred to Committee on Judiciary.

Assembly Bill No. 150: By Messrs. Lyon and Bashore—An act to amend Sections 3, 4, 5, 8, 10 and 13 of the Personal Income Tax Act and Sections 17052, 17305, 17951, 17953, 18401, 18402, 18405 and 18431 of the Revenue and Taxation Code, relating to taxation of the incomes of individuals, estates, and trusts, including exemptions, returns, and imposition of tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 151: By Messrs. Johnson, Dills, Ralph C., Anderson, Middough, Dills, Clayton A., Beck, Kilpatrick, Hollibaugh, Thomas, Howser, and Burkhalter—An act to amend Section 3356 of and to add Sections 3360, 3361, 3362, 3363 and 3364 to the Revenue and Taxation Code, relating to localized publication of delinquent tax list.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 152: By Mr. Johnson—An act making an appropriation for the erection and equipment of a hospital to be maintained and supported in conjunction with the medical school of the University of California.

Referred to Committee on Universities and Colleges.

Assembly Bill No. 153: By Mr. Johnson—An act to amend Section 103½ of the Code of Civil Procedure, relating to justices' clerks in cities and towns.

Referred to Committee on Judiciary.

Assembly Bill No. 154: By Mr. Johnson—An act to amend Section 2571 and to repeal Section 2570 of the Elections Code, relating to statement of number of voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 155: By Mr. Sawallisch—An act to add Section 66c to the Code of Civil Procedure, and to repeal an act entitled "An act to provide one additional judge of the superior court of the County of Contra Costa," approved June 4, 1913, relating to the number of

superior court judges and providing for the appointment of an additional superior court judge in and for the County of Contra Costa.

Referred to Committee on Judiciary.

Assembly Bill No. 156: By Mr. Sawallisch—An act to amend Section 4244 of the Political Code, relating to compensation for public services in counties of the fifteenth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 157: By Mr. Sawallisch—An act to amend Sections 5000, 5001, and 5002 of the Business and Professions Code, relating to the State Board of Accountancy.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 158: By Mr. Sawallisch—An act to amend Sections 5016, 5016.3, 5017, 5017.6, 5018, 5030, 5031, and 5040 of, and to add Sections 5016.4, 5017.4, 5017.5, and 5017.7 to, the Business and Professions Code, relating to the practice of accountancy, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 159: By Mr. Waters—An act to revise an act entitled "An act defining industrial loan companies; providing for their incorporation, powers, and supervision; and regulating the rates of interest and other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies," approved May 18, 1917, as amended and revised, so as to define industrial loan companies, provide for their incorporation, powers and supervision and regulate the rates of interest and all other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies; to prohibit devices and subterfuges to evade this act; to provide for exemptions from this act; to provide for the administration of this act and the issuance of rules and regulations thereunder; to authorize the making of examinations and investigations; to provide for the suspension, surrender, and revocation of permits; and to prescribe penalties for the violation of this act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 160: By Mr. Bashore—An act to amend Section 500 of the Vehicle Code, relating to negligent homicide.

Referred to Committee on Judiciary.

Assembly Bill No. 161: By Messrs. Bashore and Lyons—An act relating to and imposing limitations on expenditures by counties, city and counties, municipalities, districts and other political subdivisions under authority of Section 20 of Article XI of the Constitution of the State of California, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 162: By Mr. Clarke—An act to amend Section 259 of the Vehicle Code, relating to school bus drivers, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 163: By Mr. Dilworth—An act to amend Section 928 of the Penal Code, relating to county grand juries.

Referred to Committee on Judiciary.

Assembly Bill No. 164: By Mr. Leonard—An act to add Sections 3.95 and 4.706 to the School Code, and to add Sections 6707 and 8161 to the Education Code, relating to the maintenance of schools and the apportionment of State and county money to school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 165: By Messrs. Leonard, Thurman, Call, Sawalisch, and Burns—An act to amend Section 3212.5 of the Labor Code, relating to workmen's compensation benefits for members of the State Highway Patrol.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 166: By Mr. Leonard—An act to amend Section 2672 of the Elections Code, relating to filing fees for declarations of candidacy.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 167: By Mr. Wollenberg—An act to amend Section 683 of the Civil Code, relating to joint tenancies.

Referred to Committee on Judiciary.

Assembly Bill No. 168: By Messrs. Wollenberg and Bennett—An act to add Sections 2468.5 and 2468.6 to the Civil Code, relating to partnerships.

Referred to Committee on Judiciary.

Assembly Bill No. 169: By Mr. Evans—An act to add Section 512 to the Vehicle Code, relating to driving speed of motor vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 170: By Mr. Evans—An act to amend Section 398 of the Penal Code and Section 59.5 of the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 171: By Mr. Evans—An act to add Section 273i to the Penal Code, relating to prohibition of minors entering bowling alleys where alcoholic beverages are sold.

Referred to Committee on Public Morals.

Assembly Bill No. 172: By Mr. Howser—An act to amend Section 45.2 of the Unemployment Insurance Act, relating to the collection of contributions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 173: By Mr. Robertson—An act to add Section 957.5 to the Fish and Game Code, relating to the use of nets in San Luis Obispo Bay.

Referred to Committee on Fish and Game.

Assembly Bill No. 174: By Mr. Heisinger—An act making an appropriation for the purchase of obligations of the United States Government, to be earmarked for highway purposes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 175: By Mr. Howser—An act to amend Section 220 of the Labor Code, relating to the time of payment of salaries of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 176: By Mr. Howser—An act to add Section 685.1 to the Code of Civil Procedure, relating to the cancellation of judgments and the recording thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 177: By Mr. Kraft—An act to add Section 6365 to the Revenue and Taxation Code, relating to sales and use taxes, and exemption therefrom.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 178: By Mr. Lyons—An act to amend Sections 1 and 5 of an act entitled "An act relating to the safety of design and construction of public school buildings. Providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, and to amend Sections 18191 and 18202 of the Education Code, relating to the powers and duties of the State Division of Architecture with respect to protection from earthquake, fire and panic hazard.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 179: By Mr. Call—An act to amend Section 51 of the Bank Act, relating to deposit of moneys in banks by executors and other fiduciaries.

Referred to Committee on Judiciary.

Assembly Bill No. 180: By Messrs. Debs and Rosenthal—An act to add Section 956 to the Civil Code, and to amend Section 573 of the Probate Code, relating to the survival of actions.

Referred to Committee on Judiciary.

Assembly Bill No. 181: By Messrs. Kilpatrick and Anderson—An act amending Section 101 of the Welfare and Institutions Code, relating to members of the Social Welfare Board.

Referred to Committee on Social Welfare.

Assembly Bill No. 182: By Mr. Kilpatrick—An act to amend Sections 2020, 2021, and 2160 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 183: By Mr. Kilpatrick—An act to amend Section 2555 of, and to add Sections 1529, 2201, 2557, 3090.5, and 3451 to, the Welfare and Institutions Code, relating to the residence of persons receiving public assistance.

Referred to Committee on Social Welfare.

Assembly Bill No. 184: By Messrs. Kilpatrick and Bennett—An act to add Section 140 to the Welfare and Institutions Code, relating to public assistance, and providing a procedure for the issue and payment of duplicate warrants therefor, in case of the loss or destruction of the original warrants.

Referred to Committee on Social Welfare.

Assembly Bill No. 185: By Messrs. Kilpatrick, Dills, Ralph C., Bashore, Burkhalter, Rosenthal, Massion, Dills, Clayton A., and Bennett—An act to amend Sections 7933, 7970, and 7971 of the Elections Code, relating to the statements of returns prepared by the clerk of the board of supervisors, the county clerk, and the Secretary of State.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 186: By Messrs. Kilpatrick, Bennett, Thomas, Anderson, Debs, and Burkhalter—An act to amend Section 6359 of, and to add Section 6362 to, the Revenue and Taxation Code, relating to exemptions from the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 187: By Messrs. Kilpatrick, Rosenthal, Bennett, Thomas, Massion, Anderson, Burkhalter, and Debs—An act to amend Section 664a of the Political Code, relating to the payment of State officers and employees.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 188: By Mr. Kilpatrick—An act to amend Sections 2671 and 2672 of the Elections Code, relating to filing fees of candidates for office.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 189: By Mr. Stream—An act to amend Section 11870 of the Insurance Code, relating to the insurance of public employers with the State Compensation Insurance Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 190: By Messrs. Kilpatrick, Bennett, Rosenthal, and Crowley—An act to amend Sections 2020, 2021 and 2187 of the Welfare and Institutions Code, relating to aid to the aged, providing for an increase in the amount thereof, and making appropriation, limiting the time this act shall be in effect, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Concurrent Resolution No. 14: By Messrs. Kilpatrick, Bennett, Burkhalter, and Debs—Relative to display of State emblem on State-owned motor vehicles.

Referred to Committee on Motor Vehicles

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 30

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant in favor of the respective person for the said respective amount, and the Treasurer is hereby directed to pay the same; said compensation to be upon a seven-day week basis:

Commencing Monday, January 11, 1943:

	<i>Per day</i>
Pete Finney, Assistant Sergeant-at-Arms-----	\$6 00

Request for Unanimous Consent

Mr Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 30, at this time, without reference to committee.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalhsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—72.

NOES—None.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, JANUARY 8, 1943

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

Senate Bill No. 9

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 9—An act to add Section 3721 to the Political Code, relating to assessment and taxation of property affected by the organization, formation and incorporation of sanitary districts, declaring the urgency thereof and providing that it shall take effect immediately.

Request for Unanimous Consent

Mr. Call asked for, and was granted, unanimous consent to take up Senate Bill No. 9, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NO. 9

Senate Bill No. 9—An act to add Section 3721 to the Political Code, relating to assessment and taxation of property affected by the organization, formation and incorporation of sanitary districts, declaring the urgency thereof and providing that it shall take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Call:

Resolved, That Senate Bill No. 9 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—73
NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 9—An act to add Section 3721 to the Political Code, relating to assessment and taxation of property affected by the organization, formation and incorporation of sanitary districts, declaring the urgency thereof and providing that it shall take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—73
NOES—None.

Senate Bill No. 9—An act to add Section 3721 to the Political Code, relating to assessment and taxation of property affected by the organization, formation and incorporation of sanitary districts, declaring the urgency thereof and providing that it shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—73
NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 8, 1943

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

Assembly Concurrent Resolution No. 4
 Assembly Concurrent Resolution No. 5
 Assembly Concurrent Resolution No. 9
 Assembly Concurrent Resolution No. 10

J. A. BEEK, Secretary of the Senate

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 8, 1943

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

Assembly Concurrent Resolution No. 11
 Assembly Concurrent Resolution No. 12

J. A. BEEK, Secretary of the Senate

Above resolutions ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)

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

Assembly Bill No. 191: By Mr. Call—An act to amend Section 961 of the Code of Civil Procedure and Section 1247k of the Penal Code, relating to rules on appeal prescribed by the Judicial Council, extending the time for the reporting of such rules and the time of taking effect thereof, and providing that this act shall take effect immediately.

Ordered on file without reference to committee.

Assembly Bill No. 192: By Messrs Dickey and Sheridan—An act to repeal Section 3715 of the Elections Code, relating to ballots

Referred to Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 10—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the second day of June, 1942;

Assembly Concurrent Resolution No. 11—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the third day of November, 1942;

Assembly Concurrent Resolution No. 12—Relative to commendation of former members of the Legislature serving in the armed forces of the United States; And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of January, 1943, at 11 50 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 4—Relative to adjournment in respect to the memory of former Senator Dwight H. Hart;

Assembly Concurrent Resolution No. 5—Relative to adjournment out of respect to the memory of Frank H. Cory;

Assembly Concurrent Resolution No. 9—Approving an amendment to the charter of the City of Berkeley, a municipal corporation in the County of Alameda,

State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on the twenty-sixth day of May, 1942; And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of January, 1943, at 11.50 a.m.

PELLETIER, Chairman

MOTION TO HOLD SPECIAL COMMITTEE MEETING

Mr. Johnson moved that the Committee on Universities and Colleges meet Tuesday, January 12, 1943, immediately following adjournment of the Assembly on that day.

Motion carried.

RESOLUTIONS

The following resolution was offered:

By Messrs. Bashore and Dills, Ralph C

House Resolution No. 31

Relative to representation of the Assembly at the General Assembly of the Council of State Governments, Baltimore, Maryland, January, 1943

WHEREAS, The Sixth General Assembly of the Council of State Governments will be held in Baltimore, Maryland, January 24-27, 1943; and

WHEREAS, The 48 States will be represented at this meeting by persons in the executive and legislative departments of those States; and

WHEREAS, The Council of State Governments is a medium for the States to ascertain and work for a solution of problems common to them all, especially in the fields of wartime legislation, taxation, trade barriers, and all other matters bearing upon cooperation of the States in the National war effort; now, therefore, be it

Resolved by the Assembly of the State of California, That two Members of the Assembly, appointed by the Speaker of the Assembly, shall attend as delegates from, and represent, the Assembly of the State of California at the meeting of the Council of State Governments in Baltimore, Maryland, January 24-27, 1943; and be it further

Resolved, That these delegates shall assist in the formulation of recommendations on problems of wartime legislation, taxation, trade barriers, and all other subjects pertaining to cooperation of the States in the National war effort; and be it further

Resolved, That the sum of eight hundred dollars (\$800) or so much thereof as may be necessary is hereby appropriated from the Contingent Fund of the Assembly to defray the necessary expenses of the delegates.

Resolution read, and referred to Committee on Rules and House Functions.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

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

Assembly Bill No. 193: By Messrs. Wollenberg, Maloney, Fourt, Bashore, Dickey, Doyle, Gannon, Crichton, Kraft, Crowley, Call, and Burkhalter—An act to amend Section 57.7 of the Unemployment Insurance Act, relating to unemployment benefits for persons who have served in the armed forces.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 194: By Messrs. Wollenberg, Fourt, Bashore, Dickey, Doyle, Gannon, Crichton, Kraft, Crowley, Call, and Burkhalter—An act relating to the publication and disposal of newspapers printed in foreign languages.

Referred to Committee on Judiciary.

Assembly Bill No. 195: By Messrs. Wollenberg, Fourt, Bashore, Dickey, Doyle, Gannon, Crichton, Kraft, Crowley, Call, Burkhalter, and Debs—An act relating to radio broadcasts in foreign languages.

Referred to Committee on Judiciary.

ADJOURNMENT

At 11.52 a.m., on motion of Mr. Sam L Collins, the Speaker declared the Assembly adjourned until 11 a.m , Tuesday, January 12, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTH LEGISLATIVE DAY
NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, January 12, 1943

The Assembly met at 11 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thutman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—79.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

"God of our fathers, known of old,
Lord of our far-flung battle line;
Beneath whose mighty hand we hold
Dominion over palm and pine;
Lord God of hosts, be with us yet,
Lest we forget! Lest we forget!"

We pray for Thy guidance in our National life. Thou hast brought us as a people through many perils of land and sea, and provided us with the blessings of a Democracy founded upon the Christian principles of liberty and justice so that we have cause to say, "Blessed is the people whose God is the Lord." Help us in gratitude to reconsecrate ourselves today with unflinching loyalty to these high purposes and Thy holy destiny.

Through Jesus Christ our Lord.

AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:
Mr. Thorp, on motion of Mr. Clarke.

COMMUNICATIONS

The following communication was received, read, and ordered referred to the Chief Clerk:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA

January 8, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento, California*

DEAR SIR: This is to inform you that the Capitol Correspondents Association has been organized in accordance with provisions of Assembly Concurrent Resolution No. 2, adopted at this Fifty-fifth Session of the Legislature, and that the standing committee of the association is composed of the following:

W. A. Wells, Associated Press, Chairman
John W. Dunlap, United Press
Robert C. Weakley, International News
Wesley E. Robbins, Oakland Tribune, Secretary.

The standing committee requests that press cards of one color be issued to accredited press representatives authenticated for the purpose of assignment of press seats and desks in the Assembly, and that press cards of a different color be issued to authenticated visiting members of the press.

Yours very truly,

WESLEY E. ROBBINS
Secretary to the Standing Committee

A communication from the Department of Public Works, relative to a Report on Road Studies from Arroyo Seco Parkway to Arcadia was received, and ordered filed with Secretary of State.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 11, 1943

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

Assembly Concurrent Resolution No. 6
Assembly Concurrent Resolution No. 7
Assembly Concurrent Resolution No. 13

J. A. BEEK, Secretary of the Senate

Above resolutions ordered enrolled.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 32

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

C. William Queale, Minute Clerk, one day, January 6th	\$ 9 00
Wilkie Ogg, Sergeant-at-Arms, one day, January 6th	8 00
Arthur A. Ohnimus, Chief Clerk, one day, January 6th	10 00
Marian Hendricks, Assistant Engrossing and Enrolling Clerk, January 4, 5, 6, 3 days at \$5 per day	15 00

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 32, at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollbaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71

NOES—None.

By Mr. Heisinger:

House Resolution No. 33

WHEREAS, The Interim Committee to Investigate State, County, and City Roads and Highways, appointed pursuant to Assembly Resolution No. 264 of the 1941 Session of the Legislature, desires additional time to make further investigation and report; be it

Resolved, That the committee is hereby authorized to continue its work during the Fifty-fifth Session of the Legislature with the funds and the provisions pursuant to said resolution.

Resolution read, and referred to Committee on Rules and House Functions.

PRELIMINARY REPORT OF INTERIM COMMITTEE

The following Preliminary Report of the Interim Committee to Investigate State, County, and City Roads and Highways was received and ordered printed in the Journal:

Mr. Speaker and Members of the Assembly

This is a preliminary report of the committee appointed pursuant to Assembly Resolution No. 264 of the 1941 Session relating to State highways, county highways, and city streets.

Early in the year 1942 the committee held hearings in Los Angeles and in San Diego, but the war transportation problems were just beginning to be acute and the committee thought it wise to postpone further hearings until war activities had sufficiently developed to indicate the needs of the highway systems under war conditions.

The committee has recently held hearings in San Francisco and in Sacramento at which representatives from many of the larger counties were present, and at which, also, the State Highway Department was represented.

These later hearings have brought out facts showing that the State, city and county highways are suffering tremendous damage from the heavy motor traffic occasioned by war activities.

While these highway deteriorations are taking place, highway funds available for construction and reconstruction have fallen off from month to month until there is now a shortage of gas tax alone of \$1,000,000 a month. This has caused county officials to ask for additional highway funds, and some persons are requesting that some State highway funds be transferred to the counties for highway purposes.

The committee knows that the State highways are as sorely in need of funds as are the counties' and the cities' highways.

The committee believes that these several political subdivisions can not hope for relief while the war is in progress; therefore, it appears that officials in charge of highways must get along as best they may with present funds and with only such maintenance as will preserve the highways without destruction until the war is over.

The excessive highway traffic, while greatly damaging the highway systems, has helped to greatly augment the general prosperity of the State by converting a Treasury deficit to a splendid surplus.

In his inaugural address, Governor Warren stated

California is now favored with a sizeable surplus. It has come to us very largely from taxes upon war industry. It comes to us in trust for it is the money of all the people of California.

It is my belief that taxes can be reduced. In evaluating our financial position, however, I see danger signs which we can not afford to ignore to the point of extreme action. We must bear in mind that the conditions which have created our favorable revenue balance are of a highly transient nature and of a type likely to leave a swell of new problems in their wake. It is not wise, under such circumstances, to blindly trade tax stability for temporary advantage.

We who were in the Legislature in 1929 remember that there was at that time a sizeable balance in the State Treasury; however, we yielded to the clamor for tax reductions to those most able to pay, and gradually the financial condition of the State became worse and worse until Governor Merriam and Governor Olson faced the spectacle of borrowing multiplied millions to carry the burdens of State Government.

The war has created the splendid State surplus we now have, and the ending of the war will most surely deplete that surplus if the Legislature does not carefully guard and preserve it for the general good of the people.

In his message to Congress a few days ago, President Roosevelt informed the Nation that 1,500,000 of our armed forces are at war in foreign lands. We know that millions more are in training, and that all these millions of soldiers will be entitled to their places in life after hostilities have ended; therefore, it seems clear to this committee that the Legislature should consider carefully plans to keep employment after the war at as high a plane as possible to avoid another S.R.A. problem.

Several sources of revenue for highway purposes have been suggested to the committee.

Many county officials believe that it would be only fair if the Legislature would transfer some of the State General Fund surplus to be used by the State, counties, and cities for highway purposes. It has also been suggested that if the Legislature would bring up the gas tax to a level with other States, it would greatly help to solve the problem.

Another suggestion is that the Legislature raise the motor registration fees to the level of other States, which surplus might be used for highway purposes.

Also, there are motor vehicle funds which, under present law, go into the General Fund of the State. These might be directed back to the channels from where they are derived.

It might be proper for the committee to remind the Legislature that any one or all of these channels of revenue would not place the highway systems up to normalcy in a short time, but that a progressive planned program covering several years should be studied to provide for the construction and reconstruction of the highways, which are now probably a quarter of a billion dollars under par. A few paragraphs will give you a glimpse of the situation.

In one of the larger northern counties the supervisors, in an effort to meet the needs, have succeeded in impounding \$200,000, but their need at this moment is \$3,000,000. We know that some of the more populous counties have greater needs for funds.

State Engineer Charles H. Purcell pointed out two years ago in a letter to the chairman of this committee in part as follows:

At least 928 bridges (27 per cent) out of a total of 3,436 major structures on the rural State Highway System are inadequate for present-day traffic. Of the 1,200 bridges on both the rural and urban portions of the State Highway System, about 1,200 need replacement. It is estimated that it will take about \$35,000,000 to replace these inadequate bridges. Present revenues provide about \$4,000,000 annually for bridge construction and reconstruction projects.

On the rural State Highway System are located 617 railroad grade crossings. During 13 years (from 1926 to 1938, inclusive) 92 per cent of grade crossing accidents occurred on 270 of these crossings. To eliminate the 270 grade crossings would require about \$27,000,000. Present revenues from Federal grade crossing elimination apportionments provide about \$800,000 annually. In addition to the rural grade crossings, there are numerous such crossings on State routes in cities which need elimination to expedite traffic movement.

Yours very truly,

(Signed)

C. H. PURCELL, State Highway Engineer

The condition now, of course, is more aggravated. In view of the dire needs of the highway systems in the State, counties, and cities, your committee sincerely believes this session of the Legislature should not adjourn until it has carefully considered and remedied these problems.

Your committee would not recommend that moneys be now made available for immediate use for these highways; but, rather, that moneys be made available at this session for the purchase of Federal war bonds which should be liquidated and used for highway purposes immediately upon the cessation of major war activities. Such purchase of war bonds would assist in more speedily bringing the war to a successful termination, would at the close of the war, make demands for many millions of dollars of essential materials for highway construction and reconstruction, would place thousands of men to work at wages compatible with post-war conditions, and thereby go far to avert another S. R. A. or similar State social problem.

Your committee has not now sufficient data to make definite recommendation due to the fact that the conditions mentioned in this report have so rapidly been thrust upon the people that they have not had time to get the facts into our hands. However, we believe that a further study during the recess would bring to us definite and accurate information and data which we could, in turn, transmit to your body for consideration; and we trust governing bodies and other interested groups will, without delay, transmit to us such information as will assist us in a factual report.

Should you continue the committee for further study, it will not be necessary for you to provide additional funds because the committee has conserved the major proportion of the \$1,500 provided to study this half-billion dollar problem.

S. L. HEISINGER, Chairman
CHARLES W. STERIAM, Secretary

APPOINTMENT OF SPECIAL COMMITTEE

Pursuant to the provisions of Chapter 561, Statutes of 1941, the Speaker announced the appointment of Messrs. Weybret, Allen, and Burns as a Special Committee to represent the Assembly as members of the State Council of Defense.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 196: By Messrs. Holibaugh, Bashore, Anderson, Beck, Burkhalter, and Kellems—An act to amend Sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 197: By Mr. Weybret—An act amending Section 4076 of the Political Code, relating to county government.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 198: By Messrs. Dilworth and Miller—An act to add Sections 10580 and 10581 to the Health and Safety Code, relating to birth certificates.

Referred to Committee on Judiciary.

Assembly Bill No. 199: By Mr. Waters—An act to repeal Article 2 of Chapter 3 of Division 12 of the Elections Code, comprising Sections 10650 to 10658, relating to the selection of judicial officers.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 200: By Messrs. Waters and Maloney—An act to amend Section 1588 of the Labor Code, relating to license fees of employment agencies.

Referred to Committee on Labor and Capital.

Assembly Bill No. 201: By Messrs. Waters and Maloney—An act to add Sections 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659,

1660, and 1661 to Article 3 of Chapter 1 of Part 6 of Division 2 of the Labor Code, relating to artists' managers.

Referred to Committee on Judiciary.

Assembly Bill No. 202: By Mr. Waters—An act to amend Sections 4, 4a, 6, 8, 9, 11, 13, 14, 16, 17, 20, 21, 24, 25, 25.1, 27, 28, 29, 30, 32, and 35 of, and to add a new section to be numbered 24.1 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 203: By Mr. Waters—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14, 16, 18, 19, 20, 21, 22, 23, 24, 25, and 29 of, and to add a new section to be numbered 18.1 to, the Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 204: By Mr. Potter—An act to amend Section 1352 of the Labor Code, relating to working hours of female employees.

Referred to Committee on Labor and Capital.

Assembly Bill No. 205: By Mr. Potter—An act to amend Sections 1350 and 1351 of the Labor Code, relating to working hours of female employees.

Referred to Committee on Labor and Capital.

Assembly Bill No. 206: By Mr. Potter—An act to amend Section 1391 of the Labor Code, relating to working hours of minors.

Referred to Committee on Labor and Capital.

Assembly Bill No. 207: By Mr. Potter—An act to amend Section 1251 and to repeal Section 1252 of the Labor Code, relating to conditions of employment for female employees.

Referred to Committee on Labor and Capital.

Assembly Bill No. 208: By Mr. Potter—An act to amend Section 131.5 of the Civil Code, relating to the entry of an interlocutory decree of divorce nunc pro tunc.

Referred to Committee on Judiciary.

Assembly Bill No. 209: By Mr. Potter—An act to amend Sections 423, 450 and 452 of the Probate Code, relating to administration of estates of decedents.

Referred to Committee on Judiciary.

Assembly Bill No. 210: By Mr. Thomas—An act to amend Section 1272 of the Penal Code, relating to admission to bail pending appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 211: By Mr. Dickey—An act to amend Section 3824 of the Elections Code, relating to ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 212: By Mr. Dickey—An act to amend Section 3714 of the Elections Code, relating to ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 213: By Mr. Doyle—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to motor vehicles, and declaring the urgency of this act.

Without reference to committee.

Assembly Bill No. 214: By Mr. Carlson—An act to amend Sections 675, 684, 685, 686 and 687 of, and to repeal Section 662 of, the Elections Code, relating to precinct boards.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 215: By Mr. Carlson—An act to amend Section 1550 of the Probate Code, relating to inventory and appraisement.

Referred to Committee on Judiciary.

Assembly Bill No. 216: By Mr. Carey—An act to amend Section 1406 of the Elections Code, relating to initiative and referendum petitions.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 217: By Mr. Carlson—An act to add Section 189.5 to the Code of Civil Procedure, relating to vouchers filed in court proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 218: By Mr. Dilworth—An act to amend Sections 220 and 230 of the Elections Code, relating to registration of voters and affidavits of registration.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 219: By Messrs. Rosenthal and Dills, Clayton A.—An act to add Section 4230 to the Political Code, relating to juror's fees in counties of the first class.

Referred to Committee on Judiciary.

Assembly Bill No. 220: By Messrs. Rosenthal and Bennett—An act to add Section 625 to the Streets and Highways Code, relating to State highway routes.

Referred to Committee on Roads and Highways.

Assembly Bill No. 221: By Mr. Beck—An act to add Section 484.5 to the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 222: By Messrs. Kraft and Stream—An act to amend Section 459 of the Vehicle Code, relating to powers of local authorities.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 223: By Mr. Kraft—An act to provide aid to the counties in addition to the aid otherwise provided, for maintaining and supporting aged persons under the provisions of the Old Age

Security Law, and to provide for the payment of such aid to the counties, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare

Assembly Bill No. 224: By Messrs. Bashore, Debs, Anderson, Dills, Ralph C. Dills, Clayton A. Burkhalter, Guthrie, Maloney, and Wollenberg—An act to add Sections 3211.2, 3211.4, 3211.6, and 3352.5 to, and Chapter 10, comprising Sections 4301 to 4439, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 7, comprising Sections 1570 to 1573, inclusive, to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to civilian defense workers, including the limiting of the liability of the State of California, counties, cities, and civilian defense organizations for injuries arising out of and occurring in the course of activities as a civilian defense worker, authorizing the State Council of Defense to certify civilian defense organizations and to make rules and regulations for the classifying and registering of civilian defense workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 225: By Mr. Wollenberg—An act to add Section 704 to the Civil Code, relating to the ownership of United States bonds, registered to more than one person, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 226: By Mr. McCollister—An act to add Section 185 to the Alcoholic Beverage Control Act, relating to the suspension and transfer of licenses.

Referred to Committee on Public Morals

Assembly Bill No. 227: By Messrs. Debs and Potter—An act to amend Sections 1859 and 1860 of the Civil Code, relating to the liability of innkeepers, to include hospitals.

Referred to Committee on Judiciary.

Assembly Bill No. 228: By Messrs. Debs and Potter—An act to amend Section 341a of the Code of Civil Procedure, relating to personal property left in hotel, etc., to include hospitals.

Referred to Committee on Judiciary.

Assembly Bill No. 229: By Messrs. Debs and Dills, Clayton A.—An act to add Sections 30a to 30r to the Bank Act and to add Section 3081 to the Civil Code, relating to the disposal of unclaimed contents of safe deposit boxes rented by banks or other corporations and relating to unclaimed items of personal property left with a bank for safekeeping.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 230: By Mr. Kilpatrick—An act authorizing the payment of doctor's fees for doctor's food certificates by a city, city and county, or county.

Referred to Committee on Public Health.

Assembly Bill No. 231: By Mr. Ralph C. Dills—An act to amend Section 736.2 of the Agricultural Code, relating to local control boards for marketing areas for the marketing of fluid milk or fluid cream or both.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 232: By Mr. Ralph C. Dills—An act to amend Section 643 of the Agricultural Code, relating to dairy sanitation.

Referred to Committee on Live Stock and Dairies

Assembly Bill No. 233: By Messrs. Stream, Lowrey, and Burns—An act to provide an additional appropriation for the establishment, equipment, and maintenance of a College of Veterinary Medicine in the University of California.

Referred to Committee on Universities and Colleges

Assembly Bill No. 234: By Mr. Anderson—An act to amend Sections 2020, 2021, 2181, 2183, 2186, and 2187 of the Welfare and Institutions Code, and to add Section 2187.5 thereto, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 235: By Messrs. Leonard, Dilworth, Thorp, Burkhalter, Crichton, Hollibaugh, Doyle, Dickey, Weybret, Heisinger, Robertson, Erwin, Thurman, Beck, Gaffney, Guthrie, Burns, Lowrey, Thompson, Maloney, Clarke, Miller, Brown, Dunn, King, Lyon, Debs, Johnson, Call, Denny, Watson, Stream, Werdel, Desmond, Weber, Fourt, and Gannon—An act to add Section 92.1 to the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Agriculture

Assembly Bill No. 236: By Mr. Watson—An act to repeal The Personal Income Tax Act, Chapter 329 of the Statutes of 1935, as amended, and to repeal Part 10 of Division 2 of the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 237: By Mr. Howser—An act to add Section 3706 to the Political Code, relating to hearings before the State Board of Equalization.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 238: By Mr. Howser—An act to amend Section 42 of the Alcoholic Beverage Control Act, relating to hearings and investigations

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 239: By Messrs. Knight, John B. Anderson, Beck, Burkhalter, and Evans—An act to amend Sections 120, 121, 127, 141, 146, 147, 175, 176, 183, 223.5, 321, 324, 325, 332, 333, 340, 360, 361, 364, 366, 395.6, 395.7, 410, 411, 421, 422, 423, 432, 550, 553, 553.1, 553.2, 553.3, 553.4, 553.5, 554, 555, 555.1, 555.2, 555.5, 555.6, 556, 556.1, 556.2,

556.3, and 556.4 of, to add Section 474 to, and to repeal Section 213 of the Military and Veterans Code, relating to the organization and administration of the California State Militia, providing for the pay, privileges, allowances, and rights, making an appropriation for the operation, maintenance, and organization of the California State Militia and providing for the expenditure thereof, declaring the urgency of this act, and providing that it shall take effect immediately.

Referred to Committee on Military Affairs.

Assembly Bill No. 240: By Mr. John B. Knight—An act to amend Sections 45 and 46 of the Elections Code, relating to petitions and papers signed by voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 241: By Mr. Robertson—An act to amend Sections 2798.5, 2807, 2808, 2820, 2821, 2822, 2823, and 2827 of the Elections Code, relating to the State central committee.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 242: By Mr. Robertson—An act to add Section 6879 to the Public Resources Code, relating to State lands, to permit drilling of oil and gas wells under certain conditions.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 243: By Mr. Heisinger—An act making an appropriation to pay the claim of C. F. Brown against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 244: By Mr. Doyle—An act to amend Section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property.

Referred to Committee on Judiciary.

Assembly Bill No. 245: By Mr. Doyle—An act to amend Section 4300k of the Political Code, relating to fees of officers.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 6: By Messrs. Waters and Johnson—Proposed amendment to Article VI, by repealing Section 26 and adding Section 26.5, of the Constitution, relative to the selection of judges.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 7: By Messrs. Kilpatrick and Johnson—Proposed amendment to Article V, Section 19, of the Constitution, relative to compensation of State officers.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 15: By Messrs. Allen and Weybret—Relative to the California State Council of Defense.

Request for Unanimous Consent

Mr. Allen asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 15, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 15

Assembly Concurrent Resolution No. 15—Relative to the California State Council of Defense.

Resolution read.

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

AYES—Allen, Armstrong, Bashore, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crowley, Denny, Desmond, Dickey, Dilworth, Dunn, Erwin, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Howser, Johnson, Kellems, Knight, T. Fenton; Kraft, Leonard, Maloney, McCollister, Miller, Niehouse, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Anderson, Beck, Bennett, Berry, Brady, Collins, George D., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Knight, John B., Lowrey, Lyons, Massion, McMillan, O'Day, Pelletier, Robertson, Rosenthal, and Thomas—28.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Call asked for, and was granted, unanimous consent to take up Assembly Bill No. 191, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 191

Assembly Bill No. 191—An act to amend Section 961 of the Code of Civil Procedure and Section 1247k of the Penal Code, relating to rules on appeal prescribed by the Judicial Council, extending the time for the reporting of such rules and the time of taking effect thereof, and providing that this act shall take effect immediately.

Bill read second time.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Call:

Resolved, That Assembly Bill No. 191 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Muller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—78.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 191—An act to amend Section 961 of the Code of Civil Procedure and Section 1247k of the Penal Code, relating to rules on appeal prescribed by the Judicial Council, extending the time for the reporting of such rules and the time of taking effect thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Deany, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—78.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

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

Assembly Bill No. 246: By Messrs Potter and Waters—An act to amend Section 1461a of the Penal Code, relating to procedure in municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 247: By Messrs. Potter and Waters—An act to add Section 1428b to the Penal Code, relating to the destruction of old records in municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 248: By Messrs. Potter and Bennett—An act to amend Section 7 of an act entitled, "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 249: By Messrs. Potter and McMillan—An act to amend Section 28a of an act entitled, "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein." approved May 23, 1925, relating to bail in municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary

Assembly Bill No. 250: By Messrs. Potter and McMillan—An act to amend Section 4300f of the Political Code, relating to jurors' fees in municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 251: By Messrs. Potter and Thomas—An act to add Section 7d to an act entitled, "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein." approved May 23, 1925, relating to additional compensation for attaches in municipal courts in cities of the first and one-half class entering military service.

Referred to Committee on Judiciary.

Assembly Bill No. 252: By Messrs. Potter and Thomas—An act to add Section 7a $\frac{1}{2}$ to an act entitled, "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein." approved May 23, 1925, relating to compensation of attaches in municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary

Assembly Bill No. 253: By Messrs. Potter and Rosenthal—An act to amend Section 7c of an act entitled, "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein." approved May 23, 1925, relating to municipal court attaches.

Referred to Committee on Judiciary.

Assembly Bill No. 254: By Messrs. Potter and Rosenthal—An act to amend Sections 7a and 7c of an act entitled, "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and

for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 255: By Messrs. Potter and Bennett—An act to amend Section 6301 of the Business and Professions Code, relating to boards of trustees of law libraries.

Referred to Committee on Judiciary.

Assembly Bill No. 256: By Mr. Lyon—An act to amend Sections 2798.5, 2807, 2808, 2820, 2821, 2822, and 2827 of the Elections Code, relating to the State central committee.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 257: By Messrs. Gannon, Doyle, Kellems, Dills, Ralph C., Dills, Clayton A., Massion, Debs, Dunn, Burkhalter, Brady, Thurman, Kraft, Lowrey, Price, Brown, Haggerty, and Wollenberg—An act to add Section 2525 to the Health and Safety Code, relating to children with an impaired sense of hearing, and making an appropriation therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 258: By Mr. Gannon—An act to add Section 57.2 to the State Civil Service Act, relating to guards at the State prisons.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 259: By Mr. Gannon—An act to add Section 709.5 to the Code of Civil Procedure, relating to contributions by joint defendants in actions for personal injury or property damage.

Referred to Committee on Judiciary.

Assembly Bill No. 260: By Mr. Gannon—An act making an appropriation to the Department of Finance for a Governor's residence.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 261: By Mr. Gannon—An act to amend Section 19484 of the Business and Professions Code, relating to fees for horse racing meetings.

Referred to Committee on Agriculture.

Assembly Bill No. 262: By Mr. Gannon—An act to add Section 445 to the California Unemployment Insurance Act, relating to refunds to workers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 263: By Messrs. Gannon and Desmond—An act to amend Section 42360 of the Political Code, relating to the compensation of jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 264: By Messrs. Potter and Robertson—An act to amend Sections 2.02, 2.04, and 1206 of the Building and Loan Asso-

ciation Act, relating to building and loan associations, names and articles, and restrictions on advertising.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 265: By Mr. Weber—An act to amend the title and Sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, relating to the investment of moneys in the sinking funds of counties, cities and counties, incorporated cities and towns, municipalities, other public or municipal corporations, or public districts, and declaring the urgency thereof.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 266: By Mr. Weber—An act to amend the title and Sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district, or flood control district," approved April 23, 1913, as amended, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipality, or other public or municipal corporation or public district, and declaring the urgency hereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 267: By Mr. Weber—An act to amend Section 737mm of the Political Code, relating to the compensation of the judges of the superior court in and for the County of San Joaquin.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 8: By Mr. Lyon—Proposed amendment to Article XIII, Section 1 $\frac{1}{2}$, of the Constitution, relative to tax exemption.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 16: By Mr. Lyon—Relative to designating the magazine "Pictorial California" be the official pictorial magazine of the State of California.

Referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 6—Approving a certain amendment to the charter of the County of Sacramento, State of California, submitted to, voted for, and ratified by the electors of said county at the general election held on the third day of November, 1942;

Assembly Concurrent Resolution No. 7—Approving a certain amendment to the charter of the County of Sacramento, State of California, submitted to, voted for, and ratified by the electors of said county at the general election held on the third day of November, 1942;

Assembly Concurrent Resolution No. 13—Relating to adjournment in respect to the memory of Frank J. Ruhstaller; And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of January, 1943, at 11.30 a.m.

PELLETIER, Chairman

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 34

Resolved, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrant in favor of the respective person for the said respective amount, and the Treasurer is hereby directed to pay the same; said compensation to be upon a seven-day week basis:

Commencing Monday, January 11, 1943:

Elsie Morbeck, Secretary to Judiciary-----	<i>Per day</i> \$8 00
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Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 34, at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Nicholas, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—78.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 268: By Messrs. Field, Call, Potter, and Watson—An act to amend Sections 101, 102, and 103 of the Welfare and Institutions Code, to repeal Sections 105, 106, and 130 thereof, and to add Section 105 thereto, relating to the State Department of Social Welfare, abolishing the present Social Welfare Board in the department and transferring its powers, duties, responsibilities and jurisdiction to a Social Welfare Board created by this act, abolishing the office of Director of the Department of Social Welfare and transferring its powers, duties, responsibilities and jurisdiction to a new office of Director of Social Welfare, and providing for the appointment and tenure of office of the members of the board and of the director.

Referred to Committee on Governmental Efficiency and Economy.

MOTION TO PRINT STATIONERY

Mr. Sam L. Collins moved that the Chief Clerk have printed 500 letterheads and envelopes for the Capitol Correspondents Association of California.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant O. F. Wyse of Mt. Pleasant, Iowa; Lieutenant H. W. Dugan of Ridley, Pennsylvania; Technical Sergeant J. A. Mickler of Orlando, Florida; Technical Sergeant M. H. Lebowitz of Brooklyn, New York; Technical Sergeant R. W. Coleasure of Cordell, Oklahoma; Technical Sergeant J. C. Caparella of Aspen, Colorado; and Staff Sergeant W. W. Arthur, of Baldwin Park, California.

ADJOURNMENT

At 12 28 p. m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 11 a. m., Wednesday, January 13, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

EIGHTH LEGISLATIVE DAY

TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, January 13, 1943

The Assembly met at 11 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—80.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Bless the Lord, O my soul,
 And all that is within me,
 Bless His Holy Name,
 Bless the Lord, O my soul,
 And forget not all His benefits,
 Who forgiveth all thine iniquities,
 Who healeth thy diseases;
 Who redeemeth thy life from destruction;
 Who crowneth thee with loving kindness and tender mercies;
 Who satisfieth thy mouth with good things
 So that thy youth is renewed like the eagles.
 For as the heaven is high above the earth,
 So great is His mercy toward them that fear Him,
 As far as the east is from the west,
 So far hath He removed our transgressions from us.
 Like as a father pitieth His children,
 So the Lord pitieth them that fear Him.
 Bless the Lord, all His works in all places of His dominion;
 Bless the Lord, O my soul.

AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1943

MR. SPEAKER Your Committee on Rules and House Functions, to which was referred:

Assembly Joint Resolution No. 10

Has had the same under consideration, and reports the same back with the recommendation Be adopted

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

Committee on Universities and Colleges

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1943

MR. SPEAKER Your Committee on Universities and Colleges, to which was referred:

Assembly Bill No. 143

Has had the same under consideration, and reports the same back with the recommendation Do pass, and be re-referred to Committee on Ways and Means.

JOHNSON, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1943

MR. SPEAKER Your Committee on Agriculture, to which was referred:

Assembly Bill No. 235

Has had the same under consideration, and reports the same back with the recommendation Do pass, and be re-referred to Committee on Ways and Means

WEYBRET, Chairman

Above reported bill re-referred to Committee on Ways and Means

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 35

Resolved, That the following named person be stricken from the list of Assembly attaches and his name be stricken from the pay roll of the Assembly, to take effect upon the completion of work on Sunday, January 10, 1943.

	<i>Per day</i>
J. McCarthy, Assistant Sergeant-at-Arms.....	\$6 00

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 35, at this time, without reference to committee:

Resolution read

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastan, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Mcdough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent,

Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weher, Weybret, Wollenberg, and Mr. Speaker—71.
 NOES—None.

By Mr. Sam L. Collins:

House Resolution No. 36

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant in favor of the respective person for the said respective amount, and the Treasurer is hereby directed to pay the same; said compensation to be upon a seven-day week basis:

<i>Commencing Tuesday, January 12, 1943:</i>	<i>Per day</i>
Paul Hunter, Assistant Sergeant-at-Arms.....	\$6 00

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No 36, at this time, without reference to committee.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisner, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

By Mr. Bashore:

House Resolution No. 37

WHEREAS, It has been called to our attention that the hotel keepers of the City of Sacramento have refused to accommodate at reasonable rates the Members of the State Legislature now convened in that city, in that they have offered them no monthly or weekly rates, and have forced them to spend as much as twelve dollars (\$12) a day each for meals and lodging, a sum greater than their per diem compensation; and

WHEREAS, It has also been called to our attention that some apartment house keepers of said city have refused accommodation to members with children, although admitting dogs to the premises; and

WHEREAS, It is our belief that the proper and economical housing of said members is necessary to the just and efficient operation of the Government of the State, now, therefore, be it

Resolved by the Assembly of the State of California, That unless prompt action is taken by the hotel and apartment house keepers of the City of Sacramento to provide accommodations to the Members of the Legislature on just and reasonable terms, a constitutional amendment will be introduced after the constitutional recess, to move the seat of government to a place where living accommodations on reasonable terms can be provided.

Resolution read.

Request for Unanimous Consent

Mr. Bashore asked for unanimous consent to take up House Resolution No. 37, at this time, without reference to committee.

Mr. Gannon withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Bashore moved that Rule No. 91 be temporarily suspended for the purpose of considering House Resolution No 37, at this time.

Motion carried.

Resolution read.

Motion to Lay House Resolution No. 37 on the Table

Mr. Desmond moved that House Resolution No. 37 be laid on the table.

Motion lost for lack of a second.

Consideration of House Resolution No. 37

House Resolution No. 37—Relative to hotel and apartment house accommodations for Members in Sacramento.

Resolution read. ~~and adopted.~~

[On January 15, 1943, action was rescinded and record ordered expunged whereby House Resolution No. 37 was adopted.]

RECESS

At 11.29 a.m., on motion of Mr. Dickey, the Assembly recessed until 11.32 a.m. to hear from former Member, Seth Millington.

REASSEMBLED

At 11.32 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

January 12, 1943

*Mr. Arthur Ohnibus, Chief Clerk of the Assembly
State Capitol, Sacramento, California*

DEAR SIR: The Standing Committee of the Capitol Correspondents Association has investigated applications for authentication as accredited press correspondents, and recommends the following action:

Approved for Press Cards

Sacramento Bee—Herbert L. Phillips, Alfred Lyons, Walter P. Jones, Hamilton Hintz, Max Depew, L. M. Monfort, Richard Rodda, Rudy Hickey, George Helmer, Robert Handsaker.

San Francisco Examiner—Royal W. Jimerson, Jack Welter, William Jordan.

Oakland Tribune—Wesley E. Robbins.

San Francisco Chronicle—Earl C. Behrens.

Los Angeles Examiner—Joseph Timmons, Carl Greenberg.

Sacramento Union—Charles J. Lilley, Laurence Benedict, Neil Shaw, Joseph Cullivan, William Conlin, Harlan Smith.

San Francisco Call Bulletin—John G. Stalker.

International News—Robert C. Weakley, John T. Clark, Kay Waymire

United Press—John W. Dunlap, Lloyd Lapham, Jack C. Smith, J. F. McLaughlin, Myra Johnson, Ernest Lovass.

Associated Press—W. A. Wells, Morrie Landsberg, Richard Bergholz, Lyle Downing, Edward Dickson.

Los Angeles Times—Chester G. Hanson.

Columbia Broadcasting System—Frank Nicholson.

Alameda Times-Star—Larry B. Gross.

San Jose Mercury Herald and Evening News and other newspapers—Peggy Ferris.

Merced Sun-Star—Dean S. Leshner.

Yours very truly,

WESLEY E. ROBBINS
Secretary to Standing Committee

RESOLUTIONS

The following resolution was offered:

By Messrs. Crowley and Lowrey:

House Resolution No. 38

Relating to adjournment in respect to the memory of George Gordon

WHEREAS, The Members of the Assembly have learned with deep sorrow of the recent death of George Gordon, brother of our long-time friend and colleague,

Senator Frank L. Gordon, and wish to offer their deep and heartfelt sympathy to him and his family in their loss; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly this day adjourns it do so out of respect to the memory of George Gordon; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit to Senator Gordon a suitably engrossed copy of this resolution.

Request for Unanimous Consent

Mr. Crowley asked for, and was granted, unanimous consent to take up House Resolution No. 38, at this time, without reference to committee.

Resolution read and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 31

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 269: By Mr. Kilpatrick—An act to add Chapter 3, comprising Sections 424 to 424.9, inclusive, to Division 7 of the Vehicle Code, relating to motor vehicles, including the registration thereof, fees in connection therewith, judgments against owners thereof, creating the Financial Liability Fund, and making an appropriation.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 270: By Mr. Kilpatrick—An act to amend Section 51 of the Public Utility District Act, relating to the filing of claims against public utility districts.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 271: By Messrs. Kilpatrick, Bennett, Burkhalter, Crowley, McMillan, and Middough—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4225, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons, and making an appropriation therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 272: By Mr. Kilpatrick—An act to amend Section 1 of an act entitled "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, and authorizing such public or quasi public corporations to

take out and pay for insurance to protect them against such liability," approved June 19, 1931, to amend Section 1 of an act entitled "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers and, or liability in damages of such officers in the case of injuries to persons or property resulting from the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, as amended, and Section 1981 of the Government Code, relating to claims for damages resulting from the dangerous or defective condition of public property, including claims for damages due to the injury to person or damage to property as a result of the dangerous or defective condition of public property and the negligence or carelessness of any public officer

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 273: By Mr. Kilpatrick—An act to amend Section 2 of an act entitled "An act relating to the liability of irrigation districts, their officers and employees," approved July 20, 1935, and Section 22727 of the Water Code, relating to liability of irrigation districts, their officers and employees, including the filing of claims.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 274: By Mr. Kilpatrick—An act to amend Section 2.801 of the School Code and Section 1007 of the Education Code, relating to claims for damages on account of injury to person or property.

Referred to Committee on Education

Assembly Bill No. 275: By Mr. Kilpatrick—An act to authorize the State Board of Prison Directors to sell the steel prison doors and cage at the Institution for Men at Chino, California

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 276: By Messrs. Middough, McMillan, Burkhalter, Heisinger, Rosenthal, and Beck—An act to amend the title and Section 2 of an act entitled "An act to provide for cooperation and coordination by the State and governmental units thereof in the granting, conveying, transferring or leasing of land and the contracting of obligations with the United States Government or any agency thereof under the provisions of the National Industrial Recovery Act," approved August 25, 1933, relating to cooperation with the Federal Government.

Referred to Committee on Education.

Assembly Bill No. 277: By Messrs. Middough, McMillan, Burkhalter, Heisinger, Beck, Rosenthal, and Anderson—An act to add Section 6 205 to the School Code and Article 4b, comprising Section 6 215 to Chapter 4 of Part 1 of Division 6 of the School Code, and to add Section 18616 to the Education Code and Article 8, comprising Section 18761, to Chapter 5 of Division 9 of the Education Code, relating to property of school districts

Referred to Committee on Education.

Assembly Bill No. 278: By Messrs. Beck and McMillan—An act to amend Sections 5 1104 and 5 1124 of the School Code and Sections 14726, 14727, 14728, 14776 and 14777 of the Education Code, relating to district and joint district retirement plans

Referred to Committee on Education

Assembly Bill No. 279: By Mr. Howser—An act to amend Section 11 of the Motor Vehicle Fuel License Tax Act and to add Section 8104.5 to, and to amend Section 8105 of, the Revenue and Taxation Code, relating to refunds.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 280: By Mr. Howser—An act to amend Sections 8353 and 8355 of, and to add Section 8353 5 to, the Revenue and Taxation Code, relating to apportionments and payments to counties out of the Motor Vehicle Fuel Fund

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 281: By Mr. Howser—An act to amend Section 10 of the Municipal Court Act of 1925, relating to clerks and attaches

Referred to Committee on Judiciary.

Assembly Bill No. 282: By Mr. Howser—An act to amend Section 5 795 of the School Code and Sections 14114 and 14115 of the Education Code, relating to the merit system for noncertificated employees of school districts

Referred to Committee on Education

Assembly Bill No. 283: By Mr. McMillan—An act to add Article 3, comprising Section 3 56, to Chapter 4 of Part 1 of Division 3 of the School Code, and to add Article 3, comprising Section 8286, to Chapter 3 of Division 4 of the Education Code, relating to the absence of pupils from school for participation in religious exercises or for moral and religious instruction.

Referred to Committee on Education.

Assembly Bill No. 284: By Messrs. Waters and Howser—An act to amend Section 801 of the Bank Act, relating to loans by banks which are covered by guarantees or agreements to purchase made by any Federal Reserve Bank or by the United States or any department or agency thereof, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 285: By Messrs. Stream and Erwin—An act to suspend the personal income taxes.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 286: By Messrs. Lyon and Debs—An act empowering public agencies to cancel contracts for public works and to arrange settlement with contractors by negotiation or judicial action.

Referred to Committee on Judiciary.

Assembly Bill No. 287: By Mr. Hawkins—An act to authorize housing authorities created by the Housing Authorities Law of this State to provide housing for persons engaged in National defense activities and their families (provided that no such project shall be initiated under this act until a finding of necessity for said project has been made by the President of the United States pursuant to appropriate Federal legislation) and to acquire or assist similar projects of the Federal Government or act as agent of the Federal Government with respect to such projects of housing authorities or the Federal Government, and providing that this act take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 288: By Mr. Dickey—An act to amend Sections 5.850, 5.851, 5.853, 5.870, 5.871 and 5.873 of the School Code, to amend Sections 14431, 14432, 14433, 14434, 14435, 14437, 14439, 14440, 14458, 14521, 14523, and 14526, and to repeal Sections 14436 and 14438 of the Education Code, relating to a retirement system for the retirement of officers and employees of the State, counties and school districts rendering service of an educational nature, and making an appropriation.

Referred to Committee on Education.

Assembly Bill No. 289: By Mr. Sheridan—An act to amend Sections 4037, 4038, 4112, 4152 and 4178 of, to add Sections 4036½ and 4152a to, and to repeal Sections 4039, 4040 and 4179 of, the Political Code; to amend Section 1052 of the Code of Civil Procedure; and to add Section 12073 to the Insurance Code, relating to duties of county officers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 290: By Mr. Waters—An act to add Section 214 to the Revenue and Taxation Code, relating to the exemption from taxation of merchandise arrested by war conditions from actually continuing to move in interstate or foreign commerce, declaring the urgency thereof and providing that this act take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 291: By Mr. Heisinger—An act to add Section 3.5 to an act entitled "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability." approved June 19, 1931, relating to insurance.

Referred to Committee on Judiciary.

Assembly Bill No. 292: By Messrs. Gaffney, Berry, Haggerty, Collins, George D., Lyons, and Dunn—An act to add Section 4606 to the

Labor Code of the State of California, relating to workmen's compensation and insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 293: By Mr. Burkhalter—An act to amend Sections 2020, 2021, and 2160 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 294: By Mr. John B. Knight—An act to amend Section 16c of the Bank Act, relating to the deposit of checks in banks and the return of unpaid items.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 295: By Mr. Gannon—An act to add Section 226 to the Labor Code, relating to wages.

Referred to Committee on Labor and Capital.

Assembly Bill No. 296: By Mr. Dilworth—An act to amend Sections 6486, 6560, 6782, 6783 and 6784, and to repeal Section 6785 of the Health and Safety Code, relating to sanitary districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

Assembly Bill No. 297: By Mr. Call—An act to amend Sections 611 and 612 of the Agricultural Code, relating to licenses and reports of substitutes for butter and cheese.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 298: By Messrs. Armstrong, Thomas, and Price—An act to add Section 44.3 to the Unemployment Insurance Act, relating to exclusion of students.

Referred to Committee on Education.

Assembly Bill No. 299: By Messrs. Johnson, Anderson, Middough, Burkhalter, Beck, Watson, Hollibaugh, Dills, Ralph C., Kilpatrick, Howser, Potter, Kellems, Stream, and Dills, Clayton A.—An act to amend Section 3356 of and to add Sections 3360, 3361, 3362, 3363 and 3364 to, the Revenue and Taxation Code, relating to localized publication of delinquent tax list.

Referred to Committee on Judiciary.

Assembly Bill No. 300: By Mr. Johnson—An act to repeal "An act relating to bids for the construction of public works and improvements," approved July 19, 1941.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 301: By Mr. Johnson—An act to amend Section 79.07 of the Civil Code, relating to destruction of records by county clerks.

Referred to Committee on Judiciary.

Assembly Bill No. 302: By Mr. Johnson—An act to amend Section 925 of the Probate Code, relating to disposal of vouchers filed by executors or administrators.

Referred to Committee on Judiciary.

Assembly Bill No. 303: By Mr. Howser—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation and insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 304: By Mr. Hawkins—An act to amend Section 3 of an act entitled "An act to carry into effect the provisions of Section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawnbroking, and providing penalties for the violation hereof," approved July 15, 1935, relating to property pledged with pawnbrokers.

Referred to Committee on Finance and Insurance

Assembly Concurrent Resolution No. 17: By Messrs. Waters and Bashore—Relative to the creation of a Joint Legislative Committee, to study and report on matters relating to tax reduction.

Referred to Committee on Rules and House Functions.

Assembly Constitutional Amendment No. 9: By Messrs. Robertson, Kellems, Burkhalter, Middough, Field, Anderson, Thomas, and Mrs. Niehouse—Proposed amendment to Article XX of the Constitution, relative to equal rights for men and women.

Referred to Committee on Constitutional Amendments.

MOTION FOR COMMITTEE OF THE WHOLE

Mr. Sam L. Collins moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering House Resolution No. 31.

Motion carried.

IN COMMITTEE OF THE WHOLE

Speaker Charles W. Lyon presiding.

Mr. Dixwell L. Pierce, Secretary of the State Board of Equalization, and an officer of the Council of State Governments, presented problems of interest to be discussed at the General Assembly of the Council of State Governments at Baltimore, Maryland, January 24-27, 1943

On motion of Mr. Sam L. Collins, the committee did arise, and report back to the Assembly.

IN ASSEMBLY

Speaker Charles W. Lyon presiding.

Chief Clerk Arthur A. Ohnimus at the desk

MOTION TO PRINT STATEMENTS IN JOURNAL

On motion of Mr. Sam L. Collins, the following statements, presented by Mr. Dixwell L. Pierce to the Assembly meeting in Committee of the Whole, were ordered printed in the Journal

The Council of State Governments

The Council of State Governments is a joint governmental agency serving the several States. By legislative action or otherwise each of 44 States has established

a Commission on Interstate Cooperation "To perfect the participation of the State as a member of the Council of State Governments."

Membership on the board of managers includes the president of the American Legislators' Association, along with members of the executive committee of the Governors' Conference and others. The headquarters of the council are maintained in Chicago, and other offices are maintained at Washington, D. C., and at other strategic locations throughout the country so that the membership may be best served.

Back in 1929 certain National associations of public officials and other organizations interested in government and public administration established their headquarters in Chicago. Since 1938 these organizations have had their offices in a building constructed there for the special purpose of housing them. These organizations function in the belief that government in the United States can be made more satisfactory if administrative organization, methods, and practices are improved, and that the responsibility for such improvement rests primarily upon public officials.

The Council of State Governments acts as a clearing house and research center for Legislators and legislative reference bureaus. It is the medium through which many Federal-State and interstate problems are solved. It affords an ideal forum for the consideration of those questions which overlap State boundaries. It is the secretariat for the American Legislators' Association, the National Association of Attorney Generals, the National Association of Secretaries of State, and the Governors' Conference.

What the Council of State Governments has been able to accomplish in the elimination of trade barriers and in securing cooperative action on the part of the States during the period of war emergency makes a most impressive record. There was a definite need for this type of organization when the work was begun in 1929. There is a vital need for it today when our Nation is engaged in a life-and-death struggle which will demonstrate whether democratic institutions may be made to function efficiently and to endure.

Practical Tax Reduction for California

How Property Tax Relief Can Be Achieved Without Disruption of the Revenue System

Without any increase in State tax rates, the war activity has brought huge unexpected revenues into California's Treasury. In large part, these millions are comprised of sales and use tax collections on greatly expanded retail trade. To some extent they come from taxes measured by or on net income of corporations and individuals who have found the war economy profitable.

In contrast, the outgo from the State Treasury has been reduced sharply. Increased opportunities for employment have minimized the need for relief to unemployed. Vacancies in State positions resulting from military duty and other activities, have proved difficult if not impossible to fill. War conditions have necessitated postponement of considerable capital outlay for the duration because of non-availability of materials or labor.

For the first time in more than 10 years, there is a substantial surplus in the State General Fund. Encouraged, and at the same time alarmed by this project, advocates of economy in government are urging prompt action at the coming legislative session looking toward the elimination of this surplus. They reason—not without support from experience—that the existence of such excess funds will encourage extravagance. As a counter-measure some of them have suggested immediate revenue reduction through expanded tax exemptions and lower rates.

Tax Exemptions Unwise Course

Sound tax policy so strongly indicates lack of wisdom of further exemptions in our tax structure that suggestions for the expansion of these devices for minimizing public revenues do not merit extended discussion. They are obviously unsound and should be disregarded.

The absolute tax burden of Californians, however, is high. If some reduction of this load could be effected without impairing public finance or producing inflationary results, then such a course would seem to have much in its favor. The direct and obvious way to accomplish this would be to reduce the rate at which taxes are imposed.

Property Taxes Most Burdensome

What California tax rates are proving most burdensome? Among State levies, it may be argued that those assessed against net income are of greatest burden in view of the increase of comparable Federal taxes which may be expected to be even higher. Among local taxes, it is clear that property tax rates, steadily mounting since their reduction some nine years ago, are proving a definite drag on the economic well-being of our State.

What can be done to remedy these situations? Some modification of State income taxes both on corporations and individuals would be relatively easy of accomplishment. Its benefits would be direct, and if the changes were made judiciously, they ought not to be productive of undesirable revenue impairment or inflationary results.

It will not be so easy to reduce property tax rates substantially. Through commendable economies, some local units of government, dependent mainly on these revenues for their support, have lowered tax rates this year or, at least, have kept them from going higher. Fixed charges and the insistent demands upon local government would appear to preclude, however, further such reductions of a substantial nature in the immediate future.

Sales Taxes May Afford Relief

When enacted in 1933, the sales tax was designed to afford relief to hard-pressed property taxpayers. That objective was accomplished, but since these earlier reductions, property tax rates have increased to a point where, as already observed, they again present a problem too serious to be ignored. To the extent that sales tax revenues now create a surplus in the State Treasury, their use for property tax replacement is consistent with the constitutional amendment of 1933, but in view of our experience of the past nine years, we should want to be sure that property taxes would actually be reduced through such use of sales tax proceeds.

Under the mandate of the people (State Constitution, Article XI, Section 20, adopted June 27, 1933), the Legislature is authorized "to limit the amount of taxes which may be imposed upon real and personal property according to the value thereof for county or city and county purposes."

If the Legislature takes such action, it shall provide for the raising of revenue "in amounts sufficient to apportion and shall apportion to each county and city and county an amount equal to the deficiency in the revenues thereof resulting from such limitation, as such deficiency shall be determined by law." (State Constitution, Article XIII, Section 15.) Through enactment of the sales tax, the Legislature has already provided the revenue for property tax replacement. Without any increase in State tax rates, it could apportion approximately \$35,000,000 for each year of the next biennium to be used for the reduction of local tax rates. This would mean a cut of 50 cents per \$100 of assessed value in the tax rate of every county in the State, and would indeed be welcome relief to farmers, home owners, and others who have found heavy local taxes burdensome in their struggle for economic survival.

Property Tax Rate Limitation Imperative

How could we be sure that these tax rates would be cut and would not rise again so as to absorb the relief proposed? The answer is found in the constitutional provisions cited. The Legislature could place a ceiling on county tax rates at figures which are 50 cents less per \$100 than the present levels. It could then offset the deficiency thus occurring by apportioning to each county an amount equivalent to the revenue that would have been produced through the 50-cent tax rate thus eliminated.

If any county should feel that observance of this limitation curtailed its revenues too sharply, provision could be made authorizing rates higher than those which would be 50 cents per \$100 under current rates, but any county thus rejecting the property tax relief plan would then forfeit its right to share in the apportionment from the State. Such a measure would provide flexibility sufficient to satisfy the requisites of home rule, at the same time affording impetus for tax rate reduction.

Fifty Cent Cut in Tax Rate Assured

For example, if the current county tax rate (inclusive of district rates imposed by authority of the board of supervisors but excluding municipal rates that may be collected by the county merely for remission to city treasuries) is \$2.50 per \$100 assessed value, the effect of the law would be to reduce that rate to \$2. The resulting deficit in local funds would be made up through the county's share of the \$55,000,000 to be apportioned by the State outlay. If, however, the local authorities should deem it impossible to continue the support of the governmental functions dependent upon the proceeds of these taxes at a rate of \$2 (augmented by the proposed 50-cent rate from the State), and should desire to impose a higher rate, they would be free to do so, at the same time forfeiting any claim to the State apportionment. This should prove a sufficient deterrent against increasing tax rates during the period of the war emergency.

War Emergency Must Be Recognized

It should be recognized that such a plan is essentially a war measure, and that its operation should be limited to the next two fiscal years. No one is endowed with sufficiently prophetic vision to assert what form of tax adjustment would best suit our economic conditions when the war is over. Decision as to that should be

left to the Legislature enacting laws then. Now we are confronted by economic conditions that demand prompt and effective relief for harassed property taxpayers. We have sufficient funds available to afford this relief without increasing taxes on anyone else. The obvious and sensible thing to do is to provide for the relief, limit its operations to the duration of the war economy, and to rely on the wisdom of future lawmakers in solving the problems that will arise thereafter.

DIXWELL L. PIERCE, Secretary
State Board of Equalization

Sacramento, California, December 3, 1942

REQUEST FOR UNANIMOUS CONSENT

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 31, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 31

House Resolution No. 31

Relative to Representation of the Assembly at the General Assembly of the Council of State Governments, Baltimore, Maryland, January, 1943

WHEREAS, The Sixth General Assembly of the Council of State Governments will be held in Baltimore, Maryland, January 24-27, 1943; and

WHEREAS, The 48 States will be represented at this meeting by persons in the executive and legislative departments of those States; and

WHEREAS, The Council of State Governments is a medium for the States to ascertain and work for a solution of problems common to them all, especially in the fields of wartime legislation, taxation, trade barriers, and all other matters bearing upon cooperation of the States in the National war effort; now, therefore, be it

Resolved by the Assembly of the State of California, That two Members of the Assembly, appointed by the Speaker of the Assembly, shall attend as delegates from, and represent, the Assembly of the State of California at the meeting of the Council of State Governments in Baltimore, Maryland, January 24-27, 1943; and be it further

Resolved, That these delegates shall assist in the formulation of recommendations on problems of wartime legislation, taxation, trade barriers, and all other subjects pertaining to cooperation of the States in the National war effort; and be it further

Resolved, That the sum of eight hundred dollars (\$800) or so much thereof as may be necessary is hereby appropriated from the Contingent Fund of the Assembly to defray the necessary expenses of the delegates.

Resolution read.

Mr. Sam L. Collins moved the adoption of the resolution.

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

AYES—Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Howser, Johnson, Kellems, King, Kraft, Leonard, Lyons, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sawalisch, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—38.

NOES—Anderson, Beck, Brady, Collins, George D., Desmond, Erwin, Gannon, Hollibaugh, Lowrey, Massion, Middough, Price, Sargent, and Smith—14.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 36

Has had the same under consideration, and reports the same back with the recommendation: Do pass as amended.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 36—An act to amend Section 4 of the Budget Act of 1941, relating to approval of withdrawals from appropriations, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 17, of the printed bill, strike out "for pay roll revolving fund purposes".

Amendment read and adopted.

Bill ordered printed, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 10

And reports the same correctly engrossed

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

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

Assembly Bill No. 305: By Mr. Hawkins—An act to amend Sections 2 and 3 of an act entitled "An act to carry into effect the provisions of Section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawnbroking, and providing penalties for the violation hereof," approved July 15, 1935, relating to interest rates, and possession of pledges.

Referred to Committee on Finance and Insurance

Assembly Bill No. 306: By Messrs. Price, Hollibaugh, Armstrong, Smith, Lyons, and Erwin—An act to establish a Post-War Construction Fund in the State Treasury, to make an appropriation thereto, and to declare the purpose for which said fund is intended.

Referred to Committee on Ways and Means.

Assembly Bill No. 307: By Messrs. Sawallisch, Dilworth, Beck, Mrs. Niehouse, and Messrs. Debs, Dills, Ralph C., Dickey, Erwin, Burkhalter, McMillan, Brady, Evans, Middough, Kraft, Dunn, Johnson, Anderson, Massion, Sheridan, Lyons, Price, Gannon, Werdel, Smith, Armstrong, Knight, T. Fenton, Potter, Hawkins, Pelletier, Dills, Clayton A., Hastain, Crichton, King, and Stream—An act to add Chapter 3 to Part 3 of Division 6 of the School Code and to add Chapter 11 to Division 9 of the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 213—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to motor vehicles, and declaring the urgency of this act.

Bill read second time, and ordered engrossed.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Harris B. Munger, Jr., of Tallahassee, Florida, his wife, Gene, and his mother, Mrs. Frances Munger of Modesto, California.

On request of Mr. Hastain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to District Attorney and Mrs. Elmer Heald of Imperial County.

On request of Mr. Watson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Rev. George E. Petrie, Pacific Coast Liaison Chaplain, Director of War Time Emergency Work, of San Francisco, and Jan Briscoe, President of the California State Firemen's Association, of Newport Beach, California.

On request of Mr. Doyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Roy Hampton, Councilman, Thirteenth District, Los Angeles, and Mr. Earl Reed of Los Angeles.

On request of the Los Angeles Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Adele Arbo of Los Angeles, Treasurer of the California Council of Republican Women, Southern Division.

On request of Mr. Kraft, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. David Bird, Chairman of San Diego County Board of Supervisors; Mr. Bert Vaughan of Jacumba, San Diego County, and Mr. George Johnson of National City, San Diego County.

On request of Mr. Guthrie, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Percy Whitesides and Mr. Ford Chatters.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Seth Millington, former Member of the Assembly.

On request of Mr. Gaffney, the San Francisco Delegation, and Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Boatswain Vance Adams, U. S. N., and Mrs. Adams of San Francisco; Mrs. Joseph P. Gilmore of San Francisco, wife of former Assemblyman Gilmore.

On request of Mr. Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to A. J. Quist, President of Fresno County Farm Bureau.

ADJOURNMENT

At 12.43 p.m.; on motion of Mr. Collins, the Speaker declared the Assembly adjourned out of respect to the memory of the late George Gordon, until 11 a.m., Thursday, January 14, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

NINTH LEGISLATIVE DAY
ELEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, January 14, 1943

The Assembly met at 11 a. m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastan, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Almighty and Eternal God, with whom one day is as a thousand years, and a thousand years as one day, help us to

"So live, that when our summons comes to join
The innumerable caravan that moves
To that mysterious realm where each shall take
His chamber in the silent halls of death.
We go, not like the quarry slave at night
Scourged to his dungeon, but sustained and soothed
By an unfaltering trust; * * *"

So create within us clean hearts and renew within us right spirits that our lives and service may be fitted for eternity

In our Redeemer's name.

AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day
Mr Crowley, on motion of Mr Beck

MOTION TO GRANT USE OF COMMITTEE ROOM

Mr Maloney moved that permission be granted to the California Code Commission to use Assembly committee room No 432 on Friday, January 15, 1943

Motion carried.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

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

Assembly Bill No. 308: By Mr. Howser—An act to amend Section 868 10 of, and to add Section 871 to, the Welfare and Institutions Code, relating to wards of the juvenile court.

Referred to Committee on Judiciary.

Assembly Bill No. 309: By Mr. Guthrie—An act to add Section 1271 to the Fish and Game Code, relating to deer

Referred to Committee on Fish and Game.

Assembly Bill No. 310: By Messrs Howser, Johnson, and Maloney—An act to amend Section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to the Legislative Counsel.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 311: By Mr. Thomas—An act to amend Section 4453 of the Labor Code of the State of California, relating to workmen's compensation and insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 312: By Mr. Bennett—An act to amend Section 606 of the Welfare and Institutions Code, relating to the juvenile court, the probation committee or department and the prevention of delinquency.

Referred to Committee on Social Welfare.

Assembly Bill No. 313: By Mr. Bashore (By request)—An act to add Section 7432, and Article 8.5, comprising Sections 7402 to 7409, inclusive, to Chapter 10 of Division 3 of the Business and Professions Code, relating to minimum price schedules for services licensed under the chapter on cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 314: By Mr. Leonard—An act to amend Section 20 of the "California Water District Act," relating to the redemption of bonds of water districts.

Referred to Committee on Agriculture.

Assembly Bill No. 315: By Mr. Thorp—An act to amend Section 506 of the Agricultural Code, relating to the making of ice cream and ice milk.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 316: By Mr. Rosenthal—An act to amend Section 270a of the Penal Code, relating to nonsupport of a wife.

Referred to Committee on Crime and Correction.

Assembly Bill No. 317: By Mr. Rosenthal—An act to add Sections 814 and 887 to "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to minimum salaries for employees of police and fire departments

Referred to Committee on Municipal and County Government.

Assembly Joint Resolution No. 12: By Messrs. Weber and Thorp—Relative to memorializing the Secretary of Agriculture, the War Man Power Commission, and the Director of Selective Service in relation to grapes and raisins as essential farm products

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 14, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined Assembly Bill No. 213
And reports the same correctly engrossed

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 14, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined Assembly Bill No. 36
And reports the same correctly engrossed

PELLETIER, Chairman

Above reported bill ordered to third reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 13, 1943

MR. SPEAKER. Your Committee on Ways and Means, to which were referred: Assembly Bill No. 143
Assembly Bill No. 235
Has had the same under consideration, and reports the same back with the recommendation Do pass

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 14, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred, Assembly Bill No. 162
Has had the same under consideration, and reports the same back with the recommendation. Do pass.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 13, 1943

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

Assembly Bill No. 191

J. A. BEEK, Secretary of the Senate

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 13, 1943

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

Senate Joint Resolution No. 6

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 6—Relative to petitioning the Honorable Claude E. Wickard to alleviate the food shortage resulting from increased population in the State.

Referred to Committee on Agriculture.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 39

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Bancroft-Whitney Company, 85 sets codes-----	\$4,902.80
Carithers Sign Company, Cards for call board-----	59.12
A. E. Cunningham, Overhauling clock-----	3.75
Hotel Senator Flower Shop, Flowers for Mrs. Katie Bashore---	11.02
The Thomson-Diggs Co., 1 step-ladder-----	6.37

Resolution read, and referred to Committee on Rules and House Functions.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 18: By Messrs. Bashore, Maloney, Lyon, Heisinger, Field, Burns, Robertson, Johnson, Hawkins, and Pelletier—Relative to adjournment out of respect to the memory of Herbert Johnson Evans.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 18, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 18

Assembly Concurrent Resolution No. 18—Relative to adjournment out of respect to the memory of Herbert Johnson Evans.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Kug, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—72

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Heisinger and Stream:

House Resolution No. 40

Relating to the creation of an Assembly Committee on State Highways, County Highways, and on City Streets

WHEREAS, The maintenance of the State, and the county highways and the city streets of California approximates a cost to the taxpayers of one hundred million dollars (\$100,000,000) annually; and

WHEREAS, Within this State, and adjacent to the rural county highways of California, there is produced over four hundred million dollars (\$400,000,000) of agricultural products annually; and

WHEREAS, The greater percentage of these products are conveyed over the county highways, State highways and city streets to market; and

WHEREAS, Nearly all processed and manufactured products purchased by the farmers are transported in reverse over the same arteries of travel; and

WHEREAS, It is apparent that a complete Motor Vehicle Highway System must embrace the county highways and city streets as well as the State highways; and

WHEREAS, Some county supervisors complain that certain of their county highways carry extra heavy motor traffic of a Nation-wide and State-wide nature, the wear and tear of which entails undue maintenance costs; and

WHEREAS, The highway traffic under present war conditions entails extra heavy burdens upon all highway and city streets; and

WHEREAS, Motor vehicle funds have sharply decreased thereby placing highway maintenance in a precarious condition; and

WHEREAS, Highways are essential for the transportation of civilian and war materials; and

WHEREAS, The Legislature has not sufficient knowledge of all these matters; and

WHEREAS, The Legislature should be in possession of factual and authentic information and data pertaining to all such and kindred matters; and

WHEREAS, It is the duty of the Legislature to enact laws that are just and equitable to the local taxpayers as well as to State taxpayers; now, therefore, be it

Resolved by the Assembly of the State of California, That a Committee on State and County Highways and City Streets is hereby created to study all matters hereinafter referred to, and to report its recommendations to the Legislature.

The committee hereby created shall consist of two Members of the Assembly appointed by the Speaker of the Assembly.

The committee hereby created is authorized to act during sessions of the Legislature but except as otherwise provided herein, not beyond the ending of the Fifty-fifth Legislative Session. The committee hereby created shall have all powers conferred upon investigating committees by the Joint Rules and the Rules of the Assembly as they are now or may hereafter be amended, and may exercise such powers after final adjournment.

The Sergeant-at-Arms of the Assembly, or other officers designated by him is hereby directed to serve any and all subpoenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($\$0.05\frac{1}{2}$) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($\$8$) per day.

The sum of five hundred dollars ($\$500$) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

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

Assembly Bill No. 318: By Mr. Hawkins—An act to amend Section 18100 of the Health and Safety Code, relating to auto courts and resorts.

Referred to Committee on Public Health.

Assembly Bill No. 319: By Mr. Kilpatrick and Mrs. Niehouse—An act to add Article 4 to Chapter 2, Division 5 of the Welfare and Institutions Code, to amend and renumber Section 3305 and to repeal Section 3261, relating to the revolving funds of the manufacturing departments of the Industrial Home for the Adult Blind, the San Diego Workshop and the Los Angeles Workshop for the Adult Blind.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 320: By Mr. Kilpatrick and Mrs. Niehouse—An act to amend Section 3259 of the Welfare and Institutions Code, relating to the Industrial Home for the Adult Blind Revolving Fund, making an appropriation, and declaring the urgency thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 321: By Mr. Kilpatrick and Mrs. Niehouse—An act to amend Section 3304 of the Welfare and Institutions Code, relating to the Los Angeles Industrial Workshop for the Blind, making an appropriation and declaring the urgency thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 322: By Mr. Kilpatrick and Mrs. Niehouse—An act to amend Section 3304.5 of the Welfare and Institutions Code, relating to the San Diego Industrial Workshop for the Blind, making an appropriation and declaring the urgency thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 323: By Mr. King—An act to amend Section 54 of the Fish and Game Code, relating to game management areas.

Referred to Committee on Fish and Game.

Assembly Bill No. 324: By Mr. King—An act to amend Section 1203.6 of the Fish and Game Code, relating to pheasants.

Referred to Committee on Fish and Game.

APPOINTMENT OF SPECIAL COMMITTEE

Pursuant to the provisions of House Resolution No. 31, the Speaker announced the appointment of Messrs. Call and Dills, Ralph C., as the Special Committee to attend the Sixth General Assembly of the Council of State Governments, to be held in Baltimore, Maryland, January 24-27, 1943.

UNANIMOUS CONSENT TO CORRECT JOURNAL GRANTED

By unanimous consent, the Assembly Journal of January 11, 1943, was corrected to include the name of Mr. Ralph C. Dills as a co-author of House Resolution No. 31 with Mr. Bashore.

RECESS

At 11.25 a. m., on motion of Mr. Sargent, the Assembly recessed to hear from former Chief of Police of Pasadena, Mr. Charles Kelly.

REASSEMBLED

At 11 27 a. m., the Assembly reconvened.
Hon Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohmmus at the desk

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

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

Assembly Bill No. 325: By Messrs Potter and Lyons—An act to amend Section 605c of the Civil Code, relating to the disposition of assets of nonprofit corporations upon dissolution or winding up.

Referred to Committee on Public Health.

Assembly Bill No. 326: By Messrs Potter and Lyons—An act to amend Section 2727 of the Business and Professions Code, relating to the practice of nursing.

Referred to Committee on Public Health.

Assembly Bill No. 327: By Messrs Potter and Kraft—An act to amend Section 1215 of the Health and Safety Code, relating to applicability of clinic and dispensary licensing provisions

Referred to Committee on Public Health

Assembly Bill No. 328: By Messrs. Potter and Kraft—An act to add Sections 3066, 3066a, 3066b, 3066c, 3066d, and 3066e to Chapter 6 of Title 14 of Part 4 of Division 3 of the Civil Code, to provide for liens in favor of private hospitals in this State upon all causes of action for damages accruing to an injured person therein or to the legal representatives of such person for the reasonable charges for hospital care, treatment and maintenance necessitated by the injuries giving rise to such causes of action.

Referred to Committee on Judiciary

Assembly Bill No. 329: By Messrs Potter and Hollibaugh—An act to amend Section 202 of the Welfare and Institutions Code, relating to contracts for care of indigents, emergency services authorized; non-

emergency services authorized; hospitals with which agreements may be made.

Referred to Committee on Public Health.

Assembly Bill No. 330: By Messrs. Potter and Haggerty—An act to amend Section 42 of the Probate Code, relating to exemptions from restrictions on devises or bequests.

Referred to Committee on Judiciary.

Assembly Bill No. 331: By Messrs. Potter and Robertson—An act to amend Section 10.05 of the Building and Loan Association Act, relating to audits of building and loan associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 332: By Mr. Waters—An act to amend Section 3424 of the Public Resources Code, relating to the recording of oil production charge payments.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 333: By Mr. Evans—An act authorizing the establishment by ordinance of minimum salaries or compensation for officers and employees; of cities and fire or police protection districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 334: By Mr. Evans—An act to amend Sections 2139 and 2148 of, and to add Sections 2149 and 2150 to, the Business and Professions Code, relating to chiroprody.

Referred to Committee on Public Health.

Assembly Bill No. 335: By Mr. Evans—An act to amend Section 11475 of the Health and Safety Code, relating to hypodermic syringes or needles.

Referred to Committee on Public Health.

Assembly Bill No. 336: By Mr. Sam L. Collins—An act to add Section 439.5 to the Political Code, relating to the administration of oaths by employees of the State Controller.

Referred to Committee on Judiciary.

Assembly Bill No. 337: By Mr. Beck—An act to amend Sections 4.1, 4.785, 4.791, and 4.797 of the School Code, relating to the support of the Public School System.

Referred to Committee on Education.

Assembly Bill No. 338: By Mr. Thurman—An act to add Chapter 7 to Division 4 of the Public Resources Code, relating to the cutting of immature trees for lumber.

Referred to Committee on Conservation, Natural Resources, and Planning.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 143—An act making an appropriation for the additional support of the California Polytechnic School, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 162—An act to amend Section 259 of the Vehicle Code, relating to school bus drivers, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 235—An act to add Section 92.1 to the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)

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

Assembly Bill No. 339: By Messrs. Sheridan and Brown—An act to amend Section 337 of the Code of Civil Procedure, relating to the time within which an action must be commenced.

Referred to Committee on Judiciary.

Assembly Bill No. 340: By Messrs. Heisinger, Brady, Guthrie, Lowrey, and Hawkins—An act to add Sections 705.5 and 705.6 to the Agricultural Code, relating to containers.

Referred to Committee on Agriculture.

Assembly Bill No. 341: By Mrs. Niehouse—An act to add Section 2183.9 to the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 342: By Mr. Gannon—An act to amend Sections 2353, 2705, and 5556 of the Elections Code, relating to the time for opening and closing the polls.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 343: By Messrs. Dilworth and Debs—An act to add Section 7421 to the Business and Professions Code, relating to temporary licenses for cosmetologists.

Referred to Committee on Public Health.

Assembly Bill No. 344: By Messrs. Thompson, Brown, King, Sawalisch, Guthrie, and Lowrey—An act to amend Section 142 of the Vehicle Code, relating to exemption from registration.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 345: By Messrs. Lyon and Potter—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Referred to Committee on Judiciary.

Assembly Bill No. 346: By Messrs. Lyon and Potter—An act to amend Sections 261a and 1744 of the Code of Civil Procedure, relating to the appointment, compensation, and expenses of superior court employees in counties, or cities and counties, having a population of 900,000 inhabitants and over.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 191—An act to amend Section 961 of the Code of Civil Procedure and Section 1247k of the Penal Code, relating to rules on appeal prescribed by the Judicial Council, extending the time for the reporting of such rules and the time of taking effect thereof, and providing that this act shall take effect immediately; And reports that the same has been correctly enrolled, and presented to the Governor on the fourteenth day of January, 1943, at 11 30 a.m.

PELLETIER, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

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

Assembly Bill No. 347: By Mr. Armstrong—An act to amend Section 7 of the Unemployment Insurance Act, relating to excluded employments under said act

Referred to Committee on Agriculture.

Assembly Bill No. 348: By Mr. Crichton—An act to add Section 167 5 to, and to amend Sections 277 and 278 of, the Fish and Game Code, relating to game refuges.

Referred to Committee on Fish and Game.

REQUEST FOR UNANIMOUS CONSENT

Mr. Bashore asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 10, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 10

Assembly Joint Resolution No. 10—Relative to the allocation and distribution of food and farm labor.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollbaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMullan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent

Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.
 NOES—None.

Resolution ordered transmitted to the Senate.

**MOTION TO SUBMIT COPIES OF ASSEMBLY JOINT RESOLUTION NO. 10
 TO THE COUNCIL OF STATE GOVERNMENTS**

Mr. Maloney moved that copies of Assembly Joint Resolution No. 10 be supplied to Messrs Call and Dills, Ralph C., to submit to the delegates of the Sixth General Assembly of the Council of State Governments at Baltimore, Maryland, for consideration by that body.

Motion carried.

**INTRODUCTION, FIRST READING, AND REFERENCE
 OF ASSEMBLY BILLS (RESUMED)**

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

Assembly Bill No. 349: By Messrs Burkhalter and Collins, Sam L—An act to amend Section 1250 of the Fish and Game Code, relating to forked-horn deer.

Referred to Committee on Fish and Game

Assembly Bill No. 350: By Mr Lyon—An act to amend Sections 611 and 612 of the Agricultural Code, relating to oleomargarine.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 351: By Mr. Waters—An act to amend Section 8 of the Personal Income Tax Act and Section 17306 of the Revenue and Taxation Code, relating to war losses.

Referred to Committee on Revenue and Taxation.

**MOTION TO SEND LETTER OF CONGRATULATIONS
 TO MR. JOHN J. HAMLYN**

Mr. Johnson moved that the Chief Clerk be instructed to write a letter of congratulations and felicitations to Mr. John J. Hamlyn upon his appointment to the State Personnel Board by Governor Warren.

Motion seconded by Messrs. Gannon and Desmond.

Motion carried.

**INTRODUCTION, FIRST READING, AND REFERENCE
 OF ASSEMBLY BILLS (RESUMED)**

The following bill was introduced, and read the first time:

Assembly Bill No. 352: By Mr. Bashore—An act creating a special fund in the State Treasury for the deposit of restitutions received by the State from former recipients of relief under the provisions of the "California Unemployment Relief Act of 1935," making a transfer of funds to this fund, making an appropriation to the State Controller for continued collection of restitutions, to take effect immediately.

Referred to Committee on Ways and Means

RESOLUTIONS

The following resolution was offered:

By Messrs. Wollenberg, O'Day, Maloney, Collins, George D., Berry, Haggerty, Gaffney, and Brady:

House Resolution No. 41

Relating to the death of John McLaren.

Today the City of San Francisco pays tribute to John McLaren. For many years the city has every spring set aside a day for honoring him. On those occasions, in the beautiful parks created by him, across the green lawns and among the flowers which out of his knowledge and his love of them he made to grow from shifting sands, children joined in pageantry to pay joyful and loving tribute to "Uncle John," while in the press and wherever people met together was told again the story of the young Scot who brought to San Francisco his youth, his art, and a great vision, and of how nothing could daunt him through the more than 60 years in which he made that vision a reality.

The man was no less miraculous than his works, and at the age of 96 John McLaren's works were manifold. Throughout the city stretches the great park and playground system. There is the memory of the magnificently beautiful Panama-Pacific International Exposition, unforgettable after almost 30 years. There is the matchless Golden Gate Park. His great genius won for him innumerable honors, including the George Robert White Medal, presented by the Massachusetts Horticultural Society. He was made an Associate of Honor of the Royal Horticultural Society of London. One of the fine parks of the city bears his name.

To the home the people of San Francisco built for him in Golden Gate Park, death came on January 12th. Today, not in the parks and playgrounds, but in its great city hall where his body lies in state, San Francisco pays a final tribute to John McLaren. Therefore, be it

Resolved, by the Assembly of the State of California, That when this Assembly does this day adjourn, it do so out of respect to the memory of, and as its tribute to, John McLaren

Request for Unanimous Consent

Mr. Wollenberg asked for, and was granted, unanimous consent to take up House Resolution No. 41, at this time, without reference to committee:

Resolution read and adopted unanimously.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Sargent and Knight, T. Fenton, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to former Police Chief Charles Kelly of Pasadena.

On request of Messrs. Price, Dills, Clayton A., and Dills, Ralph C., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to C. F. Robberson, Chief of Police of Ontario.

On request of Mr. Debs, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Charles Reagan of Los Angeles.

ADJOURNMENT

At 12.10 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned out of respect to the memory of the late Hon. Herbert Johnston Evans and John McLaren until 10.30 a.m., Friday, January 15, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

TENTH LEGISLATIVE DAY
TWELFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, January 15, 1943

The Assembly met at 10.30 a. m.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D, Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

O God of Love and Father of all mercies, we are recipients every day of Thy bounty. Thy gifts are granted in accordance with Thy great mercy. Therefore unite our hearts, we pray Thee, with those whose burdens are heavier than our own, whose sorrows seem more grievous than they alone can bear. We seek Thy favor upon our Chief Executive and all who are associated with him in the affairs of Nation and of State; upon our brave defenders and their loved ones; upon our homes and institutions. So may intelligence, tolerance, charity and true patriotism be rekindled in the light of this new day. We ask it in the blessed name of Jesus

AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Kellems, on motion of Mr. Doyle.
 Mr. Lyons, on motion of Mr. Pelletier.
 Mr. Thorp, on motion of Mr. Clarke.
 Mr. Potter, on motion of Mr. Stream.
 Mr. Kilpatrick, on motion of Mr. Hawkins.
 Mr. John B. Knight, on motion of Mr. Middough.
 Mr. Sheridan, on motion of Mr. Dickey.
 Mr. Sam L. Collins, on motion of Mr. Bashore.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 353: By Messrs. Wollenberg and Johnson—An act to amend Sections 755, 762, 763, and 788 of the Probate Code and to add new sections to be numbered 762.5 and 765 to the Probate Code, all relating to the sale of real or personal property in probate.

Referred to Committee on Judiciary.

Assembly Bill No. 354: By Messrs. Wollenberg and Johnson—An act to amend Section 1183 of, and to add Section 1184a to, the Civil Code, relating to the proof or acknowledgment of instruments.

Referred to Committee on Judiciary.

Assembly Bill No. 355: By Messrs. Johnson and Wollenberg—An act to amend Section 354 of the Code of Civil Procedure, relating to the suspension of statutes of limitation during war.

Referred to Committee on Judiciary.

Assembly Bill No. 356: By Messrs. Johnson and Wollenberg—An act to amend Sections 1242 and 1243 of the Civil Code, relating to homesteads.

Referred to Committee on Judiciary.

Assembly Bill No. 357: By Messrs. Maloney and Gaffney—An act to add Section 174 to the State Civil Service Act, relating to reinstatement of persons who leave the civil service to serve as seamen on vessels of the United States during the present war.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 358: By Messrs. Miller and Dilworth—An act to add Section 10202 to the Health and Safety Code, relating to certified copies of birth certificates.

Referred to Committee on Social Welfare.

Assembly Bill No. 359: By Messrs. Middough, Rosenthal, Thompson, Price, Fourt, Howser, Dickey, Hollibaugh, Debs, and Mrs. Niehouse—An act to add Section 1752.6 to the Welfare and Institutions Code, relating to the powers of the Youth Correction Authority.

Referred to Committee on Crime and Correction.

Assembly Bill No. 360: By Messrs. Middough, Price, Rosenthal, Dickey, Thompson, Fourt, Hollibaugh, Howser, Debs, and Mrs. Niehouse—An act to amend Section 1752 of the Welfare and Institutions Code, relating to the powers and duties of the Youth Correction Authority.

Referred to Committee on Crime and Correction.

Assembly Bill No. 361: By Messrs. Middough, Thompson, Rosenthal, Price, Fourt, Dickey, Hollibaugh, Howser, Debs, and Mrs. Niehouse—An act to amend Section 1750 of the Welfare and Institutions Code, relating to expenditures by the Youth Correction Authority.

Referred to Committee on Crime and Correction.

Assembly Bill No. 362: By Mr Burkhalter—An act to amend Section 2181 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 363: By Mr. Robertson—An act to amend Section 5409a of the School Code and to amend Section 13011 of the Education Code, relating to the absence of exchange teachers from duty because of illness, injury or quarantine.

Referred to Committee on Education.

Assembly Bill No. 364: By Mr Evans—An act to add Section 557.1 to the Military and Veterans Code, relating to the organization of licensed military companies.

Referred to Committee on Military Affairs.

Assembly Bill No. 365: By Mr. Evans—An act to create a Joint Legislative Committee to study, investigate, survey and report to the Legislature regarding labor organizations and labor relations, including needed changes in the laws relating thereto and the enforcement of existing laws, requiring labor organizations to submit annual financial reports, and making an appropriation to carry out the provisions of this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 366: By Messrs Stream and Thurman—An act to add Section 185 to the "Use Fuel Tax Act of 1937," relating to the purposes for which funds collected may be used, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 367: By Messrs. Stream and Thurman—An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Roads and Highways.

Assembly Bill No. 368: By Messrs. Stream and Thurman—An act to amend Section 185 of, and to add Section 186 5 to, the Streets and

Highways Code, relating to expenditures for highway purposes, declaring the urgency thereof, and providing this act shall take effect immediately.

Referred to Committee on Roads and Highways.

Assembly Bill No. 369: By Messrs. Dills, Ralph C., Anderson, Debs, Massion, Hawkins, Dills, Clayton A., Pelletier, Thomas, Rosenthal, Bashore, Kilpatrick, Bennett, Beck, King, Thompson, Gannon, Lowrey, Collins, George D., Evans, O'Day, Berry, Haggerty, Brady, Gaffney, McMillan, Dunn, Guthrie, Doyle, Heisinger, Desmond, Brown, and Mrs. Niehouse—An act to amend Section 2011 and 2181 of, and to repeal Section 2224 of the Welfare and Institutions Code, relating to aged aid and contribution by responsible relatives of aged persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 370: By Messrs. Dills, Ralph C., Anderson, Debs, Dills, Clayton A., Hawkins, Massion, Thomas, Pelletier, Rosenthal, Burkhalter, Bashore, Kilpatrick, Bennett, King, Thompson, Gannon, Collins, George D., O'Day, Evans, Berry, Haggerty, Gaffney, Brady, Howser, Lyons, McMillan, Dunn, Guthrie, Doyle, Heisinger, Brown, and Mrs. Niehouse—An act to add Section 2181.5 to the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 371: By Messrs. Dills, Ralph C., Anderson, Debs, Dills, Clayton A., Hawkins, Massion, Thomas, Pelletier, Burkhalter, Rosenthal, Bashore, Bennett, King, Thompson, Evans, Kilpatrick, Gannon, Lowrey, Collins, George D., O'Day, Gaffney, Berry, Brady, Haggerty, Lyons, Howser, McMillan, Dunn, Guthrie, Doyle, Heisinger, and Mrs. Niehouse—An act to amend Section 2184 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 372: By Messrs. Dills, Ralph C., Dills, Clayton A., Debs, Hawkins, Massion, Anderson, Thomas, Pelletier, Rosenthal, Burkhalter, Bashore, Kilpatrick, Bennett, King, Thompson, Evans, Beck, Gannon, Collins, George D., O'Day, Brown, Berry, Brady, Haggerty, Gaffney, Howser, Lyons, McMillan, Dunn, Guthrie, Doyle, and Heisinger—An act to add Section 2222.5 to the Welfare and Institutions Code, relating to aid to the aged, and imposing limitations upon the cancellation, suspension, or revocation of aid granted.

Referred to Committee on Social Welfare.

Assembly Bill No. 373: By Messrs. Dills, Ralph C., Anderson, Debs, Dills, Clayton A., Hawkins, Massion, Thomas, Pelletier, Beck, Rosenthal, Kilpatrick, Bennett, Evans, Gannon, Lowrey, Collins, George D., O'Day, Berry, Haggerty, Brady, Gaffney, Howser, Lyons, McMillan, Dunn, Guthrie, Heisinger, and Doyle—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged, and defining "income" for the purposes of determining the amount of aid to which an applicant is entitled.

Referred to Committee on Social Welfare.

Assembly Bill No. 374: By Messrs. Erwin, Fourt, Price, Leonard, Stream, Miller, Robertson, and Bashore—An act to amend Sections 1, 3 and 8 and to repeal Section 4 of, and to add Sections 4, 10a, 10b, 10c, 11a, and 12a to, an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing the penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith." Approved by the electorate November 2, 1920, relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to contracts for the use, leasehold or other interest in real property less than the fee, including cropping contracts, providing for escheats in certain cases, prescribing the procedure therein, defining the powers and duties of the attorney general or the district attorney of the proper county in reference thereto, providing as to the duties, powers and authority of any alien appointed by any court as guardian of his native-born minor child or children, or as guardian of any other person, or persons, and prescribing the procedure in such cases, and to provide a penalty.

Referred to Committee on Judiciary.

Assembly Bill No. 375: By Mr. King—An act to amend Sections 73a and 73c of the Code of Civil Procedure, relating to sessions of the superior court held in cities other than the county seat and the selection of jurors therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 376: By Mr. King—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of districts organized under the California Water District Act.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 377: By Messrs. Dills, Ralph C., and Dills, Clayton A. (By request)—An act to regulate vocational, trade or business schools, to provide for the licensing thereof and providing penalties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 378: By Mr. Call—An act providing for the preparation and publication of the California Administrative Register and the California Administrative Code, and making an appropriation therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 379: By Mr. Call—An act to add Sections 1211 and 1212 to Article 2, Chapter 22, Division 3 of the Probate Code, relating to the giving of notices of probate proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 380: By Mr. Call—An act to amend Section 1003 of the Elections Code, relating to proclamation of election days.
Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 381: By Mr. Bashore—An act to amend Section 6000 of the Government Code and Section 4460 of the Political Code, relating to newspapers of general circulation.

Referred to Committee on Judiciary.

Assembly Bill No. 382: By Messrs. Call and McCollister—An act to declare legislative policy with respect to economy and State tax reduction in the interests of National defense, to amend Sections 6051, 6201 and 9651 of the Revenue and Taxation Code, to add Section 5a to The Personal Income Tax Act, to add Section 17052.5 to the Revenue and Taxation Code, to add Section 4b to the Bank and Corporation Franchise Tax Act, to add Section 3a to The Corporation Income Tax Act of 1937, to add Section 24.1 to the Alcoholic Beverage Control Act, and to add Section 4a to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicles and providing that this act shall take effect immediately," approved May 13, 1933, relating to the rates of State taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 383: By Mr. Dunn—An act to add Section 6630 to the Welfare and Institutions Code, relating to insane persons.

Referred to Committee on Judiciary.

Assembly Bill No. 384: By Messrs. Lowrey, Denny, Beck, Dills, Clayton A., Dills, Ralph C., King, Guthrie, Dunn, Heisinger, Gannon, and Crowley—An act to add Section 395 to the School Code and to add Section 8161 to the Education Code, relating to the maintenance of schools and classes, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 385: By Mr. Carlson—An act to amend the title and Sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act providing for the creation of county treasurers' cash difference funds and overage funds in the counties of the State," approved April 23, 1941, relating to county officers' cash difference funds and overage funds.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 386: By Mr. Carlson—An act to amend Section 869a of the Civil Code, relating to the effect of omitting beneficiaries in instruments to trustee affecting real property.

Referred to Committee on Judiciary.

Assembly Bill No. 387: By Mr. Carlson—An act to authorize municipal and county governments to vacate certain easements and providing a procedure therefor.

Referred to Committee on Municipal and County Government

Assembly Bill No. 388: By Messrs Rosenthal, Dills, Clayton A., McMillan, Price, Hollibaugh, and Massion—An act to amend Section 5005 of the Elections Code, relating to the writing and circulation of publications intended to injure or defeat a candidate for public office.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 389: By Mr. Crowley—An act to amend Section 15 of the Agricultural Prorate Act, relating to voting at elections under said act.

Referred to Committee on Agriculture.

Assembly Bill No. 390: By Mr. Hawkins—An act to add Section 17.1 to the Public Utilities Act, relating to public utilities and to prevent discrimination in the employment of persons thereby.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 391: By Mr. Bashore—An act to amend Section 473a of the Political Code and Section 4 of the Public Utilities Act, relating to attorneys for State departments, including the Railroad Commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 392: By Messrs Hawkins and Pelletier—An act to add Chapter 6, comprising Sections 860 to 868, inclusive, to Part 2 of Division 2 of the Labor Code, relating to time of labor of persons employed and domestic employees.

Referred to Committee on Labor and Capital.

Assembly Constitutional Amendment No. 10: By Messrs Burkhalter, Dills, Ralph C. Dills, Clayton A., Kilpatrick, Bennett, McMillan, Gannon, Bashore, Debs, Thomas, and Mrs. Niehouse—Proposed amendment to Article XIII of the Constitution, relative to tax exemptions bases on the amount of property owned and the age and income of the owner.

Referred to Committee on Constitutional Amendments.

COMMUNICATIONS

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

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 14, 1943

*Honorable Lee T. Bashore, Assembly Chambers
State Capitol, Sacramento, California*

DEAR MR. BASHORE: You ask what type of bills may be taken up and acted upon by the Legislature at a regular session prior to the constitutional recess.

It is my opinion that any legislative bill may be considered, acted upon, and finally enacted during that period.

It should be noted that a bill (other than the Budget Bill) which makes an appropriation (except an appropriation for salaries, mileage, and expenses of the Senate and Assembly) can not be placed upon final passage in either house until the Budget Bill has been finally enacted, unless recommended as an emergency bill by the Governor.

Yours very truly,

FRED B. WOOD, Legislative Counsel

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 143

Assembly Bill No. 162

Assembly Bill No. 235

And reports the same correctly engrossed

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 15

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BASHORE, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 48

Assembly Bill No. 113

Assembly Bill No. 276

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DILWORTH, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 15—An act to amend Section 6 of the Inheritance Tax Act of 1935, relating to inheritance taxation, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 48—An act to amend Section 6.37 of, and to add Section 6.38 to the School Code, and to add Sections 18058 and 18059 to the Education Code, relating to the letting of contracts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 113—An act to amend Section 395 2 of the Military and Veterans Code, relating to leaves of absence of school employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 276—An act to amend the title and Section 2 of an act entitled "An act to provide for cooperation and coordination by the State and governmental units thereof in the granting, conveying, transferring or leasing of land and the contracting of obligations with the United States Government or any agency thereof under the provisions of the National Industrial Recovery Act," approved August 25, 1933, relating to cooperation with the Federal Government.

Bill read second time, and ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 14, 1943

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

Assembly Concurrent Resolution No. 15

J. A. BEEK, Secretary of the Senate

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 14, 1943

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

Senate Concurrent Resolution No. 12

J. A. BEEK, Secretary of the Senate

SENATE CHAMBER, SACRAMENTO, January 14, 1943

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

Senate Bill No. 4

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 12—Relative to approving certain amendments to the charter of the County of San Diego, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on the third day of November, 1942.

Request for Unanimous Consent

Mr. Stream asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 12, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 12

Senate Concurrent Resolution No. 12—Relative to approving certain amendments to the charter of the County of San Diego, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on the third day of November, 1942.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Howser, King, Kraft, Leonard, Lowrey, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thurman, Watson, Werdel, and Weybret—56.

NOES—None.

Resolution ordered transmitted to the Senate.

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 4—An act to amend Sections 4026 and 4026.1 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service, declaring the urgency hereof, to take effect immediately.

Without reference to committee.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 213—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to motor vehicles, and declaring the urgency of this act.

. Bill read third time.

Motion to Amend

Mr. Doyle moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out line 7, and insert: "ment, any sheriff, constable, or deputy sheriff,".

Amendment No. 2

On page 2 of the printed bill, strike out lines 31 and 32, and insert: "department, or by any sheriff, constable, or deputy sheriff and such vehicles shall be authorized".

Amendment No. 3

On page 2 of the printed bill, strike out line 48, and insert: "to such sheriff, constable, or deputy sheriff,".

Amendments read and adopted.

Bill ordered reprinted, re-engrossed, and to third reading.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent to have his name placed as co-author on Assembly Bills No. 359, 360, and 361.

RESOLUTIONS

The following resolutions were offered:

By Mr. Thompson:

House Resolution No. 42

WHEREAS, The Hon. M. G. Del Mutolo was for years a Member of the Assembly of California, where he made for himself many warm and enduring friendships among the members of this body; and

WHEREAS, He has recently been appointed Judge of the Superior Court of Santa Clara County; and

WHEREAS, The Members of this Assembly desire to express to their friend and former colleague hearty congratulations upon his appointment; now, therefore, be it

Resolved, by the Assembly of the State of California, That the Assembly of the State of California hereby sends to Judge M. G. Del Mutolo felicitations upon his appointment and good wishes in his career as a member of the bench of California; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit to Hon. M. G. Del Mutolo a suitably engrossed copy of this resolution

Request for Unanimous Consent

Mr. Thompson asked for, and was granted, unanimous consent to take up House Resolution No. 42, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Ralph C. Dills:

House Resolution No. 43

WHEREAS, The shortage of milk in the State of California is now acute and there is great danger that it will become disastrous; and

WHEREAS, The primary causes of this shortage are the scarcity and high cost of labor and feed which costs are not recoverable under the existing schedule of prices to be paid producers; and

WHEREAS, The only solution for many milk producers, who feel it absolutely impossible to continue operations, is to sell their dairy herds for slaughter; and

WHEREAS, The slaughter of the dairy herds of California is a matter of vital concern to the people of the State because, regardless of any financial difficulties or the possible remedy therefor, the dairy herds once destroyed can not be readily replaced; and

WHEREAS, The Director of Agriculture is not only empowered but is required under the provisions of existing statutes to regulate the prices paid to milk producers on the basis of the actual cost of production; and

WHEREAS, No impediment to the carrying out of this legal duty by the Director of Agriculture exists by reason of any act of the Office of Price Administration or any other Federal agency; and

WHEREAS, The Director of Agriculture nevertheless has failed to call hearings and make determinations of fact and fix prices to be paid to producers of milk as required by the statutes in such case made and provided; and

WHEREAS, The continued failure of the Director of Agriculture to act in this matter so as to preserve the essential source of supply of adequate milk for the people of the State can result only in an irretrievable disaster which must be prevented; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly demands that the Director of Agriculture forthwith exercise the powers and duties conferred and imposed upon him by law and hold such hearings and make such determinations as are required and appropriate to establish prices to be paid to producers of milk in accordance with law.

Request for Unanimous Consent

Mr. Ralph C. Dills asked for, and was granted, unanimous consent to take up House Resolution No. 43, at this time, without reference to committee

Resolution read.

Roll Call Demanded

Messrs. Heisinger, Doyle, and Watson demanded a roll call.

The roll was called, and House Resolution No. 43 adopted by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Fourn, Gannon, Guthrie, Hastain, Heisinger, Hollibaugh, Howser, Johnson, King, Kraft, Leonard, Lowrey, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Thurman, Watson, Weber, Werdell, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Anderson, Berry, Collins, George D. Gaffney, Haggerty, Hawkins, Knight, T. Fenton, Massion, O'Day, and Pelletier—10.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON HOUSE RESOLUTION NO. 37

Mr. Desmond moved to expunge the record and rescind the action whereby House Resolution No. 37 was, on January 13, 1943, adopted

Mr. Gannon seconded the motion.

Motion to Lay on Table

Mr. Bashore moved that the motion to expunge the record be laid on the table

Mr. Hawkins seconded the motion

Roll Call Demanded

Messrs. Desmond, Burns, and Gannon demanded a roll call

The roll was called, and the motion to table the motion to expunge the record lost by the following vote:

AYES—Anderson, Beck, Call, Debs, Dills, Ralph C. Dunn, Hawkins, Heisinger, King, Kraft, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, and Werdell—17

NOES—Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastan, Hollibaugh, Howser, Johnson, Knight, T. Fenton; Lowrey, Maloney, McCollister, O'Day, Price, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Thompson, Thurman, Watson, Weber, Weybret, and Wollenberg—46.

REQUEST FOR UNANIMOUS CONSENT

Mr. Doyle asked for, and was granted, unanimous consent to take up Assembly Bill No. 213, at this time, for purpose of further amendment.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 213

Assembly Bill No. 213—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to motor vehicles, and declaring the urgency of this act.

Bill read third time.

Motion to Amend

Mr. Doyle moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, after "44", insert "Authorized Emergency Vehicle".

Amendment No. 2

On page 2, line 24, of the printed bill, after "44.1", insert "Authorized Emergency Vehicle, Privately Owned".

Amendments read and adopted.

Bill ordered printed and re-engrossed, and to third reading.

WITHDRAWAL OF ASSEMBLY BILL NO. 101 FROM COMMITTEE, BY UNANIMOUS CONSENT

Mr. Evans asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 101 from the Committee on Roads and Highways for purpose of amendment.

SECOND READING OF ASSEMBLY BILL NO. 101

Assembly Bill No. 101—An act to add Section 486 to the Streets and Highways Code, relating to State highways.

Bill read second time.

Motion to Amend

Mr. Evans moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, after line 6, insert a new paragraph to be numbered "Sec. 2", to read as follows: "Any county, city, or public corporation of agency may convey to the State of California any interest it may now or hereafter possess in any real property along the route determined by the Department of Public Works for State Highway Route No. 186 between the termini designated by law."

Amendment read and adopted.

Bill ordered reprinted, engrossed, and re-referred to Committee on Roads and Highways.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON HOUSE RESOLUTION NO. 37

Mr. Desmond moved to expunge the record and rescind the action whereby House Resolution No. 37 was, on January 13, 1943, adopted.

Mr. Gannon seconded the motion.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Howser, Johnson, King, Knight, T. Fenton; Kraft, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thompson, Thurman, Watson, Weber, Werdell, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Call, and Pelletier—2.

Motion to Refer House Resolution No. 37 to Committee

On motion of Mr. Bashore, House Resolution No. 37 was referred to Committee on Rules and House Functions.

MESSAGES FROM THE GOVERNOR

GOVERNOR'S OFFICE, SACRAMENTO, January 15, 1943

To the Honorable Members of the Assembly of the California Legislature

GREETINGS: I am about to appoint a Citizens' Tax Committee which will be charged with the responsibility of making a detailed analysis of California tax and financial problems with the view of developing suggestions for gearing our fiscal system to the exigencies of war.

I would be happy to have your committees meet with this Citizens' Committee whenever possible, and am anxious that both the Senate and Assembly avail themselves of all background material which may be offered the committee during hearings which will be held during the month of February.

It is my hope that through its hearings the Citizens' Committee will develop a broad background of factual information which will be of definite assistance to the Legislature in weeks to come.

Respectfully,

EARL WARREN, Governor of California

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Evans and the Los Angeles Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Gordon L. McDonough, Chairman of the Los Angeles Board of Supervisors.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Harold W. Kennedy, Assistant County Counsel of Los Angeles County, and Chairman of Civilian Defense.

On request of Speaker Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Elinor Davenport and her mother, Mrs. J. D. Davenport, of Beverly Hills.

ADJOURNMENT

At 11.57 a.m., on motion of Mr. Bashore, the Speaker declared the Assembly adjourned until 11 a.m., Monday, January 18, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

ELEVENTH LEGISLATIVE DAY
FIFTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, January 18, 1943

The Assembly met at 11 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Arm-strong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Knight, T Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCol-lister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rob-ertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thomp-son, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—75

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Our God and Ruler, we seek Thy guidance for the life of our Nation in this important hour. Thou hast brought us safely through the perils of the centuries. In gratitude we seek the lifting of our hearts to new levels of true patriotism and pray for Thy gracious direction in the councils of our Government. May the delib-erations in this Assembly be well-pleasing in Thy sight

"O beautiful for patriot dream

That sees beyond the years

Thine alabaster cities gleam,

Undimmed by human tears!

America! America!

God shed His grace on thee,

And crown Thy good with brotherhood

From sea to shining sea!"

We pray in Jesus' name.

AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Weber, on motion of Mr. Heisinger.
 Mr. Guthrie, on motion of Mr. Dickey.
 Mr. Kellems, on motion of Mr. Doyle.
 Mr. Ralph C. Dills, on motion of Mr. Bashore.
 Mr. Wollenberg, on motion of Mr. Maloney.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

EXPLANATIONS OF ABSENCE

Upon request of the Speaker, Messrs. Weber and Dills, Ralph C., were excused for the legislative day in performance of duties for the State.

Mr. Guthrie, representing the Thirty-sixth Assembly District, and who is a member of the Farm Credit Administration, is attending the annual meeting of the latter organization in Berkeley this week where he will discuss farm credit problems of the State with officials from Washington.

RANDAL F. DICKEY

RECESS

At 11.04 a.m., on motion of Mr. McCollister, the Assembly recessed until 11.10 a.m. to hear from Mr. Clinton T. Duffy, Warden of San Quentin Penitentiary.

REASSEMBLED

At 11.10 a.m., the Assembly reconvened.
 Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

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

Assembly Bill No. 393: By Mr. Debs—An act to add Section 510 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 394: By Mr. Debs—An act to add Section 607b-1 to the Civil Code, relating to guardians.

Referred to Committee on Judiciary.

Assembly Bill No. 395: By Mr. McMillan—An act to amend Section 4652 of the Labor Code, relating to a system of workmen's compensation insurance benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 396: By Messrs. Anderson, Rosenthal, Massion, McMillan, and Thomas—An act to amend Section 5405 of the Labor Code, relating to workmen's compensation and insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 397: By Mr. Guthrie—An act to regulate, and to prohibit fraud and deception in, the sale of olive oil, imitation olive oil, and other edible oils, to repeal an act entitled "An act to regulate

the sale of imitation olive oil, and to repeal an act entitled 'An act to regulate the sale of olive oil,' approved March 10, 1891," approved March 23, 1893, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 398: By Mr. Dunn—An act to amend Section 2 of the Public Utilities Act, relating to scavengers.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 399: By Mr. Howser—An act to amend Section 43 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for the carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to powers of the board.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 400: By Mr. Weybret—An act to amend Section 4246 of the Political Code, relating to compensation for public services in counties of the seventeenth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 401: By Mr. Weybret—An act to repeal Section 19 of the Bank Act, relating to the ratio of capital and surplus of banks to their deposit liabilities.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 402: By Mr. Beck—An act to amend Section 9220 of, and to repeal Article 2, comprising Sections 9370 to 9377, inclusive, of Chapter 5, Division 9, of the Public Resources Code, relating to soil conservation, to take effect immediately.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 403: By Messrs Berry, Dunn, Gaffney, Haggerty, Brady, Collins, George D., O'Day, Middough, Bashore, Pelletier, and Thomas—An act to amend Section 5410 of the Labor Code, relating to workmen's compensation, including permanent disability proceedings.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 404: By Messrs Price, Kraft, McMillan, Lyons, Hollibaugh, Middough, Watson, Pelletier, Armstrong, Anderson, and Burkhalter—An act to add Section 553.6 to the Military and Veterans Code, relating to the State Guard.

Referred to Committee on Military Affairs.

Assembly Bill No. 405: By Mr. Stream—An act to amend Sections 4 and 6.6 of an act entitled, "An act to provide for the establishment of master and official plans in cities, cities and counties, and counties and for the adoption of ordinances pursuant thereto; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and the composition and effects thereof; providing for the appointment of planning commissions by cities, cities and counties, and counties, and for the creation of regional planning districts and the establishment of regional planning commissions; prescribing the powers and duties of such commissions; providing for the levy of a special tax for the support of a planning commission and making certain expenditures legal charges against the funds of cities, cities and counties, and counties; making certain acts misdemeanors; and repealing other acts in conflict herewith," approved June 17, 1929, as amended, relating to the powers and duties of city, city and county, and county planning commissions.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 406: By Mr. Stream—An act making an appropriation to the Department of Agriculture for the purpose of establishing, equipping, and operating a poultry disease diagnostic and testing laboratory in San Diego County.

Referred to Committee on Agriculture.

Assembly Bill No. 407: By Messrs. Erwin, Bashore, McCollister, Fourt, Price, Hollibaugh, Call, Weybret, and Middough—An act to amend Sections 422 and 990 of, and to add Section 422.5 to the Fish and Game Code, relating to hunting and fishing, and to provide for the issuance of licenses therefor

Referred to Committee on Fish and Game.

Assembly Bill No. 408: By Messrs. Stream, Kellems, Knight, T. Fenton; and Dilworth—An act to add Article 8, comprising Sections 3.751 to 3.758, inclusive, to Chapter 1 of Part 5 of Division 3 of the School Code, and to add Article 9, comprising Sections 10191 to 10198, inclusive, to Chapter 1 of Division 5 of the Education Code, relating to Bible study in secondary schools.

Referred to Committee on Education.

Assembly Bill No. 409: By Mr. Hawkins—An act to add Section 1182.5 to the Labor Code, relating to wages for women.

Referred to Committee on Labor and Capital.

Assembly Bill No. 410: By Mr. Hawkins—An act to amend Section 7 of the Unemployment Insurance Act, relating to excluded employment under said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 411: By Messrs. Middough, Erwin, Evans, Price, and Rosenthal—An act to provide for persons in the armed services of the United States, extension division courses of the University of California, and making an appropriation therefor.

Referred to Committee on Universities and Colleges.

Assembly Bill No. 412: By Messrs. Middough, Armstrong, Berry, Burkhalter, Crichton, Debs, Denny, Dickey, Evans, Fourt, Haggerty, Hollibaugh, King, Knight, John B., McMillan, Price, Rosenthal, Thomas, Watson, Werdel, and Mrs. Niehouse—An act to add Section 1760.5 to the Welfare and Institutions Code, relating to the Youth Correction Authority, authorizing the authority to require persons committed thereto to perform work on certain public projects, and to make contracts in relation thereto, and making an appropriation, to take effect immediately.

Referred to Committee on Crime and Correction.

Assembly Bill No. 413: By Mr. Call—An act to add Section 17 to the Agricultural Code, relating to the effect of headings upon the interpretation of the provisions of said code.

Referred to Committee on Judiciary.

Assembly Bill No. 414: By Mr. Call—An act to amend Section 422 of the Probate Code, relating to the administration of estates of persons dying intestate.

Referred to Committee on Judiciary.

Assembly Bill No. 415: By Mr. Call—An act to add Section 4 to the Probate Code, relating to the effect of headings upon the interpretation of the provisions of said code.

Referred to Committee on Judiciary.

Assembly Bill No. 416: By Mr. Call—An act to add Section 3 to the Fish and Game Code, relating to the effect of headings upon the interpretation of the provisions of said code.

Referred to Committee on Judiciary.

Assembly Bill No. 417: By Mr. Thorp—An act to amend Sections 1299.1, 1299.6 and 1299.8 and to add Sections 1299.13, 1299.14 and 1299.15 to the Agricultural Code, relating to marketing of milk and other dairy products.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 418: By Mr. Rosenthal—An act to amend Section 3212 of the Labor Code, relating to workmen's compensation, including compensation for hernia, heart trouble and pneumonia

Referred to Committee on Finance and Insurance.

Assembly Bill No. 419: By Mr. Evans—An act to authorize the deduction from wages or salaries of public officers and employees in favor of nonprofit membership associations or corporations and to amend Section 1157 of the Government Code, relating to deduction from wages and salaries of public officers and employees.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 420: By Mr. McCollister—An act to amend Section 737.6 of the Agricultural Code, relating to money collected for the administration of stabilization and marketing plans for fluid milk or fluid cream or both.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 421: By Messrs. Middough, Price, Rosenthal, and Thompson—An act to add Section 6.744 to Article 1, Chapter 1, Part 3, Division 6 of the School Code, relating to the use of school property.

Referred to Committee on Education.

Assembly Bill No. 422: By Messrs. Middough, Price, Rosenthal, and Thompson—An act to add Section 5.503-1 to the School Code and to add Section 13099.1 to the Education Code, relating to the classification of persons as permanent employees of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 423: By Messrs. Middough, Rosenthal, and Thompson—An act to add a new section to Article 4, Chapter 1, Part 1, Division 6, of the Welfare and Institutions Code, to be known as Section 5079, relating to reimbursement by the State of California to counties for the expense of the commitment, care and maintenance of mentally disordered persons.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 424: By Messrs. Middough and Thompson—An act amending Sections 669 and 672 of the Welfare and Institutions Code, relative to schools in detention homes.

Referred to Committee on Crime and Correction.

Assembly Bill No. 425: By Mr. Waters—An act to add Section 6.737 to the School Code, and to add Section 19311 to the Education Code, relating to the status of workers in school cafeterias.

Referred to Committee on Education.

Assembly Bill No. 426: By Mr. Waters—An act to amend Sections 177 and 178 of the Vehicle Code, relating to motor vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 427: By Mr. Waters—An act to amend Sections 6304 and 6320 of the Business and Professions Code, relating to boards of law library trustees and law libraries.

Referred to Committee on Judiciary.

Assembly Bill No. 428: By Mr. Waters—An act to add Section 6346.5 to the Business and Professions Code, relating to the retirement of officers and employees of county law libraries.

Referred to Committee on Judiciary.

Assembly Bill No. 429: By Mr. Evans—An act to add Section 695.5 to the Vehicle Code, relating to the carrying of passengers.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 430: By Messrs. Kilpatrick, Bennett, Burkhalter, and Evans—An act to add Section 5047.5 to the Welfare and Institutions Code, relating to mentally ill or insane persons.

Referred to Committee on Judiciary.

Assembly Bill No. 431: By Mr. Crowley—An act to reappropriate the unexpended balance of the money appropriated by Item 141 of the Budget Act of 1941 for construction, improvements, and equipment, Veterans Home of California, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Military Affairs.

Assembly Bill No. 432: By Mr. Crowley—An act to amend Sections 3420, 3444, 3472, 3473 and 3480 of, to add Section 3408 to, and to repeal Section 3474 of, the Welfare and Institutions Code, relating to aid to the blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 433: By Mr. Crowley—An act to amend Section 5658 of the Elections Code, relating to the residence of persons living in trailers or vehicles or at camping grounds or public camps.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 434: By Messrs. Rosenthal and Crowley—An act to amend Sections 61, 132 and 133 of the Civil Code, relating to marriages and divorces.

Referred to Committee on Judiciary.

Assembly Bill No. 435: By Mr. Lowrey—An act to repeal Section 486 of the Fish and Game Code, relating to young fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 436: By Mr. McCollister—An act to amend Section 736.12 of the Agricultural Code, relating to minimum wholesale and minimum retail prices of fluid milk or fluid cream or both.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 437: By Mr. Desmond—An act to add Section 7.3 to the Alcoholic Beverage Control Act, relating to licenses for sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 438: By Mr. Desmond—An act to amend Section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 439: By Mr. Desmond—An act to amend Section 69 of the Civil Code, relating to marriage licenses and applications therefor.

Referred to Committee on Judiciary.

Assembly Concurrent Resolution No. 19: By Mr. Lyon—Relative to permission to leave the State for certain Members of the Senate and the Assembly for attendance at the meeting of the Council of State Governments.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 19, at this time, without

reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 19

Assembly Concurrent Resolution No. 19—Relative to permission to leave the State for certain Members of the Senate and the Assembly for attendance at the meeting of the Council of State Governments.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Concurrent Resolution No. 20: By Mr. Doyle—Relative to Reports of the Department Encampment, Roll Call and the Annual Convention of the Department of California and Nevada Grand Army of the Republic.

Referred to Committee on Rules and House Functions

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 101

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered re-referred to Committee on Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 213

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 15

Assembly Bill No. 113

Assembly Bill No. 48

Assembly Bill No. 276

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 15

And reports that the same has been correctly enrolled, and presented to the Governor on the fifteenth day of January, 1943, at 2 p.m.

PELLETIER, Chairman

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 307

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DILWORTH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 307—An act to add Chapter 3 to Part 3 of Division 6 of the School Code and to add Chapter 11 to Division 9 of the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 7, of the printed bill, after "establish", insert "and maintain".

Amendment No. 2

On page 1 of the printed bill, between lines 16 and 18, insert

"6.780a The governing board of any school district may, if it so desires, delegate to any governmental agency or governmental agencies, or any other division of any city or city and county, authority to carry out any of the purposes of this chapter, and may grant the use of any building, grounds, or equipment of the district to any such governmental agency or division for such purposes, whenever the use of the buildings, grounds, or equipment for such purposes will not interfere with the use of the buildings, grounds, or equipment for any other purpose of the public school system, and the governing board of any school district may designate any already-existing board, officer, or employee of the governmental agency, or division to exercise the powers or any of the powers granted by this chapter."

Amendment No. 3

On page 2 of the printed bill, between lines 9 and 10, insert

"6.782a. Child care shall not be permitted under the provisions of this chapter to any parents who may prefer to work the same night time shift in any defense industry or other employment."

Amendment No. 4

On page 2 of the printed bill, strike out lines 31 to 42, inclusive.

Amendment No. 5

On page 3 of the printed bill, strike out lines 42 to 52, inclusive; and on page 4, strike out lines 1 to 12, inclusive, and insert

"6.792. This chapter shall have no force or effect from and after July 1, 1945, or six months after the proclamation of the President of the United States that hostilities in the existing war have ceased, whichever is the earlier."

Amendment No. 6

On page 4, line 19, of the printed bill, after "establish", insert "and maintain".

Amendment No. 7

On page 4 of the printed bill, between lines 28 and 30, insert

"19601.1. The governing board of any school district may, if it so desires, delegate to any governmental agency or governmental agencies, or any other division of any city or city and county, authority to carry out any of the purposes of this chapter, and may grant the use of any building, grounds, or equipment of the district to any such governmental agency or division for such purposes, whenever the use

of the buildings, grounds, or equipment for such purposes will not interfere with the use of the buildings, grounds or equipment for any other purpose of the public school system, and the governing board of any school district may designate any already-existing board, officer, or employee of the governmental agency, or division to exercise the powers or any of the powers granted by this chapter."

Amendment No. 8

On page 4 of the printed bill, between lines 39 and 41, insert
"19603 1. Child care shall not be permitted under the provisions of this chapter to any parents who may prefer to work the same night time shift in any defense industry or other employment."

Amendment No. 9

On page 5 of the printed bill, strike out lines 7 to 18, inclusive.

Amendment No. 10

On page 6 of the printed bill, strike out lines 18 to 40, inclusive, and insert
"19613 This chapter shall have no force or effect from and after July 1, 1945, or six months after the proclamation of the President of the United States that hostilities in the existing war have ceased, whichever is the earlier."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 18, 1943

*Honorable Arthur A. Ohnimus, Clerk, Assembly of California
Assembly Chamber, Sacramento, California*

DEAR MR. OHNIMUS: I transmit to you herewith for the Assembly printed report of Acts of Executive Clemency for the period 1941-1943, prepared and printed by Governor Culbert L. Olson, and now delivered to you at the request of Mr. Stanley Mosk, his former Executive Secretary.

Respectfully,

W. T. SWEIGERT, Executive Secretary

**Message of Governor Concerning Pardons, Commutations and Reprieves
Granted by Governor Culbert L. Olson for Period 1941-1943**

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

In accordance with the provisions of Section 1 of Article VII of the Constitution of California, I hereby transmit to you a report of the cases of pardon, commutation of sentence and reprieve issued by me from January 1, 1941, to January 4, 1943.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Commutations of Sentence

FRANK E. ADAMS, San Quentin No. 56009, convicted by a jury in San Diego County, May 4, 1934, of kidnapping for purpose of robbery and robbery, second degree. Recommended by the Board of Prison Terms and Pardons and the Advisory Pardon Board. Sentence commuted from life to 16 years, April 14, 1942.

FRANK EUGENE BACKUS, Folsom No. 20658, pleaded guilty to crime of forgery and two priors in Riverside County, November 30, 1936, and since confined in prison. Recommended by the State Board of Prison Directors, the Advisory Pardon Board and the State Supreme Court. Commutation of sentence to the extent of removing the habitual criminal status granted April 14, 1942.

OSCAR L. BIGELOW, Folsom No. 22495, convicted in Los Angeles County, April 19, 1936, for robbery first degree and a prior offense. A commutation of sentence to time served was recommended by the Advisory Pardon Board and by the State Supreme Court, and was granted on February 8, 1941.

LEWIS BLACK, Los Angeles County Probationer 40544, HARRY DANSKY, Los Angeles County Probationer No. 40548, BEN KELLER, San Quentin No. 68210, ALFRED LUSHING, Chino No. 754, SAMUEL BLUMENBERG, San Quentin No. 68208, convicted by a jury in Los Angeles County during 1939 of conspiracy. Each served a prison term of nearly a year, and all but Lushing, Keller and Blumenberg are free at the present time. Clemency recommended by the Advisory Pardon Board. Commutation of sentence to time served granted December 31, 1942.

JOHN BOZZEN, Folsom No. 20240, pleaded guilty to the crime of grand theft and 4 priors to Glenn County on March 26, 1936. He was adjudged to be an habitual criminal by the court under the provisions of Section 644 of the Penal Code. He was received at Folsom Prison under a life sentence. Recommended by: District Attorney at time case was tried, Honorable W. T. Belieu; the Advisory Pardon Board. A certificate of conduct reveals that applicant's conduct at Folsom Prison has been good. Commutation of sentence to time served granted December 21, 1942.

LAURA BONZANI, No. 435, California Institution for Women at Tehachapi, convicted of murder, first degree, and robbery, second degree, in San Francisco County on December 30, 1938. The trial judge, Honorable I. M. Golden, of the Superior Court of San Francisco, and the Advisory Pardon Board recommended that this applicant's sentence be commuted to time served. Commutation to time served granted April 15, 1942.

FLOYD C. BRITTON, Folsom No. 20035, whose sentence was commuted to a term less than life under date of November 23, 1942. Mr. Albert H. Mundt, Assistant Secretary of the Board of Prison Terms and Paroles at Folsom, requested that a specific number of years for the term to be served by this applicant be set. Commutation of sentence to 25 years granted December 18, 1942.

EDWARD BROOKS, Folsom No. 15154. Convicted by a jury in Los Angeles County on February 29, 1928, of the crime of second degree burglary. He had three prior convictions of felonies and was adjudged to be an habitual criminal and is presently in prison under a life sentence. Recommended by Advisory Pardon Board; C. W. E. Bond, Supervisor of Educational Activities at Folsom Prison; and the State Supreme Court. Commutation of sentence to time served granted December 31, 1942.

J. C. BUCKMASTER, Folsom No. 21492, pleaded guilty to forgery and 5 priors, Fresno County, January 19, 1938, and given a life sentence as an habitual criminal. The Advisory Pardon Board and the State Supreme Court recommended his sentence be commuted to the extent of removing the habitual criminal status. Granted December 23, 1941.

EMERY COLBY BUZZELLI, San Quentin No. 64156, convicted in Los Angeles County October 5, 1939, of the crime of murder in the first degree and under sentence of death. The Advisory Pardon Board recommended that the sentence be commuted to life imprisonment, thereby preventing a possible miscarriage of justice. The applicant had previously been convicted of a felony, and his application was therefore submitted to the Supreme Court, a majority of the justices recommending executive clemency. Sentence commuted from death to life imprisonment August 6, 1941.

T. C. CLAPPER, Folsom No. 16825, was convicted of the crime of forgery and three priors in Fresno County on March 21, 1931, and was sentenced to life imprisonment as an habitual criminal. Recommended by Board of Prison Terms and Paroles and Advisory Pardon Board. Commutation of sentence to remove habitual criminal status granted December 21, 1942.

ROBERT COWAN, San Quentin No. 65103, convicted in Los Angeles County May 15, 1940 of murder in the second degree and conspiracy to commit assault with a deadly weapon and extortion. George Stahlman, who as Deputy District Attorney prosecuted this applicant, wrote to the Advisory Pardon Board pointing out that the responsibility and punishment which the law attaches to this offense were in excess of the actual wrong done by this applicant. The present District Attorney, Hon. John F. Dockweiler, stated his office had no objection to the granting of a commutation of sentence; Honorable Isaac Pacht, President of the State Board of Prison Directors, with whom Mr. Hickok, investigator for the State Division of Criminal Identification and Investigation, had discussed the case, wrote recommending the granting of clemency; and the Advisory Pardon Board, pursuant to the investigation, recommended that the sentence be commuted to time served. The file also contains letters from several persons, including members of the judiciary, professional and business men, of Los Angeles, on behalf of this applicant. Commutation of sentence to time served granted July 9, 1941.

ALFRED DI DONATO, San Quentin No. 43925, convicted of murder in the first degree in Fresno County, July 27, 1927. He was released on parole August 31, 1939. Justice of the Peace John E. Burke of the Second Township, Fresno County, Sheriff George J. Overholt, and Hon. Charles R. Barnard, the trial judge, now of the Fourth Appellate District, District Court of Appeal, recommended that a pardon be granted, and each stated his belief that applicant had since his release lived an exemplary life and would not again offend. Pardon granted February 11, 1941.

LLOYD W. DYE, San Quentin No. 54090, convicted by a jury in Los Angeles County of murder, first degree, during April, 1922, confined in prison since that date. Justice Thomas P. White of the District Court of Appeal, who was the trial judge, at the time of applicant's conviction, recommended applicant's release subject to

parole supervision. At the first trial applicant was convicted of murder in the second degree, the judgment was reversed on appeal, but at the second trial he was convicted of first degree murder. The Advisory Pardon Board recommended a commutation of sentence to 16 years. Granted October 15, 1941.

T. J. ELIE, also known as Roland Helaire, San Quentin No. 67148, was convicted of the crime of murder in the first degree in Los Angeles County on August 29, 1941. Recommended by District Attorney John B. Dockweiler, Judge A. A. Scott of the Los Angeles County Superior Court and the Advisory Pardon Board. Commutation of sentence from death to life imprisonment granted December 18, 1942.

ALLEN ELLIS, San Quentin No. 45798, was convicted in Fresno on July 28, 1928, of murder in the first degree. His death sentence was commuted to life imprisonment in July, 1929, without possibility of parole. Commutation of sentence recommended by the Board of Prison Directors. A commutation of sentence from life without possibility of parole to a commutation of sentence with possibility of parole granted December 31, 1942.

FRED FLOTH, Folsom No. 19735, convicted by a jury in Glenn County, during May, 1935, of the crime of issuing fictitious checks, and two priors. A commutation of sentence to remove the habitual criminal status was recommended by the Board of Prison Terms and Paroles, from Judge W. T. Behen of Glenn County, who was the prosecuting attorney in 1935, and by the Advisory Pardon Board. In view of the prior convictions of felones, the case was submitted to the State Supreme Court, and a majority of its justices recommended executive clemency. Sentence commuted to extent of removing the habitual criminal status, July 17, 1941.

CHARLES FRENCH, JR., San Quentin No. 65597, 18 years of age, pleaded guilty to robbery, first degree, Placer County, October 14, 1940, and since then confined in prison. Commutation of sentence recommended by the State Board of Prison Directors, and by the Advisory Pardon Board. District Attorney Lowell L. Sparks of Placer County and Judge J. B. Landis of the Superior Court of that county expressed the belief that due to his youth this applicant should not be confined in a State penitentiary. Edward O'Gaffney, Executive Secretary of the Youth Counsel Organization of San Francisco, requested an opportunity to aid this applicant if released. Sentence commuted to time served, October 13, 1941, with a direction to this applicant to subject himself to the guidance and assistance of Mr. O'Gaffney.

HARRY A. FRENCH, San Quentin No. 60710, was convicted of the crime of murder in the first degree in Modoc County on August 6, 1937. On August 15, 1939, commutation of sentence from death to life imprisonment was granted. Recommended by Advisory Pardon Board. Commutation of sentence from life to 25 years granted December 21, 1942.

GEORGE GARTLER, San Quentin No. 65106, convicted of the crime of murder, second degree, Los Angeles County, May 14, 1940. Deputy District Attorney George Stahlman of Los Angeles County, who prosecuted this applicant, in a letter discussing the case in some detail, recommended the granting of clemency, and present District Attorney John F. Dockweiler stated his office had no objection to such action. The Advisory Pardon Board recommended that sentence be commuted to time served. Commutation of sentence to time served granted April 4, 1941.

A. GEISHECKER, San Quentin No. 35605, pleaded guilty to the crime of murder in the first degree in San Francisco County on November 17, 1921, and was given a life sentence. He served approximately 15 years in prison and a road camp and was paroled October 15, 1936. Parole authorities permitted him to go to Massachusetts in October, 1938, and he is still under the supervision of the parole authorities of that State. Recommended by State Parole Officer Allen Moore; Chairman Reuben L. Lurie, Department of Correction, Massachusetts; Parole Officer William F. Kirkwood, Massachusetts; Advisory Pardon Board. Commutation of sentence to time served granted December 28, 1942.

PAUL M. GREEN, Folsom No. 19131, was convicted of the crime of grand theft in Los Angeles County on January 17, 1934. He had previously been twice convicted of felonies and was received at prison on May 19, 1934, under a life sentence as an habitual criminal. Recommended by the following: State Board of Prison Directors, Advisory Pardon Board and Supreme Court of California. Commutation of sentence to time served granted December 18, 1942.

HAROLD L. HUFF, Folsom No. 20609, pleaded guilty to issuing fictitious check in Riverside County during 1936, and prior conviction. He was sentenced as an habitual criminal and has been in Folsom prison since November, 1936. Commutation of sentence to time served granted by the Board of Prison Terms and Paroles, the Advisory Pardon Board and the State Supreme Court. Granted December 31, 1942.

JOHN N. KARNES, San Quentin No. 63622, convicted by a jury in Los Angeles County, June 2, 1939, of first degree robbery and a prior conviction of a felony. Commutation of sentence to time served recommended by the Board of Prison Terms and Paroles, the Advisory Pardon Board, and the State Supreme Court. Granted April 14, 1942.

SHIRLEY KAYE, Tehachapi No. 434, convicted by a jury in San Francisco County December 30, 1938, of murder in the first degree and robbery in the second degree, and presently confined in prison. The Advisory Pardon Board, stating that this applicant was in no way the actual participant that caused the death of the victim, recommended that her sentence be commuted to time served. Granted October 13, 1941.

BARNEY LEE, San Quentin No. 68572, 14 years of age, received at San Quentin Prison to serve an indeterminate sentence of five years to life imprisonment, having been convicted by a jury in Monterey County of the crime of murder in the second degree. Sentence commuted to commitment to the jurisdiction of the Youth Correction Authority, pursuant to the terms and provisions of the Youth Correction Authority Act, an action which was recommended by the Board of Prison Terms and Paroles, the State Board of Prison Directors, and Warden Clinton T. Duffy of San Quentin, and taken pursuant to Section 2655 of the Penal Code and Section 731 of the California Welfare and Institutions Code, which require segregation of persons under 16 years of age from adults in State Penal Institutions, a segregation not made possible by facilities in San Quentin Prison. Dated August 11, 1942.

THOMAS P. LUTTRELL, San Quentin No. 32479, convicted by a jury in Tulare County on March 14, 1919, of the crime of murder in the second degree. He served 12½ years in prison and was then released on parole. A commutation of sentence to time served was recommended by Constable Rennie C. Brown of Lemon Cove Township, District Attorney Hauglit of Tulare County, Sheriff Sherman of Tulare County, Sheriff Overholt of Fresno County, State Parole Officer Chadwick, and the Advisory Pardon Board. Granted December 31, 1942.

NELLIE MAY MADISON, Tehachapi No. 56387, was convicted of the crime of first degree murder in Los Angeles County on July 5, 1934. She is presently serving at the California Institution for Women at Tehachapi. Recommended by the Board of Trustees of the California Institution for Women at Tehachapi and the Advisory Pardon Board. Also letters certifying to high character of applicant from Reverend Michael Mangan, St. Malachy's Church, Tehachapi; Reverend Joseph J. Truxaw, Los Angeles; and Bishop Joseph T. McGucken, Los Angeles. Six members of the Trial Jury, including the foreman, signed a petition indicating that had certain additional facts been brought out at the trial they would have voted for acquittal. Commutation of sentence to 15 years granted December 31, 1942.

RICHARD MCCLURE, San Quentin No. 59654, pleaded guilty to grand theft and two prior convictions of felony in Riverside County during December, 1936, and given a life sentence as an habitual criminal. The Board of Prison Terms and Paroles, which during 1938 had recommended a commutation of sentence to 10 years, again made that recommendation in March, 1940. The Advisory Pardon Board made a similar recommendation, and the State Supreme Court recommended the granting of executive clemency. Sentence commuted to 10 years October 13, 1941.

THEODORE MCGEE, Folsom No. 20200, convicted by a jury, Riverside County, February, 1936, of escape and three prior offenses. Since none of applicant's offenses involved crimes of violence, the Advisory Pardon Board recommended a commutation of sentence to the extent only of removing the habitual criminal status, and a similar recommendation was made by the State Supreme Court. Granted April 14, 1942.

JOE MCGRAW, Folsom No. 19018, was convicted by a jury in Los Angeles County of the crime of assault with a deadly weapon and prior conviction, March 7, 1934. He was adjudged an habitual criminal and sentenced to life. Commutation to time served recommended by State Board of Prison Directors, the Advisory Pardon Board and the State Supreme Court. Granted December 31, 1942.

TALTON H. NANCE, San Quentin No. 61351, was convicted of the crime of assault in Los Angeles County on December 29, 1937. He was given a 20-year aggregate term and has been confined in prison for a period equal to a six and one-half year term. Recommended by Supervisor of Education at San Quentin Prison, Mr. Herman A. Buckner, and Advisory Pardon Board. Nance's former commander in the Navy stated Nance would be accepted when released. Lt. Comdr. L. W. Mills, Security Officer at the United States Naval Air Station at Norfolk, Virginia, said Nance's naval experience would be of value to this country at the present time. Commutation of sentence to time served granted December 18, 1942.

HURSHEL NEAL, San Quentin No. 61963 and Chino No. 587, was convicted by the court in Los Angeles County on April 7, 1938, of the crime of robbery in the first degree and kidnaping for the purpose of robbery. He served approximately three years in prison and was transferred to California Institution for Men at Chino, where he is now an inmate. Recommended by Board of Prison Terms and Paroles and Advisory Pardon Board. Commutation of sentence to 16 years granted December 21, 1942.

ALEXANDER C. OCHOA, San Quentin No. 50592, was convicted by a jury in Los Angeles County of murder in the first degree during July, 1931. He was received at San Quentin under sentence of death and his sentence was commuted by a former Governor to life imprisonment. Recommended by the State Board of

Prison Directors and by the Advisory Pardon Board. Modification of commutation of sentence to permit parole consideration granted December 31, 1942.

RICHARD N. PAASKE, San Quentin No. 30693, convicted of murder in the first degree in Santa Barbara County on May 24, 1917. He served 14½ years in prison and 10 years on parole. A commutation of sentence to time served was recommended by the State Board of Prison Directors, State Parole Officer Chadwick, District Attorney Heckendorf of Santa Barbara County, Sheriff James Ross of Santa Barbara County, and the Advisory Pardon Board.

WILLIAM PERKINS, San Quentin No. 58765, was convicted by a jury in San Bernardino County, March 6, 1936, of the crime of murder in the first degree, and was given a life sentence. He is presently confined in prison. Recommended by Honorable Isaac Pacht, President of the State Board of Prison Directors, and the Advisory Pardon Board. Two of the jurors who convicted Perkins have since stated they have changed their opinion. Applicant has maintained his innocence throughout. Commutation of sentence to time served granted December 21, 1942.

CLARENCE ALLEN PETERSON, Folsom No. 20413. Convicted of the crime of forgery and three prior convictions in Los Angeles County on May 25, 1936. Presently serving at Folsom as an habitual criminal. Recommended by District Attorney John F. Dockweiler, Advisory Pardon Board, and the State Supreme Court. Commutation of sentence to remove the habitual criminal status granted December 31, 1942.

LINDEN WALLACE PUGH, Folsom No. 21079. Pleaded guilty to the crime of forgery in Los Angeles County during 1937. He was received at Folsom as an habitual criminal and remains confined in that institution at the present time. Recommended by the State Supreme Court and the Advisory Pardon Board. Commutation of sentence to the extent of removing the habitual criminal status granted December 31, 1942.

HENRY G. RAMIREZ, San Quentin No. 62026, convicted in Los Angeles County, March 4, 1938, of kidnapping for purpose of robbery and robbery first degree, and given a life sentence. The Board of Prison Terms and Paroles and the Advisory Pardon Board recommended a commutation of sentence to 16 years. Granted October 15, 1941.

CYRIL R. RUSSELL, San Quentin No. 56910, pleaded guilty to the crime of violation of Section 209 of the Penal Code and robbery first degree in Los Angeles on September 14, 1934. He has been confined since that date. Recommended by the Board of Prison Terms and Paroles. Office of District Attorney John F. Dockweiler of Los Angeles County stated it would enter no opposition to any course of action taken by the board. Commutation of sentence from life to 16 years granted December 31, 1942.

RALPH EDWARD SAMPSON, San Quentin No. 63212, pleaded guilty to the crime of kidnapping for the purpose of robbery and robbery in the second degree in Sonoma County during March, 1939, and was given a life sentence. A commutation to 16 years recommended by the Board of Prison Terms and Paroles; Judge Donald Geary of the Sonoma County Superior Court, District Attorney Toland C. McGettigan of Sonoma County, and the Advisory Pardon Board. Granted August 6, 1942.

MATTHEW ANTHONY SCHMIDT, San Quentin No. 30704, was convicted in Los Angeles on January 10, 1916, of the crime of murder in the first degree. The Advisory Pardon Board recommended a commutation of sentence to time served, in view of the facts that he was incarcerated for a period of 22 years and his conduct as a parolee was satisfactory. Sentence commuted to time served, December 21, 1942.

WALTER E SCOTT, San Quentin No. 26718, convicted by a jury in San Francisco of the crime of murder in the first degree. He served 11 years in San Quentin Prison and 18½ years on parole. The State Board of Prison Directors, the District Attorney of San Francisco County, State Parole Officer Chadwick, and the Advisory Pardon Board recommended a commutation of sentence to time served. Granted December 31, 1942.

FELIX SEERMAN, San Bernardino County Jail No. 48408, convicted of receiving stolen property in San Bernardino County, November 29, 1940, and confined in the county jail. Recommended by the trial judge, Hon. Charles L. Allison, on the ground that applicant was suffering from osteo-myelitis which intermittently gives him much pain and totally disables him, as testified by Dr. J. H. Titus, of Ontario, examiner for the Veterans' Administrative Facility, applicant being an honorably discharged World War veteran. Sentence commuted to a term of 60 days. Dated November 16, 1941.

PETER SHIELDS, Folsom No. 15092, pleaded guilty to crime of burglary, second degree, and three prior convictions, in San Joaquin County on January 28, 1928. He has been confined in Folsom Prison for a period of nearly 15 years, having been given a life sentence as an habitual criminal. The Advisory Pardon Board and the State Supreme Court recommended a commutation of sentence to remove the habitual criminal status. Granted December 31, 1942.

WILMER C. SPIVEY, Folsom No. 19796, found guilty in Stanislaus County during March, 1935, of robbery, first degree, and two prior convictions, and since then confined in prison. A commutation of sentence to the extent of removing the habitual criminal status recommended by the State Board of Prison Directors; District Attorney Leslie A. Cleary of Stanislaus County; the Advisory Pardon Board; and the State Supreme Court. Granted April 14, 1942.

SCOTT C. STONE, San Quentin No. 43045, convicted by a jury in Los Angeles County of first degree murder during 1925. In 1927 his death sentence was commuted to life imprisonment. During 1930, when an application for commutation of sentence to time served was under consideration by a former Governor, Deputy Public Defender G. A. Benedict of Los Angeles wrote stating his experience in that office led him to conclude that there was serious doubt of applicant's guilt. Mr. Harry C. Hickok, Special Investigator for the State Division of Criminal Identification and Investigation, stated there was insufficient evidence to have convicted Stone. The prosecuting attorney stated he and his assistant had doubted applicant's guilt, but that public sentiment was aroused and, despite conflicting testimony, "it did not take them long to convict him." Applicant is aged and ill, and has been assured a home if released. The Advisory Pardon Board, following a special investigation, recommended a commutation of sentence to time served. Granted July 31, 1941.

ANASTASIA SUNIGA, Folsom No. 6121, pleaded guilty to the crime of murder in Kern County during 1905. Released on parole February 5, 1916. Recommended by the State Board of Prison Directors, former State Parole Officer Charles C. Coxe; Rodney E. Clark, Under-Sheriff of Imperial County; Mr. Frank Ames of Imperial County, applicant's employer and of whose household applicant has long been a trusted member; and by the Advisory Pardon Board. Applicant, who was 22 years of age at the time, had joined three others in a robbery which resulted in the death of the victim, and served his prison term and 25 years on parole with an excellent record. Pardon granted August 4, 1941.

JIM TANDY, Folsom No. 8880, was convicted by a jury in Los Angeles County October 14, 1913, of the crime of rape. He served 10 years in prison and has been on parole the last 19 years. Recommendations received from State Parole Officer Board of Prison Directors and Advisory Pardon Board. Commutation of sentence to time served granted December 21, 1942.

TONY TOLEDO, Folsom No. 16463, pleaded guilty to forgery and two prior convictions, Tulare County, September 20, 1933. Commutation of sentence to remove the habitual criminal status recommended by the State Board of Prison Terms and Paroles, the Advisory Pardon Board and the State Supreme Court. Granted April 14, 1942.

JOSEPH TROCHE, San Quentin No. 44667, was convicted by a jury in El Dorado County during January, 1928, of murder in the first degree. He was received at San Quentin under a death sentence, which was commuted May 20, 1930, to life imprisonment. Commutation to 25 years recommended by the Board of Prison Directors, and the Advisory Pardon Board. Granted December 31, 1942.

RAYMOND C. WEST, San Quentin No. 50148, convicted of murder, first degree, Sacramento County, April 24, 1931. His death sentence was commuted by Governor James Rolph, Jr., upon the condition he remain in prison for the rest of his natural life. State Parole Officer Allen Moore and the Advisory Pardon Board recommended that the clause "without possibility of parole" be amended by a commutation of sentence with possibility of parole, thus permitting applicant to make application to the Board of Prison Terms and Paroles for consideration of his release under parole supervision at the discretion of that board. Granted April 15, 1942.

DAI QUON WONG, San Quentin 56709, convicted in Kings County, October 8, 1934, of murder in the first degree, and since then confined in prison. The Advisory Pardon Board, after considering the facts of the case, including the fact that applicant was convicted purely on circumstantial evidence, and citing his exemplary behavior during his entire term of imprisonment, recommended that his sentence be commuted. Commutation of sentence to 12 years granted April 14, 1942.

CHARLES M. WYATT, San Quentin No. 58365, convicted in Los Angeles County November 18, 1935, of the crime of kidnapping for purpose of robbery and robbery first degree and grand theft. In November, 1939, the State Board of Prison Terms and Paroles recommended that this applicant's term be commuted from life to 16 years, and the trial judge, Hon. Henry M. Willis of the Los Angeles County Superior Court, made a similar recommendation. Sentence commuted to 16 years April 4, 1941.

EDWARD JACKSON YOUNG, San Quentin No. 65575, pleaded guilty to the crime of grand theft in Shasta County, October 11, 1940. Honorable Albert F. Ross, of the Superior Court of Shasta County, the trial judge, recommended any possible leniency for this applicant, whom he believed to be entirely rehabilitated, and stated that probation would have been granted had the law given the court power to consider it. District Attorney Lawrence Carr of Shasta County expressed views favorable to the granting of a commutation, and the Advisory Pardon Board

recommended that the sentence be commuted to time served. Commutation of sentence to time served granted March 7, 1941.

WILLIAM A. YOUNG, San Quentin No. 65410, convicted of murder in Los Angeles County, August 19, 1940. Recommended by Judge Pierson M. Hall of the Los Angeles County Superior Court and by the State Supreme Court. The record indicates that the crime was committed in the heat of passion and with a minimum of premeditation. Sentence commuted to life imprisonment October 13, 1941.

Pardons

WILLIAM J. ANDERSON, San Quentin No. 38167, was convicted of the crime of robbery by a jury in Los Angeles County during July, 1923. He served 18 months in prison and two years eight months on parole. Pardon recommended by former prosecuting attorney Wm. C. Doran, Judge Paul J. McCormick, and the Advisory Pardon Board. Granted December 31, 1942.

CHARLES ANDREWS, San Quentin No. 38107, was convicted by a jury in Los Angeles County during July, 1923, of the crime of criminal syndicalism. He served one and one-half years in prison and 11 months on parole, his term expiring December 12, 1925. Recommended by State Parole Officer John E. Chadwick and Advisory Pardon Board, in view of his good conduct since release from prison. Pardon granted December 18, 1942.

HELEN ARDELLE, Tehachapi No. 460 and 460-A, and **PERCY G. FLUMMERFELT**, San Quentin Nos. 63562 and 63562-A, were convicted of the crime of grand theft in Los Angeles County in 1939, and of grand theft and violation of Corporate Securities Act in Alameda County during 1940. They served prison terms in Tehachapi and San Quentin respectively; applicant Ardelle served four and one-half months as a parolee and applicant Flummerfelt's parole term will expire November 7, 1943. Recommended by Board of Trustees of the California Institution for Women at Tehachapi; State Board of Prison Terms and Pardons; State Parole Officer Allen Moore; the Advisory Pardon Board and the State Supreme Court Pardon granted January 3, 1943.

JUE ART, Folsom No. 13163, pleaded guilty to the crime of murder in the first degree in Santa Clara County on February 14, 1922. He served in San Quentin and Folsom for 10½ years and was released on parole August 23, 1932. Recommended by the Advisory Pardon Board in view of the fact that he is regularly employed and has responded to parole supervision. Pardon granted December 28, 1942.

L. P. ASHLEY, San Quentin No. 65852, pleaded guilty to the crime of escape in Tulare County on December 9, 1940. He served 14 months in prison and since his release February 6, 1942, has been on parole. Favorable recommendations made by District Attorney Walter C. Haight and the Advisory Pardon Board. Pardon granted December 28, 1942.

DON WILBER AVERY, San Quentin No. 60735, pleaded guilty to the crime of escape in Santa Barbara County in August, 1937. He completed his full sentence in a road camp and in prison and was discharged February 22, 1940. Recommended by: Sheriff James Ross of Santa Barbara County; Superior Court Judge Atwell Westwick, Santa Barbara County; and the Advisory Pardon Board. Pardon granted December 21, 1942.

WILLIAM BAKER, San Quentin No. 35713, was convicted by a jury in Los Angeles County during December, 1921, of the crime of criminal syndicalism. He served three years three months in prison and nine months on parole, his term expiring December 11, 1925. Recommended by the Advisory Pardon Board. Pardon granted December 21, 1942.

ADOLPHUS BALDWIN, San Quentin No. 61567, convicted of grand theft in Los Angeles County, January 17, 1938. Released on parole March 11, 1940. Recommended by former District Attorney Buron Fitts, present District Attorney John F. Dockweiler, Judge Thomas L. Ambrose of the superior court, and Under-Sheriff A. C. Jewell, all of Los Angeles County; and by the Advisory Pardon Board. Pardon granted January 3, 1942.

CLARENCE EDWARD BALLAMY, Folsom No. 17840, pleaded guilty to grand theft, San Bernardino County, May 2, 1932. Discharged January 4, 1934. Pardon recommended by former District Attorney Stanley Mussell, Superior Court Judge Charles L. Allison, and Sheriff Emmett L. Shay, all of San Bernardino County, and by the Advisory Pardon Board. Granted December 23, 1941.

PETER BEAZLEY, Sacramento City Police Department No. 9691F, was convicted of the crime of criminal syndicalism in Sacramento County on January 18, 1923. Recommended by the Advisory Pardon Board. Former District Attorney Hugh B. Bradford (now City Attorney of Sacramento), wrote that from the facts presented it would appear to him to be a meritorious case. Pardon granted December 21, 1942.

WILLIAM BELL, San Quentin No. 54151, convicted of manslaughter, Los Angeles County, May 4, 1933. His term expired on December 13, 1936. Pardon recommended by State Parole Officer John E. Chadwick, by Justice William C. Doran of the district court of appeal, who was the trial judge in this case, and by the Advisory Pardon Board. Granted March 18, 1941.

RICHARD BENDIG, San Quentin No. 35714, was convicted by a jury in Los Angeles County on December 9, 1921, of the crime of criminal syndicalism. He served 18 months in prison and the same period on parole, his term expiring December 11, 1924. Recommended by the Advisory Pardon Board. Pardon granted December 21, 1942.

PETE BERTOLLI (also known as Bartoli), San Quentin No. 33127, was convicted in Sacramento County on October 29, 1919, of the crime of rape. He served three years six months in prison and two years on parole, his term expiring April 24, 1925. Recommendations made by District Attorney Otis D. Babcock; Sheriff Donald Cox of Sacramento County and applicant's employer, R. Rosenberg & Sons of Sacramento. Pardon granted December 28, 1942.

R. V. BERRY, San Quentin No. 50354, convicted by a jury in Monterey County, June 5, 1931, of the crime of robbery, second degree. Term expired, December 6, 1937. Recommended by State Parole Officer John E. Chadwick and by the Advisory Pardon Board. Granted August 6, 1941.

JAMES G. BOLITIERRE, San Quentin No. 38866, pleaded guilty to burglary first degree in Ventura County on December 23, 1923. He served five years and five months in prison and four years on parole. Recommended by Hon. Meile J. Rogers, who was the trial judge; State Parole Officer John E. Chadwick; and the Advisory Pardon Board. Granted December 31, 1942.

LEROY BREMMER, Folsom No. 17497, convicted by a jury in Los Angeles County, November 16, 1931, of grand theft. Sentence commuted to time served January 17, 1934. Mayor Fletcher Bowron of Los Angeles, who was trial judge in this case, recommended a pardon be granted, and Grant B. Cooper, Chief Deputy District Attorney of Los Angeles County, who prosecuted applicant, joined in the recommendation. The Advisory Pardon Board recommended that applicant be pardoned, and the State Supreme Court recommended favorable action on his application. Granted November 10, 1941.

MARSHALL F. BROCKWAY, San Quentin No. 53174, pleaded guilty to the crime of burglary in the second degree in Los Angeles on November 7, 1932. He served 14½ months in prison, until his term expired on February 7, 1934. Recommended by Mayor Fletcher Bowron of Los Angeles (then Trial Judge); Chief Deputy District Attorney Grant B. Cooper of Los Angeles; and the Advisory Pardon Board. Pardon granted December 31, 1942.

GEORGE EDWARD BROWN, San Quentin No. 34165, convicted by a jury in San Diego County, October 28, 1930, of murder in the second degree. Released on parole December 4, 1935. The State Parole Officer wrote April 9, 1941, stating applicant had been steadily employed and his conduct good since his release. Pardon granted December 24, 1941.

HORACE W. BROWN, San Quentin No. 47035, pleaded guilty to the crime of burglary, second degree, in Stanislaus County, May 13, 1929. Term expired November 30, 1933. Recommended by former District Attorney R. R. Fowler and by Sheriff G. M. Hogan of Stanislaus County, State Parole Officer Charles C. Cox, and the Advisory Pardon Board. Granted July 11, 1941.

GOODMAN BRUDNEY, San Joaquin No. 19017

EUGENE CAPLIN, San Joaquin No. 18728

ETHEL L. COCHRAN, San Joaquin No. 19024

BOYD W. COON, San Joaquin No. 18692

STEVE L. DADUK, San Joaquin No. 18690

RAMEN DUREM, San Joaquin No. 19018

H. HOWARD EDMONDS, San Joaquin No. 18691

ESTELLE REAVA PELS, San Joaquin No. 19023

ALAN NORTHCOTE FITE, San Joaquin No. 19019

HARRIET HOFFMAN, San Joaquin No. 19025

EARL JOHN KINNA, San Joaquin No. 19021

HERBERT NABOISEK, San Joaquin No. 19020

PHILIP GEORGE NASH, San Joaquin No. 18735

IDA POLLACK, San Joaquin No. 19027

MERLE REESE, San Joaquin No. 19026

FRANCES MARION SCHULTZ, San Joaquin No. 19028

JESSIE SMITH

CLARENCE MARTIN VICKLAND, San Joaquin No. 19020

These applicants convicted during June, July and August, 1940, in San Joaquin County of violation of Section 87 of the Penal Code. After release on appeal

they were remanded, upon conviction, to the custody of the Sheriff and each served approximately two months in the San Joaquin County Jail with the exception of Jessie Smith, who was not confined but released on the Sheriff's order. On July 3, 1941, they were granted commutation of sentence to time served and from that date until the present their records have been entirely clear. Recommended by the Advisory Pardon Board. Pardon granted December 28, 1942.

HIRAM BURBANK, San Quentin No. 32652, who pleaded guilty to the crime of rape in Los Angeles County on May 11, 1919. He served six and one-half years in prison and 16½ years on parole. Recommended by the Advisory Pardon Board. Granted December 14, 1942.

CARL F. BURNS, Folsom No. 20359, convicted by a jury in Orange County, July 15, 1932, of the crime of grand theft. Term expired July 15, 1937. Pardon recommended by Leo J. Friis, who as Deputy District Attorney prosecuted the case; former District Attorney Sam L. Collins of Orange County; Superior Court Judge G. K. Scovel of Orange County; and the Advisory Pardon Board. Granted April 14, 1942.

JOHN BURROWS, San Quentin No. 58030, ROBERT FITZGERALD, San Quentin No. 59031, VICTOR H. JOHNSON, San Quentin No. 58032, JOHN SOUZA, San Quentin No. 58035, REUEL STANFIELD, San Quentin No. 58034, convicted in Stanislaus County during September, 1935, of the crime of reckless possession of explosives. Each served approximately three and one-half years in prison and on parole. Pardon recommended by the State Parole Officer and the Advisory Pardon Board. Granted December 28, 1942.

DELBERT BYRNE, San Quentin No. 47612, pleaded guilty to the crime of forgery of indorsement in Fresno County during October, 1929. He served two years five months in prison and a road camp and two years on parole, his term expiring March 1, 1934. Recommended by Hon. C. E. Beaumont, Judge of United States District Court; State Parole Officer Allen Moore; and the Advisory Pardon Board. Pardon granted December 28, 1942.

JOE CARDINALE, Contra Costa County No. 7512, convicted by a jury of the crime of rape, March 8, 1929, and sentenced to one year in the county jail upon recommendation of the jury. Judge A. L. Pierovich of Amador County wrote stating he had studied the transcript of the case and felt that it indicated the jury had decided the offense was not so serious as the charge would indicate. He also stated that applicant has a fine family, is a self-sustaining and self-reliant man, and desires to attain citizenship. The District Attorney at time of trial recommended a pardon, as did the Advisory Pardon Board. Granted August 6, 1941.

STEPHEN N. CARLILE, San Quentin No. 38344, pleaded guilty to embezzlement in Los Angeles County, September, 1923. Term expired March 15, 1926. The Advisory Pardon Board recommended that applicant be pardoned, since his conduct and behavior in the 15 years since his discharge had been entirely satisfactory, and he was now seeking restoration of his civil rights as a resident of Oklahoma. Granted October 15, 1941.

PETER CHRISTOPULOS, San Quentin No. 41169, pleaded guilty to the crime of criminal conspiracy to commit perjury in Contra Costa County, August 14, 1925. Term expired December 15, 1927. Recommended by Sheriff John A. Miller and by District Attorney A. B. Tinning of Contra Costa County, by State Parole Officer John Chadwick, and by the Advisory Pardon Board. Granted July 17, 1941.

HERBERT CLARK, San Quentin No. 49636, pleaded guilty to the crime of forgery in Los Angeles County, January 10, 1931. Term expired September 7, 1934. Recommended by State Parole Officer John E. Chadwick and by the Advisory Pardon Board. Granted October 13, 1941.

FRED CHARLES CLEMORE, San Quentin No. 58346, pleaded guilty to the crime of burglary, second degree, Ventura County, November 21, 1935. Term expired November 29, 1938. Recommended by the following Ventura County officials: Judge Louis C. Drapeau, of the Superior Court; Sheriff L. Howard Durley, District Attorney Arthur Waite, and Edward Henderson, formerly Judge of the Superior Court; also by the Advisory Pardon Board. Granted July 17, 1941.

JOHNNIE COCON, San Quentin No. 45285, convicted by a jury in Los Angeles County on April 17, 1928, of burglary, second degree. Term expired January 24, 1933. Recommended by Superior Court Judge Thurmond Clark, who was the prosecuting attorney, by former Superior Court Judge Edward Henderson, and by the Advisory Pardon Board. Granted October 13, 1941.

THOMAS CONNORS, San Quentin No. 40950, was convicted by a jury in Sacramento County during June, 1925, of the crime of attempt to influence a juror. He served one year and nine months in prison and was fully discharged on March 8, 1927. Recommended by the Trial Judge, Charles O. Busick and the Advisory Pardon Board. Pardon granted December 18, 1942.

CLIFFORD CONWAY, San Quentin No. 30490, was convicted by a jury in San Francisco County during March, 1917, of the crime of murder in the first degree. He was given a life sentence, served 22 years in prison and is presently on parole.

In view of good conduct in prison and on parole, recommended by State Parole Officer Allen Moore; the Advisory Pardon Board. Pardon granted December 29, 1942.

EDWARD CONWAY, San Quentin No. 29936, who was convicted by a jury in San Mateo County during September, 1916, of the crime of manslaughter. He served two years, seven and one-half months in prison and one year on parole. Pardon recommended by District Attorney Ferrell of San Mateo County, Parole Officer Chadwick, and the Advisory Pardon Board. Granted December 31, 1942.

CARL C. COON, Los Angeles County Probationer No. 42115, convicted in March, 1939, of grand theft. Originally sentenced to San Quentin Prison, upon a rehearing his sentence was suspended and five years probation granted, to expire April 23, 1945. Pardon recommended by Hon. Orlando H. Rhodes, Judge of the Superior Court; Hon. William J. Mohr, Chief of the Santa Monica Fire Department, of which applicant is an employee, Judge Thomas L. Ambrose of the Superior Court of Los Angeles County; and the Advisory Pardon Board. Granted April 14, 1942.

JOSEPH V. COSCA, San Quentin No. 35002, pleaded guilty to crime of burglary, second degree, San Diego County, June 2, 1921. He served one year, 11 months in prison and one year on parole. Recommended by the Sheriff, District Attorney, and Trial Judge, San Diego County, State Parole Officer, Advisory Pardon Board, and State Supreme Court. Granted December 31, 1942.

HENRY COWELL, San Quentin No. 59182, pleaded guilty to the crime of violation of Section 288a of the Penal Code in San Mateo County on July 6, 1936. He served three years 11½ months in prison and has been on parole since June 26, 1940. Recommended by: Sheriff James J. McGrath; Judge Maxwell McNutt; Charles Seeger, Chief of the Pan American Union, Music Division, Washington, D. C. In addition, character references received from Leopold Stokowski, Edwin Franko Goldman, Percy Grainger, and others. Pardon granted December 29, 1942.

JOHN H. CROWNOVER, San Quentin No. 44326, pleaded guilty to crime of grand theft, Los Angeles County, December 10, 1927. The presiding judge, Hon. Carlos S. Hardy recommended that a pardon be granted; Los Angeles County District Attorney John F. Dockweiler stated his office has no objection to the granting of an act of clemency; and the Advisory Pardon Board recommended that applicant be pardoned. Granted April 14, 1942.

FRANK DA GLAU, San Quentin No. 55646, was convicted in Yolo County on February 26, 1934, of assault with intent to commit rape. He served 15½ months in prison and two years on parole. Recommended by Sheriff Monroe of Yolo County; District Attorney C. C. McDonald of Yolo County; and the Advisory Pardon Board. Granted December 31, 1942.

JESUSITA REA D'AGOSTINI, San Quentin No. 36368, convicted by a jury in Alameda County during 1922 of manslaughter. Her term expired November 4, 1928. Pardon recommended by former District Attorney Ezra W. Decoto and the Advisory Pardon Board, citing applicant's good conduct throughout the 12½ years since discharge. Granted April 14, 1942.

THOMAS W. DANIELS, San Quentin No. 62094, was convicted by a jury in Los Angeles County during July, 1937, of violation of the Corporate Securities Act, and grand theft. He served two years, 10½ months in San Quentin Prison and has been under parole supervision since May 1, 1941. Pardon recommended by District Attorney, Los Angeles County, Superior Court Judge Dudley S. Valentine, and the Advisory Pardon Board. Granted December 31, 1942.

CLARENCE J. DAVIS, San Quentin No. 34019, pleaded guilty to the crime of lewd and lascivious act in San Joaquin County on September 8, 1920. He served 14 months in prison and two years and five months on parole, his term expiring April 9, 1924. Recommended by the Advisory Pardon Board, Chief of Police of the City of Stockton and the present District Attorney R. M. Dunne, stated that they would have no objection to the granting of a pardon. Pardon granted December 18, 1942.

J. T. DENTON, San Quentin No. 58184, convicted by a jury in San Joaquin County, October 14, 1935, of the crime of manslaughter. Served three years and two months in prison and four years on parole. Pardon recommended by Sheriff Martin Anshro and District Attorney Raymond M. Dunne of San Joaquin County; Sheriff George R. Houx of Colusa County, to whom applicant has been known since 1900 as honest, industrious and as having borne an excellent reputation in his community; and by the Advisory Pardon Board. Granted April 14, 1942.

ANNA DE RITIS, Tehachapi No. 57265, convicted in Los Angeles County, January 28, 1935, of the crime of manslaughter. Term expired May 7, 1940. Mrs. Emily D. Larham, State Parole Officer for the California Institution for Women at Tehachapi, Hon. Isaac Pacht, who was the trial judge, and the Advisory Pardon Board recommended that the applicant receive a pardon, each pointing to her industrious and exemplary life as housewife and mother since release on parole. Pardon granted April 19, 1941.

JEUENE DICK, Los Angeles County Probationer No. 47904, convicted December 20, 1939, of the crime of simple assault. Served 10 days in the county jail and was granted two years on probation. Santa Monica Chief of Police C. E. Webb stated that as one year of probation had been served and his department had had no further trouble concerning this applicant, she was probably entitled to consideration. The Advisory Pardon Board concurred in that recommendation, and a pardon was granted April 21, 1941.

EDWARD M. DIGARDI, convicted in Martinez, Contra Costa County on January 8, 1940, of shooting robins in violation of Section 1179 of the Fish and Game Code. He was fined \$25, of which \$10 was paid and \$15 suspended. Applicant has filed his request for appointment to the Naval Reserve forces of the United States, and while he would be accepted despite this conviction, its existence on his record requires clearance from Washington and a resulting long delay. The records of the Criminal Identification and Investigation Division disclose no other offense by this applicant. His employer, Herbert W. Erskine, San Francisco attorney, stated he is an industrious and earnest worker, is reliable and would make a fine soldier and officer. Granted April 14, 1942.

CHARLES DILLON, San Quentin No. 39450, convicted by a jury in Fresno County May 17, 1924, of the crime of embezzlement. He served 18 months in prison and 18 months on parole. Recommended by: Chief of Police R. T. Wallace; Former Chief of Police Frank Truax; Trial Judge J. E. Woolley; Advisory Pardon Board. Other public officials and leading citizens have also written on behalf of this applicant. Pardon granted December 28, 1942.

LEO HORTON DONNELLY, San Quentin No. 62797, pleaded guilty to violation of Section 504 of the Penal Code (embezzlement by public officer), in San Joaquin County, December 14, 1936. He served one year 11 months in prison and one year one and one-half months on parole. The following made recommendations: Chief of Police H. A. Vogelsang of Stockton; Sheriff Martin Ansborg of San Joaquin County; Trial Judge D. M. Young; State Parole Officer Allen Morse, and the Advisory Pardon Board. Also City Manager W. B. Hogan and J. P. Campbell, City Auditor of Stockton, as well as a number of leading citizens of Stockton, wrote, expressing their confidence in this applicant. Pardon granted December 18, 1942.

WARREN C. EARLE, San Quentin No. 48521, was convicted of the crime of grand theft, four counts to run concurrently, in Los Angeles County during April, 1930. He served one year and seven months in prison and two years on parole. Recommendations made by State Parole Officer John E. Chadwick, and Advisory Pardon Board. District Attorney John F. Dockweiler stated his office would offer no objection to any course of action taken by the Advisory Pardon Board. Pardon granted December 21, 1942.

WALTER H. ELIASSEN, San Quentin No. 54835, pleaded guilty to the crime of forgery and grand theft in Alameda County on September 25, and October 10, 1933. His term expired on July 16, 1938. The trial judge, Hon. Frank M. Ogden, recommended that the applicant be pardoned, and eight other Alameda County Superior Court Judges submitted similar recommendations, based on Mr. Eliassen's excellent record of conduct and industry since his release on parole. The Advisory Pardon Board concurred in those recommendations. Pardon granted April 12, 1941.

EDWARD HESS ELLISON, San Quentin No. 30404, pleaded guilty to the crime of burglary in the second degree in Los Angeles County during March, 1924. Probation was denied. He served three years and three months in prison and about one year on parole, his term expiring August 10, 1928. Favorable recommendation made by the Advisory Pardon Board, District Attorney John F. Dockweiler and Chief of Police C. B. Horrall of Los Angeles. Judge before whom he pleaded guilty recommended pardon be granted if his record since release was clear. Pardon granted December 21, 1942.

THOMAS ENRIGHT, San Quentin No. 55361, convicted of the crime of rape in Yolo County, January 22, 1934; term expired May 9, 1937. The District Attorney, Hon. C. C. McDonald, recommended a pardon since evidence showed the applicant had not actually assaulted the prosecutrix, but had eventually assisted her in getting away from others guilty of the assault, and further stating that Enright's conduct before and since the offense had been excellent. Sheriff F. D. Montoe of Yolo County wrote a similar recommendation, and the applicant's employer asked that the pardon application receive favorable consideration. The Advisory Pardon Board concurred in the foregoing favorable recommendation. Pardon granted February 11, 1941.

I HARRY EPSTEIN, San Quentin No. 51309, convicted in Los Angeles County of the crime of grand theft, December 17, 1931. Term expired January 16, 1938. Recommended by Sheriff Biscailuz of Los Angeles County and by District Attorney John F. Dockweiler in that his office stated it would oppose no action the Advisory Pardon Board might see fit to take. The Advisory Pardon Board considered the case and recommended that applicant be extended pardon relief. Granted April 14, 1942.

OSCAR ADOLPH ERICKSON, San Quentin No. 68686, was convicted of the crime of criminal syndicalism in Imperial County in June, 1930. He served two years one and one-half months in prison and one year one and one-half months on parole, his term expiring January 18, 1934. Recommended by Charles C. Cox, then State Parole Officer. Pardon granted December 18, 1942.

JAY S. FENTON, Folsom No. 13457 (IT), convicted in Los Angeles County, June 4, 1923, of violation of Section 476 of the Penal Code. Term expired June 6, 1929. The office of the District Attorney of Los Angeles County, finding no record of law violation by this applicant since his conviction in 1923, stated there appeared to be no reason for denying a pardon. The Advisory Pardon Board recommended a pardon in view of the applicant's exemplary conduct since discharge. Granted April 12, 1941.

AMEDIO FINALI, San Quentin No. 29460, was convicted by a jury in Shasta County on March 14, 1916, of the crime of manslaughter. He served two years 10 months in prison and a road camp and one year four months on parole. The official records indicate his conduct has been entirely satisfactory. Recommended by C. W. Leiminger, Deputy District Attorney at the time of this conviction; State Parole Officer Allen Moore and the Advisory Pardon Board. Pardon granted December 28, 1942.

JOHN FITZGERALD, San Quentin No. 57873, pleaded guilty to the crime of bigamy in Los Angeles County, June 26, 1935. Term expired July 20, 1938. Pardon recommended by State Parole Officer John E. Chadwick, who cited applicant's 23 years honorable service in the United States Army, and his good record except for the instant offense, and the Advisory Pardon Board made a similar recommendation. Pardon granted March 18, 1941.

AUGUSTINE FOPPIANO, San Quentin No. 45345, was convicted by a jury in Alameda County on May 3, 1928, for the crime of robbery in the first degree. He served four years four and one-half months in prison and two years one month on parole, his term expiring November 5, 1934. Recommendations made by the Advisory Pardon Board and the applicant's employer. Applicant stated he desired a pardon in order that he might better serve his country in some branch of the service. Pardon granted December 18, 1942.

CHARLES FRANKS, San Quentin No. 47229, pleaded guilty to violation of Section 288, Penal Code, in Contra Costa County during June, 1929. Subsequent to a thorough investigation by the Division of Criminal Identification and Investigation, the Advisory Pardon Board considered this application and recommended that it be granted. Pardon dated April 14, 1942.

CLARENCE L. FREDERICK, San Quentin No. 53698, pleaded guilty to the crime of grand theft in Monterey County during February, 1933. Probation was denied and he served two years one month in prison and the same period on parole, his term expiring April 22, 1937. Recommended by Honorable H. G. Jorgensen, Judge of the Superior Court; Sheriff Alex H. Borges; Undersheriff Geo. D. McMillan; Honorable Anthony Brazil, present District Attorney (all of Monterey County); Mayor Edmund J. Leach of Salinas; Former District Attorney Harry L. Noland; State Parole Officer Allen Moore; and the Advisory Pardon Board. Also recommended by applicant's present employers and a number of prominent business and professional men in the community. Pardon granted December 31, 1942.

LOUIS W. FRIEDMAN, San Quentin No. 54051, pleaded guilty in Santa Clara County during April, 1933, of issuing checks without sufficient funds. Term expired November 20, 1936. Recommended by Sheriff Wm J. Emig of Santa Clara County; State Parole Officer John E. Chadwick; and the Advisory Pardon Board. Pardon granted April 14, 1942.

WILLIAM GEORGE GALLACHER, San Quentin No. 41192, convicted in Sacramento County, August 21, 1925, of violation of Section 25 of the Motor Vehicle Act. Term expired December 22, 1927. Pardon recommended by former District Attorney J. J. Henderson; the trial judge, Hon. Charles O. Busick; State Parole Officer John E. Chadwick; District Attorney Otis D. Babcock; and the Advisory Pardon Board. Granted January 3, 1942.

ABRAHAM GARCIA, Folsom No. 9177, pleaded guilty to the crime of robbery in Los Angeles during June, 1914. He served one year four months in prison and was then fully discharged. During 1923, he was arrested in Los Angeles on a charge of receiving stolen property and was paroled by the county authorities approximately three months later. With that exception he has maintained an entirely satisfactory record for 28 years. Recommended by the Advisory Pardon Board and numerous prominent businessmen in his community, who testified to his industry, integrity and honesty over a period of more than 28 years. Pardon granted December 31, 1942.

GEORGE GARTLER, San Quentin No. 65106, and ROBERT COWAN, San Quentin No. 65103, convicted by a jury in Los Angeles County during May, 1940, of second degree murder, and conspiracy. Each was granted a commutation of sentence in July, 1941, upon favorable recommendations by the Los Angeles District

Attorney, State Board of Prison Directors and the Advisory Pardon Board. Many letters from prominent citizens in all walks of life in southern California have been received certifying to applicants' complete rehabilitation. Granted December 31, 1941.

LOIS PRESTON GILBERT, Tehachapi No. 423, was found guilty by the court in Los Angeles County of the crime of conspiracy to commit grand theft. She served approximately three years in prison and was released on parole September 30, 1941. Mrs. Emily Latham, State Parole Officer for the California Institution for Women and the Advisory Pardon Board recommended favorably in this case. Pardon granted December 28, 1942.

CLAUDE M. GILL, San Joaquin County Probationer, pleaded guilty to three counts of grand theft in San Joaquin County on March 24, 1938. He was subsequently granted probation upon condition that restitution be made. Sheriff Martin Ansbro wrote stating Gill had turned all of his earnings in to the court and was continuing to make every effort to repay his obligation in full, and Sheriff Ansbro felt he was entitled to a pardon and that such action would enable him to increase his earnings and hasten restitution. The County Probation Officer and the Advisory Pardon Board expressed the same views and the Board recommended that applicant be pardoned conditionally upon his paying back the balance of the sum involved. Pardon granted April 15, 1941, upon condition the applicant repay, through the Probation Officer, the specific sums due to each of three specific persons, the pardon to become final when the sums shall have been paid in full.

JOHN CARROLL GILLUM, San Quentin No. 51567, was convicted by a jury in Santa Clara County on February 10, 1932, of the crime of assault to murder. Probation was denied and he served three years one and one-half months in prison and two and one-half years on parole, his term expiring October 2, 1937. Recommended by: Sheriff George W. Lyle; C. C. Cottrell, Esq., Attorney of San Jose (the District Attorney at the time this case was up); District Attorney Fred L. Thomas; Superior Court Judge R. R. Syer; State Parole Officer Allen Moore; The American Can Company (applicant's employer); and the Advisory Pardon Board. Pardon granted December 28, 1942.

WONG GIM, San Quentin No. 35550, convicted by a jury in Fresno County on October 31, 1921, of murder in the first degree. He served 13 years in prison and has been under parole supervision since November 5, 1934. Pardon recommended by Sheriff Overholt of Fresno County, former District Attorney Gearhart of Fresno County and the Advisory Pardon Board. Granted December 31, 1942.

WONG GIT, San Quentin No. 23103, pleaded guilty to crime of murder in the first degree, Alameda County, September 23, 1908. Released on parole November 7, 1923. Pardon recommended by the State Board of Prison Directors, State Parole Officer John E. Chadwick, and the Advisory Pardon Board. Granted April 18, 1942.

MANUEL TATO GOMEZ, San Quentin No. 64893, pleaded guilty to the crime of violation of Section 7052 of the Health and Safety Code in Los Angeles County on March 22, 1940. Probation was denied and he served two years in prison and was released on April 8, 1942. He has been serving as a parolee since he was released by Federal authorities on bond April 21, 1942, in view of warrant for his deportation. Recommended by District Attorney John B. Dockweiler and the Advisory Pardon Board. Pardon granted December 31, 1942.

ANGEL RUIZ GONZALEZ, Los Angeles County No. 35445, pleaded guilty to receiving stolen property, September 14, 1923. Term expired March 14, 1924. United States Commissioner David B. Head recommended that applicant be pardoned, his ultimate object being to secure United States citizenship. Pardon also recommended by Sheriff Eugene Biscailuz of Los Angeles County. Chief Joseph E. Dunn of the Bureau of Investigation of the District Attorney's Office of Los Angeles reported that his investigation developed no information that would suggest other than favorable action. Pardon recommended by the Advisory Pardon Board. Granted November 10, 1941.

CLINTON H. GOODWIN, San Quentin No. 34301, pleaded guilty to the crime of robbery in Los Angeles County on December 16, 1920. He served two years nine months in prison and three years three months on parole, his term expiring December 24, 1926. The following made recommendations: State Parole Officer Allen Moore, Detective Lieutenant Charles E. Ewing of the Pasadena Police Department, Reverend Ira E. King, Chaplain of Los Angeles City and County Jails, Reverend R. H. Epperson, President of the United Christian Jail Workers Assn., G. N. Millikan, Mgr. of Crane Co. of Pasadena. Further recommendations made by members of the clergy and professions in Pasadena. District Attorney at the time of trial is deceased; the present District Attorney made no recommendation but rested matter with Advisory Pardon Board. Advisory Pardon Board recommended favorably. Pardon granted December 21, 1942.

CHARLES E. GREENFIELD, San Quentin No. 26101, pleaded guilty to the crime of murder first degree in Los Angeles County on August 12, 1912. He was in prison and a road camp from November 2, 1912, to December 14, 1924, when

he was released on parole. Recommended by Celine E. Ewers (to whom he was paroled); Prosecuting Attorney J. D. Fiedricks; State Parole Officer John E. Chadwick; Advisory Pardon Board. Pardon granted December 28, 1942.

CHARLES FREDERICK GROSSKLAUS, San Quentin No. 26617, convicted by a jury in San Diego County, June 13, 1913, of seduction under promise of marriage. Term expired January 18, 1917. Recommended by the Advisory Pardon Board in view of applicant's clear record during the 24 years since his discharge. Granted October 13, 1941.

GILBERTO GUTIERREZ, San Quentin No. 67067, pleaded guilty to violation of Section 288 of the Penal Code in San Francisco, August 21, 1941. On condition that this applicant be deported to Nicaragua, his native country, where employment awaits him, a pardon was recommended by Honorable Juan Jose Martinez-Lacayo, Consul General of Nicaragua, the trial judge, the District Attorney of the County of San Francisco, and the Advisory Pardon Board. Pardon granted upon condition applicant be deported to Nicaragua without cost to the State of California or the Government of the United States. Dated March 12, 1942.

WILLARD HALE, alias Willard Hanselman, San Quentin No. 42294, convicted by a jury in San Francisco, June 6, 1926, of robbery, first degree. Term expired December 9, 1932. Recommended by Gene Kenyon, District Manager of the Works Projects Administration for Northern California, applicant being employed by that agency in a supervisory position of trust and responsibility; and by the Advisory Pardon Board. Granted October 15, 1941.

LEROY HALEY, San Quentin No. 66005, was convicted by a jury in Sacramento County on January 10, 1941, of the crimes of kidnapping for purpose of robbery with bodily harm, mayhem, robbery first degree, and kidnapping. He was received at prison under three life terms without possibility of parole and is presently confined in prison. A thorough investigation of the case was made by Mr. Owen Kessel, investigator for the State Division of Criminal Identification and Investigation, and the Advisory Pardon Board, after this investigation, recommended favorably. Pardon granted December 18, 1942.

WHITNEY ANNIS HANSLEY, Folsom No. 21040. Convicted in Los Angeles on May 20, 1936, of the crime of robbery first degree and one prior conviction. He served in prison from that date until April 7, 1941, when he was released on parole. Applicant served from September, 1941 until this year as pilot with China National Aviation Corp., evacuating officials and military personnel, as well as civilians, from battle zones in China and Burma. Recommended by District Attorney John F. Dockweiler; Advisory Pardon Board; and the State Supreme Court. Pardon granted December 31, 1942.

JOHN WILLIAM HARRIS, JR., San Quentin No. 60394, pleaded guilty in Tehama County, May 24, 1937, to crime of grand theft. Discharged May 25, 1939. Sheriff J. N. Froome, District Attorney Clair Engle, and Judge H. S. Gans of the Superior Court, each of Tehama County, recommended applicant receive a pardon, and his application was also recommended favorably by State Parole Officer Allen Moore and by the Advisory Pardon Board. Granted June 18, 1942.

WILLIAM T. HEATHCOTE, San Quentin No. 37877, pleaded guilty to crime of burglary in the second degree, Los Angeles County, during April, 1923. Term expired September 18, 1925. In view of applicant's entirely satisfactory record since that time, the Advisory Pardon Board recommended his citizenship be restored by the granting of a pardon. Granted April 14, 1942.

GEORGE ELLIOTT HIATT, San Quentin No. 36017, pleaded guilty to the crime of burglary, second degree, in Tulare County, on February 18, 1922. Term expired June 19, 1924. Favorable recommendations were made by State Parole Officer John E. Chadwick, Sheriff Sherman and District Attorney Haight of Tulare County, Chief of Police Greening of the City of Berkeley, and the Advisory Pardon Board, from whose communications it appears that Mr. Hiatt during the 17 years since his discharge from parole has completely rehabilitated himself by his own efforts in obtaining a higher education and constructive employment. Pardon granted May 6, 1941.

NEIL W. HIBBARD, San Quentin No. 54603, pleaded guilty to crime of grand theft in Los Angeles County on August 18, 1933. Two other counts of grand theft dismissed. Probation denied. He served two years and one month in prison and two years and one month on parole, his term expiring October 26, 1937. Recommended by Chief of Police C. B. Horrall of Los Angeles; Advisory Pardon Board; several business and professional men in Los Angeles. District Attorney made no recommendation but stated he had no objection to any action the Advisory Pardon Board might take. State Parole Officer stated he would concur in Advisory Pardon Board recommendation if Hubbard's record was clear. Pardon granted December 21, 1942.

RAYMOND HILL, San Francisco Police Department No. 47085, was convicted by a jury of the crime of robbery, second degree, in the county of San Francisco on April 11, 1932. He was sentenced by the Superior Court to San Quentin Prison,

but judgment sustained and he served one year in the County Jail at San Francisco; discharged February 22, 1933. Recommended by: Trial Judge Honorable Louis H. Ward and Advisory Pardon Board. Pardon granted December 21, 1942.

WONG HING, San Quentin No. 31296, was convicted by a jury in San Francisco County of the crime of murder in the first degree, during January, 1918. He served 16 years and two months in San Quentin Prison and has since been under parole supervision. Clemency recommended by former District Attorney of San Francisco, former Judge E. C. Hart, State Parole Officer Chadwick, Sheriff Martin Ansbro of San Joaquin County, and Deputy Sheriff Galbreath of San Joaquin County. Pardon granted December 31, 1942.

PAUL W. HOIT, San Quentin No. 52768, pleaded guilty to the crime of violation of Section 146 of the Motor Vehicle Act, in Los Angeles County, July 26, 1932. Sentence expired January 8, 1935. Pardon recommended by State Parole Officer Chadwick; Los Angeles Deputy Chief of Police Homer B. Cross; and the Advisory Pardon Board. Granted January 13, 1941.

ARAM JOSEPH HOVSEPIAN, San Quentin No. 60825, convicted in Fresno County September 3, 1937, for the crime of grand theft. His term expired on September 13, 1939. Sheriff George J. Overholt and Judge Dan F. Conway of the Superior Court, of Fresno County, Judge M. K. Gibbs of the Fresno City Police Court, and Fresno Chief of Police R. T. Wallace, each recommended that this applicant be pardoned. The Advisory Pardon Board concurred in the foregoing recommendations that Mr. Hovsepian's long record of industry and integrity, and the esteem in which he is held in his community entitle him to receive a full pardon. Granted March 19, 1941.

BEN HUNTER, San Quentin No. 55008, pleaded guilty to embezzlement of public moneys in Kern County, November 16, 1933. Term expired January 25, 1937. Recommended by Acting Chief of Police Robert C. Knight of Bakersfield; former Judge Allen B. Campbell of Kern County; Sheriff John E. Loustalot of Kern County; and the Advisory Pardon Board. Pardon granted April 14, 1942.

GEOFFREY GRAHAM HUTTON, Los Angeles County probationer No. 14251, pleaded guilty to violation of Section 146 of the California Vehicle Act, Los Angeles County, October 28, 1930. He was granted three years probation on condition that he serve the first year in the county jail. Hon. John M. Zuck, Chief Deputy Probation Officer of Los Angeles County, the Chief of Police of the City of Los Angeles, and the Advisory Pardon Board recommended the granting of a pardon. Granted March 18, 1941.

WILLIAM F. JAMES, Los Angeles County Probationer No. 33044, who was convicted by a jury in Los Angeles County, September 23, 1937, of the crime of forgery. Recommended by Sheriff E. W. Biscanuz and John F. Dockweiler, District Attorney, both of Los Angeles County, and by the Advisory Pardon Board. Granted December 14, 1942.

FRANK JOHNSON, San Quentin No. 55076, pleaded guilty to crime of assault with intent to commit robbery, Lassen County, November, 1933. Term expired June 29, 1937. The Advisory Pardon Board considered this application and, finding applicant's conduct had been exemplary since his release and that he enjoys the respect of his community, recommended he be pardoned. Granted April 14, 1942.

G. W. C. JONES, Folsom No. 6525, found guilty in San Mateo County during 1906 of the crime of murder. He served 15 years in prison and 21 years under parole supervision. Recommended by District Attorney Gilbert D. Ferrell of San Mateo, Sheriff James J. McGrath of San Mateo, and the Advisory Pardon Board. Granted December 14, 1942.

CHEW JUEY, Folsom No. 15857, convicted in San Francisco County, November 19, 1921, of murder in the first degree. Released on parole December 15, 1932. Pardon recommended by State Parole Officer Charles C. Cox; Chief of Police William J. Quinn of San Francisco; Honorable Frank J. Hennessy, now United States Attorney for the Northern District of California; District Attorney Matthew Brady and Treasurer Duncan Matheson of San Francisco County; and the Advisory Pardon Board. Granted March 10, 1942.

PAUL KELLY, San Quentin No. 43814, convicted by a jury in Los Angeles County during May, 1927, of the crime of manslaughter. Term expired February 2, 1931. Recommended by Federal Court Judge J. F. T. O'Connor; the trial judge, Hon. Charles S. Burnell; State Parole Officer John E. Chadwick; and the Advisory Pardon Board. Granted February 24, 1942.

THEODORE J. KING, San Quentin No. 33974, pleaded guilty to the crime of burglary second degree in Los Angeles County on August 11, 1920. He completed his term in prison and was discharged October 20, 1923. Recommended by the Advisory Pardon Board. District Attorney's Office offered no objection. Pardon granted December 21, 1942.

FRANK KIRK, San Quentin No. 45607, pleaded guilty to the crime of robbery in the first degree in San Diego County during June, 1928. He served five years seven and one-half months in prison and at a road camp and one year 10½ months on parole. Chief of Police Clifford E. Peterson, San Diego, wrote that he knew of no reason why Kirk should not receive a pardon. Recommended by: Honorable Shelley J. Higgins, former Judge of the Superior Court; State Parole Officer John E. Chadwick; the Advisory Pardon Board. Pardon granted December 28, 1942.

GEORGE WORDELL KLICK, San Quentin No. 61226, pleaded guilty in Los Angeles County, May 6, 1936, to issuing checks without sufficient funds. Term expired February 12, 1941. The Advisory Pardon Board stated its belief applicant had made a proper adjustment and effected complete rehabilitation, and it recommended he be pardoned. Pardon granted April 14, 1942.

LOUELLA KNOTT, Tehachapi No. 547, convicted by a jury in Butte County on March, 1939, and August, 1940, of embezzlement. Released on parole in October, 1940. Recommended by Sheriff R. H. Taylor of Butte County, Hon. Lish Pool, Butte County Probation Officer, Elizabeth M. Maxwell, Deputy District Attorney of Butte County, the Chairman and four members of the Butte County Board of Supervisors, Emily D. Latham, Secretary of the Board of Trustees of the Institution for Women at Tehachapi, and by many residents and leading citizens of applicant's community. Granted October 19, 1942.

WILLIAM KOHLER, San Quentin No. 56796, pleaded guilty to the crime of bigamy in Sacramento County during October, 1934. He served two years three months in prison and a road camp and was discharged on expiration of his term, February 8, 1937. Favorably recommended by former District Attorney Neil R. McAllister and the Advisory Pardon Board. Pardon granted December 28, 1942.

RICHARD JULIUS HERMAN KREBS, San Quentin No. 42785, otherwise known as Jan Valtin, pleaded guilty to crime of assault with deadly weapon, Los Angeles County, during October, 1926. Term expired April 23, 1933. Applicant, who was 21 years of age at time offense was committed, has no subsequent record of violation of the law, and his worthiness to receive a pardon has been attested by letters on his behalf received from more than 60 persons who are leading citizens in cities and other communities all over the United States, including publishers, editors, business men, educators and clergymen. Pardon granted November 30, 1941.

CHARLES M. KROESEN, San Quentin No. 61732, was convicted by a jury in Monterey County on March 27, 1938, of the crime of violation of Section 500 of the Vehicle Code (negligent homicide), and violation of Section 480 of the Vehicle Code (failure to stop and render aid resulting in death of person). He served one year six months in prison and nine months on parole, his term expiring June 30, 1940. Recommended by Sheriff of Monterey County, District Attorney, Trial Judge, State Parole Officer and the Advisory Pardon Board. Pardon granted December 28, 1942.

BERNARD KYLER, San Quentin No. 38307, convicted January 5, 1923, in Sacramento County, after three trials, of the crime of criminal syndicalism. Was discharged from San Quentin Prison January 21, 1936. Pardon recommended by the Advisory Pardon Board. Granted January 15, 1941.

ALBERT I. LASKER, San Quentin No. 48816, was convicted in Los Angeles on July 16, 1930, of the crime of making false entries in corporation books. Probation was denied. He served two years one month in prison and the same period on parole. Recommended by: F. G. Stanford of Hyland-Stanford Corporation, Los Angeles, and various business and professional men in Los Angeles, and the Advisory Pardon Board. The District Attorney's Office stated it would interpose no objection to any action the Governor might deem just. Pardon granted December 21, 1942.

ROBERT T. LATHOM, San Quentin No. 22015, pleaded guilty to the crime of forgery in Los Angeles County on February 11, 1907. He served five years four months in prison and upon completion of his term on June 13, 1912, he was discharged. The former District Attorney, John D. Fredericks, stated he favored the granting of a pardon in this case, while the present District Attorney desired to leave the matter entirely in the hands of the Advisory Pardon Board. The Advisory Pardon Board made a favorable recommendation. Pardon granted December 28, 1942.

GLADYS LAURIDSEN, San Quentin No. 47707, pleaded guilty to violation Section 288a Penal Code, Humboldt County, October 30, 1929. Term expired June 6, 1933. Pardon recommended by former District Attorney S. E. Metzler of Humboldt County; Sheriff A. A. Ross of Humboldt County; and the Advisory Pardon Board; these recommendations stating that applicant has been attending a State college while also continuing her employment as a housekeeper and as director of a recreation project, and that her record since discharge has been entirely honorable. Granted April 14, 1942.

ANTON J. LAWRENCE, Folsom No. 5360, was convicted of murder in the first degree in Santa Clara County during April, 1903. He served 14 calendar years in prison, and was released on parole May 12, 1917. Pardon recommended by Sheriff Emig of Santa Clara County, Sheriff Wilkie of Sonoma County, State Parole Officer Coxe, and the Advisory Pardon Board. Granted December 31, 1942.

ROBERT LOUIS LEIBRENZ, San Quentin No. 57039, pleaded guilty to violation of Sec 288, Penal Code, Stanislaus County, during December, 1934. Recommended by Superior Court Judge B. C. Hawkins, former Deputy District Attorney Robert B. Fowler and present District Attorney Leslie A. Cleary, and Sheriff G. M. Hogan, all of Stanislaus County, and by the Advisory Pardon Board. The recommendations presented the view that while offenses of the kind charged can not be condoned, there were exceptional factors in favor of applicant in the present case. Granted May 14, 1942.

CHARLES LESSE, San Quentin No. 33376, convicted of the crime of criminal syndicalism in Humboldt County, January 22, 1940. His term expired August 23, 1923. The Advisory Pardon Board considered his application for pardon and recommended that it be granted in view of the fact applicant's conduct had apparently been entirely satisfactory during the 17 years since his discharge, and that applicant had submitted affidavit swearing he is opposed to overthrow of the American Government by force and violence. Pardon granted June 17, 1941.

EDWARD HARRISON LEWIS, San Quentin No. 54165, pleaded guilty to grand theft, Los Angeles County, May 1, 1935. Term expired December 13, 1936. Recommended by District Attorney John F. Dockweiler of Los Angeles, Chief of Police Charles H. Kelley of Pasadena, State Parole Officer John E. Chadwick, and the Advisory Pardon Board. Granted April 14, 1942.

MANUEL LOUIS LICON, San Quentin No. 54215, convicted in Alameda County, May 25, 1933, of the crime of manslaughter. Pardon recommended by Chief of Police B. A. Wallman of Oakland; John E. Chadwick, State Parole Officer; and the Advisory Pardon Board. Manager George A. Brown of the Industrial Workshop for the Blind, Los Angeles, wrote that he had investigated applicant's personal and occupational life and found him to be an excellent citizen living an exemplary life. Pardon granted December 23, 1941.

CLARENCE TEMPLE LINDON, San Quentin No. 38673, was convicted by a jury in San Francisco of the crime of robbery (old law), on November 5, 1923. He served four years four months in prison and at a prison road camp and four years seven months on parole, having been discharged October 31, 1932. Recommended by Honorable Matthew Brady, District Attorney, San Francisco; State Parole Officer Allen Moore; and the Advisory Pardon Board. Trial Judge Michael J. Roche wrote that he would abide by any decision the Advisory Pardon Board might make. Pardon granted December 29, 1942.

ANGELO SANTO LIONETTI, San Quentin No. 32830, was convicted of the crime of bigamy in Marin County on June 27, 1919. For the past 19 years he has been known as Thomas H. Lonay. Served two years in prison and was discharged on July 1, 1921. Recommended by Judge Edward I. Butler of the Marin County Superior Court (who was District Attorney at the time of conviction), and the Advisory Pardon Board. The present District Attorney and the trial judge each stated that if applicant had been a good law-abiding citizen since his discharge it would seem proper to grant a pardon. Pardon granted December 18, 1942.

WALTER LIPS, San Quentin No. 37242, convicted by a jury in Los Angeles County of the crime of bribery during December, 1922. Term expired February 28, 1927. Recommended by Federal Judge Paul J. McCormick, who was the trial judge, and by the Advisory Pardon Board. Granted October 13, 1941.

ROBERT EDWARD LOHEIDE, San Quentin No. 46787, pleaded guilty to the crime of assault to commit robbery in Monterey County during March of 1929. He served his full term in prison, and at a road camp, and was discharged on June 18, 1934. Highly recommended by the former District Attorney, A. E. Warth, Sheriff Ross (Humboldt County), and the Advisory Pardon Board. Present District Attorney stated he would be in favor of a pardon if applicant had shown he had become entirely rehabilitated. Also appeared in the file a petition by the leading public officials of the City of Eureka and of Humboldt County. Pardon granted December 18, 1942.

NENO LOMBARDO, San Quentin No. 30845, was convicted in San Joaquin County, April 18, 1917, of the crime of murder in the first degree. He was paroled during August, 1926. Pardon recommended by former Assistant District Attorney Robert D. Duke, who prosecuted this applicant; Hon. Charles Scudero, former Chief of Police of the City of Pittsburg; Hon. Charles E. Hamilton, present Chief of Police of the City of Pittsburg; Constable Joseph Rodda of 6th Township, Contra Costa County; and Hon. Michael J. Gatto, Justice of the Peace, Pittsburg, each recommended the granting of a pardon. Granted February 10, 1941.

REHINO LOPEZ, San Quentin No. 30300, convicted by a jury in San Bernardino County on February 3, 1917, of the crime of rape. Term expired September 1, 1931. The late Warren V. Tyron, Judge of the Superior Court of Del Norte County, where applicant now resides, wrote stating he could see no reason for withholding clemency. Pardon recommended by District Attorney C. A. Degnan and by Sheriff Austin Huffman of Del Norte County, and former District Attorney T. W. Duckworth of San Bernardino County. The Advisory Pardon Board found that this applicant's record since expiration of his term had been most satisfactory and the Board members recommended that his application be granted. Pardon granted October 13, 1941.

CHARLES A. LOZENSKY, San Quentin No. 38018, pleaded guilty to the crime of grand larceny in Humboldt County, during June, 1923. Term expired June 29, 1926. Recommended by Sheriff A. A. Ross of Humboldt County, and by the Advisory Pardon Board. Granted August 6, 1941.

THOMAS ODOM LUCKETT, San Quentin No. 60677, was convicted by a jury in Imperial County on July 29, 1937, of the crime of abortion (violation of Section 274 of the Penal Code). Probation was denied and he served one year seven months in prison and two years on parole, his term expiring February 28, 1941. In view of his excellent conduct since release, recommendations were made by the Sheriff of Imperial County; Superior Court Judge V. N. Thompson; State Parole Officer John E. Chadwick and the Advisory Pardon Board. Pardon granted December 28, 1942.

NG LUN, Folsom No. 12257, pleaded guilty to the crime of murder in the first degree in Santa Clara County February 14, 1922. He served 10½ years in San Quentin and Folsom and was released on parole August 18, 1932. Sheriff W. J. Emig of Santa Clara County and Honorable John P. Fitzgerald, the present District Attorney, both stated they would have no objection to granting leniency in this case. Recommendations made by: State Parole Officer Allen Moore, Constable O. M. Hiserman of Alisal Township and the Advisory Pardon Board. Pardon granted December 28, 1942.

CLARENCE HOWARD MACBETH, San Quentin No. 58187, convicted by a jury in Stanislaus County during October, 1935 of the crime of forgery. He served 14 months in prison and 14 months on parole, his term expiring February 23, 1938. Recommended by State Parole Officer Allen Moore; Trial Judge E. N. Rector; Chief of Police J. A. Greening of the City of Berkeley; and the Advisory Pardon Board. Pardon granted December 31, 1942.

BENJAMIN MARTINEZ, San Quentin No. 30590. Convicted in San Francisco, April 4, 1917, of receiving stolen property. Term expired August 7, 1918. Recommended by District Attorney Matthew Brady of San Francisco; Mayor Z. S. Lymel and Police Court Judge M. K. Gibbs of Fresno; and by the Advisory Pardon Board. Granted April 14, 1942.

HERBERT G. MAYES, San Quentin 53816, pleaded guilty to crime of grand theft, Monterey County, March, 1933. He served two years, nine months in prison and 10½ months on parole. Pardon recommended by District Attorney of Monterey County, Parole Officer Allen Moore, and the Advisory Pardon Board. Granted December 31, 1942.

LEONARD THOMAS MAYHEW, San Quentin No. 46823, convicted in Alameda County of the crime of grand theft during March, 1929. Discharged October 29, 1932. Recommended by Judge Thomas C. Gould of the Superior Court of Los Angeles County, who stated he had known the applicant well and favorably between the years 1916 and 1925, and also during the past two years. Also recommended by the Advisory Pardon Board. Granted July 17, 1941.

LELAND G. McARTHUR, Los Angeles County probationer No. 19562, pleaded guilty to the crime of grand theft in Los Angeles County on December 21, 1932. Placed on probation for 20 years. He has presently served over seven years of that term. Recommendations submitted by: Chief of Police J. H. McClelland of Long Beach; J. H. Hawkins, Marshal of the City of Long Beach; Honorable Lyman B. Sutter, City Prosecutor of Long Beach; Ralph L. Clock, Esq., one of the leaders of the State Bar of California; Honorable W. W. Brady, Clerk of the Municipal Court; Trial Judge Robert Walker Kenny. Honorable William Brayton, Deputy in charge of the Long Beach Office of the Los Angeles County District Attorney stated that office would have no objection to granting a pardon. Pardon granted December 21, 1942.

WILLIAM W. McCANDLESS, San Quentin No. 52350, was convicted of the crime of embezzlement of public moneys in Los Angeles County during February, 1932. Completed his term on August 11, 1936. Favorably recommended by the trial judge, Hon. Elliot Craig of the Los Angeles County Superior Court; and by the Advisory Pardon Board. Granted January 15, 1941.

CLARENCE McCULLOUGH, San Quentin Nos. 44321 and 45009, pleaded guilty to robbery, first degree, Sacramento County, November, 1927. He served seven years in prison and two years, eight months on parole. Pardon recommended by the Board of Prison Terms and Paroles, Trial Judge Carlos S. Hardy, Chief of Police Horrall of Los Angeles, the prosecuting attorney, Parole Officer Chadwick, and the Advisory Pardon Board. Granted December 31, 1942.

EDWARD McDONALD, Folsom No. 20360, was convicted by a jury in Yuba County May 17, 1936, of burglary, second degree. He served three years and five months in prison and has been on parole since October 18, 1939. Pardon recommended by Superior Court Judge Steel of Yuba County, District Attorney Beenan, and Chief of Police LaFortune of Marysville, the Advisory Pardon Board and the State Supreme Court. Granted December 31, 1942.

HARRY S. McDONALD, San Quentin No. 59236, pleaded guilty to the crime of violation of Section 288 of the Penal Code in Trinity County on July 24, 1936. He was released on parole on June 5, 1939. District Attorney Edwin J. Regan and State Parole Officer John E. Chadwick each stated he had no reason for opposing clemency for this applicant. An investigation of the circumstances brought forth sufficient doubt of this applicant's guilt to warrant termination of his parole. Pardon granted April 15, 1941.

HENRY A. MEHRMANN, San Quentin No. 42966, pleaded guilty to forgery in Alameda County, December 8, 1926. Term expired July 9, 1930. Recommended by Judge Lincoln S. Church of the Superior Court of Alameda County; Chief B. A. Wallman of the Oakland Police Department; State Parole Officer John E. Chadwick; and the Advisory Pardon Board. Granted April 14, 1942.

JAMES B. MELTON, San Quentin No. 55785, pleaded guilty to burglary, second degree, Los Angeles County, March 23, 1934. He served two years in prison and was discharged March 31, 1936. Pardon recommended by Los Angeles District Attorney, and the Advisory Pardon Board. Granted December 31, 1942.

JOAQUIN MENDONCA, San Quentin No. 37011, was convicted by a jury in Alameda County on November 2, 1922, of the crime of violation of Section 286 of the Penal Code. He served two years nine months in prison and a road camp and three years two and one-half months on parole, his term expiring October, 1928. The District Attorney at the time of trial (Ezra W. Decoto) and Chief of Police B. A. Wallman both stated that they had no objection to the granting of a pardon. Recommendation made by the Advisory Pardon Board. Pardon granted December 28, 1942.

JOHN H. MEYERS, San Joaquin County Probationer, was convicted of the crime of negligent homicide October 8, 1941. Granted probation for two years and fined \$500 payable at \$50 a month. On December 10, 1941, fine reduced to \$400 and on December 11, 1941, the balance was paid. On December 17, 1941, applicant appeared before the court and was allowed to change his plea to not guilty, and was released from further probationary obligations. Recommended by: Captain Leland S. Drais, California Highway Patrol; District Attorney R. M. Dunne; Trial Judge D. M. Young; Adult Probation Officer W. B. Young (all of San Joaquin County); Mr. L. O. Snyder, Pacific Division Manager of Minneapolis-Moline Power Implement Co.; Advisory Pardon Board. Pardon granted December 18, 1942.

JAMES MONROE, San Quentin No. 48809, convicted in Los Angeles County September 17, 1928, of burglary and robbery first degree. His term expired January 17, 1938. The trial judge, Honorable B. Rex Schauer, now a judge of the Supreme Court, wrote that he would favor the granting of a pardon if applicant's rehabilitation had been established. H. L. Spears, member of the State Board of Prison Directors, who wrote stating that applicant is a very reputable and exceptionally good citizen, and recommended that a pardon be granted. The Advisory Pardon Board made a similar recommendation. Pardon granted February 10, 1941.

ANDREWS MONTGOMERY, San Quentin No. 53683, pleaded guilty to crime of forgery, Riverside County, February 14, 1933. Term expired October 19, 1934. Recommended by Chief of Police Lyle J. Sanard of the City of Palm Springs, Sheriff C. F. Rayburn of Riverside County, former District Attorney Earl Redwine, present District Attorney John Neblett, and Superior Court Judge O. K. Norton, of Riverside County, State Parole Officer John E. Chadwick, and the Advisory Pardon Board. Granted August 22, 1942.

HAIG MOSESIAN, San Quentin No. 46630, pleaded guilty to robbery first degree, Fresno County, February 16, 1929. Term expired August 17, 1935. Recommended by Judge K. M. Gibbs of the Police Court of the City of Fresno; Fresno Chief of Police R. T. Wallace; Sheriff George J. Overholt, and District Attorney W. C. Tupper of Fresno County; and the Advisory Pardon Board. Granted July 11, 1941.

VICTOR C. MUNGARI, Folsom No. 15130, pleaded guilty to issuing insufficient funds check in Alameda County during February, 1928. He served three years and 10 months in Folsom and five years on parole. Recommended by the State Parole

Officer, the Advisory Pardon Board and State Supreme Court, and by five public officials of Ventura County, where he presently resides. Pardon granted December 31, 1942.

ALBERT MUNOZ, San Quentin No. 36581, convicted in Santa Cruz County during June, 1922, of murder in the first degree. He was released on parole on December 19, 1932. Attorney J. E. Gaidner of Watsonville, who acted as special prosecutor on behalf of the People in the case against this applicant, stated in a letter of some length that evidence of the shooting of the victim in this case was circumstantial, that three codefendants who had been convicted of first degree murder and sentenced to life imprisonment had all been paroled, that he has been impressed with applicant's appearance and reports received of his conduct, and that he felt that the two-fold purposes of the law in inflicting punishment (those of restraint of crime and of rehabilitation of the convict), had been fully served in this case. State Parole Officer John E. Chadwick sent the Advisory Pardon Board a lengthy letter similarly discussing the case and making a like recommendation, and the Advisory Pardon Board concurred in the favorable recommendation. Pardon granted May 9, 1941.

FRANCIS R. MURPHY, San Quentin 59276, pleaded guilty to the crime of manslaughter in Sacramento County, August 5, 1936. He was paroled two years later. The trial judge, Hon. Martin I. Welsh, now Judge of the United States District Court, and State Parole Officer John E. Chadwick each recommended a conditional pardon; Sheriff Martin Ausbro of San Joaquin County, Sheriff Charles J. Ogle of Sacramento County, District Attorney E. B. Lyuch and Sheriff Jack Thornton of Solano County, and the Advisory Pardon Board each recommended this applicant for the relief he requested. Pardon, conditional upon payment by applicant of a stated sum per month to the son of the victim's parents, granted February 10, 1941.

HUGH PRENTISS MURRAY, San Quentin No. 49939, pleaded guilty to the crime of grand theft in Sacramento County during March 24, 1931. He served one year, nine and one-half months in prison and nine and one-half months on parole. Recommended by the former prosecuting attorney, Hon. Neil R. McAllister, and the Advisory Pardon Board. Granted December 31, 1942.

AMILE NAHHAS, San Quentin No. 40933. Convicted in Merced County on October 7, 1931, of the crime of grand theft. He served one year one and one-half months in prison and seven months on parole, his term expiring June 9, 1933. Recommended by State Parole Officer Allen Moore; Judge H. S. Shaffer of Merced County and the Advisory Pardon Board. Pardon granted December 31, 1942.

DAN NUNES, San Quentin No. 33171, convicted of mayhem, Sacramento County, November, 1919. Released September, 1920. Recommended by Deputy District Attorney Chifford A. Russell of Sacramento, who had been in charge of the prosecution; by District Attorney Otis D. Babcock, and by the Advisory Pardon Board. Granted December 5, 1941.

SPENCER W. OAKLEY, convicted in Los Angeles Municipal Court July, 1941, of speeding in an automobile, sentenced to 90 days in jail and fined \$150. Applicant is at present a patient undergoing treatment at Agnews State Hospital, and attendant psychiatrists agreed in their testimony that applicant was not responsible for the offense committed. Pardon recommended by Dr. A. J. Rosanoff, Director of the Department of Institutions, upon condition that State hospital authorities impose conditions upon applicant's future discharge so as to protect the public from a repetition of the offense. Granted upon the foregoing condition, July 28, 1942.

HARRY H. O'BRIEN, San Quentin No. 51002, pleaded guilty to the crime of robbery, first degree, Los Angeles County, October 15, 1931. Term expired July 16, 1938. Recommended by Hon. Harry L. Allison, San Bernardino County Clerk, applicant now residing in that community, and by State Parole Officer John E. Chadwick. Granted May 16, 1942.

MARY OGLESBEE, Tehachapi No. 58852, pleaded guilty to the crime of forgery in Tulare County on March 25, 1936. She served two years two and one-half months in Tehachapi and nine months on parole, her term expiring March 27, 1939. Recommended by Chief Probation Officer of Tulare County; Mrs. Emily D. Latham, State Parole Officer for the Tehachapi Institution; Sheriff S. B. Sherman of Tulare County; District Attorney Walter C. Haight; and the Advisory Pardon Board. Pardon granted December 31, 1942.

MARTIN OHANNESIAN, San Quentin No. 33161, pleaded guilty to the crime of grand larceny (two counts) in Fresno County on November 14, 1919. He served two years 11 months in prison and a road camp and one year four months on parole, his term expiring January 31, 1923. Chief of Police R. T. Wallace wrote that he had no objection to the granting of a pardon. Recommended by Honorable W. C. Tupper, present District Attorney; Honorable Campbell E. Beaumont, the Prosecuting Attorney; Trial Judge Honorable H. Z. Austin; State Parole Officer Allen Moore; the Advisory Pardon Board. Pardon granted December 21, 1942.

B. OLIVERO, San Quentin No. 23882, pleaded guilty to the crime of forgery in Shasta County October 25, 1909. He served one year nine months in prison and seven months on parole. His conduct has been entirely satisfactory since expiration of term more than 31 years ago. Recommended by Honorable W. W. Sublett, Sheriff of Shasta County; W. D. Tillotson, District Attorney at the time applicant pleaded guilty; and the Advisory Pardon Board. Pardon granted December 31, 1942.

JOHN OLSEN, San Quentin No. 62631, pleaded guilty to crime of negligent homicide, Alameda County, November 4, 1938. Recommended by Superior Court Judge Edward J. Tyrrell of Alameda County, State Parole Officer Allen Moore, and the Advisory Pardon Board. Granted May 15, 1942.

JOHN ORLANDO, San Quentin No. 37650, convicted by a jury in Sacramento County, March 23, 1923, of the crime of criminal syndicalism. Term expired June 30, 1926. Recommended by the trial judge, Honorable Charles O. Busiek of Sacramento; former District Attorney William V. Cowan; and the Advisory Pardon Board, which stated applicant had advised that body in writing that he was opposed to the overthrow of the United States Government by means of force and violence. Granted April 14, 1942.

A. W. PAGE, San Quentin No. 53125, convicted by a jury in Los Angeles County during October, 1932, of grand theft and violation of the Corporate Securities Act. Term expired June 5, 1936. Recommended by the trial judge, Hon. W. T. Aggeler, now deceased, who stated that at the time probation was sought for this applicant, many letters were received from responsible persons in Los Angeles County and other parts of the United States speaking highly of applicant's past record. The Los Angeles County District Attorney's office wrote stating it had no objection to granting of clemency, and the Advisory Pardon Board recommended a pardon. Granted October 10, 1942.

PETE PAPPIS, San Quentin No. 27605, pleaded guilty to crime of grand larceny, Sacramento County, April 13, 1914. Sentence expired during May, 1915. Recommended by the Advisory Pardon Board. Pardon granted November 10, 1941.

HARRY S. PHILLIPS, San Quentin No. 47142, pleaded guilty to the crime of robbery, first degree, in Los Angeles County on May 7, 1929. He served three years six months in prison and three years on parole, his term expiring December 1, 1935. Office of the District Attorney of Los Angeles County made no recommendation, but rested the case with the Advisory Pardon Board. Prosecuting Attorney George Bush wrote that his office would enter no opposition to application for pardon, as did the trial judge, Hartley Shaw. Recommended by the Advisory Pardon Board.

ROY PIERCE, San Quentin No. 33703, pleaded guilty to the crime of robbery in Los Angeles County during April, 1920. He served five years in prison and one year nine months on parole, his term expiring more than 15 years ago. Office of District Attorney Buron Fitts stated it desired to rest the case with the Advisory Pardon Board. Recommended favorably by Chief of Police Charles W. Dullea of San Francisco and the Advisory Pardon Board. Pardon granted December 28, 1942.

IRVING PIVINICK, San Quentin No. 33499, pleaded guilty to the crime of grand larceny in Los Angeles County, February 20, 1920. Term expired March 27, 1923. The present District Attorney of Los Angeles County, Hon. John F. Dockweiler, wrote stating that under present practice this applicant would have been convicted under Section 503 of the Vehicle Code and granted probation or sentenced to the county jail. Mr. Dockweiler stated he could see no reason for withholding pardon if the applicant's subsequent record had been good. State Parole Officer John E. Chadwick wrote a letter setting forth similar views; and the Advisory Pardon Board recommended that the application for pardon be granted. Pardon granted April 19, 1942.

C. ELROD POHL, San Quentin No. 47743 and 47732-A, convicted of and pleaded guilty to grand theft in Alameda and Fresno Counties in October, 1929, and January, 1930, respectively. Term expired May 23, 1935. Recommended by Judge T. R. Thomson of the Superior Court of Fresno County; Howard C. Ellis, Esq., formerly Assistant Commissioner of Corporations of the State of California; Superior Court Judge Thomas M. Foley and Municipal Court Judge George B. Harris of San Francisco; State Parole Officers John E. Chadwick and Allen Moore; and the Advisory Pardon Board. Granted June 18, 1942.

ERNEST PORTILLO, Los Angeles County No. 50193, pleaded guilty to contributing to delinquency of a minor in Los Angeles County during February, 1925. He served a sentence in the county jail and in a road camp. Recommended by the Los Angeles District Attorney, by Governor Sidney P. Osborn of Arizona, and the Advisory Pardon Board. Granted December 31, 1942.

RALPH E. POWELL, San Quentin No. 35047, convicted by a jury in Los Angeles County on June 3, 1921, of the crime of bribery. He served one year and one-half month in prison and two years on parole. Recommended by the Advisory Pardon Board. Granted December 31, 1942.

JOE PUREZA, San Quentin No. 48367, was convicted of the crime of possession of a still in Alameda County on April 10, 1930. Probation denied by the court and he served 15½ months in prison and 13 months on parole, his term expiring August 11, 1932. Recommended by State Parole Officer Allen Moore and the Advisory Pardon Board. Pardon granted December 31, 1942.

WEE QUOOEY, San Quentin No. 28577, was convicted by a jury in San Joaquin County on May 18, 1915, of the crime of murder in the first degree. He was given a life sentence and he served 12 years in prison and a road camp and since his release July 11, 1927, he has been on parole. Clemency recommended by the State Board of Prison Directors; Chief of Police H. A. Vogelsang; C. P. Rendon, Esq., who was the Deputy District Attorney; State Parole Officer John E. Chadwick; and the Advisory Pardon Board. Pardon granted December 28, 1942.

KARL RAENTSCH, San Quentin No. 44901, convicted in Los Angeles County, May, 1927, of embezzlement. Term expired January 28, 1933. The Advisory Pardon Board stated applicant has been steadily employed since discharge and his conduct entirely satisfactory, and recommended he be pardoned. Regarding restitution, applicant submitted affidavits to effect the woman defrauded can not be found, but in the event of future contention by her or anyone in her behalf that restitution has not previously been made, applicant has waived the Statute of Limitations. Granted April 14, 1942.

HAROLD C. RAMBO, San Quentin No. 50163, pleaded guilty to robbery, first degree, Shasta County, during April, 1931. Term expired October 13, 1935. Recommended by Sheriff W. W. Sublett of Shasta County; District Attorney Lawrence W. Carr of Redding; and the Advisory Pardon Board. Granted April 14, 1942.

RAYMOND RAZILLARD, San Quentin No. 37252, pleaded guilty to the crime of burglary in the second degree, in Los Angeles County, December 23, 1922. He served two years seven months in San Quentin and one year on parole. Recommended by District Attorney John F. Dockweiler of Los Angeles County, Judge John W. Shenk, now Associate Justice of the Supreme Court, State Parole Officer Allen Moore, and the Advisory Pardon Board. Granted December 31, 1942.

J. P. REITZ, San Quentin No. 41693, pleaded guilty to the crime of violation of Section 476a of the Penal Code in Fresno County on January 29, 1926. He served approximately 14 months in prison and one year, nine and one-half months on parole, his term expiring January 30, 1929. Recommended by: Chief of Police R. T. Wallace of Fresno; District Attorney George R. Lovejoy, Fresno County; State Parole Officer John E. Chadwick; Hon. Charles R. Barnard, Presiding Justice, District Court of Appeal, Fourth Appellate District; and the Advisory Pardon Board. Pardon granted December 21, 1942.

FRANK RICCA, San Quentin No. 61973, pleaded guilty to the crime of grand theft in Siskiyou County, May 12, 1938. Term expired January 15, 1940. Recommended by Judge James M. Allen, of the Superior Court of Siskiyou County; Judge C. J. Luttrell, formerly of that Court and now of Yreka; Sheriff Ben J. Richardson and District Attorney Charles E. Johnson of Siskiyou County; State Parole Officer John E. Chadwick; and the Advisory Pardon Board. Granted July 17, 1941.

JOHN MARION RICHARD, San Quentin No. 51115, pleaded guilty to the crime of robbery second degree in San Joaquin County on November 16, 1931. He served two years one and one-half months in prison and three years on parole, his term expiring approximately five and one-half years ago. Present District Attorney and the Chief of Police stated they had no opposition to the granting of clemency in this case. Recommended by: Trial Judge Honorable D. M. Young; State Parole Officer Allen Moore; and the Advisory Pardon Board. Pardon granted December 31, 1942.

ALBERT J. ROBINSON, San Quentin No. 46373, pleaded guilty to the crime of grand theft in Los Angeles County on December 21, 1928. Term expired May 22, 1933. State Parole Officer John E. Chadwick recommended that applicant be pardoned if his conduct since release from parole had been satisfactory. The Advisory Pardon Board's investigation disclosed that applicant's record for conduct and industry during the seven and one-half year period he had been free of parole was entirely satisfactory and the Board members recommended the granting of a pardon. Granted April 12, 1942.

JULES ROTH, San Quentin No. 56269, convicted of grand theft and violation of Corporate Securities Act, Los Angeles County, October 20, 1932. Term expired October 23, 1939. Recommended by Superior Court Judge B. Rey Schauer, District Attorney John F. Dockweiler, former District Attorney Byron Fitts, three State Parole Officers, and the Advisory Pardon Board. Granted September 29, 1942.

SOL RUEBEN, San Quentin No. 29904, pleaded guilty to issuing fictitious check in Los Angeles County during September, 1916. He served one year two and one-half months in prison and one year and one-half month on parole. Recommended by the Los Angeles County District Attorney, the State Parole Officer and the Advisory Pardon Board. Granted December 31, 1942.

RALPH BOOTH SAFFEELS, San Quentin No. 49975, pleaded guilty to the crime of forgery in Tulare County on March 30, 1931. He served 14 months in prison and 14 months on parole, until the expiration date of his term on July 31, 1933. Recommendations made by Constable R. B. Abbot of Visalia Township and the Advisory Pardon Board. State Parole Officer reported that applicant's parole record was entirely satisfactory. Pardon granted December 28, 1942.

ALEXANDER SALMON, San Quentin No. 51233, pleaded guilty to the crime of violation of Section 288 of the Penal Code in Santa Barbara County during December, 1931. Sheriff James Ross of Santa Barbara County wrote that he would have no objection to executive clemency. Recommended by: State Parole Officer Allen Moore and the Advisory Pardon Board. Pardon granted December 29, 1942.

JOE SAMA, San Quentin Nos. 34534 and 36680, convicted in Alameda County during January, 1921, of attempt to commit robbery. The Advisory Pardon Board recommended his application be granted in view of his 16 years of entirely satisfactory conduct since July, 1925, the date of his discharge. Pardon granted October 15, 1941.

GEORGE P. SANBORN, San Quentin No. 57756, pleaded guilty to the crime of embezzlement in Sonoma County during January, 1935. His term expired July 8, 1939. Hon. W. Earle Smith, member of the State Board of Prison Directors, wrote urging that, in view of Mr. Sanborn's positive rehabilitation and his splendid services as Manager of the Prison Association of California, he be granted a pardon, and a similar recommendation was volunteered by State Parole Officer John E. Chadwick. District Attorney Toland C. McGettigan of Sonoma County wrote pointing to this applicant's excellent reputation and character both before and since his involvement in the instant difficulty. The trial judge, Hon. Donald Geary, Judge of the Sonoma County Superior Court, recommended clemency. The Advisory Pardon Board also expressed the foregoing recommendations. Pardon granted February 11, 1941.

ROBERT V. SANDLIN, San Quentin No. 45973, pleaded guilty to issuing insufficient funds check, Los Angeles County, during October, 1932. Recommended by State Parole Officer Allen Moore, and by the Advisory Pardon Board. Granted June 18, 1942.

NILO SARIOLA, San Quentin No. 54752, convicted by a jury in Alameda County August 31, 1933, of the crime of robbery in the first degree. He served four years six and one-half months in prison and at a road camp and was discharged therefrom. Recommended by Chief B. A. Wallman of the City of Oakland, Judge F. M. Ogden of the Alameda County Superior Court, and the Advisory Pardon Board. Granted December 31, 1942.

RICHARD SARTORI, San Quentin No. 33180, convicted by a jury of robbery, Fresno County, May 12, 1919. Discharged January 23, 1924. Recommended by Chief of Police William L. Maher of San Bruno, and by the Advisory Pardon Board, which stated applicant had proved beyond a doubt his desire to lead an honest, sober and industrious life. Granted October 15, 1941.

SHIRLEY SCHLUER, San Quentin No. 49859, pleaded guilty to the crime of robbery, second degree, in Sacramento County, March 11, 1931. He was discharged November 13, 1938. Pardon recommended by former District Attorney Neil R. McAllister, and by Sheriff Donald Cox of Sacramento County. The trial judge, Hon. John F. Pullen, now presiding justice of the District Court of Appeal, recommended the granting of a pardon if the applicant's prison and parole record had been good. The Advisory Pardon Board recommended that applicant serve additional time under parole supervision before being granted a pardon, and the pardon was granted seven months thereafter, or on February 7, 1941.

WILLIAM MADISON SCHRUM, San Quentin No. 63671, was convicted of the crime of grand theft from person in Los Angeles County on May 31, 1939. He served two years, four and one-half months in San Quentin, and has been on parole since October 31, 1941. Recommended by the Advisory Pardon Board. Pardon granted December 21, 1942.

HARRY W. SELDEN, San Quentin No. 28935, pleaded guilty to burglary, first degree, Los Angeles County, during October, 1915. Term expired June 11, 1917. Recommended by the Advisory Pardon Board, in view of applicant's record of entirely satisfactory conduct during the 25 years since his release. Granted May 1, 1942.

LILLIAN GLADYS SELIAS, San Quentin No. 49710, was convicted by a jury in San Bernardino County during February, 1931, of burglary in the second degree. She served two years and one month in prison and 18 months on parole. Recommended by Judge F. A. Leonard of the Superior Court of San Bernardino County, State Parole Officer John E. Chadwick, and the Advisory Pardon Board. Granted December 31, 1942.

JOHN L SCHAEFER, San Quentin No 59628, pleaded guilty to the crime of issuing check with intent to defraud (violation of Sec. 476a of the Penal Code), in Merced County during November, 1936. Probation was denied. He served two years and one month in prison and one year and six and one-half months on parole. Recommendations by: Chief of Police E L Walter of the City of Atwater; Hon. N. Lucius Cornell, Sheriff of Merced County, District Attorney A. A. Henderson of Merced; Honorable H S. Shaffer, Judge, Superior Court, Merced County; State Parole Officer, and Advisory Pardon Board. Granted December 21, 1942.

JACK SIEGEL, Santa Monica Police Department No. 847, pleaded guilty to the crime of petty theft in the Police Court of the City of Santa Monica, Los Angeles County, on January 4, 1926. He served his 30-day sentence in Los Angeles County Jail and has not since come in conflict with any civil law enforcement authorities. Applicant is subject to deportation because he made a one-day trip across the California-Mexican border to Tia Juana some years ago. Recommended by Chief of Police C. E. Webb of Santa Monica and the Advisory Pardon Board. Pardon granted December 18, 1942.

WALTER E. SIGAFOOSE, who pleaded guilty in Los Angeles County on May 14, 1936, to the crime of robbery, first degree, and grand theft. He served three years in prison and one year 11 months on parole. Recommended by Hon John E. Chadwick, State Parole Officer; the Office of the District Attorney, Los Angeles; Pastor D V. Alderman of Riverside Union Church; and the Advisory Pardon Board. Pardon granted December 21, 1942.

DOUGLAS L. SKELLY, San Quentin No 59317, was convicted of the crime of grand theft in Los Angeles County, April 3, 1936, and was released on parole September 7, 1938. Mr Joseph H Stephens, member of the Board of Prison Terms and Paroles, and Mr. David F Bush, former chairman of that Board, recommended a pardon in view of the applicant's excellent showing while under parole supervision, and their recommendation was concurred in by State Parole Officer Charles C. Cox, whose successor, State Parole Officer John E. Chadwick, also made a favorable recommendation, based upon a report of an investigation previously made and submitted to the Board of Prison Terms and Paroles.

ROBERT B. SMITH, San Quentin No. 60629, pleaded guilty to the crime of forgery and grand theft in Los Angeles County during July, 1937. He served two years in prison and one year eight months on parole. Recommended by Chief of Police V. B. Browne of the City of Glendale, State Parole Officer Allen Moore, and the Advisory Pardon Board. Granted December 31, 1942.

JAMES HARRIMAN SPENCER, San Quentin No. 38475, pleaded guilty to the crime of grand larceny in Kings County on October 15, 1923. His term expired March 31, 1926. Recommended by Sheriff L. P. Loftis of Kings County, and by Judge William R. McKay of the Los Angeles Municipal Court, formerly Prosecuting Attorney of Kings County. District Attorney Roger R. Walsh of Kings County wrote stating his office had no objection to the granting of a pardon. The Advisory Pardon Board recommended pardon relief. Granted October 13, 1941.

DAVID W. STILWELL, San Quentin No. 45350, who pleaded guilty to the crime of grand theft in Kern County on April 27, 1928. He served two and one-half years in prison and two years and three months on parole. The following have submitted recommendations: Chief of Police Robert C. Knight of Bakersfield; Judge Robert B. Lambert, Kern County Superior Court; Sheriff John E. Loustalot of Kern County; the Advisory Pardon Board; and Reverend Dr. Herbert L. Herberts, Minister, Park Congregation Church in Los Angeles, and Chaplain, First Engineer Regiment, California State Guard. Granted December 21, 1942.

GEORGE M. STUDLEY, Folsom No 19771, pleaded guilty to the crime of grand theft in Marin County during March, 1932. He served two years nine months in prison and five and one-half months on parole, his term expiring December 4, 1936. Recommended by the Advisory Pardon Board. Pardon granted December 31, 1942.

JOSEPH R. SUME, Folsom No. 13435, pleaded guilty to the crime of forgery in San Mateo County during January, 1925. He served two years and nine and one-half months in prison and 10 months on parole. Recommended by Sheriff J. J. McGrath of San Mateo County, District Attorney Gilbert D. Ferrell of San Mateo County, the Advisory Pardon Board, and the State Supreme Court. Granted December 31, 1942.

LEWIS G. TATE, San Quentin No 51565. Convicted in Alameda County on February 2, 1932, of the crime of forgery. He served one year and four months in prison and one year on parole, his term expiring June 16, 1934. Recommended by Chief of Police B. A. Wallman of Oakland; State Parole Officer Allen Moore; and the Advisory Pardon Board. Pardon granted December 31, 1942.

GEORGE D TAYLOR, San Quentin No. 54505, pleaded guilty to the crime of robbery in the second degree in Los Angeles County during July, 1933. Sentence expired December 29, 1936. Recommended by the Advisory Pardon Board. Granted October 12, 1941.

JAMES GIBSON TAYLOR, San Quentin No. 54178, pleaded guilty to the crime of forgery in Fresno County during July, 1928. He served two years two and one-half months in prison and a road camp and he was discharged July 27, 1935, having completed his term. The trial judge, Honorable H. Z. Austin, recommended favorable action, as did Honorable C. W. Garner, Justice of the Peace, and the Advisory Pardon Board. The chief of police stated he had no objection to a pardon being granted. Pardon granted December 28, 1942.

ALICE ROBINA THOMAS, San Bernardino County Jail No. 47884, pleaded guilty to petty theft, San Bernardino County, April 21, 1941; subsequently discharged. Advisory Pardon Board recommended pardon be granted to enable applicant to secure naturalization and prevent deportation to Canada, she having resided in San Bernardino County most of her life. Granted April 14, 1942.

CHARLES EDWARD THOMAS, San Diego County Jail No. 43406, pleaded not guilty but was convicted by a jury in San Diego County during April, 1933, of the crime of statutory rape and of violation of the Juvenile Court Law. He completed his sentence of nine months in the San Diego County Jail on December 7, 1933. The District Attorney made no recommendation but said that his office would leave the matter entirely with the Advisory Pardon Board. Favorably recommended by the trial judge and the Advisory Pardon Board. Pardon granted December 28, 1942.

J S THURMOND, San Quentin No. 59770, pleaded guilty to grand theft, Los Angeles County, December 17, 1936. Discharged March 27, 1941. Recommended by State Parole Officer John E. Chadwick and the Advisory Pardon Board. Granted September 9, 1942.

GEORGE W. TONEY, San Quentin No. 54387, convicted by second jury, Butte County, June 22, 1933, of the crime of murder in the second degree, first jury having disagreed by a vote of six to six. Paroled November 30, 1938; term will expire November 30, 1942. The Sheriff of Butte County at time of crime recommended favorably. Judge Donald Geary of Sonoma County, where this applicant now lives, wrote recommending a pardon if applicant's service of sentence and performance of parole requirements seemed to signify payment of his debt to society; District Attorney Jack M. McPherson and State Parole Officer John E. Chadwick each wrote stating he had no objection to pardon being granted, and the Advisory Pardon Board recommended favorably.

JOHN J. TOUHY, Folsom No. 18728, pleaded guilty to the crime of forgery and prior conviction in Los Angeles County during September, 1933. He served three years seven months in prison and one year on parole. Recommended by the State Board of Prison Directors, the State Parole Officer, Sheriff McGrath of San Mateo County, the Advisory Pardon Board, the State Supreme Court and the Advisory Pardon Board. Granted December 31, 1942.

PIETRO TRESKA, San Quentin No. 36712, pleaded guilty to the crime of burning insured property in Fresno County during July, 1922. Probation was denied. He served three years in prison and in a road camp and 18 months on parole. Recommended by former State Parole Officer John E. Chadwick; the Hon. B. W. Gearhart, Congressional Representative for the Ninth District of California; and the Advisory Pardon Board. Pardon granted December 21, 1942.

OLIVER L. TRIBBLE, San Quentin No. 37476, pleaded guilty to the crime of robbery in Tulare County during February, 1923. He served four years five months in prison and a road camp and four years eight and one-half months on parole, his term expiring February 13, 1932. Favorable recommendations made by District Attorney Walter C. Haight; State Parole Officer Allen Moore; the Advisory Pardon Board. Pardon granted December 28, 1942.

H. A. TROVATEN, San Quentin No. 50630, pleaded guilty to the crime of manslaughter in Alameda County on August 3, 1931. He served four and one-half years in prison and at a road camp and 18 months on parole. Recommended by Chief of Police B. A. Wallman of Oakland, Chief of Police Pflaum of the City of Piedmont, and the Advisory Pardon Board. Granted December 31, 1942.

WILLIAM P. WEBER, San Quentin No. 61235, pleaded guilty in Orange County, December 17, 1937, to violation of Section 480 of the Vehicle Code. Sentence expired March 19, 1941. Recommended by Superior Court Judge Franklin G. West of Orange County; D. R. McMillan, Orange County Probation Officer; Sheriff Jesse L. Elliott, District Attorney George F. Holden, and Superior Court Judge James L. Allen, all of Orange County; and by the Advisory Pardon Board. Granted April 14, 1942.

JULIUS EDGAR WEMER, San Quentin No. 35756, convicted in Fresno County, December 12, 1931, of first degree murder. Released on parole October 15, 1934. State Parole Officer Charles C. Coxe and the Advisory Pardon Board recommended a pardon. Granted January 16, 1941.

CORWIN TOWNSEND WILBURN, San Quentin No. 45095, pleaded guilty to crime of violation of Section 146 of the Motor Vehicle Act. San Joaquin County, March 22, 1928. Term expired February 25, 1930. Recommended by Sheriff Martin Ansbro of San Joaquin County and by the Advisory Pardon Board. Granted April 14, 1942.

HUGHE CARLTON WILLIAMS, San Quentin No. 42331, who was convicted by a jury in Tulare County during June, 1926, of the crime of driving an automobile while under the influence of liquor. He was denied probation by the court, and served 14 months in prison and 14 months on parole. His term expired October 16, 1928. Recommended by State Parole Officer Allen Moore; Assistant District Attorney Leroy McCormick of Tulare County; and the Advisory Pardon Board. Pardon granted December 21, 1942.

LESTER WILLIAMS, San Quentin No. 60559, was convicted in San Joaquin County, July 31, 1935, of conspiracy to violate, and of violation of Sections 45 and 61 of the Penal Code. Recommended by Sheriff Martin Ansbro of San Joaquin County, by State Parole Officer John E. Chadwick, and by the Advisory Pardon Board. Applicant has an opportunity for employment in the defense program. Granted August 4, 1941.

LESTER GUY WILLIAMS, San Quentin No. 47213, convicted in Alameda County on April 10, 1928, of the crime of burning insured property. His term expired August 12, 1930. State Parole Officer John E. Chadwick recommended leniency if the applicant's record since discharge had been good, and the Advisory Pardon Board, citing his steady employment and good conduct, recommended that a pardon be granted. Applicant pardoned May 6, 1941.

VANCE WILSON, San Quentin No. 44228, was convicted by a jury in Los Angeles County on September 12, 1927, for the crime of Asking, Receiving and Agreeing to Receive a Bribe. He served 18 months in prison and the same period on parole, his term expiring October 15, 1930. Recommended by Lieut. of Detectives J. J. O'Brien, Chief of Police Fred Hoelscher, Sheriff James Ross, Superior Court Judge Atwell Westwick, Police Judge Fred T. Harsh, Percy C. Heckendorf (all of Santa Barbara), and the Advisory Pardon Board. Pardon granted December 18, 1942.

WILLIE WONG, San Quentin No. 25757, convicted by a jury in Colusa County on May 12, 1912, of murder in the second degree. He served 10 years in prison and remained under parole supervision until the present. Recommended by Sheriff Honx and District Attorney Ford of Colusa County, State Parole Officer Allen Moore, and the Advisory Pardon Board. Granted December 31, 1942.

C. L. YARBROUGH, San Quentin No. 57120, pleaded guilty to the crime of violation of Section 424 of the Penal Code (Embezzlement and falsification of accounts by public officer), in Ventura on January 10, 1935. He served one year seven months in prison and two and one-half years on parole, his term expiring February 11, 1939. The following made recommendations: District Attorney M. Arthur Waite of Ventura County; Sheriff L. Howard Duiley; and the Advisory Pardon Board. Pardon granted December 30, 1942.

JULIUS H. ZOLINSKY, San Quentin No. 37477, pleaded guilty to the crime of forgery in Tulare County on February 19, 1923. He served one year in prison and two years on parole. Recommended by Hon. J. M. Fluty, Chief of Police of the City of Visalia; Hon. Walter C. Haight, District Attorney, Tulare County; and the Advisory Pardon Board. Pardon granted December 21, 1942.

B. JOSEPH ZUKAS, Tulare County Jail No. 12605, was convicted of the crime of violation of Section 87 of the Penal Code in Tulare County on May 6, 1940. Recommended by the Advisory Pardon Board. Applicant presently serving in the United States Army and would be eligible for promotion if he were pardoned. Pardon granted December 18, 1942.

Reprieves

DELMAR A. ARNOLD, San Quentin No. 66279, convicted of criminal conspiracy to commit robbery, robbery first degree, and murder, first degree, in San Francisco County. Ninety-day reprieve granted to enable Advisory Pardon Board to complete investigation of Arnold's application for commutation of sentence to life imprisonment. Granted July 27, 1942, extending date of execution to November 13, 1942.

MAURICE LOUIS BRIGGS, San Quentin No. 67034, convicted August 7, 1941, Los Angeles County, of murder in the first degree, and scheduled to be executed July 10, 1942. Thirty-day reprieve required for reason Governor unable to consider case without a favorable recommendation of a majority of justices of the

Supreme Court, applicant having more than one conviction of a felony. Dated July 7, 1942.

EMERY BUZZELLI, San Quentin No. 64156, convicted of first degree murder in Los Angeles County during September, 1939. Ninety-day reprieve granted at the request of the Advisory Pardon Board to permit psychiatric examination of applicant by Dr. A. J. Rosanoff, Director of the Department of Institutions, and subsequent consideration by the Advisory Pardon Board members. Granted February 3, 1941.

EMERY BUZZELLI, San Quentin No. 64156, convicted of first degree murder in Los Angeles County, during September, 1939. The Advisory Pardon Board and the State Supreme Court each recommended that the application of a commutation of sentence from death to life imprisonment be granted. However, the record having contained unfavorable recommendation by the trial judge and the district attorney, the Governor found it necessary to extend the date set for execution so that he might give the case additional study and attention. Applicant reprieved to August 8, 1941.

DEWEY CLARK, San Quentin No. 65615, and HENRY E. JONES, San Quentin No. 65616, convicted by a jury in San Joaquin County on October 16, 1940 of murder in the first degree. Sixty-day reprieve granted to enable the State Supreme Court to consider applications for commutation of sentence to life imprisonment. Dated January 30, 1942.

STEVE CRIMM, San Quentin No. 59669, convicted in Sacramento County, March 1, 1941, of murder in the first degree, scheduled to be executed May 22, 1942. Ninety-day reprieve granted to permit the Advisory Pardon Board opportunity to complete investigation and consideration of the application for a commutation of sentence to life imprisonment. Dated May 15, 1942.

T. J. ELIE (also known as Roland Helaire), San Quentin No. 67148, convicted of first degree murder, Los Angeles County, July 25, 1941. Ninety-day reprieve granted to enable the Advisory Pardon Board to complete its investigation of application for commutation of sentence from death to life imprisonment. Dated September 28, 1942.

ARTHUR FRAZIER, San Quentin No. 66280, convicted of criminal conspiracy to commit robbery, robbery first degree, and murder first degree, San Francisco County. Ninety-day reprieve granted to enable Advisory Pardon Board to complete investigation of Frazier's application for commutation of sentence to life imprisonment. Granted July 27, 1942, extending date of execution to November 13, 1942.

ARTHUR FRAZIER, San Quentin No. 66280, convicted of the crimes of criminal conspiracy to commit robbery, robbery first degree, and murder first degree, San Francisco County, November 13, 1942. Reprieve of one week granted since his two confederates were to be executed same day and lethal gas chamber at San Quentin is able to accommodate but two persons per day. Dated November 12, 1942.

ELDON R. HAWK, San Quentin No. 65590, convicted of first degree murder in Yolo County, during October, 1940, and under sentence of death. Applicant had applied for a commutation of sentence to life imprisonment and had subsequently withdrawn his application, but had asked for a reprieve of three weeks to enable him to arrange his personal affairs. Granted August 5, 1941.

GORDON HAWKINS, San Quentin No. 65144, convicted of murder in the first degree in Sacramento County on June 3, 1940, and scheduled to be executed June 20, 1941. A reprieve of one week was granted to permit the Governor to study the application for commutation of sentence to life imprisonment, to determine whether there were any extenuating circumstances which will place this application in a different category from those of the other two persons simultaneously convicted of the same offense. Dated June 17, 1941.

GORDON HAWKINS, San Quentin No. 65144, scheduled to be executed June 27, 1941. Reprieve of 30 days granted at request of the trial judge and foreman of the jury that convicted applicant, who wished to present additional information. Granted June 19, 1941.

GORDON HAWKINS, San Quentin No. 65144, scheduled to be executed July 25, 1941. Thirty-day reprieve granted to permit the Governor an opportunity to consider the many conflicting facts and circumstances offered concerning this application for commutation of sentence to life imprisonment, an opportunity denied him during the 30-day bill signing period following the close of the legislative session. Granted July 17, 1941.

GORDON HAWKINS, San Quentin No. 65144, scheduled to be executed August 29, 1941. Applicant's codefendant had submitted facts extending over a period of many years and requiring additional study. Reprieve granted to November 28, 1941. Dated August 19, 1941.

BARZEN HOYT, San Quentin No 66281, convicted of criminal conspiracy to commit robbery, robbery first degree, and murder first degree, in San Francisco. Ninety-day reprieve granted to permit Advisory Pardon Board to complete investigation and consideration of application for commutation of sentence from death to life imprisonment. Granted July 27, 1942, extending date of execution to November 13, 1942.

WILLIAM JOHANSEN, San Quentin No 65594, convicted of murder in San Francisco County in October, 1940, scheduled to be executed June 6, 1941. A ninety-day reprieve was granted at the request of the Advisory Pardon Board, to permit it to conduct an adequate investigation into the application for a commutation of sentence to life imprisonment. Reprieved to September 5, 1941; reprieve dated May 28, 1941.

HENRY E. JONES, San Quentin No. 65616, convicted of first degree murder, San Joaquin County, December 12, 1941. The Advisory Pardon Board requested applicant be reprieved so that the board might have an opportunity to investigate his application for a commutation of sentence to life imprisonment. A 60-day reprieve granted, extending date of execution to February 13, 1942. Dated November 24, 1941.

JOHN E. REED, San Quentin No 65306, convicted by a jury in San Bernardino County on July 19, 1940, of the crime of murder in the first degree. The Advisory Pardon Board requested additional time within which to conduct an adequate investigation into this application for a commutation of the death sentence to life imprisonment. A 90-day reprieve was granted June 17, 1941.

MIKE SIMEONE, San Quentin No. 65145, convicted of first degree murder in Sacramento County, June 3, 1940, scheduled to be executed June 20, 1941. A reprieve of one week was required to enable thorough study of this application to determine whether there were any extenuating circumstances which will place the application in a different category from those of the other two persons simultaneously convicted of the same offense. Granted June 17, 1941.

MIKE SIMEONE, San Quentin No 65145, scheduled to be executed June 27, 1941. Thirty-day reprieve granted at request of trial judge and foreman of the jury, who wished to present additional information. Granted June 19, 1941.

MIKE SIMEONE, San Quentin No. 65145, scheduled to be executed July 25, 1941. Thirty-day reprieve granted to permit the Governor an opportunity to consider the many conflicting facts and circumstances offered concerning this application for commutation of sentence to life imprisonment, an opportunity denied him during the 30-day bill signing period following the close of the legislative session. Granted July 17, 1941.

MIKE SIMEONE, San Quentin No. 65145, scheduled to be executed August 29, 1941. Applicant's codefendant had submitted facts extending over a period of many years and requiring additional study. Reprieve granted to November 28, 1941. Dated August 19, 1941.

THOMAS B. SMITH, San Quentin No 64605, convicted of first degree murder in Stanislaus County, February 3, 1940. A reprieve of 60 days granted to enable the Advisory Pardon Board to complete investigation and consider the application for a commutation of sentence from death to life imprisonment. Granted February 3, 1941.

EITHEL LETA JUANITA SPINELLI, Tehachapi No 533, convicted of murder in the first degree in Sacramento County, June 3, 1940, and sentenced to be executed June 20, 1941. Thirty-day reprieve granted at request of trial judge and foreman of the jury, who wished to present additional information. Granted June 19, 1941.

EITHEL LETA JUANITA SPINELLI, Tehachapi No. 533, scheduled to be executed July 18, 1941. Thirty-day reprieve granted to permit Governor an opportunity to consider the many conflicting facts and circumstances offered concerning this application for commutation of sentence to life imprisonment, an opportunity denied him during the 30-day bill signing period following the close of the legislative session. Granted July 17, 1941.

EITHEL LETA JUANITA SPINELLI, Tehachapi No. 533, scheduled to be executed August 22, 1941. Applicant had submitted facts extending over a period of many years and requiring additional study. Reprieve to November 21, 1941. Dated August 19, 1941.

ALFRED HORACE WELLS, San Quentin No 59917-A, convicted of first degree murder, three counts, San Bernardino, and sentenced to be executed August 7, 1942. Four months reprieve requested by the Advisory Pardon Board to permit completion of its investigation of applicant's application for commutation of sentence to life imprisonment, the one month in addition to normal 90-day extension for such purpose being made necessary by cancellation of one of the Board's monthly meetings. Granted August 1, 1942.

WILLIAM A. YOUNG, San Quentin No. 65410, convicted of murder in Los Angeles County on August 19, 1940, and scheduled to be executed June 20, 1941. A 90-day reprieve was granted at the expressed request of the Advisory Pardon Board to permit that body to make an adequate investigation into the case pursuant to the application for a commutation of sentence from death to life imprisonment. Dated June 13, 1941.

WILLIAM A. YOUNG, San Quentin No. 65410, convicted of murder in Los Angeles County August 19, 1940, and sentenced to be executed September 19, 1941. Reprieved to October 17, 1941, to permit submission of his case to the Supreme Court, his prior conviction of a felony precluding an act of executive clemency without a favorable recommendation by the justices of that court. Dated September 16, 1941.

**WITHDRAWAL OF ASSEMBLY BILL NO. 319 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Kilpatrick asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 319 from the Committee on Governmental Efficiency and Economy, for purpose of amendment.

SECOND READING OF ASSEMBLY BILL NO. 319

Assembly Bill No. 319—An act to add Article 4 to Chapter 2, Division 5 of the Welfare and Institutions Code, to amend and renumber Section 3305 and to repeal Section 3261, relating to the revolving funds of the manufacturing departments of the Industrial Home for the Adult Blind, the San Diego Workshop and the Los Angeles Workshop for the Adult Blind.

Bill read second time.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 6 of the title, of the printed bill, after "Blind", insert "declaring the urgency thereof, to take effect immediately."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 44

Relative to representation of the Assembly at the General Assembly of the Council of State Governments, Baltimore, Maryland, January, 1943

Resolved by the Assembly of the State of California, That the sum of five hundred dollars (\$500) or so much thereof as may be necessary is hereby appropriated and allocated from the Contingent Fund of the Assembly in augmentation of the sum appropriated from said fund by House Resolution No. 31 of this session, thereby making a total sum of one thousand three hundred dollars (\$1,300) or so much thereof as may be necessary to defray the necessary expenses of the delegates appointed pursuant to said House Resolution No. 31.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Evans and O'Day:

House Resolution No. 45

Resolved by the Assembly of the State of California, That the Speaker is hereby authorized and directed to appoint two Members of the Assembly to write a letter to the Honorable Cecil R. King congratulating him on his election to Congress, and

expressing the best wishes of the Assembly for the success of his endeavors in Congress.

Request for Unanimous Consent

Mr. Evans asked for, and was granted, unanimous consent to take up House Resolution No. 45, at this time, without reference to committee.

Resolution read and adopted unanimously.

Appointment of Special Committee

Pursuant to the provisions of House Resolution No. 45, the Speaker announced the appointment of Messrs. Evans and O'Day as such Special Committee to draft the letter to be sent to Congressman Cecil R. King.

By Mr. Bashore:

House Resolution No. 46

Resolved by the Assembly of the State of California, That the Speaker is hereby authorized and directed to appoint two Members of the Assembly to write a letter to the Honorable Norris Poulson congratulating him on his election to Congress, and expressing the best wishes of the Assembly for the success of his endeavors in Congress.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up House Resolution No. 46, at this time, without reference to committee.

Resolution read and adopted.

Appointment of Special Committee

Pursuant to the provisions of House Resolution No. 46, the Speaker announced the appointment of Messrs. Bashore and Waters as such Special Committee to draft the letter to be sent to Congressman Norris Poulson.

By Messrs. McCollister, Gannon, Fourt, Hollibaugh, and Sargent:

House Resolution No. 47

WHEREAS, In these trying times while the United States is engaged in an all out war with the enemies of Democracy, it is of the utmost importance that the military affairs of this State be competently and economically handled; now, therefore, be it

Resolved, That a committee consisting of five Members of the Assembly be appointed by the Speaker for the purpose of investigating and reporting upon the military affairs of the State and the program for defense; and be it further

Resolved, That the said committee shall organize immediately and proceed as soon as practicable with the performance of the duty imposed upon it; and be it further

Resolved, That the committee may sit either during the session or any recess thereof or after the session has adjourned sine die and may hold hearings at any place in this State, at which the people shall have an opportunity to present their views to the committee; and be it further

Resolved, That said committee is hereby authorized to do all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents, and papers of every kind; to issue subpoenas and to compel the attendance of witnesses and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths, and all the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code of the State relative to the attendance of witnesses before the Legislature and committees thereof, and the Rules of the Assembly and of the Senate and the Joint Rules, as they now are or may be hereafter amended, shall apply to the committee appointed under this resolution; and be it further

Resolved, That said committee shall make a report of its conclusions and recommendations to the Fifty-fifth Session or the following session of the Legislature as soon as may be; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day, and be it further

Resolved, That the sum of one thousand five hundred dollars (\$1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 15, 1943

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

Assembly Joint Resolution No 9
 Assembly Joint Resolution No 10
 Assembly Concurrent Resolution No 18

J. A. BEEK, Secretary of the Senate

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 15, 1943

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

Senate Concurrent Resolution No 4

J. A. BEEK, Secretary of the Senate

SENATE CHAMBER, SACRAMENTO, January 15, 1943

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

Senate Joint Resolution No 7

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 4—Relative to Joint Rules of the Senate and Assembly.

Referred to Committee on Rules and House Functions.

Senate Joint Resolution No. 7—Relative to memorializing and petitioning the Congress of the United States to pass the bill generally known as the Lea-Welch Bill suspending the exemption from tolls in favor of United States Government traffic over the Golden Gate Bridge during the war emergency and for six months thereafter.

Request for Unanimous Consent

Mr. O'Day asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 7, at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 7

Senate Joint Resolution No. 7—Relative to memorializing and petitioning the Congress of the United States to pass the bill generally known as the Lea-Welch Bill suspending the exemption from tolls in

favor of United States Government traffic over the Golden Gate Bridge during the war emergency and for six months thereafter.

Resolution read.

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

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 15—An act to amend Section 6 of the Inheritance Tax Act of 1935, relating to inheritance taxation, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 162—An act to amend Section 259 of the Vehicle Code, relating to school bus drivers, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Howser, Johnson, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Werdel, Weybret, and Mr. Speaker—54.

NOES—Bashore, Burkhalter, Call, Crichton, Denny, Evans, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Knight, T. Fenton; Lyons, Massion, McCollister, McMillan, Miller, Sargent, Waters, and Watson—19.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Howser, Johnson, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Middough, Niehouse, O'Day, Pelletier,

Potter, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Werdel, Weybret, and Mr. Speaker—56.

NOES—Bashore, Burkhalter, Call, Crichton, Denny, Evans, Hawkins, Hollibaugh, Kilpatrick, Knight, T. Fenton; Lyons, Massion, McCollister, McMillan, Miller, Sargent, Waters, and Watson—18.

Bill ordered transmitted to the Senate.

Assembly Bill No. 213—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to motor vehicles, and declaring the urgency of this act.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Hollibaugh, Howser, Johnson, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—60.

NOES—Bashore, Burkhalter, Call, Collins, George D., Desmond, Evans, Field, Hawkins, Kilpatrick, and Pelletier—10.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Hollibaugh, Howser, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—62.

NOES—Bashore, Burkhalter, Call, Collins, George D., Desmond, Evans, Field, Hawkins, Kilpatrick, O'Day, and Pelletier—11.

Bill ordered transmitted to the Senate.

MOTION TO APPROVE JOURNALS

On motion of Mr. Sam L. Collins, the Journals of Monday, January 11, 1943; Tuesday, January 12, 1943; Wednesday, January 13, 1943; Thursday, January 14, 1943; and Friday, January 15, 1943, were approved as corrected by the Minute Clerk.

RECESS

At 12.17 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

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

Assembly Bill No. 440: By Mr. Call—An act to amend Section 758 of, to add Section 762 to, and to repeal Sections 758a and 759 of, the Political Code all relating to officers and employees and fees of the district courts of appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 441: By Mr. Call—An act authorizing suit against the State of California to quiet title to lands in San Mateo County devised to the City and County of San Francisco, and to the State of California in the alternative, by the will of James M. Huddart, deceased, and regulating the procedure therein.

Referred to Committee on Judiciary.

Assembly Bill No. 442: By Mr. Weybret—An act to repeal Section 17 of an act approved March 22, 1941, entitled "An act creating a public airport district designated 'Monterey Peninsula Airport District'; defining its boundaries; providing for its organization, government and maintenance; prescribing its powers, duties, and liabilities; providing for the alteration of its boundaries, and the dissolution of said district."

Referred to Committee on Municipal and County Government.

Assembly Bill No. 443: By Mr. Desmond—An act to amend Section 4,965 of the School Code and to amend Section 7406 of the Education Code, relating to the canvassing of votes cast at elections for the issuance of school district bonds.

Referred to Committee on Education.

Assembly Bill No. 444: By Mr. Desmond—An act to add Sections 569, 3807.3, 3811, 3812, 3813, 3814, to, to amend Sections 601, 1834, 1901, 2152, 2614, 2621, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2634, 3351, 3437, 3439, 3480, 3513, 3712, 3716, 3717.5, 3718, 3797, 3805, 4109, 4109.5, 4337, 4834, 4837, 4838, 4880, 4946, 4948, 4989, 4990, 4991, and 4992 of, and to repeal Section 3707.5 of the Revenue and Taxation Code, relating to real property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 445: By Mr. Fourn—An act to amend Section 4248 of the Political Code, relating to compensation of public officers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 446: By Mr. Fourn—An act to amend an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Referred to Committee on Judiciary.

Assembly Bill No. 447: By Mr. Fourn—An act to amend Section 6602 of the Welfare and Institutions Code, relating to the admission and detention of voluntary patients in State hospitals

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 448: By Mr. Fourn—An act to add Section 740.5 to the Welfare and Institutions Code, relating to minors believed to be mentally unsound, authorizing the juvenile court to order commitments for observation, and providing for subsequent proceedings in relation to such minors

Referred to Committee on Judiciary.

Assembly Bill No. 449: By Mr. Fourn—An act to amend Section 81 of the Code of Civil Procedure, relating to the classification of justices' courts.

Referred to Committee on Judiciary.

Assembly Bill No. 450: By Mr. Fourn—An act to amend Section 411 of the Code of Civil Procedure, and Section 373 of the Civil Code, relating to service of process.

Referred to Committee on Judiciary.

Assembly Bill No. 451: By Messrs. Fourn, McCollister, and Price—An act to amend Section 817 of the Penal Code, relating to the definition of peace officers.

Referred to Committee on Judiciary.

Assembly Bill No. 452: By Messrs. Fourn, Price, and McCollister—An act to add Section 3064a to the Penal Code, relating to paroles.

Referred to Committee on Judiciary.

Assembly Bill No. 453: By Messrs. Fourn, Price, and McCollister—An act to add Section 2873 1 to the Penal Code, relating to the sale of animals and fowls raised at the prisons.

Referred to Committee on Crime and Correction.

Assembly Bill No. 454: By Messrs. Fourn, McCollister, and Price—An act to make an appropriation for the construction, maintenance and support of prison camps.

Referred to Committee on Crime and Correction.

Assembly Bill No. 455: By Messrs. Fourn, McCollister, and Price—An act to amend Section 3024 of the Penal Code, relating to minimum sentences of imprisonment.

Referred to Committee on Judiciary.

Assembly Bill No. 456: By Messrs. Fourn, McCollister, and Price—An act to make an appropriation for the construction of an additional building at San Quentin Prison.

Referred to Committee on Crime and Correction.

Assembly Bill No. 457: By Messrs. Fourn, McCollister, and Price—An act to amend Section 2762 of the Penal Code, relating to employment of prisoners at road camps.

Referred to Committee on Crime and Correction.

Assembly Bill No. 458: By Messrs. Fourn, McCollister, and Price—An act to amend Section 2720 of the Penal Code, relating to the Jute Mill Revolving Fund.

Referred to Committee on Crime and Correction.

Assembly Bill No. 459: By Messrs. Fourn, McCollister, and Price—An act to amend Sections 2009, 2023 and 2033 of the Penal Code, relating to the transfer of prisoners between prisons.

Referred to Committee on Crime and Correction.

Assembly Bill No. 460: By Messrs. Fourt, McCollister, and Price—
An act to amend Section 2092 of the Penal Code, relating to prisons.

Referred to Committee on Crime and Correction.

Assembly Bill No. 461: By Messrs. Fourt, McCollister, and Price—
An act to amend Section 4808 of the Penal Code, relating to the membership of the Advisory Pardon Board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 462: By Messrs. Fourt, McCollister, and Price—
An act to make an appropriation for the construction, equipment and staffing of a psychopathic hospital for the reception, care and treatment of insane prisoners at San Quentin State Prison.

Referred to Committee on Crime and Correction.

Assembly Bill No. 463: By Messrs. Fourt, McCollister, and Price—
An act to add Section 3041a to the Penal Code and to amend Sections 3043 and 3045 of the Penal Code, relating to paroles.

Referred to Committee on Crime and Correction.

Assembly Bill No. 464: By Messrs. Fourt, McCollister, and Price—
An act to amend Section 2920 of the Penal Code, relating to credits and terms of imprisonment.

Referred to Committee on Crime and Correction.

Assembly Bill No. 465: By Messrs. Fourt, McCollister, and Price—
An act to amend Section 2714 to the Penal Code, relating to prisons and prisoners.

Referred to Committee on Crime and Correction.

Assembly Bill No. 466: By Messrs. Fourt, McCollister, and Price—
An act to amend Sections 2681, 2682 and 2685 and to repeal Section 2683 of the Penal Code, relating to the disposition of insane prisoners.

Referred to Committee on Crime and Correction.

Assembly Bill No. 467: By Messrs. Fourt, McCollister, and Price—
An act to add Article 3, comprising Sections 2400 to 2404, inclusive, to Chapter 2 of Title 1 of Part 3 of the Penal Code, relating to parole.

Referred to Committee on Crime and Correction.

Assembly Bill No. 468: By Messrs. Fourt, McCollister, and Price—
An act to amend Section 1557 of the Penal Code, relating to the return of fugitives from justice.

Referred to Committee on Crime and Correction.

Assembly Bill No. 469: By Messrs. Fourt, McCollister, and Price—
An act to amend Section 1481 of the Penal Code, relating to habeas corpus proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 470: By Messrs. Fourt, McCollister, and Price—
An act to amend Sections 1217, 3600, 3602, 3603, and 3605 of the Penal Code, relating to the death penalty.

Referred to Committee on Judiciary.

Assembly Bill No. 471: By Messrs. Fourt, McCollister, and Price—An act to amend Section 1203.2a of the Penal Code, relating to probation and terms of imprisonment.

Referred to Committee on Crime and Correction.

Assembly Bill No. 472: By Messrs. Fourt, McCollister, and Price—An act to amend Section 2943 of the Penal Code, relating to the discharge of prisoners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 473: By Messrs. Fourt, McCollister, and Price—An act to amend Sections 2708, 2709 and 2877 of the Penal Code, relating to the sale of prison-made goods.

Referred to Committee on Crime and Correction.

Assembly Bill No. 474: By Messrs. Fourt, McCollister, and Price—An act to amend Section 2082 of the Penal Code, relating to the distribution of photographs and descriptions of prisoners.

Referred to Committee on Crime and Correction.

Assembly Bill No. 475: By Messrs. Gannon, Dickey, Burkhalter, Dilworth, Crichton, Fourt, Hollibaugh, McMillan, Price, Kraft, and Sargent—An act making an appropriation to The Adjutant General for the maintenance of the California High School Cadets.

Referred to Committee on Military Affairs.

Assembly Bill No. 476: By Messrs. Fourt, McCollister, and Price—An act to amend Section 4701 of the Penal Code, relating to the jurisdiction of criminal actions for escapes and attempts to escape.

Referred to Committee on Judiciary.

Assembly Bill No. 477: By Mr. Burkhalter—An act to add Section 1151.5 to the Fish and Game Code, relating to hunting with firearms while under the influence of intoxicating liquor.

Referred to Committee on Judiciary.

Assembly Bill No. 478: By Messrs. Fourt, McCollister, and Price—An act to amend Sections 4570, 4571, 4572, 4573 and 4574 of the Penal Code, relating to unauthorized communications with the prisons and prisoners.

Referred to Committee on Crime and Correction.

Assembly Bill No. 479: By Messrs. Fourt, McCollister, and Price—An act to amend Sections 4530, 4531 and 4532 of the Penal Code, relating to escapes.

Referred to Committee on Crime and Correction.

Assembly Bill No. 480: By Mr. Kilpatrick—An act to repeal Sections 2300, 2301, and 2302, and to amend Sections 2303, 2305, 2306, 2307, 2308, 2309, and 2310 of, and to add Sections 2300, 2300.5, 2300.7, 2301, 2301.3, 2301.5, 2301.7, 2301.9, 2302, 2302.3, 2302.5, and 2305.5

to the Welfare and Institutions Code, relating to institutions, boarding homes, and other places for the reception and care of aged persons, and the receiving or care for any such persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 481: By Mr. Armstrong—An act to add Section 26528 to the Health and Safety Code, relating to the sale of horse meat.

Referred to Committee on Public Health.

Assembly Bill No. 482: By Messrs. Brady, Haggerty, Gannon, Berry, Collins, George D., O'Day, and Gaffney—An act to add Section 2810 to the Labor Code, relating to discrimination in employment.

Referred to Committee on Labor and Capital.

Assembly Bill No. 483: By Mr. Middough—An act to add Section 9.19 to the Building and Loan Association Act, relating to personal and consumer credit loans.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 484: By Mr. Middough—An act to amend Sections 9.09 and 9.18 of the Building and Loan Act, relating to building and loan associations and the making of loans by such associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 485: By Messrs. Bashore, Knight, T. Fenton; Clarke, and Heisinger—An act to add Chapter 6, comprising Sections 980, 981, 982 and 983 to the Military and Veterans Code, relating to employment rights of ex-members of the armed forces and unlawful strikes and picketing.

Referred to Committee on Judiciary.

Assembly Bill No. 486: By Messrs. Kilpatrick, Crowley, Bennett, Howser, Burkhalter, Debs, McMillan, Evans, and Mrs. Niehouse—An act to amend Sections 3025, 3044, 3047, and 3084 of the Welfare and Institutions Code, to repeal Section 3088 thereof, and to add Section 3000 thereto, relating to aid to needy blind persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 487: By Mr. Bashore—An act to make an appropriation to pay off the amount of outstanding bonds issued under "An act to provide for the payment of the funded indebtedness of the State of California and to contract a funded debt for that purpose," approved April 2, 1870, and to repeal "An act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to repeal an act of the Legislature of the State of California, approved March 4, 1881, entitled 'An act to appropriate money to reimburse the University of California, for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom and appropriated to other State purposes,' and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893," approved March 3, 1893.

Referred to Committee on Ways and Means.

Assembly Bill No. 488: By Mr. Rosenthal—An act to amend Section 230 of the Elections Code, relating to the affidavit of registration. Referred to Committee on Elections and Reapportionment.

Assembly Constitutional Amendment No. 11: By Mr. Rosenthal—Proposed amendment to Article II of the Constitution, relative to the qualifications of electors.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 13: By Messrs. Kilpatrick, Bennett, Robertson, and Howser—Relative to amendment of Lanham Act regarding war housing.

Referred to Committee on Military Affairs.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1943

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 9—Relative to memorializing Congress to request the Jefferson Bicentennial Commission, Senator Carter Glass, Chairman, to invite the Nations and peoples of the World to join with the people of the United States of America in observing and celebrating the Bicentennial of Jefferson's Day of Birth, April 13, 1943;

Assembly Joint Resolution No. 10—Relative to the allocation and distribution of food and farm labor;

Assembly Concurrent Resolution No. 18—Relative to adjournment out of respect to the memory of Herbert Johnston Evans; And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of January, 1943, at 11 30 a.m.

PELLETIER, Chairman

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1943

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No 286

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

CALL, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 286—An act empowering public agencies to cancel contracts for public works and to arrange settlement with contractors by negotiation or judicial action.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, after "action", insert "declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, line 9, of the printed bill, after "agency", insert "charged with the responsibility of awarding contracts".

Amendment No. 3

On page 1, line 21, of the printed bill, after "agency", insert "charged with the responsibility of awarding contracts".

Amendment No. 4

On page 2 of the printed bill, after line 14, add

"SEC. 6. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety thereof under the provisions of Section 1 of Article IV of the Constitution, to take effect immediately. The facts constituting such necessity are as follows:

By reason of existing public works contracts man power, materials, equipment and supplies are being diverted from the war effort as stated in Section 1 of this act. This act by taking effect immediately will permit the release of such man power, materials, equipment and supplies to the war effort without which the war effort will be seriously hindered and the public peace, health and safety will thereby be seriously endangered."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)**SECOND READING OF SENATE BILLS**

Senate Bill No. 4—An act to amend Sections 4026 and 4026.1 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Lowrey:

Resolved, That Senate Bill No. 4 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Hastain, Hawkins, Heisinger, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Nielhouse, Potter, Price, Robertson, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weidel, Weybret, and Mr. Speaker—60.

NOES—Hollibaugh, and Sargent—2

Article IV, Section 15, of the Constitution was declared suspended

CONSIDERATION OF SENATE BILL NO. 4

Senate Bill No. 4—An act to amend Sections 4026 and 4026.1 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson,

King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—62.

NOES—None.

The question being on the passage of Senate Bill No. 4.

Motion to Amend

Mr Heisinger moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed bill, before "notice", insert "written".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 48—An act to amend Section 6.37 of, and to add Section 6.38 to, the School Code, and to add Sections 18058 and 18059 to the Education Code, relating to the letting of contracts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Evans, Gaffney, Haggerty, Hastain, Hawkins, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—56.

NOES—Bashore, Burns, Call, Denny, Desmond, Dunn, Erwin, Field, Fourn, Heisinger, Kraft, Lyons, Massion, McCollister, and Pelletier—15.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Fourn, Gaffney, Haggerty, Hastain, Hawkins, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, and Mr. Speaker—55.

NOES—Bashore, Burns, Call, Denny, Desmond, Erwin, Field, Heisinger, Lyons, Massion, McCollister, Pelletier, and Werdel—13.

Bill ordered transmitted to the Senate.

Assembly Bill No. 235—An act to add Section 92.1 to the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 235:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 18, 1943

To the Honorable Members of the Assembly

ASSEMBLY BILL NO. 235

"An act to add Section 921 to the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs, declaring the urgency thereof, and providing that this act shall take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 235 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Howser, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—70.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Howser, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER CONSIDERATION OF SENATE BILL NO. 4

Senate Bill No. 4—An act to amend Sections 4026 and 4026.1 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr Lowrey moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, strike out "armed forces of the State of California"; and, in line 7, after "the", insert "State Guard or State Militia when in active service."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 143—An act making an appropriation for the additional support of the California Polytechnic School, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 143:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 18, 1943

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

ASSEMBLY BILL NO. 143

"An act making an appropriation for the additional support of the California Polytechnic School, declaring the urgency thereof, to take effect immediately".

In my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 143 as necessary for the immediate preservation of the public peace, health, or safety, and as an emergency measure

Respectfully submitted.

EARL WARREN, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 366

Mr. Stream moved that Assembly Bill No. 366 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Roads and Highways.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT

Mrs. Niehouse asked for, and was granted, unanimous consent to hold a meeting of the Subcommittee on Education, and to excuse from the Chamber the following committee members: Messrs. Johnson, Robertson, Evans, Hastain, and Mrs. Niehouse.

RESOLUTIONS

The following resolution was offered:

By Messrs. Middough, Evans, and Fourt:

House Resolution No. 48

WHEREAS, Numerous organizations are coming into existence whose avowed purpose is the collection of funds to be disbursed for the entertainment of members of the armed forces; and

WHEREAS, Millions of dollars are being collected from the public and no agency exists to check upon the integrity of the persons administering these trusts or the honesty of their administration; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created a Committee of the Assembly, which shall consist of three members to be appointed by the Speaker, and shall make a thorough study and investigation of any and all organizations raising or soliciting funds for the entertaining of soldiers, sailors and other members of the armed services, of the methods of operation of any such organizations, of the use to which the funds are applied or to be applied, of the personnel comprising such organizations, and of all matters relating to the good faith and performance of such organizations; and be it further

Resolved, That the said committee shall organize at once by the election of one of its members as chairman and one as secretary, and shall proceed as soon as practicable with the performance of the duty hereby imposed upon it; and be it further

Resolved, That the said committee is authorized to sit either during this session or after adjournment and to make investigations and hold public hearings at any place in this State; and be it further

Resolved, That said committee is hereby authorized and empowered to do all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents, and papers of every kind; to issue subpoenas and to compel the attendance of witnesses and to procure testimony. The committee shall have all powers of committees given by the Joint Rules or the Rules of either house as they now exist, or may hereafter be amended. Each of the members of said committee is hereby authorized to administer oaths, and all the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code of the State, relative to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution. Said committee may sit during the sessions of the Legislature, during the recesses thereof, and during the interval between sessions; and be it further

Resolved, That the said committee shall make a report of its progress immediately following the constitutional recess, and shall report its further progress and conclusions to the Fifty-sixth Session of this Legislature within the first 15 days thereof together with drafts of such legislation as it may deem to be desirable or necessary; and be it further

Resolved, That the members of the committee shall serve without compensation, but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way when traveling on the business of the committee, and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee; or, in lieu of such expenses for accommodations and meals, an allowance of ----- dollars (\$-----) per day; and be it further

Resolved, That the sum of ----- dollars (\$-----) or so much thereof as may be necessary, is hereby made available to be paid from the Contingent Fund of the Assembly for the expenses of the committee and of its members and for charges, expenses, or claims it may incur under this resolution, to be disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dilworth asked for, and was granted, unanimous consent to have the following printed in the Journal:

Federal-State Market News Service

Los Angeles, California

DAILY LIVE STOCK MARKET REPORT — THURSDAY, JANUARY 14, 1943

U. S. Department of Agriculture
Agricultural Marketing Administration,
206 L. S. Exchange Bldg.,
Union Stockyards.

California Department of Agriculture
Market News Service Co-operating.

Los Angeles Live Stock Market—Thursday, January 14, 1943

(Based on market conditions and sales reported at Los Angeles Union Stockyards up to 1.30 p.m.)

Cattle: Demand continued good and the comparatively light supply cleared readily at fully steady prices. Strictly good steers and cows lacking and practically no heifers available. Dairy type cows accounted for more than half of the supply.

RESOLUTIONS

The following resolution was offered:

By Messrs. Kilpatrick, Evans, Burkhalter, and Rosenthal:

House Resolution No. 49

Relative to the Creation of a Committee on Public Assistance

WHEREAS, The State and local agencies appropriate vast sums of money for the furnishing of assistance to indigent persons, aged persons, and other persons who are in need of such assistance, as well as for the furnishing of specialized treatment for and the care of various classes of persons who are in need of such treatment and care; and

WHEREAS, The furnishing of such assistance, treatment, and care by public agencies and by private agencies results in needless duplications in some cases, while in other instances where great need exists no public funds or public funds in an inadequate amount are made available, and funds from private sources are not sufficient; and

WHEREAS, A newspaper article states specifically that the policies of the Los Angeles County Department of Public Assistance have been sharply criticized in a report received by the board of supervisors from A. A. Heckman, St. Paul, Minnesota, social worker employed by the Los Angeles Council of Social Agencies to investigate and make recommendations to the board of supervisors; and

WHEREAS, Such criticism was directed mainly at the local department's insistence on taking liens on insurance policies and future earnings in granting relief, as well as the policy of compelling recipients of assistance to sign agreements under which women abandoned by their husbands or separated stipulate willingness to file failure-to-provide criminal complaints against them; and

WHEREAS, It is time that the Legislature obtain complete and accurate information as to this matter in order that it may legislate in an informed manner and with regard to all factors pertaining to the furnishing of such assistance, treatment and care; now, therefore, be it

Resolved by the Assembly of the State of California. That a Committee on Public Assistance is hereby created to study and investigate all matters relating to the furnishing of assistance by the State and local agencies to indigent, aged, and other persons in need of such assistance and the furnishing of treatment for and care of various classes of persons who are in need of such treatment and care, including a survey of the operation, maintenance, and adequacy of poor farms, tuberculosis sanitariums, and other similar institutions of the State and local agencies, and to report its recommendations to the Legislature at any time prior to final adjournment of the Fifty-fifth Legislature.

The committee hereby created shall consist of five Members of the Assembly appointed by the Speaker of the Assembly. The Speaker of the Assembly shall fill any vacancies in the membership of the committee.

The committee hereby created is authorized to act during the session of the Fifty-fifth Legislature, and the constitutional recess, but not beyond final adjournment of the Fifty-fifth Legislature. The committee hereby created shall have all powers conferred upon investigating committees by the Joint Rules and the Rules of the Assembly as they are now or may hereafter be amended.

The Sergeant-at-Arms of the Assembly, or other officers designated by him, is hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars (\$8) per day.

The sum of five thousand dollars (\$5,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

STATE LANDS COMMISSION
SACRAMENTO, CALIFORNIA, January 5, 1943

To the Assembly of the State of California

Pursuant to the provisions of Section 6211 of the Public Resources Code (formerly Chapter 800, Statutes of 1917), we respectfully report that, according to advices received, certificates of title have been issued to August 1, 1942, by the registrars of land titles under the Torrens Law in 18 of the 58 counties of California as follows:

Alameda -----	179	San Bernardino -----	7,825
Fresno -----	119	San Diego -----	7,176
Humboldt -----	349	San Francisco -----	7
Imperial -----	548	San Luis Obispo -----	1
Kern -----	168	Santa Barbara -----	846
Los Angeles -----	120,300	Santa Cruz -----	238
Merced -----	1	Sonoma -----	656
Orange -----	9,286	Tulare -----	100
Riverside -----	312	Ventura -----	6

The Torrens Act provides that upon the original registration of any land a sum equal to one-tenth of 1 per cent of the assessed value of the land, including permanent improvements thereon as the same were valued for county taxation the last time said land and permanent improvements or either thereof were assessed for county taxes next preceding the filing of the petition, shall be collected by the registrar and paid to the State Treasurer to be credited to the "Torrens Title Assurance Fund."

The books of the State Treasurer show at the close of business June 30, 1942, a cash balance of \$46.38 in the "Torrens Title Assurance Fund," and a net deficit of \$7,164.50.

The State Treasurer in a letter addressed to this office January 6, 1939, stated that all of the assets of the "Torrens Title Assurance Fund" were liquidated in an effort to satisfy a judgment in favor of Thomas Edwin Gill and Myla Ritzinger Gill against the "Torrens Title Assurance Fund." The following excerpt from said letter is taken from the Biennial Report of the State Treasurer, dated June 30, 1938:

In the Superior Court of the State of California, in and for the County of Imperial, Department No. 2, the case of *Thomas Edwin Gill and Myla Ritzinger Gill*, Plaintiffs, vs. *C. G. Johnson*, as Treasurer of the State of California, and *Friend James Austin*, Defendants, came to trial November 18, 1935. The cause was submitted for decision on November 19, 1935, and the decision rendered on January 15, 1936, resulted in the Plaintiffs obtaining judgment for the sum of \$65,000 against Charles G. Johnson, as Treasurer of the State of California, and directed payment to be made out of the Torrens Title Assurance Fund. However, on March 10, 1936, a modification of findings and judgment ruling on motion for new trial was made by the court, ordering that the judgment be amended to conform to the findings and conclusions by substituting the amount of \$48,000 instead of \$65,000; and motion for a new trial was denied. This judgment provides for interest to be paid at the rate of 7 per cent per annum on the unpaid balance from January 15, 1936.

As indicated in our Biennial Report referred to above, \$46,898.48 has been paid to Mr. Gill on this judgment, leaving a remaining unpaid balance, according to our records, of \$1,101.52, plus 7 per cent interest on the original amount of the judgment, or \$48,000, from January 15, 1936, to the date of the first partial payment, and on the principal balances subsequent to the dates of the partial payments.

The final disposition of this litigation will be found in Volume 21, California Appellate Reports, at page 649.
Respectfully submitted.

STATE LANDS COMMISSION
Division of State Lands, Sacramento
By P. S. OTTOSON, Executive Officer

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 39
Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 39

House Resolution No. 39

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Bancroft-Whitney Company, 85 sets codes.....	\$4,902 80
Carithers Sign Company, Cards for call board.....	59 12
A. E. Cunningham, Overhauling clock.....	3 75
Hotel Senator Flower Shop, Flowers for Mrs. Katie Bashore..	11 02
The Thomson-Diggs Co., 1 step-ladder.....	6 37

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Field, Fourn, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John R., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McColister, McMillan, Middough, Miller, O'Day, Pelletier, Porter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—63.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 113—An act to amend Section 395.2 of the Military and Veterans Code, relating to leaves of absence of school employees.

Bill read third time.

Motion to Amend

Mr. Howser moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 14, of the printed bill, insert

"The provisions of this section shall be of no further force and effect after July 1, 1945, or after the ninetieth day following the termination of the war if such day falls prior to July 1, 1945."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

REQUEST TO PRINT ADDITIONAL COPIES OF ASSEMBLY BILL NO. 123

Mr. Howser requested that the Chief Clerk be instructed to have 2,000 extra copies of Assembly Bill No. 123 printed.

The Speaker referred the request to the Committee on Rules and House Functions.

RESOLUTIONS

The following resolution was offered:

By Messrs. Haggerty, Maloney, Collins, George D., Gaffney, Wollenberg, Brady, O'Day, and Berry:

House Resolution No. 50

WHEREAS, Death has taken Hugh L. Smith, a native of San Francisco and, since 1935, a judge of the municipal court of that city; and

WHEREAS, As a boy, Hugh L. Smith, following the traditional path of American youth, won for himself fame as a baseball player upon the sandlots of San Francisco, a fame which he later enlarged as a member of the Los Angeles Club in the Pacific Coast League; and

WHEREAS, Hugh L. Smith, in addition to his work on the municipal bench, contributed richly to the community life of his city by maintaining his interest in baseball and through his membership in various organizations, including the Olympic Club, the University of San Francisco Alumni Association, and the Native Sons of the Golden West; and

WHEREAS, Hugh L. Smith leaves, besides his many friends, his widow, Mrs. Grace O'Brien Smith, and three sons: Hugh Smith, Jr., now serving in the United States Navy; James Smith, a candidate for Marine Officers School at Quantico, Virginia; and Justin Smith, in school in San Francisco; and

WHEREAS, It is the wish of the Assembly of the State of California to express its appreciation of the public service rendered by Judge Hugh L. Smith, and to convey its sympathies to his family; now, therefore, be it

Resolved by the Assembly of the State of California. That when this Assembly adjourns today it do so out of respect to the memory of Judge Hugh L. Smith: and be it further

Resolved, That the Chief Clerk be and he is hereby directed to transmit a suitably engrossed copy of this resolution to the family of Judge Hugh L. Smith at 228 Twenty-fourth Avenue, San Francisco.

Request for Unanimous Consent

Mr. Haggerty asked for, and was granted, unanimous consent to take up House Resolution No. 50, at this time, without reference to committee.

Resolution read and adopted unanimously.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. McCollister, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Clinton T. Duffy, Warden of San Quentin Prison, and Mr. Mark Noon, State Clerk of San Quentin.

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Myrtle Williams of Los Angeles.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Edwin C. Boehler, State Secretary of the Knights of Columbus of Los Angeles, and F. M. Curry of Los Angeles.

ADJOURNMENT

At 3.13 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10.30 a.m., Tuesday, January 19, 1943, out of respect to the memory of the late Judge Hugh L. Smith.

C. WILLIAM QUEALE, Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

TWELFTH LEGISLATIVE DAY
SIXTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, January 19, 1943

The Assembly met at 10.30 a m.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Buins, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollbaugh, Howser, Johnson, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

Quorum present.

Speaker Presiding

At 10.34 a.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Creator Spirit, by whose aid
The world's foundations first were laid,
Come, visit every pious mind;
Come, pour Thy joys on humankind;
From sin and sorrow set us free,
And make Thy temples worthy Thee

We thank Thee that Thou hast spoken to us in nature, in Thy Holy Book, in the life of our Lord and by Thy presence in our hearts. Enrich the counsels of this day by sending upon each waiting heart the guidance of Thy truth. Help us so to live that our lives may be presented, a living sacrifice which is our reasonable service. In Thy Holy name.

AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:
Mr. Kellems, on motion of Mr. Doyle.

EXPLANATIONS OF ABSENCE

Upon request of the Speaker, Messrs Weber and Dills, Ralph C., were excused for the legislative day in performance of duties for the State.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

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

Assembly Bill No. 489: By Messrs. Desmond and Bashore—An act to amend Sections 5, 6, 7, 8, 10, and 11 of an act entitled "An act providing for the sale of certain State lands," approved May 19, 1915, as amended, and Sections 1, 2, 3, 4, 6, and 7 of an act entitled "An act relating to State lands, making demand for payment of the balance due on the purchase price of certain lands, providing for the forfeiture of such lands for failure to make such payment, and reducing the rate of interest on all contracts for the sale of school lands," approved January 29, 1937, relating to State lands, declaring the urgency thereof, to take effect immediately.

Without reference to committee.

Assembly Bill No. 490: By Mr. Burns—An act to provide for the compilation, publication, and distribution by the Secretary of State of a Roster of Public Officials of California and to make an appropriation therefor.

Referred to Committee on Rules and House Functions.

Assembly Bill No. 491: By Mr. Erwin—An act to amend Section 2.160 of the School Code and Section 2561 of the Education Code, relating to the uniting of districts.

Referred to Committee on Education.

Assembly Bill No. 492: By Mr. Call—An act providing for the preparation and publication of the California Administrative Register and the California Administrative Code, and making an appropriation therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 493: By Mr. Call—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and

adopted and approved by the electors of the State of California, November 2, 1920, as amended, by adding Section 7.5, relating to sales of real property by the State.

Referred to Committee on Judiciary.

Assembly Bill No. 494: By Messrs. McMillan, Anderson, and Knight, T. Fenton—An act to add Section 2501 to, to amend Sections 2793, 2893, 2894, 2896 and 2899 of, and to repeal Sections 2674, 2742, 2794 and 2795 of, the Elections Code, relating to partisan candidates.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 495: By Mr. Howser—An act to add Section 435 to the Alcoholic Beverage Control Act, relating to suspension and revocation of licenses.

Referred to Committee on Public Morals.

Assembly Bill No. 496: By Messrs. Call, Thurman, Doyle, and Waters—An act to amend Section 250 of the Fish and Game Code, relating to refugees.

Referred to Committee on Fish and Game.

Assembly Bill No. 497: By Mr. Lyon—An act to amend Sections 5, 6 and 12 of the "Automobile Parking District Act of 1941," relating to public parking districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 498: By Mr. Lyon—An act limiting the amount of taxes that may be imposed for county or city and county purposes upon real and personal property according to the valuation thereof, providing for the determination of the revenue deficiency resulting from the limitation hereby prescribed, and for the apportionment to each county and city and county of an amount equal to that deficiency, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 499: By Messrs. Wollenberg, Call, Gannon, Crichton, Dickey, Kraft, Crowley, Allen, Fourt, Sargent, and Hollibaugh—An act to amend Section 3.750 of the School Code and to amend Section 10151 of the Education Code, relating to the establishment of courses in military science and tactics in the public secondary schools.

Referred to Committee on Education.

Assembly Bill No. 500: By Mr. Wollenberg—An act to amend Section 4701 of the Labor Code, relating to workmen's compensation, including burial expenses and death benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 501: By Mr. Wollenberg—An act to prohibit unfair trade practices in commerce, creating the California Trade Commission to carry out the provisions of this act, defining its powers and duties, declaring certain acts or practices in commerce to constitute unfair trade practices, imposing penalties for violations of this

act, providing for the issuance of certificates to trade associations, and making an appropriation for the purposes hereof.

Referred to Committee on Judiciary.

Assembly Bill No. 502: By Messrs. Anderson, Smith, Hollibaugh, McMillan, and Massion—An act to amend Section 800 of the Military and Veterans Code, relating to veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 503: By Mr. Potter—An act to amend Sections 118 and 118.1 of the Welfare and Institutions Code, relating to public assistance records.

Referred to Committee on Social Welfare.

Assembly Bill No. 504: By Messrs. Maloney and Gaffney—An act to add Division 4.5, comprising Sections 6100 to 6149, inclusive, to the Labor Code, relating to benefits payable to employees of the State of California and their dependents, directly or through the medium of insurance, on account of injuries arising out of and occurring in the course of their employment, which injuries or resulting death are not compensable under the provisions of Division 4 of the Labor Code, to take effect immediately.

Without reference to committee.

Assembly Bill No. 505: By Mr. Dilworth—An act to add Section 2161.5 to the Welfare and Institutions Code, relating to residence qualifications of applicants for aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 506: By Mr. O'Day—An act to amend Section 5801 of the Labor Code of the State of California, relating to a system of workmen's compensation insurance and benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 507: By Mr. O'Day—An act to amend Section 4702 of the Labor Code, relating to a system of workmen's compensation insurance and benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 508: By Mr. Kilpatrick—An act to add Sections 2020.1 and 2020.2 to the Welfare and Institutions Code, relating to aid to the aged, providing for special services to persons eligible for such aid, and granting funeral expenses for recipients thereof.

Referred to Committee on Social Welfare.

Assembly Bill No. 509: By Mr. Kilpatrick—An act to amend Sections 2163, 2164, 2165, 2182, and 2183 of the Welfare and Institutions Code, and to add Sections 2013, 2014, 2163.3, 2166, 2183.5, and 2210 thereto, relating to aid to the aged.

Referred to Committee on Social Welfare

Assembly Bill No. 510: By Mr. Kilpatrick—An act to add Sections 2014, 2015, 2143, and 2182.1 to the Welfare and Institutions Code, and

to amend Sections 2180, 2181, 2182, and 2183 thereof, relating to protection, care, and assistance to aged persons, including the administration of aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 511: By Mr. Kilpatrick—An act to add Section 4288.5 to the Political Code, relating to the salaries of city, city and county, county, board, bureau and commission officers, deputies, clerks and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 512: By Messrs. Waters and Robertson—An act to amend Section 6902 of the Labor Code, relating to operation personnel of railroads.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 513: By Messrs. Beck and Burkhalter—An act to add Section 604.11 to the Vehicle Code, relating to ambulances.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 514: By Mr. Robertson—An act to amend Sections 679, 1400, 2604, 2631, 2700, 5557, 5565, 5809, 7967, and 11581 of the Elections Code, and to repeal Sections 19, 45, 46, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 134, 135, 136, 180, 181, 182, 183, 184, 185, 186, 224, 225, 226, 227, 228, 229, 230, 291, 292, 293, 294, 295, 296, 297, 298, 330, 370, 371, 372, 373, 374, and 9000 of the Elections Code as contained in Chapter 26 of the Statutes of 1939, relating to elections and matters incidental thereto.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 515: By Messrs. Carlson and Carey—An act to provide for the establishment and maintenance of a School of Public Health in the University of California and making an appropriation therefor.

Referred to Committee on Universities and Colleges.

Assembly Bill No. 516: By Mr. Maloney—An act to amend Sections 10490, 10500, 10971 and 10972 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 517: By Mr. Fourt—An act to amend Section 2 of the County Civil Service Enabling Act, relating to the adoption of a system of civil service in counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 518: By Mr. Hawkins—An act to add Section 2162.5 to the Welfare and Institutions Code, relating to aid to the aged, providing for proof of age or length of residence.

Referred to Committee on Social Welfare.

Assembly Concurrent Resolution No. 21: By Messrs. Allen and Crowley—Relative to the Reports of the Annual Conventions of the

Disabled American Veterans of the World War of the Department of California, and the Department Encampment of the Grand Army of the Republic.

Referred to Committee on Rules and House Functions.

Assembly Constitutional Amendment No. 12: By Mr. Call—Proposed amendment to Article XII, Section 22, of the Constitution, relative to the Railroad Commission.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 13: By Messrs. Call and Bashore—Proposed amendment adding to Article V thereof a new section to be numbered 8c, of the Constitution, relative to confirmation of appointments made by the Governor.

Referred to Committee on Constitutional Amendments.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

OFFICE OF THE LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 18, 1943

*Honorable Charles W. Lyon, Assembly Chamber
State Capitol, Sacramento, California*

DEAR MR LYON: The proposed California War Powers Act could not take effect until 90 days after the session at which enacted, for the reason that it abolishes offices, creates offices, and changes the primary duties of certain officers.

If enacted at this regular session it therefore could not take effect until sometime next Summer.

If enacted at a special session called and held during a recess of this session, the 90-day period would commence to run upon adjournment of the special session.

Yours very truly,

FRED B WOOD, Legislative Counsel

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 113
And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 286
Assembly Bill No. 319
And reports the same correctly engrossed.

PELLETIER, Chairman

Assembly Bill No. 286 ordered to third reading.

Assembly Bill No. 319 ordered re-referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1943

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

Senate Concurrent Resolution No. 14
Senate Concurrent Resolution No. 15
Senate Concurrent Resolution No. 8

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read :

Senate Concurrent Resolution No. 14—Approving certain amendments to the charter of the City of San Bernardino, a municipal corporation in the County of San Bernardino, State of California, voted for and ratified by the qualified electors of said city at a special election held thereon on the third day of November, 1942.

Request for Unanimous Consent

Mr. Price asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 14, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 14

Senate Concurrent Resolution No. 14—Approving certain amendments to the charter of the City of San Bernardino, a municipal corporation in the County of San Bernardino, State of California, voted for and ratified by the qualified electors of said city at a special election held thereon on the third day of November, 1942.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Haggerty, Hastain, Hawkins, Helsing, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None

Resolution ordered transmitted to the Senate.

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read :

Senate Concurrent Resolution No. 15—Relative to designating this session of the Legislature "The Victory Session."

Referred to Committee on Rules and House Functions.

Senate Concurrent Resolution No. 8—Relative to the creation of a Joint Fact-Finding Committee on Un-American Activities in California to investigate the activities of persons and groups known or suspected to be foreign dominated or controlled and recommend legislation for their regulation.

Referred to Committee on Rules and House Functions.

RESOLUTIONS

The following resolutions were offered :

By Messrs Bashore, Pelletier, and Evans :

House Resolution No. 51

WHEREAS, The matter of the distribution of surplus commodities is the subject of legislation proposed to be enacted and this Assembly requires information to enable it to proceed in relation to such legislation ; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on House Rules and Functions is hereby directed to ascertain from the

appropriate officials and agencies, including those of the Department of Social Welfare and the Department of Finance, the amount of money on hand available to continue the Program of Surplus Commodity Distribution, the amount of such commodities on hand, and how long the program can be continued under existing conditions without further legislation.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up House Resolution No. 51, at this time, without reference to committee.

Resolution read.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the resolution, following the second paragraph, strike out the period, and insert "; and be it further

Resolved, That the Assembly Committee on House Rules and Functions for the purposes of this resolution shall have all the powers conferred upon investigating committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code and by the Joint Rules of the Fifty-fifth Legislature and of the Rules of the Assembly of the Fifty-fifth Legislature as said Joint Rules and Rules of the Assembly now exist or may hereafter be amended. The Sergeant-at-Arms of the Assembly, or persons designated by him, is directed to serve any and all subpoenas, orders, and other process issued by the committee when directed so to do by the chairman of the committee or by a majority of the membership of the committee."

Amendment read and adopted.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up House Resolution No. 51, as amended, at this time.

Consideration of House Resolution No. 51, as Amended

House Resolution No. 51

WHEREAS, The matter of the distribution of surplus commodities is the subject of legislation proposed to be enacted and this Assembly requires information to enable it to proceed in relation to such legislation; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on House Rules and Functions is hereby directed to ascertain from the appropriate officials and agencies, including those of the Department of Social Welfare and the Department of Finance, the amount of money on hand available to continue the Program of Surplus Commodity Distribution, the amount of such commodities on hand, and how long the program can be continued under existing conditions without further legislation; and be it further

Resolved, That the Assembly Committee on House Rules and Functions for the purposes of this resolution shall have all the powers conferred upon investigating committees by Article 8, Chapter 2, Title 1, Part 3, of the Political Code and by the Joint Rules of the Fifty-fifth Legislature and of the Rules of the Assembly of the Fifty-fifth Legislature as said Joint Rules and Rules of the Assembly now exist or may hereafter be amended. The Sergeant-at-Arms of the Assembly, or persons designated by him, is directed to serve any and all subpoenas, orders, and other process issued by the committee when directed so to do by the chairman of the committee or by a majority of the membership of the committee

Resolution read, as amended.

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

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMullan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

By Mr. Wollenberg :

House Resolution No. 52

Resolved by the Assembly of the State of California, That the State Printer through the Legislative Bill Room deliver free of cost five complete lists of bills and other legislative publications to the Legislative Auditor, and charge the same to the Legislative Printing Fund

Request for Unanimous Consent

Mr Wollenberg asked for, and was granted, unanimous consent to take up House Resolution No. 52, at this time, without reference to committee.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr Speaker—70.

NOES—None.

Notice of Motion to Reconsider House Resolution No. 52

Mr. Call gave notice that on the next legislative day he would move to reconsider the vote whereby House Resolution No 52 was this day adopted.

By Mr. Sam L. Collins :

House Resolution No. 53

Resolved, That the following named person be stricken from the list of Assembly attaches and his name be stricken from the pay roll of the Assembly, to take effect upon the completion of work on Wednesday, January 13, 1943

	<i>Per day</i>
Bruce Allen, Page-----	\$3 00

Request for Unanimous Consent

Mr Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 53, at this time, without reference to committee.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B. Knight, T Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr Speaker—70

NOES—None.

By Mr Sam L. Collins :

House Resolution No. 54

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant in favor of the respective person for the said respective amount, and

the Treasurer is hereby directed to pay the same; said compensation to be upon a seven-day week basis:

Commencing Thursday, January 14, 1943:

	<i>Per day</i>
Bruce Allen, Assistant Clerk -----	\$8 00

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 54, at this time, without reference to committee.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargeant, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

Assembly Concurrent Resolution No. 17

House Resolution No. 47

Senate Concurrent Resolution No. 4

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 17

Assembly Concurrent Resolution No. 17—Relative to the creation of a Joint Legislative Committee, to study and report on matters relating to tax reduction.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 1, line 13, of the printed measure, strike out "five", and insert "seven".

Amendment No. 2

On page 2, line 21, of the printed measure, strike out "equally", and insert "proportionately".

Amendments read and adopted.

Resolution ordered reprinted and engrossed.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 4

Senate Concurrent Resolution No. 4—Relative to Joint Rules of the Senate and Assembly.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 11, after line 48, of the printed measure, insert

36 In addition to any other committee provided for by these Rules, there shall be a Joint Committee to be known and called the Legislative Budget Committee

It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the State Budget, the revenues and expenditures of the State, and of the organization and functions of the State, its departments, subdivisions and agencies, with a view of reducing the cost of the State Government, and securing greater efficiency and economy.

The committee shall consist of five Members of the Senate and five Members of the Assembly. The Senate members of the committee shall be the President pro tempore of the Senate and one member each from the Committees on Finance, Revenue and Taxation, Governmental Efficiency, and Judiciary, selected by the respective committees. The Assembly members of the committee shall consist of the Speaker and four other members of the Assembly appointed by the Speaker. The committee shall select its own chairman.

The committee shall have the authority to make rules to govern its own proceedings and its employees. It may also create subcommittees from its membership, assigning to its subcommittees any study, inquiry, investigation or hearing which the committee itself has authority, to undertake or hold, and the subcommittee for the purpose of this assignment shall have and may exercise all the powers conferred upon the committee, limited only by the expressed terms of any rule or resolution of the committee defining the powers and duties of the subcommittee. Such powers may be withdrawn or terminated at any time by the committee.

The provisions of Joint Rule 35 above shall apply to the Legislative Budget Committee, and it shall have all the authority provided in such rule or in Article IV, Section 37, of the Constitution.

The committee shall have authority to appoint a Legislative Auditor, to fix his compensation and to prescribe his duties, and to appoint such other clerical and technical employees as may appear necessary. The committee may meet either during sessions of the Legislature, any recess thereof, or after final adjournment, and may meet or conduct business at any place within the State of California.

The members of the committee shall serve without compensation but shall be entitled to actual and necessary expenses including expenses for living accommodations and meals incurred in connection with their services on the committee, or in lieu of such expenses for accommodations and meals they shall be entitled to an allowance of eight dollars (\$8) per day and travel expenses which shall be deemed to be five and one-half cents (\$.05½) per mile. The chairman of the committee shall audit and approve the expenses of members of the committee or salaries of the employees, and all other expenses incurred in connection with the performance of its duties by the committee, and the chairman shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman, and the Treasurer shall pay the same to the chairman of the committee to be disbursed by him.

Upon the organization of the Legislature at any succeeding session, all authority, powers, duties, papers and records, personnel or staff, and any unexpended balance in any funds appropriated for the use of the committee, shall be temporarily transferred to a pro tempore Legislative Budget Committee consisting of the Senate Committee on Rules and of the new Speaker and four other Members of the Assembly appointed by him, until the committee as hereinabove provided for is appointed or selected when all such authority, powers, duties, papers and records, personnel or staff and all funds available for the use of the committee shall revert to such committee; and be it further

Resolved, That a sum of forty thousand dollars (\$40,000) is hereby appropriated from the Contingent Funds of the Senate and Assembly, to be expended equally from the Contingent Funds of the Senate and Assembly in carrying out the provisions of this resolution; and be it further

Resolved, That if there is created by statute a Legislative Audit Bureau, a Legislative Research Bureau, or other similar agency, under legislative control, charged with the duty of performing one or more of the functions given the Legislative Budget Committee by this resolution, the committee is hereby authorized and directed to avoid duplicating the work of such bureau or agency while the latter is in existence and functioning.

Amendment read and adopted.

Resolution ordered reprinted, and on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 47

House Resolution No. 47

WHEREAS, In these trying times while the United States is engaged in an all out war with the enemies of Democracy, it is of the utmost importance that the military affairs of this State be competently and economically handled; now, therefore, be it

Resolved, That a committee consisting of five Members of the Assembly be appointed by the Speaker for the purpose of investigating and reporting upon the military affairs of the State and the program for defense; and be it further

Resolved, That the said committee shall organize immediately and proceed as soon as practicable with the performance of the duty imposed upon it; and be it further

Resolved, That the committee may sit either during the session or any recess thereof or after the session has adjourned sine die and may hold hearings at any place in this State, at which the people shall have an opportunity to present their views to the committee; and be it further

Resolved, That said committee is hereby authorized to do all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents, and papers of every kind; to issue subpoenas and to compel the attendance of witnesses and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths, and all the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code of the State relative to the attendance of witnesses before the Legislature and committees thereof, and the Rules of the Assembly and of the Senate and the Joint Rules, as they now are or may be hereafter amended, shall apply to the committee appointed under this resolution; and be it further

Resolved, That said committee shall make a report of its conclusions and recommendations to the Fifty-fifth Session or the following session of the Legislature as soon as may be; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of one thousand five hundred dollars (\$1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 1, line 8, of the typed resolution, after "and the", strike "Governor's".

Amendment No. 2

On page 1, line 10, of the typed resolution, strike out the entire line

Amendment No. 3

On page 1, line 11, of the typed resolution, strike out the first word "secretary"; and after "and", strike out "shall".

Amendment No. 4

On page 1, line 14, of the typed resolution, after "recess thereof", insert ", and after the session has adjourned sine die,".

Amendment No. 5

On page 2, line 18, of the typed resolution, strike out "eight (\$8)", and insert "ten (\$10)".

Amendments read and adopted.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to consider further amendment to House Resolution No. 47 at this time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the typed resolution, in the second paragraph, line 8, strike out "and the program for defense".

Amendment read and adopted.

Request for Unanimous Consent

Mr. McCollister asked for, and was granted, unanimous consent to take up House Resolution No. 47, as amended, at this time.

Consideration of House Resolution No. 47, as Amended

House Resolution No. 47

WHEREAS, In these trying times while the United States is engaged in an all out war with the enemies of Democracy, it is of the utmost importance that the military affairs of this State be competently and economically handled; now, therefore, be it

Resolved, That a committee consisting of five Members of the Assembly be appointed by the Speaker for the purpose of investigating and reporting upon the military affairs of the State; and be it further

Resolved, That the said committee shall organize immediately and proceed as soon as practicable with the performance of the duty imposed upon it; and be it further

Resolved, That the committee may sit either during the session or any recess thereof and after the session has adjourned sine die and may hold hearings at any place in this State, at which the people shall have an opportunity to present their views to the committee; and be it further

Resolved, That said committee is hereby authorized to do all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpoenas and to compel the attendance of witnesses and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths, and all the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code of the State relative to the attendance of witnesses before the Legislature and committees thereof and the Rules of the Assembly and of the Senate and the Joint Rules, as they now are or may be hereafter amended, shall apply to the committee appointed under this resolution; and be it further

Resolved, That said committee shall make a report of its conclusions and recommendations to the Fifty-fifth Session of the Legislature as soon as may be; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of one thousand five hundred dollars (\$1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastam, Hawkins, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Miller, O'Day, Pelletier, Potter, Price, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Brady, Collins, George D., Heisinger, King, Massion, McMillan, Middough, Thomas, and Watson—9.

Appointment of Special Committee

Pursuant to the provisions of House Resolution No. 47, the Speaker announced the appointment of Messrs. McCollister (chairman), Fourt, Gannon, Sargent, and Waters as such Special Committee to investigate and report upon the military affairs of the State.

COMMUNICATIONS

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

OFFICE OF THE LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 12, 1943

*Honorable Albert C. Wollenberg, Assembly Chamber
State Capitol, Sacramento, California*

ASSEMBLY BILL NO. 36—PAY ROLL REVOLVING FUND

DEAR MR WOLLENBERG This is to inform you that we have checked the provisions of Assembly Bill No 36 as introduced relating to the creation of a Pay Roll Revolving Fund, and we are of the opinion that the bill does not make an appropriation within the meaning of Section 34 of Article IV of the Constitution so as to require a letter from the Governor in order that it may be placed upon final passage.

In our opinion the bill merely establishes an additional revolving fund as a part of the State fiscal procedure; does not make any money available for purposes not otherwise provided by present law; nor does it increase the amount of money available for any of the present purposes; and is, as we have said, not an appropriation.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By ARTHUR McHENRY, Deputy

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 36—An act to amend Section 4 of the Budget Act of 1941, relating to approval of withdrawals from appropriations, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—68

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Carlson:

House Resolution No. 55

Relating to the death of Xavier Martinez

Beneath the gently sheltering pepper trees of Carmel-by-the-Sea, home of artists and lovers of art, Xavier Martinez has come to his final rest.

In him and in his work met the art traditions of both Europe and America, for he was born in Guadalajara, Mexico, of Aztec Indian parents, and later studied under Gerome and Carriere in Paris, where he graduated from the Ecole Nationale et Special des Beau Arts.

Although widely honored as an artist and professor of painting, and sought as a friend by nearly all the great figures of his day, Xavier Martinez was guided by the simplest of philosophies: sincerity, he believed, was the quality in an artist's work which made it live and endure.

Much of his work was devoted to the California landscape he loved, and his greatest pride was his inclusion as one of the two Californians represented in the "World of Tomorrow" Hall of Fame in New York, where he shared a niche with Father Junipero Serra. Now, therefore, be it

Resolved by the Assembly of the State of California, That when this Assembly adjourns today it do so out of respect to the memory of California's great artist, Xavier Martinez; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to transmit a suitably engrossed copy of this resolution to the widow of Xavier Martinez, Mrs. Elsie Martinez, and to his daughter, Miss Micaela Martinez, at Carmel, California

Request for Unanimous Consent

Mr. Carlson asked for, and was granted, unanimous consent to take up House Resolution No. 55, at this time, without reference to committee.

Resolution read, and adopted unanimously by a rising vote of the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 307

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 340

Mr. Heisinger moved that Assembly Bill No. 340 be withdrawn from the Committee on Agriculture, and re-referred to the Committee on Live Stock and Dairies.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT

Mr. Kilpatrick asked for, and was granted, unanimous consent for the use of committee room No. 426 this afternoon for a meeting of the Joint Welfare Committee.

COMMUNICATIONS

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

Mr. Charles Lyon, Speaker of the Assembly

Would you kindly announce a pension meeting of all pension groups in Northern California in Assembly Committee Room 426?

All Assemblymen offering or joint authors of bills pertaining to pensions are especially invited to appear before this committee between the hours of 1 o'clock and 5 p.m., this afternoon.

This invitation is also extended to all Assemblymen.

WILFORD HOWARD
Chairman of the Joint Welfare Committee

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mrs. Niehouse, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Vernon McBroom of Kankakee, Illinois.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lena Barnell of Watsonville and Messrs. Mike Morelli and Belden Bias of Santa Cruz.

On request of Mr. Dunn, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. C. W. Gotham, Chairman, Sixth Congressional District Townsend Movement.

On request of Messrs. Beck and McMillan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Clarence Briggs of the California Retirement Protective Association, and Dr. C. W. Pierce and Mr. John Dalton of the Los Angeles Board of Education.

On request of Mr. Smith, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Beulah Spencer of San Gabriel.

On request of Mr. Kilpatrick, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Carl A. Peterson of Los Angeles.

ADJOURNMENT

At 12.27 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10.30 a m., Wednesday, January 20, 1943, out of respect to the memory of the late Xavier Martinez.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTEENTH LEGISLATIVE DAY
SEVENTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, January 20, 1943

The Assembly met at 10.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMullan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

God of all comfort, we commend to Thy mercy all those upon whom any tribulation is laid; we pray for all who are afflicted with famine, pestilence, or war; we particularly remember those for whose infirmities we give special concern today, and give Thee grateful thanks for an opportunity to share in the restoration of health and strength. Hold before our eyes an ever increasing appreciation of health and happiness and give Thine especial blessing unto all physicians and nurses who care for the sick and afflicted. We thank Thee for a Nation founded and continued upon this spirit of true brotherhood. In the name of the Divine Physician, Christ our Lord.

AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Sawallisch, on motion of Mr. Crichton.

Mr. Kellems, on motion of Mr. Doyle.

COMMUNICATIONS

A communication from Pile Drivers, Bridge, Wharf, and Dock Builders Union, Local No. 34, relative to a resolution requesting increases in old age benefits, was presented by Mr. Maloney, and ordered filed with Secretary of State.

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

Copy for: FRED WEYBRET

DEPARTMENT OF AGRICULTURE
SACRAMENTO, January 19, 1943

*Honorable Ralph C. Dills, Member of Assembly, 69th District
State Capitol, Sacramento, California*

Re: House Resolution No. 43—Minimum milk prices

DEAR ASSEMBLYMAN DILLS: On Friday last, January 15th, you introduced, and the Assembly passed, without reference to committee, House Resolution No. 43. The said resolution outlined the numerous unfavorable factors now operating to the detriment of milk producers of California, recited my alleged failure to act pursuant to the Milk Act, and concluded with the demand that I forthwith hold the requested hearings and make the appropriate economic findings relative to the prices to be paid to milk producers.

Because of the vital importance of this matter, together with the remarks attributed to you by the press, I am prompted to write you now. The resolution itself and the comments which apparently accompanied its passage contain statements which are in error, either in whole or in part. In writing you, I do not do so critically, but rather am I under the impression that you have been somewhat misinformed by certain milk producers.

At present, 25 individual marketing areas are operating under the act. Present producer prices in these areas range from 82 cents per pound of butterfat (Lassen-Plumas-Sierra area and Shasta-Tehama-Siskiyou area) to \$1.04 per pound of butterfat in San Diego. The present producer price in Los Angeles is 97½ cents, placing it second highest in the total of 25 markets (Orange and San Bernardino-Riverside areas are likewise 97½ cents). The foregoing would not seem to support the contention of some that Los Angeles is in an unfavored or prejudiced position with respect to producer prices.

The retail store carry-out price for single quarts in the 25 markets ranges from 13 cents to 16 cents. Three of the markets, including Los Angeles, are priced at 13 cents; two are priced at 13½ cents; 10 are priced at 14 cents; seven at 14½ cents; Alameda-Contra Costa and San Diego are priced at 15 cents; and Marin at 16 cents per single quart.

The variations in both the producer and resale milk prices reflected by the foregoing figures are in every instance due to comparable variations in the costs of production and distribution, and have been arrived at in conformity with the act.

Occasionally, the charge has been made that we did not call very many milk hearings in 1942 because it was an election year. The public records show that we held 107 separate milk hearings during 1942: 47 on producer prices, 52 on resale prices, and eight for modification of the area. That is an average of roughly four hearings in each of the 25 areas. With respect to such an average and the charge of politics, it is interesting to note that in 1942 we held eight public hearings in Los Angeles and seven each in San Francisco and the Alameda area, the three major centers of population in California.

With further reference to the matter of politics and an unfair depression of prices, 22 of the 25 markets received a price increase as of September 1, 1942 (Los Angeles not included due to an increase July 16), and a like number received an increase as of November 1, 1942 (Monterey, Sacramento, and San Joaquin not raised). Price increases were also granted on two occasions earlier in the year, applying generally to all of the markets, including Los Angeles. These increases were granted strictly in accordance with cost data and pursuant to the automatic formula then in use, with a complete disregard for any political effects, good or bad. Were it not for the seriousness of the situation, I would consider it almost

humorous to be charged with aiding anybody's campaign through being a party to the ever-mounting milk price situation which characterized all of California in 1942.

I most sincerely regret that action was taken on Resolution No. 43 without a check first being made with my office to determine whether or not we had called a milk hearing for Los Angeles. My office has never been run in such a fashion as to require pressure to secure the performance of our duty, and the instant case is not an exception. On January 4th, five representatives of the Los Angeles milk producers visited with me, discussing numerous problems, and requesting a hearing. That request was granted, and January 20th fixed as the date, final arrangements being made on January 8th. Furthermore, no request was necessary, for we were awaiting only the completion of an important State-wide survey as to supplies and prices of hay before going into a series of milk hearings. A few days later, and well in advance of the Assembly action, hearings were also set for San Diego, San Bernardino-Riverside, Orange, Ventura, and Santa Barbara, these five to be held February 2-3-4-5-6, respectively. Other hearings will be set in the near future.

Since you are acquainted with the special problems created by O.P.A. ceilings on retail and wholesale milk prices, I shall not detail them here. Increases in producer prices, however, must be offset by comparable increases in the wholesale and retail prices, which involves, oftentimes, protracted negotiations with O.P.A. I spent all of September and the greater part of November in Washington, D.C., on this particular problem, and with substantial success. A comparable series of negotiations will apparently be necessary as a result of the forthcoming group of hearings which we have called. The act gives us the responsibility of protecting both the producer and the distributor, and most certainly equity would not be served if we merely increased the producer price, leaving the distributor at a sharp financial disadvantage, and did nothing to prevail upon O.P.A. to adjust its ceilings comparably.

In summary, I feel it can be honestly stated that we are entirely cognizant of the current problems of the milk industry, have operated entirely in pursuance of the act, have never allowed political considerations to guide or affect our actions under the act, and have been and are currently moving in a way and along the avenues best calculated to serve the best interests of the entire California fluid milk industry.

For purposes of the record, and in the interests of giving your colleagues the additional information contained in this letter, may I most respectfully and earnestly request that you read this letter into the "Assembly Journal" this week, and today if possible.

I have taken the liberty of addressing copies of this letter to Assemblymen Wevret, Hastain, Thorp, Lowrey, and Erwin, as well as to Messrs. Kenworthy, Oliverra, Clinton, Smith, and Pellissier of the Los Angeles milk producers group.

Very sincerely

W. J. CECIL, Director

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 519: By Mr. Sawallisch—An act providing for the taking of a census in cities, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 520: By Mr. Sawallisch—An act to add Section 87.5 to the State Civil Service Act, relating to promotions and promotional examinations.

Referred to Committee on Civil Service and State Departments

Assembly Bill No. 521: By Mr. Johnson—An act to amend Sections 5.384 and 5.398 of the School Code and to amend Sections 12755 and 12784 of the Education Code, relating to the revocation of credentials, life diplomas or documents issued by the State Board of Education.

Referred to Committee on Education.

Assembly Bill No. 522: By Mr. Maloney—An act to add Section 2468.5 to the Civil Code, relating to licenses and permits, and the suspension of privileges exercised thereunder.

Referred to Committee on Judiciary.

Assembly Bill No. 523: By Mr. Smith—An act to amend Section 1181 of the Civil Code, relating to proof and acknowledgment of instruments.

Referred to Committee on Judiciary.

Assembly Bill No. 524: By Mr. Smith—An act to amend Section 1458 of the Penal Code, relating to the fixing, acceptance and forfeiture of bail in justice's courts.

Referred to Committee on Judiciary.

Assembly Bill No. 525: By Mr. Smith—An act to amend the title of, and Section 1 of an act entitled "An act providing for the creation of revolving funds in the counties of the State," approved May 9, 1923, as amended, relating to revolving funds in the counties and townships of the State

Referred to Committee on Municipal and County Government.

Assembly Bill No. 526: By Mr. Smith—An act to amend Section 189 of the Code of Civil Procedure, relating to the destruction of records, files and exhibits in justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 527: By Mr. Werdel—An act to add Section 794.5 to the Political Code, and to add Section 8207.5 to the Government Code, relating to the duties of notaries public.

Referred to Committee on Judiciary.

Assembly Bill No. 528: By Messrs. McMillan and Middough—An act to add Chapter 4.5, comprising Sections 1800 to 1862, inclusive, to the Business and Professions Code, relating to massage.

Referred to Committee on Public Health.

Assembly Bill No. 529: By Mr. Wollenberg—An act to repeal Section 5 of an act entitled "An act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation," approved April 14, 1913, relating to the reconversion of registered bonds into coupon bonds.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 530: By Messrs. Gaffney, Berry, Brady, Haggerty, and Collins, George D.—An act to amend Section 2503 of the Labor Code, relating to the management of hospitals for which charges are demanded, collected or received by an employer.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 531: By Messrs. Brown and Rosenthal—An act to amend Section 108 of the Civil Code, relating to divorce actions.

Referred to Committee on Judiciary.

Assembly Bill No. 532: By Messrs. Brown, Rosenthal, and Sheridan—An act to amend Section 1028 of the Code of Civil Procedure, relating to award of costs against the State.

Referred to Committee on Judiciary.

Assembly Bill No. 533: By Mr. Burns—An act to amend Section 87 of the State Civil Service Act, relating to promotional examinations.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 534: By Mr. Johnson—An act to amend Section 4 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to securities for such deposits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 535: By Mr. Johnson—An act to amend Section 1 of an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, relating to the investment of moneys in the sinking funds of counties, cities and counties, incorporated cities and towns.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 536: By Mr. Johnson—An act to amend Section 1 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913, relating to investment of surplus funds.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 537: By Mr. Johnson—An act to amend Section 6 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to county peace officers' retirement system.

Referred to Committee on Finance and Insurance

Assembly Bill No. 538: By Mr. Johnson—An act to amend Section 5196 of the Public Resources Code, relating to investment of funds.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 539: By Mr. Thurman—An act to amend Section 3.351 of the School Code and to amend Section 8812 of the Education Code, relating to the establishment of junior colleges.

Referred to Committee on Universities and Colleges.

Assembly Bill No. 540: By Mr. Leonard—An act to amend Sections 615.1 and 615.2 of the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 541: By Messrs. Wollenberg and Johnson—An act to amend Section 1183 of, and to add Section 1184.5 to, the Civil Code, relating to the proof or acknowledgment of instruments, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 542: By Mr. Dickey—An act to add Chapter 17 comprising Sections 9000 to 9023, inclusive, to Division 3 of the Business and Professions Code, relating to licensing and control of tax counsellors.

Referred to Committee on Judiciary.

Assembly Bill No. 543: By Mr. Dickey—An act to amend Sections 1 and 5a of an act entitled "The California Air Navigation Act," relating to air navigation.

Referred to Committee on Military Affairs.

Assembly Bill No. 544: By Mr. Dickey—An act granting certain salt marsh, tide and submerged lands of the State of California to the City of Oakland, including the management, use and control thereof.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 545: By Messrs Kilpatrick and Crowley—An act relating to the construction, installation, equipping, stocking and operation of vending stands in public buildings of the State and counties, cities and counties and counties and cities, and providing for their operation by licensed blind persons, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 546: By Mr. Sheridan—An act to amend Section 8 of an act entitled "An act to authorize the establishment of a civil service system in counties of the State, the creation of the office of civil service commission and describing the powers thereof, the prohibition of certain political activities and providing penalties for the violation of said provisions," approved July 22, 1939, relating to dismissals, suspensions and demotions.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 547: By Messrs Hollibaugh, Evans, and Bashore—An act to amend Section 139 of the Civil Code and to add Section 139.5 to the Civil Code, both relating to maintenance of husband or wife or minor children after divorce.

Referred to Committee on Judiciary.

Assembly Bill No. 548: By Mr. Call—An act to add Section 24b to the Bank Act, relating to the preservation of bank records by preparation of photographic copies thereof and providing for the admissibility in evidence of such copies.

Referred to Committee on Judiciary.

Assembly Bill No. 549: By Mr. Call—An act to add Section 1920b to the Code of Civil Procedure, relating to the preservation of documentary records by the preparation of photographic copies thereof and providing for the admissibility in evidence of such copies.

Referred to Committee on Judiciary.

Assembly Bill No. 550: By Mr. Call—An act to amend Section 974 of, and to repeal Section 978 and 978a of, the Code of Civil Procedure, relating to justices' courts.

Referred to Committee on Judiciary.

Assembly Bill No. 551: By Mr. Call—An act to amend Section 1015 of the Fish and Game Code, relating to a privilege tax for taking fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 552: By Mr. Ralph C. Dills—An act to amend Section 9651 of the Revenue and Taxation Code, relating to motor vehicle transportation tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 553: By Mr. Carlson—An act to amend Sections 12625 and 12682 of the Revenue and Taxation Code, relating to insurance taxes.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 554: By Mr. Robertson—An act relating to the appointment of substitute fiduciaries for fiduciaries engaged in war services and the reinstatement of such fiduciaries, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 555: By Mr. Potter—An act to amend Section 7a of the Municipal Court Act of 1925, relating to attaches.

Referred to Committee on Judiciary.

Assembly Bill No. 556: By Mr. Potter—An act to amend Section 7b of the Municipal Court Act of 1925, relating to attaches.

Referred to Committee on Judiciary.

Assembly Bill No. 557: By Mr. Potter—An act to amend Section 7c of the Municipal Court Act of 1925, relating to attaches.

Referred to Committee on Judiciary.

Assembly Bill No. 558: By Mr. Crowley—An act to grant certain lands belonging to the State to the California Maritime Academy and to confirm the title of said academy to lands granted to it by other agencies, including cities, counties, public corporations, and authorities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 559: By Mr. Crowley—An act to amend Section 4252 of the Political Code, relating to compensation for public services in counties of the twenty-third class.

Referred to Committee on Municipal and County Government.

Assembly Concurrent Resolution No. 22: By Messrs. Call and Collins, Sam L.—Relative to plans and estimates for a Governor's Mansion and apartment dwellings for Members of the Legislature.

Referred to Committee on Rules and House Functions.

**NOTICE OF MOTION TO RECONSIDER HOUSE RESOLUTION NO. 42
WAIVED**

Mr. Call waived his notice of motion to reconsider the vote whereby House Resolution No. 42 was adopted.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 17

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Joint Resolution No. 12

Senate Joint Resolution No. 6

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

WEYBRET, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 125

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATSON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 125—An act to add Section 842.5 to the Fish and Game Code, relating to the use of nets.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 2 of the title of the printed bill, after "nets", insert ", declaring the urgency of this act, to take effect immediately".

Amendment No. 2

On page 1 of the printed bill, after line 14, insert

"Sec. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of

Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows.

The demands of the United States Government upon the California fisheries for food supplies for war purposes have greatly increased while at the same time the number of available vessels has diminished. This act releases certain restrictions as to the use of particular types of nets for the taking of important food fishes and will thus tend to assist the California fisheries in meeting the quotas assigned thereto by the Federal Government for the production of food necessary in the war effort."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, JANUARY 19, 1943

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

Assembly Concurrent Resolution No. 19

J. A. BEEK, Secretary of the Senate

Above resolution ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Mr. Howser:

House Resolution No. 56

Creating a Legislative Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum, and defining its powers and duties.

WHEREAS, The United States of America is engaged in a war for the defense of the Nation and the preservation of human rights; and

WHEREAS, The President of the United States has called upon all loyal citizens engaged in production for defense to give precedence to the needs of the Nation to the end that the military, naval, air and civilian defenses be put upon a war basis, and further called upon all loyal State and local leaders and officials to cooperate with the defense agencies of the United States to insure our security, and to put every community and industry in order for maximum productive effort and minimum of waste, and to aid in every way that the needs of the Nation may require; and

WHEREAS, In recognition of the importance of petroleum and its products to the defense of our beloved Country, the President has created the Petroleum Administration for War and did appoint Honorable Harold L. Ickes as Administrator, for the attainment of maximum efficiency and minimum waste in all the various phases of the discovery, production, transportation, refining, and use of oil, gas, and other hydrocarbon substances, with the collaboration and cooperation of all persons and agencies participating in any phase of any of these operations to the end that there shall be synchronization of the complete efforts and endeavors of each and all of the participants, that there shall be available to the National defense in adequate quantity and at the proper time and places, a supply of such products as shall best serve the armed forces of the United States, and to provide adequate heat, transportation, and utility for the life, health, and prosperity of the people; and

WHEREAS, California, being one of the leading States in the discovery, production, transportation, and refining of petroleum and having developed this industry into California's greatest industrial effort, recognizes a special responsibility to respond to the President's call and is determined to meet and discharge that responsibility in fullest measure, including particularly the consideration and enactment of such State legislation as may be necessary or appropriate to the attainment of and to the discovery of new oil reserves and the drilling of a sufficient number of wells to meet the emergency, procuring and allocating sufficient material to supply the requirements of these wells, and to allocating competent man power to the fulfillment of the purposes of the industry, and to obtaining adequate compensation for the products of the industry; now, therefore, be it

Resolved by the Assembly of the State of California. That a Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum Oil and Its Products is hereby created to consist of the Speaker and five Members of the Assembly, appointed by the Speaker, which committee is charged with the duty of studying exhaustively and in detail and ascertaining all the facts and circumstances as to any and all features of the subject

(within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas, and other hydrocarbon substances, cooperating therein to the fullest extent in every way with the Petroleum Administrator for War, with authority to appoint experts and an advisory committee of citizens to assist the committee in the performance of its duties and the discharge of its duties hereunder; and be it further

Resolved, That the committee is authorized to act during the Fifty-fifth Session of the Legislature, including any recess thereof, and after final adjournment until the convening of the Legislature at its Fifty-sixth Regular Session, and shall report to the Assembly from time to time concerning its activities, rendering its final report not later than March 15, 1945, including in its reports its recommendations as to legislation deemed by it necessary or appropriate to any phase of the subject of this resolution; and it is hereby further provided as follows:

(1) Upon the appointment of its members the committee shall organize and select a chairman from its membership; it may have the services of a secretary and such clerical and technical assistants, and adopt such rules, as in its discretion it deems necessary and proper to enable it to carry out the powers granted and the duties imposed herein.

(2) The committee may hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee, and may also meet in executive session, and shall have the power to administer oaths and subpoena witnesses.

Request for Unanimous Consent

Mr. Howser asked for unanimous consent to take up House Resolution No. 56, at this time, without reference to committee.

Mr. Call withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Howser moved that the Rules be temporarily suspended for the purpose of considering House Resolution No. 56, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Carey, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dills, Clayton A., Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Hollibaugh, Howser, Kilpatrick, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMullan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—54.

NOES—Burns, Call, Carlson, Clarke, Dickey, Dilworth, Doyle, Dunn, Field, Heisinger, Johnson, Knight, John B., Leonard, and Miller—14.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—Carlson and Dilworth—2.

Appointment of Special Committee

Pursuant to the provisions of House Resolution No. 56, the Speaker announced the appointment of Messrs. Howser, Robertson, Collins, Sam L., Werdel, and Fourt, as such Special Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum.

MOTION TO SEND LETTER AND FLOWERS TO HATTIE M. NEWSOM

Mr. Maloney moved that the Speaker instruct the Chief Clerk to prepare an appropriate letter to Hattie M. Newsom. Assembly attache, expressing the regrets of the Assembly upon her accident, and to purchase flowers to be sent to her.

Motion carried.

Speaker Pro Tempore Presiding

At 11.23 a.m., Hon Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

RESOLUTIONS

The following resolutions were offered:

By Mr. Call:

House Resolution No. 57

WHEREAS, The Fish and Game Code provides for the establishment of public shooting grounds upon State land acquired for game refuges; and

WHEREAS, Section 328 of said code authorizes the Fish and Game Commission to make rules and regulations for the occupation, use, operation, protection, and administration of property acquired for game refuges or public shooting grounds as either game refuges, public shooting grounds, or both; and

WHEREAS, The purpose of said Section 328 is that public shooting should be permitted upon such State-owned lands at such periods as it can be permitted without undue depletion of the wild life on such land; and

WHEREAS, The continued maintenance of refuges which are plentifully stocked with game serves no useful purpose, and certain game refuges might well be opened for a judicious amount of public shooting; now, therefore, be it

Resolved by the Assembly of the State of California, That the Fish and Game Commission is hereby requested to investigate the condition of the lands belonging to the State which were acquired for game refuges or public shooting grounds or both, and to take such action as may be necessary to permit the public to enjoy the advantages sought to be attained by the acquisition of such property by the State

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Price:

House Resolution No. 58

WHEREAS, Minors of 14 years of age are permitted to enlist in the California State Guard; and

WHEREAS, Such minors are untrained and inexperienced in the use of firearms; and

WHEREAS, Accidents have occurred, resulting in fatal injuries to such minors, and which were caused by their unskillful, improper, and inexperienced use and handling of various types of firearms; now, therefore, be it

Resolved by the Assembly of the State of California, That the enlistment of minors under the age of 18 years by the State Guard be discouraged and discontinued; and further be it

Resolved, That all members of the State Guard who are not of the full age of 18 years be immediately mustered out of the service and honorably discharged; and further be it

Resolved, That the Chief Clerk be, and he is hereby, directed to transmit a copy of the resolution to His Excellency, the Governor.

Request for Unanimous Consent

Mr. Price asked for unanimous consent to take up House Resolution No. 58, at this time, without reference to committee.

Mr. Heisinger withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Price moved that the Rules be temporarily suspended for the purpose of considering House Resolution No. 58, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hollibaugh, Howser, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—56.

NOES—Beck, Crowley, Field, Knight, John B., Lowrey, McCollister, Smith, Thorp, and Werdel—9.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—64.

NOES—Lowrey, Smith, and Werdel—3.

Hon. Gardiner Johnson Presiding

At 11.26 a.m., Hon. Gardiner Johnson, Member of the Assembly from the Eighteenth District, presiding.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 276—An act to amend the title and Section 2 of an act entitled "An act to provide for cooperation and coordination by the State and governmental units thereof in the granting, conveying, transferring or leasing of land and the contracting of obligations with the United States Government or any agency thereof under the provisions of the National Industrial Recovery Act," approved August 25, 1933, relating to cooperation with the Federal Government.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Robertson, Howser, Waters, Evans, and Debs demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 276.

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

AYES—Anderson, Beck, Berry, Brady, Collins, George D., Crowley, Dunn, Gaffney, Hawkins, Heisinger, Kilpatrick, Massion, McMillan, Middough, Rosenthal, and Thomas—16.

NOES—Allen, Armstrong, Bashore, Bennett, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourt, Gannon, Haggerty, Hastain, Hollibaugh, Howser, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Miller, Niehouse, O'Day, Potter, Price, Robertson, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

The roll was called, and the bill refused passage by the following vote:

AYES—Anderson, Beck, Berry, Brady, Collins, George D., Crowley, Dunn, Gaffney, Hawkins, Heisinger, Kilpatrick, Massion, McMillan, Middough, Rosenthal, and Thomas—16.

NOES—Allen, Armstrong, Bashore, Bennett, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Debs, Denny, Desmond, Diekey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourn, Gannon, Haggerty, Hastain, Hollibaugh, Howser, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Miller, Niehouse, O'Day, Potter, Price, Robertson, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

Speaker Presiding

At 11.45 a. m., Hon Charles W. Lyon, Speaker of the Assembly, presiding.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

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

Assembly Bill No. 560: By Mr. George D. Collins—An act to pay the claim of C. D. Plum against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 561: By Messrs. Gaffney, Thurman, Lowrey, Haggerty, Berry, Collins, George D., Maloney, Thompson, and Gannon—An act to add Section 5.750-1 to the School Code and to add Section 13841.1 to the Education Code, relating to leaves of absence for persons employed by school districts in positions requiring certification qualifications.

Referred to Committee on Education.

Assembly Bill No. 562: By Mr. Potter—An act to amend Section 17818 of the Health and Safety Code, relating to apartment houses and hotels.

Referred to Committee on Judiciary

Assembly Bill No. 563: By Mr. Smith—An act to add Section 4316.5 to the Political Code and Section 8202.5 to the Government Code, relating to attorneys acting as deputy sheriffs or constables during a State or National emergency, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 564: By Mr. Beck—An act to amend the heading of Article 3 of Chapter 1 of Division 4, and Sections 1511, 1512, and 1513 of, and to add Section 1509.5 and 1511.5 to the Elections Code, relating to digests of measures submitted to voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 565: By Messrs. Rosenthal, Dills, Clayton A., Kilpatrick, and Bennett—An act to amend Section 204 of the Labor Code, relating to payment of wages.

Referred to Committee on Labor and Capital.

Assembly Bill No. 566: By Mr. Johnson—An act to amend Section 4 of an act entitled "An act to authorize the counties of the State of

California to establish retirement systems for their employees," approved May 20, 1919, relating to funds of the system.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 567: By Mr. Fourn—An act to amend Section 6324 of the Business and Professions Code, relating to law libraries.

Referred to Committee on Judiciary.

Assembly Bill No. 568: By Mr. Fourn—An act to add Section 2710.3 to the Penal Code, relating to the Prison Camp Revolving Fund.

Referred to Committee on Crime and Correction.

Assembly Bill No. 569: By Mr. Fourn—An act to add Section 2710.2 to the Penal Code, relating to the California Institution for Men Working Revolving Fund.

Referred to Committee on Crime and Correction.

Assembly Bill No. 570: By Mr. Fourn—An act to add Section 2710.1 to the Penal Code, relating to the Folsom Working Revolving Fund.

Referred to Committee on Crime and Correction.

Assembly Bill No. 571: By Mr. Fourn—An act to amend Section 2710 of the Penal Code, relating to working revolving funds for the State prisons, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Crime and Correction.

Assembly Bill No. 572: By Mr. Fourn—An act to amend Sections 2701, 2702 and 2780 of, and to add Sections 2715 and 2729 to, the Penal Code, relating to prisons, the employment of prisoners and the sale of prison-made products, and declaring the urgency thereof and that this act shall go into immediate effect.

Referred to Committee on Crime and Correction.

Assembly Bill No. 573: By Mr. Desmond—An act to amend Sections 2135 and 2287 and to repeal Sections 2138, 2142.5, 2230, 2231, 2290 and 2291 of, and to add Section 2231 to the Business and Professions Code, relating to drugless practitioners.

Referred to Committee on Public Health.

Assembly Bill No. 574: By Messrs. Thomas and Anderson—An act to amend Sections 573, 720, 721, 722, 726, and 734 of the Welfare and Institutions Code, and to add thereto Sections 572.1, 572.2, 721.1, 721.2, 722.1, 722.2, 722.3, 722.4, and 724.5, relating to juvenile court proceedings and to procedures therein and in connection therewith.

Referred to Committee on Judiciary.

Assembly Bill No. 575: By Messrs. Thomas and Anderson—An act to amend Section 702 of the Welfare and Institutions Code, and to add Article 7.5, comprising Sections 760 to 761.5, inclusive, to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to conduct inimical to the welfare of minors, providing for the exercise

of jurisdiction by the juvenile court over persons who engage in such conduct, defining such conduct as crime and providing for the punishment thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 576: By Mr. Robertson—An act to amend Section 151 of the Business and Professions Code, relating to the salary of the Director of Professional and Vocational Standards.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 577: By Messrs. Bashore and Wollenberg—An act making an appropriation to meet a deficiency in the appropriation for support of the Division of Corporations, Department of Investment, State of California, for the Ninety-fourth Fiscal Year, to take effect immediately.

Referred to Committee on Ways and Means

Assembly Bill No. 578: By Messrs. Bashore and Wollenberg—An act to amend Section 21.5 of the California Small Loan Act, approved July 21, 1939, relating to the deposit of fees in the General Fund and support from the General Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 579: By Messrs. Bashore and Wollenberg—An act to amend Section 23 of "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the deposit of fees in the General Fund and support from the General Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 580: By Messrs. Bashore and Wollenberg—An act to amend Section 20.5 of the Personal Property Brokers Act, approved July 21, 1939, relating to the deposit of fees in the General Fund and support from the General Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 581: By Messrs. Bashore and Wollenberg—An act to add Section 3a to the Industrial Loan Act, relating to the deposit of fees in the General Fund and support out of the General Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 582: By Mr. Dilworth—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in a primary election.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 583: By Mr. King—An act to add Sections 102, 611.7, and 611.8 to the Fish and Game Code, creating a new fish and game district and regulating the taking of trout therein.

Referred to Committee on Fish and Game.

Assembly Bill No. 584: By Messrs. Bashore and Wollenberg—An act to amend Section 2 of "An act requiring individuals, as in said

act defined, to obtain a certificate from the Commissioner of Corporations prior to soliciting, receiving or collecting contributions, fees or funds from security owners or holders for the purpose of protecting, enforcing or representing the rights of such security owners or holders; authorizing the Commissioner of Corporations to regulate and supervise the solicitation, collection and application of such funds; and providing for the enforcement of said act and penalties for the violation thereof," approved July 1, 1937, relating to the deposit of fees in the General Fund and support from the General Fund.

Referred to Committee on Ways and Means.

Assembly Bill No. 585: By Messrs. Bashore and Wollenberg—An act to amend Sections 25, 26 and 28 of the Corporate Securities Act, relating to deposit of fees in and support from the General Fund, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 586: By Mr. Thurman—An act to amend Section 3.760 of the School Code and to amend Section 10301 of the Education Code, relating to courses of study in elementary schools.

Referred to Committee on Education.

Assembly Bill No. 587: By Mr. Crowley—An act to make an appropriation for construction, improvements and equipment of the California Maritime Academy, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 588: By Mr. Crowley—An act appropriating money for the construction, improvement, and equipment for the California Maritime Academy.

Referred to Committee on Ways and Means

Assembly Bill No. 589: By Messrs. Howser and Middough—An act to amend Section 1 of an act entitled "An act granting to the City of Long Beach the tide and submerged lands of the State of California within the boundaries of the said city," approved May 1, 1911, relating to the purposes for which the lands granted by said act and the revenues from such lands may be used.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 590: By Mr. Desmond—An act to add Sections 9606.5 and 9606.7 of, and to amend Section 9651 of, the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

Assembly Constitutional Amendment No. 14: By Mr. Stream—Proposed amendment to Article XIII of the Constitution, relative to adding two new sections to Article XIII thereof, to be numbered 1.1 and 1.2, relating to limitation of tax rates.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 15: By Mr. Call—Proposed amendment to the Constitution, by adding thereto a new article numbered XXV, relating to alcoholic beverage control.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 14: By Messrs. Massion, Anderson, Kraft, Thomas, Hollibaugh, Price, McMillan, Burkhalter, Debs, and Evans—Relative to small business enterprises.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1943

MR. SPEAKER · Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 12

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

RECESS

At 12.25 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Sam L. Collins suggested the absence of a quorum.

Call of the Assembly

Mr. Howser moved a call of the Assembly.

Motion carried. Time, 2.03 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 2.15 p.m., on motion of Mr. Howser, further proceedings under the call of the Assembly were dispensed with.

RE-REFERENCE OF ASSEMBLY BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 286 re-referred to Committee on Judiciary.

Assembly Bill No. 307 re-referred to Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 113—An act to amend Section 395.2 of the Military and Veterans Code, relating to leaves of absence of school employees.

Bill read third time.

Urgency Clause

Urgency clause read.
 The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Howser moved a call of the Assembly.

Motion carried. Time 2.31 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

MOTION TO EXCUSE MEMBERS FROM ASSEMBLY

Mr. Burns moved that Messrs. Thurman, Field, Waters, and Burns be temporarily excused from the floor of the Assembly to attend a meeting of the Interim Committee on Motor Vehicles.

Motion carried.

RESOLUTIONS

The following resolution was offered:

By Messrs. Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyon, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mrs. Niehouse.

House Resolution No. 59

WHEREAS, January 20, 1943, has been set aside as the day opening the California March of Dimes Campaign for 1943 in order to make possible the continuance of the fight against infantile paralysis; and

WHEREAS, It is essential that all public officials and persons in California lend every effort in seeing that this campaign is brought to a successful conclusion, now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly joins in urging the people of the State of California to contribute generously to the March of Dimes Campaign; and be it further

Resolved, That this Assembly commends the efforts of the amusement industry of the State of California for taking a leading part in making possible this great work inaugurated and made possible through the far-sighted vision of the President of the United States, Franklin Delano Roosevelt; and be it further

Resolved, That each of the Members of this Assembly be requested to cooperate in every way with the local chairman from his own district in carrying on this campaign in his home district.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 59, at this time, without reference to committee:

Resolution read and adopted unanimously.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS****Temporary Suspension of Assembly Rule No. 33**

On motion of Mr. Lowrey, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of call of the Assembly on Senate Bill No. 4.

Senate Bill No. 4—An act to amend Sections 4026 and 4026.1 of the Political Code, relating to county officers, deputies, assistants, and employees, and their return to county service, declaring the urgency hereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 4—Relative to Joint Rules of Senate and Assembly.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

Senate Concurrent Resolution No. 4

Relative to Joint Rules of the Senate and Assembly

Resolved by the Senate of the State of California, the Assembly concurring, That the following be, and the same are, hereby adopted as the Joint Rules of the Senate and Assembly of the State of California for the Fifty-fifth Session

**JOINT RULES OF THE SENATE AND ASSEMBLY
COMMITTEES AND COMMITTEE MEETINGS***Standing Committees*

1. Each house shall appoint such standing committees as the business of the house may require, the committees, the number of members and the manner of selection to be determined by the Rules of each house.

Joint Committees

2. The Rules Committees of each house shall constitute the Joint Standing Committee on Joint Rules of the Senate and the Assembly.

Joint Meeting of Committees

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

Bills and Resolutions*Definition of Word Bill*

4. Whenever the word "bill" is used in these Rules, it shall include constitutional amendments, concurrent and joint resolutions.

Concurrent and Joint Resolutions

5. Concurrent resolutions relate to matters to be treated by both houses of the Legislature.

Joint resolutions are those which relate to matters connected with the Federal Government.

Resolutions Treated as Bills

6. Constitutional amendments, concurrent and joint resolutions shall be treated in all respects as bills; except that they shall be given only one formal reading in each house and that they shall not be deemed bills within the meaning of Section 2 of Article IV of the Constitution, and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction. As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon.

Preparation and Introduction of Bills*Title of Bill*

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

Division of Bill Into Sections

8. A bill amending more than one section of an existing law shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

Restrictions as to Amendments

9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment or resolution under consideration.

Changes in Existing Law to Be Marked by Author

10. In a bill amending a code section or a general law, any new matter shall be underlined and any matter to be omitted shall be in type bearing a horizontal line through the center and commonly known as "strikeout" type. When printed the new matter shall be printed in italics, and the matter to be omitted shall be printed in "strikeout" type.

In any amendment to a bill which sets out for the first time a section being amended, any new matter to be added and any matter to be omitted shall be indicated by the author and shall be printed in the same manner as though the section as amended were a part of the original bill and was being printed for the first time.

Printing of Amendments

11. All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be printed in strikeout type. When a bill is amended in either house, the first or previous markings shall be omitted.

Printing and Distribution of Bills—Manner of Printing Bills

12. The State Printer shall observe the following directions in printing all bills, constitutional amendments, concurrent and joint resolutions:

(a) The body of such bills shall be printed in solid unspaced form in 10-point roman type so that the same type shall be used both before and after enrollment. Concurrent resolutions approving city or county charters or amendments thereto may be set in smaller type.

(b) All titles of bills shall be set in italics, statute form and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only.

Distribution of Legislative Publications

13. All requests for mailing or distribution of bills and legislative publications shall be filed with the Secretary of the Senate or the Chief Clerk of the Assembly. Each Member of the Senate and Assembly shall be permitted to submit a list of 10 libraries, chambers of commerce or individuals. The Secretary of the Senate and the Chief Clerk of the Assembly shall order a sufficient number of bills and legislative publications to supply this list together with such number as may be necessary for legislative requirements.

Except as hereinabove provided, no complete list of bills shall be delivered except upon payment therefor of the sum of fifty dollars (\$50), nor shall more than two copies of bills or other legislative publications be distributed free to any person, office or organization except to Members of the Legislature, the Secretary of the Senate and the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; Attorney General's Office; Secretary of State's Office; Controller's Office; Governor's Office; the Clerk of the Supreme Court; the clerk of the district court of appeal for each district; the Library of Congress and to libraries of the University of California at Berkeley and at Los Angeles; and accredited members of the press. The State Printer shall fix the cost of such bills and publications, including postage, and such moneys as may be received by him shall, after deducting the cost of handling and mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing. Legislative publications heretofore distributed through the Bureau of Documents shall be distributed through the Bill Room. Unless otherwise provided for, the total number of each bill to be printed shall be not more than 2,500.

Other Legislative Printing

Printing of the Daily Journal

14. The State Printer shall print in such quantity as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, copies of the Journal of each day's proceedings of each house. At the end of the session he shall also print, as directed by the Secretary of the Senate and the Chief Clerk of the Assembly a sufficient number of copies properly pagged after being corrected and indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature.

What Shall Be Printed in the Journal

15. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions and constitutional amendments when introduced in, offered to, or acted upon by the house.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

Printing of the Daily File

16. A daily File of bills ready for consideration shall be printed each legislative day for each house.

The material to be printed in the File and the form and arrangement shall be determined by the respective houses.

Printing of History

17. Each house shall cause to be printed once each week, during the session, a complete History of all bills, constitutional amendments, concurrent, joint and house resolutions originating in or acted upon by the respective houses. A regular form shall be prescribed by the Secretary of the Senate and the Chief Clerk of the Assembly. Such History shall show the action taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening there shall be printed a Supplementary History showing the action taken upon any measure since the issuance of the complete History.

Immediately following the adjournment for the constitutional recess, the History shall be compiled and printed to date of recess by the Secretary of the Senate and the Chief Clerk of the Assembly.

Authority for Printing Orders

18. The Superintendent of State Printing shall not print for use of either house nor charge to legislative printing any matter other than provided by law or by the

Rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

The Secretary of the Senate and the Chief Clerk of the Assembly are hereby authorized and directed between sessions to order and distribute for the members stationery and legislative publications for which there is a demand, and, subject to the Rules of their respective houses, to approve the bills covering such orders. All bills for printing must be presented by the State Printer within 30 days after the completion of said printing.

Record of Bills

Secretary and Chief Clerk to Keep Records

19. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a complete and accurate record of every action taken by the Senate and Assembly on every bill.

Secretary and Chief Clerk Shall Indorse Bills

20. The Secretary of the Senate and the Chief Clerk of the Assembly shall indorse on every original or engrossed bill a statement of any action taken by the Senate or Assembly concerning such bill.

Action in One House on Bill Transmitted From the Other

After a Bill Has Been Passed by the Senate or Assembly

21. When a bill has been passed by either house it shall be transmitted promptly to the other unless a motion to reconsider or a notice of motion to reconsider has been made or it is held pursuant to some rule or order of the house.

The procedure of referring bills to committees shall be determined by the respective houses.

Messages to Be in Writing Under Proper Signatures

22. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the Assembly from which such message is to be conveyed. A receipt shall be taken from the officer to whom such message is delivered.

Passage and Enrolling of Bills

Passage of Bills Preceding Final Adjournment

23. No Senate bill shall be passed by the Senate, and no Assembly bill shall be passed by the Assembly within the time specified in the resolution prior to the adjournment sine die of the two houses of the Legislature at a regular session, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the Committee on Rules (if it be a Senate bill) or by the Speaker of the Assembly (if it be an Assembly bill).

Enrollment of Bill After Passage

24. After a bill has passed both houses it shall be printed in enrolled form, omitting symbols indicating amendments, and shall be compared by the Engrossing and Enrolling Clerk and the proper committee of the house where it originated to determine that it is in the form approved by the houses. The enrolled bill shall thereupon be signed by the presiding officers of both houses and the Secretary of the Senate and Chief Clerk of the Assembly and presented without delay to the Governor. The committee shall report the time of presentation of the bill to the Governor to the house and the record shall be entered in the Journal.

Amendments and Conferences

Amendments to Amended Bills Must Be Attached

25. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted" and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be indorsed "concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly as the case may be; provided, however, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

To Concur or Refuse to Concur in Amendments

26. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be

an Assembly bill) must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

Concurring in Amendments Adding Urgency Section

27. When a bill which has been passed in one house is amended in the other by the addition of a section providing that the act shall take effect immediately as an urgency measure, and is returned to the house in which it originated for concurrence in the amendment or amendments thereto, the procedure and vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members elected to the house vote in the affirmative the presiding officer shall then direct that the question of whether the house shall concur in the amendment or amendments shall be put to a vote. If two-thirds of all the members elected to the house vote in the affirmative, concurrence in the amendments shall be effective.

If the affirmative vote on either of such questions is less than two-thirds of all the members elected to such house, the effect is a refusal to concur in the amendment or amendments, and the procedure thereupon shall be as provided in Joint Rule No. 28.

When Senate or Assembly Refuse to Concur

28. If the Senate or the Assembly refuse to concur in the amendments, the Committee on Rules (if it be a Senate bill) or the Speaker of the Assembly (if it be an Assembly bill) shall appoint a Committee of Three (3) on Conference and the Secretary or the Chief Clerk shall immediately notify the other house of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each house shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each house of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the Conference Committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the Assembly and the chairmen thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The Committee on Conference shall report to both the Senate and Assembly.

Report of Committee on Conference

29. The report of the Committee on Conference shall not be subject to amendment, and if either house refuse to adopt such report the conferees may be discharged and other conferees appointed; provided, however, that no more than three different Conference Committees shall be appointed on any one bill.

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report. No member who has served on a Committee on Conference shall be appointed a member of another Committee on Conference on the same bill.

When Conference Committee Report Is in Order

30. The presentation of the report of a Committee on Conference shall always be in order, except when a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

Miscellaneous Provisions

Authority When Rules Do Not Govern

31. All relations between the houses which are not covered by these Rules shall be governed by Mason's Manual.

Press Rules

32. (a) Persons desiring privileges of accredited press representatives shall make application to the Speaker of the Assembly, as required by Rule 94 of Assembly Rules, and to the Committee on Rules of the Senate, as required by Rule 13 of Senate Rules; and shall state in writing the names of the daily newspapers or news associations by which they are employed, and what other occupation or employment they may have, if any; and they shall further declare that they are not employed, directly or indirectly, to assist in the prosecution of the legislative business of any person, corporation or association, and will not become so employed while retaining the privileges of accredited press representatives.

(b) The applications required by the above rule shall be authenticated in a manner that shall be satisfactory to the standing committee of the Capitol Correspondents Association which shall see that occupation of seats and desks in the

Senate and the Assembly Chambers is confined to bona fide correspondents of reputable standing in their business, who represent daily newspapers requiring a daily file of legislative news, or who represent news associations requiring daily telegraphic or radio service on legislative news. It shall be the duty of the standing committee at their discretion, to report violation of accredited press privileges to the Speaker of the Assembly, or to the Senate Committee on Rules, and pending action thereon the offending correspondent may be suspended by the standing committee.

(c) Persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to newspaper associations requiring telegraphic service shall not be entitled to the privileges accorded accredited press representatives; and the press list in the Handbook of the California Legislature and the Senate and Assembly Histories shall be a list only of persons authenticated by the standing committee of correspondents.

(d) The press seats and desks in the Senate and Assembly Chambers shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the Assembly and the Senate Committee on Rules. Press cards shall be issued by the President of the Senate and the Speaker of the Assembly only to correspondents properly accredited in accordance with the provisions of this rule.

(e) One or more rooms shall be assigned for the exclusive use of correspondents during the legislative session, which rooms shall be known as the Press Room. The Press Room shall be under the control of the Superintendent of the Capitol Building and Grounds; provided, that all rules and regulations shall be approved by the Senate Committee on Rules and the Speaker of the Assembly.

Adjournment

33. Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution.

Dispensing With Joint Rules

34. No joint rule shall be dispensed with except by a vote of two-thirds of each house; and Joint Rule No. 23 can be dispensed with only in the manner provided for in said joint rule. If either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the Rules of such house; and if it shall be decided that the Joint Rules have been violated, the bill involving such violations shall be returned to the house in which it originated, and such disputed matter be considered in like manner as in Conference Committee.

Investigating Committees

35. In order to expedite the work of the Legislature either house, or both houses jointly may by resolution provide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control.

The resolution providing for the appointment of a committee shall state the purpose of the committee, and the scope of the subject with which it is to act and may authorize it to act either during sessions of the Legislature or after final adjournment.

In the exercise of the power granted by this rule, each committee may appoint a secretary and adopt such rules as may appear necessary and proper to carry out the powers granted and duties imposed under this rule. It may employ such clerical, legal and technical assistants as may appear necessary when money has been made available therefor.

Each such committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

The members of such committees are, and each of them is, authorized and empowered to administer oaths, and all of the provisions of Article 8, Chapter 2, Title 1, Part 3 of the Political Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant-at-Arms of the Senate or Assembly, or other person designated by such Sergeant-at-Arms or by the committee, shall serve any and all subpoenas, orders and other process that may be issued by the committee, when directed to do so by the chairman or by a majority of the membership of the committee.

All officers of the State, including the Legislative Counsel and the heads of each department, agency and subdivision thereof, and all employees of such departments, agencies and subdivisions, and all other persons whether connected with the State Government or not, shall give and furnish to these committees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each such committee was created.

Each such committee may either during the session or during the constitutional recess, meet at the State Capitol or at any other place in the State of California and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it and may expend such money as may be made available to it for such purpose; but no committee shall incur any indebtedness unless money shall have been first made available therefor.

Members shall not be entitled to any salary because of membership on any such committee but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of eight dollars (\$8) per day for accommodations and meals. The chairman of each committee shall audit and approve the expense claims of the members of the committee and shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman.

36 In addition to any other committee provided for by these Rules, there shall be a joint committee to be known and called the Legislative Budget Committee.

It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the State Budget, the revenues and expenditures of the State, and of the organization and functions of the State, its departments, subdivisions and agencies, with a view of reducing the cost of the State Government, and securing greater efficiency and economy.

The committee shall consist of five Members of the Senate and five Members of the Assembly. The Senate members of the committee shall be the President pro tempore of the Senate and one member each from the Committees on Finance, Revenue and Taxation, Governmental Efficiency and Judiciary, selected by the respective committees. The Assembly members of the committee shall consist of the Speaker and four other Members of the Assembly appointed by the Speaker. The committee shall select its own chairman.

The committee shall have the authority to make rules to govern its own proceedings and its employees. It may also create subcommittees from its membership, assigning to its subcommittees any study, inquiry, investigation or hearing which the committee itself has authority, to undertake or hold, and the subcommittee for the purpose of this assignment shall have and may exercise all the powers conferred upon the committee, limited only by the expressed terms of any rule or resolution of the committee defining the powers and duties of the subcommittee. Such powers may be withdrawn or terminated at any time by the committee.

The provisions of Joint Rule 35 above shall apply to the Legislative Budget Committee, and it shall have all the authority provided in such rule or in Article IV, Section 37, of the Constitution.

The committee shall have authority to appoint a Legislative Auditor, to fix his compensation and to prescribe his duties, and to appoint such other clerical and technical employees as may appear necessary. The committee may meet either during sessions of the Legislature, any recess thereof, or after final adjournment, and may meet or conduct business at any place within the State of California.

The members of the committee shall serve without compensation but shall be entitled to actual and necessary expenses including expenses for living accommodations and meals incurred in connection with their services on the committee, or in lieu of such expenses for accommodations and meals they shall be entitled to an allowance of eight dollars (\$8) per day and travel expenses which shall be deemed to be five and one-half cents (\$.05½) per mile. The chairman of the committee shall audit and approve the expenses of members of the committee or salaries of the employees, and all other expenses incurred in connection with the performance of its duties by the committee, and the chairman shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman, and the Treasurer shall pay the same to the chairman of the committee to be disbursed by him.

Upon the organization of the Legislature at any succeeding session, all authority, powers, duties, papers and records, personnel or staff, and any unexpended balance in any funds appropriated for the use of the committee, shall be temporarily transferred to a pro tempore Legislative Budget Committee consisting of the Senate Committee on Rules and of the new Speaker and four other Members of the Assembly appointed by him, until the committee as hereinabove provided for is appointed or selected when all such authority, powers, duties, papers and records, personnel or staff and all funds available for the use of the committee shall revert to such committee; and be it further

Resolved, That a sum of forty thousand dollars (\$40,000) is hereby appropriated from the Contingent Funds of the Senate and Assembly, to be expended equally from the Contingent Funds of the Senate and Assembly in carrying out the provisions of this resolution; and be it further

Resolved, That if there is created by statute a Legislative Audit Bureau, a Legislative Research Bureau, or other similar agency, under legislative control, charged

with the duty of performing one or more of the functions given the Legislative Budget Committee by this resolution, the committee is hereby authorized and directed to avoid duplicating the work of such bureau or agency while the latter is in existence and functioning.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON ADOPTION OF URGENCY CLAUSE TO
ASSEMBLY BILL NO. 113**

At 2.45 p.m., on motion of Mr. Howser, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 113 adopted by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Evans, Fourt, Gaffney, Haggerty, Hawkins, Hollibaugh, Howser, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—55.

NOES—Anderson, Bashore, Carlson, Collins, Sam L., Crichton, Desmond, Dilworth, Erwin, Field, Heisinger, Johnson, Knight, John B., Kraft, Miller, Potter, Thompson, Thorp, Watson, and Wollenberg—19.

The roll was called, and Assembly Bill No. 113 passed by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Clarke, Collins, George D., Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Evans, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54

NOES—Anderson, Bashore, Carey, Carlson, Collins, Sam L., Crichton, Desmond, Dilworth, Erwin, Hastain, Johnson, Knight, John B., Massion, Potter, Thorp, and Watson—16.

Amendment to Title

Mr. Howser moved the adoption of the following amendment to the title of Assembly Bill No. 113:

Amendment No. 1

In line 2 of the title of the printed bill, following "employees", strike out the period, and insert " , declaring the urgency thereof, to take effect immediately."

Amendment read and adopted.

Bill ordered reprinted, and transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

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

Assembly Bill No. 591: By Messrs. Thompson, Brown, King, Miller, and Denny—An act to amend Section 14230 of the Health and Safety Code, relating to fire protection districts in unincorporated areas.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 592: By Mr. Carlson—An act to amend Sections 224, 226 and 227a of the Civil Code, relating to the adoption of children.

Referred to Committee on Judiciary.

Assembly Bill No. 593: By Mr. Carlson—An act to amend Sections 701, 777 and 778 of the Welfare and Institutions Code, relating to minors who should be declared free from parental control, and relating to the procedure in such cases.

Referred to Committee on Judiciary.

Assembly Bill No. 594: By Mr. Carlson—An act to amend Section 5050 of the Welfare and Institutions Code, relating to the safekeeping and examination of persons alleged to be mentally ill.

Referred to Committee on Judiciary.

Assembly Bill No. 595: By Mr. Carlson—An act to amend Sections 5404 and 5406 of the Welfare and Institutions Code, relating to the commitment of persons addicted to the intemperate use of stimulants, and the parole and discharge thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 596: By Mr. Carlson—An act to amend Section 6720 of, and to add Section 6726.5 to, the Welfare and Institutions Code, relating to the duty and power of the sheriff to arrest escaped and paroled patients and inmates of State hospitals and institutions and deliver them to persons authorized by the Department of Institutions.

Referred to Committee on Judiciary.

Assembly Bill No. 597: By Mr. Lyons—An act to amend Section 7 of the California Unemployment Insurance Act, relating to excluded employments.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 598: By Mr. Lyons—An act to amend Section 9 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Middough and Howser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Eugene Tinchler, President, Long Beach Board of Education, and President, School Trustees Association of California.

On request of Mr. Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Foster Taft of Redwood City.

On request of Mr. Miller and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Cliff Cottrell.

On request of Messrs. King and Dunn, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Flight Lieutenant T. G. Lupton, R. A. F., London, England, and Flight Lieutenant S. D. Simpson, R. A. F., Aldwich, Sussex, England.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ensign Robert Marshall, New York City, New York.

On request of Mr. Werdel, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Oran Palmer, County Council, Kern County.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to: Eva H. Francis and Mrs. Ruth Mecum, teachers; and the following students of the Stanford Junior High School, Sacramento: Theodore Adams, Norman Applegate, Barbara Bertolucci, Virginia Castello, Robert Chadwick, Donald Chamberlain, Betty DeMassey, Marguerite DeVore, Bill Dickinson, Anna Espenshade, Phyllis Frey, Edmund Gomes, Jacqueline Harris, Phyllis Hateley, Georgia Herrera, Louella Eichelberger, Zerita Johnson, Irene Miller, Neil Mahoney, Beverly Parrent, Patsy Singleton, Carolyn Storz, Jean Thomas, Tommy Vicari, Douglas Dupen, Nadine Hagen, Adolph Kamel, Lavern Kimball, Stephen Londergan, Betty McCarroll, Don Meyer, Betty June More, Bernard Nelson, Ray Pine, Barbara Thielbar, Earl Williams, Gloria Wood, Mary Young, Charles Irwin, Kenneth Brewer, Neil Pethy, Luke Barbara, Betty Moffitt, Mary Anderson, Gail Boucher, Walter Brownlow, Vernon Drifill, Pat Burns, and Dan Miars.

On request of Mrs. Niehouse and the San Diego County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. M. D. Boucher and Mr. Julius Rainwater, both of San Diego.

On request of Mr. O'Day and the San Francisco County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John T. Rudden of San Francisco.

ADJOURNMENT

At 2.56 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10.30 a.m., Thursday, January 21, 1943.

C. WILLIAM QUEALE, Minute Clerk.

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FOURTEENTH LEGISLATIVE DAY

EIGHTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, January 21, 1943

The Assembly met at 10.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L, Crichton, Crowley, Debs, Denny, Diekey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Our Father in Heaven, the same yesterday, today, and forever, we turn to Thee in the midst of confusion and human unrest. Change and decay mark the clear record of mankind's long history, but Thou art our dwelling place in all generations. In Thee alone can be found fullness of joy.

In Thy presence may we discern this day Thy good guidance for our lives so that we may discharge our duties with assurance in the midst of life's stresses and uncertainties. So may we pray the prayer of Wordsworth,

"Thou, Thou alone
Art everlasting, and the blessed spirits,
Which Thou includest, as the sea her waves,
For adoration Thou endurest; endure
For consciousness the motion of Thy will."

AMEN

READING OF THE JOURNAL DISPENSED WITH

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

EXPLANATION OF ABSENCE

Upon request of the Speaker, Messrs. Dills, Ralph C. and Call were excused for the legislative day in performance of duties for the State.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS

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

Assembly Bill No. 599: By Messrs. Burns, Field, Waters, and Thurman—An act to add Sections 403.5 and 459.2 to, and to amend Section 765 of, the Vehicle Code, relating to the effect of the war emergency and Federal and local regulations arising therefrom applicable to vehicles on the provisions of said code, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 600: By Messrs. Burns, Field, Waters, and Thurman—An act to add Section 471.5 to the Vehicle Code, relating to signs, declaring the urgency thereof, and providing this act shall take effect immediately.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 601: By Messrs. Burns, Field, Waters, and Thurman—An act to add Section 650.8 to the Vehicle Code, relating to lighting requirements in "dimout" areas, declaring the urgency thereof, and providing this act shall take effect immediately.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 602: By Mr. Evans—An act to amend Sections 3420 and 3472 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, increasing the amount of such aid, and making an appropriation.

Referred to Committee on Social Welfare.

Assembly Bill No. 603: By Mr. Evans—An act to amend Sections 3025 and 3084 of the Welfare and Institutions Code, relating to aid to the needy blind, increasing the amount of such aid, and making an appropriation.

Referred to Committee on Social Welfare.

Assembly Bill No. 604: By Messrs. Dilworth, Anderson, Beck, Burkhalter, Call, Debs, Dills, Clayton A., Dunn, Hawkins, Johnson, Lowrey, Middough, McCollister, O'Day, Price, Robertson, Sawallisch, Sheridan, Thurman, Werdel, Thompson, Stream, Collins, George D., Doyle, Denny, Gaffney, Brown, and McMillan—An act to amend Section 5.751 of the School Code and to amend Section 13842 of the Education Code, relating to salaries of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 605: By Mr. Call—An act to amend Section 961 of the Code of Civil Procedure and Section 1247k of the Penal Code, relating to rules on appeal prescribed by the Judicial Council, this act to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 606: By Messrs. Evans, Waters, Lyons, Bashore, Doyle, Field, Hawkins, Pelletier, Thomas, Sargent, Armstrong, Massion, Anderson, Price, Howser, Burkhalter, Debs, Dills, Clayton A., Dills, Ralph C., Bennett, Kilpatrick, Rosenthal, Lyon, Werdel, McMillan, Allen, and Kellems—An act to add Section 486 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 607: By Mr. Wollenberg—An act to amend Section 20 of the California Small Loan Act, approved July 21, 1939, relating to penalties for violation of any provisions of said act, or any of the rules, orders and regulations of the commissioner.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 608: By Mr. Wollenberg—An act to amend Section 20 of the California Small Loan Act, approved July 24, 1939, relating to penalties for violation of any provisions of said act, or any of the rules, orders and regulations of the commissioner.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 609: By Mr. Wollenberg—An act to amend Section 21 of the Personal Property Brokers Act, approved July 21, 1939, relating to penalties for violation of any of the provisions of said act, or the rules, orders and regulations of the commissioner.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 610: By Mr. Wollenberg—An act to amend Section 3 of the Industrial Loan Act, relating to the paid in minimum capital.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 611: By Mr. Wollenberg—An act to amend Section 21 of the Personal Property Brokers Act, approved July 24, 1939, relating to penalties for violation of any of the provisions of said act, or the rules, orders and regulations of the commissioner.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 612: By Mr. Dilworth—An act to add Section 69b to the Civil Code, relating to the appointment of special deputies by the county clerk.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 613: By Mr. Howser—An act to amend Section 2617 of the Revenue and Taxation Code, relating to taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 614: By Messrs. Howser, Middough, and Burkhalter—An act to amend Section 4131 of the Political Code, relating to recording.

Referred to Committee on Judiciary.

Assembly Bill No. 615: By Messrs. Howser, Bennett, and Middough—An act to amend Section 3476 and to repeal Sections 3511.3, 3571, 3571.3, 3571.5, 3572, 3573, 3574, 3575, 3576, 3577 and 3578 of the Revenue and Taxation Code, relating to taxation.

Referred to Committee on Judiciary.

Assembly Bill No. 616: By Mr. Bashore—An act to amend Section 337a of, and to add Section 337g to, the Penal Code, relating to gaming and gambling by pool-selling, book-making, bets and wagers, and providing the punishment for the violation thereof.

Referred to Committee on Public Morals.

Assembly Bill No. 617: By Mr. Kraft—An act to add Section 23.5 to, and to repeal Section 26a of, the Unemployment Relief Bond Act of 1933, making an appropriation to counties and cities, and specifying the manner of determining the amount thereof.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 618: By Mr. Lyons—An act to amend Section 7158 of the Labor Code, relating to scaffolding.

Referred to Committee on Labor and Capital.

Assembly Bill No. 619: By Mr. Lyons—An act to amend Section 7151 of the Labor Code, relating to scaffolding.

Referred to Committee on Labor and Capital.

Assembly Bill No. 620: By Mr. Potter—An act to amend Section 9 of the Bank Act, relating to the opening and closing of branch offices by banks.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 621: By Messrs. Price, Erwin, Armstrong, Hollibaugh, Howser, Robertson, Rosenthal, Dills, Clayton A., Fourt, and Evans—An act to amend Sections 241 and 242 of the Code of Civil Procedure, relating to the composition and constitution of grand juries.

Referred to Committee on Judiciary.

Assembly Bill No. 622: By Mr. Bennett—An act to amend Section 222 of the Welfare and Institutions Code of the State of California, relating to the cancellation of county warrants for the giving of aid if not presented for payment within six months after issuance.

Referred to Committee on Social Welfare.

Assembly Bill No. 623: By Mr. Bennett—An act to amend Section 2183 of the Welfare and Institutions Code, relating to the commencement of old age aid where the investigation on the application is not completed within the 90-day period.

Referred to Committee on Social Welfare.

Assembly Bill No. 624: By Mr. Bennett—An act to amend Section 4095 of the Political Code, relating to the cancellation of county warrants issued for aid where same are not presented for payment within six months after issuance.

Referred to Committee on Social Welfare.

Assembly Bill No. 625: By Mr. Beck—An act to amend Sections 197 and 200 of the Civil Code, relating to minors over the age of 18 years.

Referred to Committee on Judiciary.

FRANCHISE TAX COMMISSIONER
SACRAMENTO, January 20, 1943

*Honorable Julian Beck, Member of Assembly
State Capitol, Sacramento, California*

DEAR MR. BECK: In answer to your letter of January 13, 1943, I am pleased to inclose a copy of the latest Personal Income Tax Statistics of 1940 Returns, in Table I of which you will find the number of State income taxpayers who filed returns in the different net income classes, and the amount of tax assessment in each class for the year 1940

Also are inclosed statements in answer to your inquiries relative to the effect of (a) increasing the personal exemption of a single individual to \$1,500, and that of a married couple to \$3,500 and (b) the effect of reducing the maximum tax rate to 8 per cent on net incomes over \$40,000

The increase in personal exemption would affect all taxpayers who would file personal income tax returns, except trusts. For the year 1941, individuals filed 636,264 returns on which a tax was disclosed. Individuals in the number of 303,235 filed nontaxable returns for the same period.

Yours very truly,

CHAS. J. MCCOLGAN, Franchise Tax Commissioner
W. M. WALSH, Assistant Commissioner

STATE OF CALIFORNIA
CHAS. J. MCCOLGAN
Franchise Tax Commissioner

STATISTICAL DIVISION, January 19, 1943

*Personal Income Tax—Estimate of Decrease in Revenue Which Might Result
From Increasing Personal Exemptions*

- (1) Joint Returns and Heads of Families, to \$3,500
- (2) Single, Not Heads of Families, to . . . \$1,500

(Based on 1940 Returns)

Net income brackets	Rate	Number*	Average increase in exemption	Average decrease in tax	Total estimated decrease in revenue	Per cent of reduction
	(1)	(2)	(3)	(4)	(5)	(6)
				(1) x (3)	(2) x (4)	
Under \$5,000 -----	1%	419,907	\$676 00	\$6 76	\$2,838,571 00	85.44%
\$5,000 under \$10,000	2%	52,679	735 00	14 70	774,381 00	30.99%
\$10,000 under \$15,000	3%	8,095	573 00	17 19	139,153 00	10.42%
\$15,000 under \$20,000	4%	3,232	561 00	22 44	74,770 00	7.20%
\$20,000 under \$25,000	5%	1,769	552 00	27 60	48,824 00	5.20%
\$25,000 under \$30,000	6%	1,051	546 00	32 76	34,431 00	4.20%
\$30,000 under \$40,000	7%	1,117	550 00	38 50	43,005 00	3.10%
\$40,000 under \$50,000	8%	538	544 00	43 52	23,414 00	2.19%
\$50,000 under \$60,000	9%	293	538 00	48 42	14,187 00	1.77%
\$60,000 under \$70,000	10%	197	560 00	56 00	11,032 00	1.51%
\$70,000 under \$80,000	11%	112	556 00	61 16	6,850 00	1.28%
\$80,000 under \$100,000	12%	168	551 00	66 12	11,108 00	1.04%
\$100,000 under \$150,000	13%	154	536 00	69 68	10,731 00	0.67%
\$150,000 under \$250,000	14%	65	549 00	76 86	4,996 00	0.41%
\$250,000 and over-----	15%	20	550 00	82 50	1,650 00	0.19%
Total Estimated Decrease in Revenue-----					\$4,037,103 00	20.99%

* Returns of trusts are omitted from this estimate, as they are not affected by the proposed increase in exemptions

STATISTICAL DIVISION, January 19, 1943

STATE OF CALIFORNIA

CHARLES J. MCCOLGAN, Franchise Tax Commissioner

Personal Income Tax Decrease in Revenue Which Might Result From Making the Highest Rate Bracket 8 Per Cent

(Based on 1940 Returns)

Under \$40,000-----	No change in rate structure—No decrease
Over \$40,000-----	Proposed change—8 per cent on all net income over \$40,000
(1) Number of returns over \$40,000 (1940)-----	1,557
(2) Taxable net income over \$40,000-----	\$111,501,387 00
(2)/(1) Average taxable net income-----	71,671 00
(4) Average tax, 8 per cent top rate-----	4,283 68
(1) x (4) Number of returns x average tax-----	6,669,690 00
(6) Present tax on income over \$40,000-----	7,895,382 00
(7) Tax under proposed reduction in rates-----	6,669,690 00
(6)-(7) Estimated decrease in revenue-----	1,225,692 00
Per cent of decrease in revenue-----	6.37%
	(1 225 692/19 237 738)

NOTE: Based upon a five-year average of taxes assessed and taxable net income, the per cent of decrease in revenue is found to be 8.13 per cent.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 19—Relative to permission to leave the State for certain Members of the Senate and the Assembly for attendance at the meeting of the Council of State Governments, and reports that the same has been correctly enrolled, and presented to the Governor on the twentieth day of January, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 125

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered re-referred to Committee on Fish and Game

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Bill No. 366

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass, as amended, and be re-referred to Committee on Ways and Means

STREAM, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Bill No. 367

Has had the same under consideration, and reports the same back with amendment with the recommendation: Do pass, as amended, and be re-referred to Committee on Ways and Means.

STREAM, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1943

MR. SPEAKER. Your Committee on Roads and Highways, to which was referred:
Assembly Bill No. 368

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STREAM, Chairman

Above reported bill re-referred to Committee on Ways and Means.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 366—An act to add Section 18.5 to the "Use Fuel Tax Act of 1937," relating to the purposes for which funds collected may be used, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to add Section 9305 to that portion of the Revenue and Taxation Code known as the Use Fuel Tax Law".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. A new section, to be numbered 9305, is added to the Revenue and Taxation Code, to read:
9305. Notwithstanding the provisions of Section 9304, for".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 367—An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Roads and Highways:

Amendment No. 1

On page 1, line 11, of the printed bill, after the period, insert "Any such agreement providing for such work to be done by Division of Architecture or Division of Water Resources shall be subject to the approval of the Department of Finance"

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 20, 1943

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

Senate Bill No. 37
Senate Bill No. 49
Senate Bill No. 180

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 37—An act to aid the prosecution of the war by authorizing housing authorities to develop or administer projects to provide housing for persons engaged in war industries or activities and to cooperate with the Federal Government in making housing available for such persons; to grant certain powers to public bodies; to make obligations issued for such projects of housing authorities legal investments and security for deposits; and to declare an emergency, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 49—An act to amend Sections 2 and 3 of the Sabotage Prevention Act, relating to punishments, declaring the urgency hereof to take effect immediately.

Referred to Committee on Crime and Correction.

Senate Bill No. 180—An act to add Section 350.5 to the Political Code, relating to the sale or rental of tools or equipment of the State, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR PRINTING ADDITIONAL COPIES OF ASSEMBLY BILL NO. 606

Mr. Evans requested that the Speaker instruct the Chief Clerk to order 500 additional copies of Assembly Bill No. 606 for use of Los Angeles board of supervisors.

The Speaker ordered the request referred to the Committee on Rules and House Functions.

WITHDRAWAL OF ASSEMBLY BILL NO. 352 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Bashore asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 352 from the Committee on Ways and Means, for the purpose of amendment

CONSIDERATION OF ASSEMBLY BILL NO. 352

Assembly Bill No. 352—An act creating a special fund in the State Treasury for the deposit of restitutions received by the State from former recipients of relief under the provisions of the "California Unemployment Relief Act of 1935," making a transfer of funds to this fund, making an appropriation to the State Controller for continued collection of restitutions, to take effect immediately.

Bill read second time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 19, of the printed bill, following the comma after the figure "5", insert "26,500 of which shall be available for the Ninety-fourth Fiscal Year and \$98,500 shall be available for the Ninety-fifth and Ninety-sixth Fiscal Years,".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 60

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance, Typewriter service.....	\$ 108 60
Department of Finance, Typewriter service.....	98 18
Department of Finance, Typewriter service.....	92 15
Department of Finance, Typewriter service.....	30 58
Department of Finance, Typewriter service.....	87 66
Department of Finance, Typewriter service.....	90 03
The Recorder Printing and Publishing Co., 85 Larmac Indexes	1,050 60
Walsh & Day, Repairing microphones.....	46 05
Department of Finance, Work on voting machine.....	108 44
Department of Finance, Installing lights and repairing electrical equipment.....	231 61

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Dunn, Lyons, and Maloney:

House Resolution No. 61

WHEREAS, Walter G. Mathewson, a loyal American, has been called to his eternal rest; and

WHEREAS, This exemplary citizen was for over 40 years a member of the Sheet Metal Workers' International Association and rendered exceptional service for the members of the American Federation of Labor, particularly as Secretary of the Santa Clara County Building and Construction Trades Council, and as an executive board member of the State Building and Construction Trades Council of California; and

WHEREAS, Walter G. Mathewson served the people of California faithfully, ably, and justly, as a member of the State Industrial Welfare Commission under Governor Hiram W. Johnson, and also as State Labor Commissioner, to which position of high responsibility and trust he was appointed successively by Governors William D. Stephens, Friend William Richardson, and Clement C. Young; and

WHEREAS, Walter G. Mathewson, during the past several years, acting as Conciliator of the United States Department of Labor has effected numerous just settlements of serious controversies between employers and employees, and thereby saved California's industries from tremendous losses; and

WHEREAS, These achievements of this exemplary trade unionist contributed to the progress and welfare of the citizens of California; therefore, be it

Resolved by the Assembly of the State of California, That we hereby express our sincere appreciation of these loyal patriotic services rendered for our State and Nation, and that when this Assembly does this day adjourn, it do so out of respect to the memory of, and as its tribute to, Walter G. Mathewson; and be it further

Resolved, That the Chief Clerk be, and he is hereby instructed to have suitably engrossed copies of this resolution forwarded to the members of the family of Walter G. Mathewson.

Request for Unanimous Consent

Mr. Dunn asked for, and was granted, unanimous consent to take up House Resolution No. 61, at this time, without reference to committee.

Resolution read, and adopted by a rising vote of the Assembly.

By Messrs. Hollibaugh, Doyle, Howser, and Erwin :

House Resolution No. 62

Resolved by the Assembly of the State of California, That the Chairman of the Assembly Committee on Governmental Efficiency and Economy is hereby authorized to appoint a committee of five members from the membership of the Committee on Governmental Efficiency and Economy, which shall hold hearings in the City of Los Angeles and investigate into the affairs and conditions of Forty-eighth Agricultural District; and be it further

Resolved, That the committee may sit during the constitutional recess of the Fifty-fifth Session of the Legislature, and may hold meetings in the City of Los Angeles at which the people shall have an opportunity to present their views to the committee; and be it further

Resolved, That said committee is hereby authorized to do all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents, and papers of every kind; to issue subpoenas and to compel the attendance of witnesses and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths, and all of the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code of the State, relative to the attendance of witnesses before the Legislature and committees thereof and the Rules of the Assembly and of the Senate and the Joint Rules, as they now are or may be hereafter amended, shall apply to the committee appointed under this resolution; and be it further

Resolved, That said committee shall make a report of its conclusions and recommendations to the Fifty-fifth Session of the Legislature not later than March 15, 1943; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0 05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of five hundred dollars (\$500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as referred to Committee on Rules and House Functions.

By Mr. Watson :

House Resolution No. 63
Relating to Stanley C. Dennis

WHEREAS, Stanley C. Dennis has been accepted as a Cadet in the United States Army Quartermaster's Corps, and is now in training at Camp Lee, Virginia; and

WHEREAS, Stanley C. Dennis joined the armed service of his Country in December, 1941, and served in the United States Army Air Corps in training in Texas and in Puerto Rico before becoming a candidate for Officers' Training School in Virginia; and

WHEREAS, Stanley C. Dennis faithfully and diligently served the Legislature of the State of California as Assistant Clerk during its Fifty-fourth Regular Session in 1941; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly and each Member of the Fifty-fourth Session, now present, and from personal knowledge and with great pleasure recommend Stanley C. Dennis as a loyal and patriotic young citizen of high moral character and integrity; and be it further

Resolved, That this Assembly and each of its members feel certain that Cadet Stanley C. Dennis will serve his Country and the United States Army loyally, diligently, and courageously; and be it further

Resolved, That the Chief Clerk is hereby directed to send a properly prepared copy of this resolution to the Commanding Officer, United States Army Officers' Training School, Camp Lee, Virginia.

Request for Unanimous Consent

Mr. Watson asked for, and was granted, unanimous consent to take up House Resolution No. 63, at this time, without reference to committee.

Resolution read and adopted.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 17—Relative to the creation of a Joint Legislative Committee, to study and report on matters relating to tax reduction.

Resolution read.

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

AYES—Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollubaugh, Howser, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Anderson, Beck, Collins, George D., Dunn, King, and Massion—6.

Resolution ordered transmitted to the Senate.

RECESS

At 11.21 a.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 11.23 a.m., to hear from State Treasurer Charles G. Johnson.

REASSEMBLED

At 11.23 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 12—Relative to memorializing the Secretary of Agriculture, the War Man Power Commission, and the Director of Selective Service in relation to grapes and raisins as essential farm products.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Hastain, Hawkins, Heisinger, Hollubaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 6—Relative to petitioning the Honorable Claude E. Wickard to alleviate the food shortage resulting from increased population in the State.

Resolution read.

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

AYES—Allen, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Dovle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollihaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

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

Assembly Bill No. 626: By Mr. Rosenthal—An act to amend Section 4132.5 of the Political Code, relating to duties of county recorders.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 627: By Mr. Rosenthal—An act to add Section 4539 to the Elections Code, relating to campaign statements.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 628: By Mr. Rosenthal—An act to amend Sections 8963 and 8982 of the Health and Safety Code, relating to public cemetery districts.

Referred to Committee on Public Health.

Assembly Bill No. 629: By Mr. Rosenthal—An act to add Sections 2751, 2805, 2806, 2807 and 2808 to the Labor Code, relating to employment, to prevent discrimination and provide a penalty.

Referred to Committee on Labor and Capital.

Assembly Bill No. 630: By Mr. Rosenthal—An act to add Sections 607h and 607i to the Civil Code, relating to corporations and societies for the prevention of cruelty to children and animals.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 631: By Mr. Thomas—An act to add Section 4042d to the Political Code, relating to county recorders.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 632: By Mr. Thomas—An act amending Section 4300c of the Political Code, relating to the fees of county recorders.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 633: By Messrs. Lowrey and King—An act to amend Section 1151 of the Fish and Game Code, relating to catfish. Referred to Committee on Fish and Game.

Assembly Constitutional Amendment No. 16: By Messrs. Howser, Bennett, Middough, and Robertson—Proposed amendment to Article XIII, Section 10 $\frac{1}{2}$ of the Constitution, relative to personal property taxation.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolution was offered:

By Messrs. Howser, Crichton, and Sawallisch:

House Resolution No. 64

WHEREAS, Each session of the Legislature is confronted with hundreds of bills proposing to regulate various phases of public morality, including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar nature; and

WHEREAS, The importance of the subject requires that an investigation be made of such proposals, and of the administration of present laws regulating such matters, and of the necessity of amendment of such laws; now, therefore, be it

Resolved by the Assembly of the State of California, That an Assembly Interim Committee on Public Morals, to consist of five Members, appointed by the Speaker, is hereby created, which committee shall study and investigate all matters pertaining to public morality, and shall report its recommendations for legislation to the Legislature not later than March 15, 1945.

For the purposes of this resolution, and in addition to the other powers conferred by this resolution, the committee shall have all the powers granted to investigating committees by the Joint Rules of the Senate and Assembly, as they now exist or as they may be hereafter amended, and the provisions of those rules, in so far as they relate to investigating committees, are hereby made applicable to the committee hereby created the same as though they were incorporated in this resolution.

The committee hereby created is hereby authorized to act either during sessions of the Legislature, including any recess thereof, and after final adjournment, but, except for the purposes of making a report, not beyond the convening of the Fifty-sixth Legislature.

In addition to the powers conferred upon the committee by the Rules, it may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The Sergeant-at-Arms of the Assembly, the Sergeant-at-Arms of the Senate, or other officers designated by either of them are hereby directed to serve any and all subpoenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05 $\frac{1}{2}$) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day.

The sum of two thousand five hundred dollars (\$2,500), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to the Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 319

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 320

Assembly Bill No. 321

Assembly Bill No. 322

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

FIELD, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 319—An act to add Article 4 to Chapter 2, Division 5 of the Welfare and Institutions Code, to amend and renumber Section 3305 and to repeal Section 3261, relating to the revolving funds of the manufacturing departments of the Industrial Home for the Adult Blind, the San Diego Workshop and the Los Angeles Workshop for the Adult Blind.

Bill read second time, and ordered engrossed.

Assembly Bill No. 320—An act to amend Section 3259 of the Welfare and Institutions Code, relating to the Industrial Home for the Adult Blind Revolving Fund, making an appropriation, and declaring the urgency thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, following line 17, insert

"Whenever in the opinion of the Director of Finance any portion of said manufacturing fund no longer is required, such portion of said manufacturing fund shall be returned to the State Treasurer for credit to the General Fund upon order of the Director of Finance."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 321—An act to amend Section 3304 of the Welfare and Institutions Code, relating to the Los Angeles Industrial Workshop for the Blind, making an appropriation and declaring the urgency thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, following line 13, insert
"Whenever in the opinion of the Director of Finance any portion of said manufacturing fund no longer is required, such portion of said manufacturing fund shall be returned to the State Treasurer for credit to the General Fund upon order of the Director of Finance."

Amendment read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 322—An act to amend Section 3304.5 of the Welfare and Institutions Code, relating to the San Diego Industrial Workshop for the Blind, making an appropriation and declaring the urgency thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, following line 12, insert
"Whenever in the opinion of the Director of Finance any portion of said manufacturing fund no longer is required, such portion of said manufacturing fund shall be returned to the State Treasurer for credit to the General Fund upon order of the Director of Finance."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Debs and Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Monsignor O'Dwyer, Superintendent of the Catholic Charities; Mr. Ritz E. Heerman and Mr. Kenneth Williamson.

On request of Mrs. Niehouse, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Horace H. Wadsworth.

ADJOURNMENT

At 11.47 a.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 30 a.m., Friday, January 22, 1943, out of respect to the memory of the late Walter G. Mathewson.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTEENTH LEGISLATIVE DAY
NINETEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, January 22, 1943

The Assembly met at 10.30 a.m.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

O Light Eternal, shine into our hearts this day, we pray. Help us that with all our hearts, and minds, and strength, we may ever seek Thy face. We thank Thee for all the good things of this life, for food and raiment and shelter in the day of storm. We thank Thee for work to do and the zest we find in the doing of it. We thank Thee for the perpetual touch of the divine in life and for the image of Thyself in the soul of man. We lay hold of the faith expressed by Bryant in his "Ode to the Waterfowl," that.

He who, from zone to zone,
Guides through the boundless sky thy certain flight,
In the long way that I must tread alone
Will lead my steps aright.

In our Master's name.

AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Thorp, on motion of Mr. Clarke.

Mr. McMillan, on motion of Mr. Kilpatrick.

EXPLANATION OF ABSENCE

Upon request of the Speaker. Messrs. Dills, Ralph C., and Call were excused for the legislative day in performance of duties for the State.

Hon. Alfred W. Robertson Presiding

At 10.46 a.m., Hon. Alfred W. Robertson, Member of the Assembly from the Thirty-seventh District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS

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

Assembly Bill No. 634: By Mr. Howser—An act to amend Section 2804 of the Streets and Highways Code and Section 23 of the District Investigation Act of 1933, relating to mosquito abatement districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 635: By Mr. Doyle—An act to add Sections 453.5, 453.6, 453.7, 453.8, and 453.9 to the Fish and Game Code, relating to storage locker plants.

Referred to Committee on Fish and Game.

Assembly Bill No. 636: By Mr. Watson—An act to amend Section 34 of the Fish and Game Code, relating to cultural operations and scientific investigations in the waters of the State of California.

Referred to Committee on Fish and Game.

Assembly Bill No. 637: By Mr. Maloney—An act to amend Section 700 of the Insurance Code, relating to insurance, and prescribing the classes of insurance business certain incorporated insurers may transact and repealing all acts and parts of acts in conflict herewith.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 638: By Mr. Lowrey—An act to amend Section 1325 of the Streets and Highways Code and Section 4041.18 of the Political Code, relating to the cost limit on county construction and repair contracts which can be let without calling for bids.

Referred to Committee on Roads and Highways.

Assembly Bill No. 639: By Messrs. Waters and Maloney—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 29 of, and to add two new sections to be numbered 8.1, and 18.1 to, the Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 640: By Messrs. Waters and Maloney—An act to amend Sections 4a, 5, 6, 8, 9, 11, 12, 13, 14, 16, 17, 20, 21, 24, 25, 25.1, 27, 28, 29, 30, 31, 32, and 35 of, and to add two new sections to be

numbered 91 and 241 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 641: By Messrs. Waters and Maloney—An act to amend Sections 2, 7, 7.1, 8, 9, 9 2, 9.3, 9.4, 9 5, 10, 12, 13, 16, 19 and 20 of, and to add three new sections to be numbered 7.2, 8.1 and 34.2 to, the Personal Income Tax Act, relating to taxes upon the incomes of individuals, estates and trusts and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 642: By Mr. Waters—An act to repeal Part 4 of Division 2 of the Revenue and Taxation Code, relating to motor vehicle transportation license taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 643: By Messrs. Erwin, Hastain, Dilworth, Armstrong, Weybret, and Werdel—An act to amend Section 105 of the Revenue and Taxation Code, relating to property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 644: By Messrs. Miller and Thompson—An act to add Section 9 to the Community Recreation Enabling Act of 1939 and to add Section 24409.1 to the Education Code, relating to facilities of community recreation centers maintained solely by school districts

Referred to Committee on Education.

Assembly Bill No. 645: By Messrs. Middough, Watson, Kraft, Smith, Erwin, Burkhalter, McMillan, Price, Sargent, Hollibaugh, and Debs—An act to amend Section 276 of the Vehicle Code, relating to operator's license.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 646: By Mr. Kraft—An act to amend Sections 252 and 253 of the Revenue and Taxation Code, relating to veterans' exemptions, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 647: By Mr. Kraft—An act to amend Section 4 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, relating to the trusts and restrictions heretofore imposed upon said tidelands, and to the use and leasing of the tidelands by the city.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 648: By Mr. Howser—An act to amend Section 55 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 649: By Messrs. Anderson, Massion, Rosenthal, Thomas, Lowrey, Brady, and Haggerty—An act to add Section 673.5 to the Penal Code, relating to the effect of the commission of a felony by a minor.

Referred to Committee on Crime and Correction.

Assembly Bill No. 650: By Messrs. Desmond, McCollister, and Burns—An act to amend Section 8 of the Personal Income Tax Act, and to add Section 17318 to the Revenue and Taxation Code, relating to the personal income tax, and deductions therefrom.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 651: By Messrs. Dunn, Berry, Gaffney, Collins, George D., and Lyons—An act to add Section 924 to the Labor Code, relating to employees and collective bargaining.

Referred to Committee on Labor and Capital.

Assembly Bill No. 652: By Messrs. Dunn, Carey, Berry, Gaffney, Collins, George D., and Lyons—An act to amend Section 404 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 653: By Messrs. Dunn, Berry, Gaffney, Collins, George D., and Lyons—An act to amend Section 2351 of the Labor Code, relating to conditions in places of employment.

Referred to Committee on Labor and Capital.

Assembly Bill No. 654: By Messrs. Wollenberg and Maloney—An act to amend Section 352 of the Political Code, relating to the traveling expenses of State officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 655: By Messrs. Evans, Maloney, and Bashore—An act to add Section 228 to the Labor Code, relating to wages.

Referred to Committee on Labor and Capital.

Assembly Bill No. 656: By Mr. Burkhalter—An act to add Section 1233 to the Fish and Game Code, relating to bounties on predatory animals.

Referred to Committee on Fish and Game.

Assembly Bill No. 657: By Mr. Burkhalter—An act to add Section 486.5 to the Fish and Game Code, relating to the taking of fish for the taking of which a sporting fishing license is required.

Referred to Committee on Fish and Game.

Assembly Bill No. 658: By Mr. Crowley—An act appropriating money for the purchase of land for the California Maritime Academy.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 659: By Mr. T. Fenton Knight—An act establishing the "California Reconstruction Board," prescribing its powers and duties, and authorizing it to conduct hearings and make investigations, loans, and reports as to State affairs, economic problems, and

postwar reconstruction, creating the "California Reconstruction Fund," authorizing loans therefrom, making an appropriation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 660: By Messrs. Kilpatrick, Massion, Crowley, Gaffney, Burkhalter, Debs, Hollibaugh, McMillan, Bennett, Anderson, Brady, Heisinger, Thomas, Crichton, Rosenthal, Allen, Doyle, Brown, Dunn, Lowrey, Pelletier, Middough, Evans, Dills, Clayton A., Collins, George D., Hawkins, Lyons, Beck, Haggerty, Gannon, King, O'Day, and Berry—An act to amend Sections 2000, 2020, 2021, 2140, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2186, 2187, and 2222 of the Welfare and Institutions Code, to amend the chapter heading of Chapter 1 of Division 3 thereof, to add Sections 2000.1, 2000.2, 2014, 2015, 2016, 2020.1, 2020.2, 2141.5, 2143, 2162.5, 2163.3, 2163.4, 2166, 2182.1, 2187.5, and 2224.5 thereto, and to repeal Section 2224 thereof, relating to aid to the aged, designating such aid as senior citizens grants, providing for the amount thereof, the age, residence, and property qualifications therefor, and for the administration thereof, releasing State and county claims for reimbursement therefor, and making an appropriation.

Referred to Committee on Social Welfare.

Assembly Bill No. 661: By Messrs. Wollenberg and Bashore—An act to add Section 20.5 to the Personal Property Brokers Act, approved July 24, 1939, relating to the deposit of money in the State Treasury and to provide for support of the administration of said act out of the General Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 662: By Messrs. Wollenberg and Bashore—An act to add Section 21.5 to the California Small Loan Act, approved July 24, 1939, relating to the deposit of money in the State Treasury and to provide for support of the administration of said act out of the General Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 663: By Mr. Wollenberg—An act to amend Section 6 of the Corporate Securities Act, to provide for renewal of licenses to brokers and agents.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 664: By Mr. Potter—An act to add Chapter 5.6, comprising Sections 2600 to 2631, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy, schools of physical therapy, and the registration of physical therapy technicians.

Referred to Committee on Public Health.

Assembly Bill No. 665: By Mr. Potter—An act to add Section 249 to, and to amend Sections 250, 257, and 268 of the Health and Safety Code, relating to services for physically handicapped children, providing for receipt and administration of Federal funds, providing for cooperation with the Federal Government.

Referred to Committee on Public Health.

Assembly Bill No. 666: By Mr. Potter—An act to amend Section 1 of an act entitled “An act relating to cold storage, regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto,” approved June 13, 1913, relating to the cold storage of foods.

Referred to Committee on Public Health.

Assembly Bill No. 667: By Mr. Potter—An act to amend Sections 26200.5, 26209, 26212, 26243, 26251, 26253, 26254, 26271, 26280, 26281, 26282, 26296, 26302, 26303, 26327, 26328, 26336, 26337, 26338, 26342, 26343, 26361, 26364, 26366, 26367, 26368, and 26380 of, and add Sections 26216 and 26271 (a) to Division 21, Chapter 2 of the Health and Safety Code, relating to the adulteration, misbranding, advertising and sale of drugs and devices, and to the powers of the State Department of Public Health in relation thereto.

Referred to Committee on Public Health.

Assembly Bill No. 668: By Messrs. Wollenberg and Maloney—An act to amend Section 69 of the Civil Code, relating to applications for and issuance of licenses to marry, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 669: By Mr. Johnson—An act to amend Section 12 of an act entitled “An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon,” approved May 23, 1921, relating to the investment of surplus funds.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 670: By Mr. Johnson—An act to amend Section 9 of the “Veterans Welfare Bond Act of 1933,” relating to investment of surplus funds.

Referred to Committee on Military Affairs.

Assembly Bill No. 671: By Mr. Johnson—An act to provide for dispensing with the giving of notice to persons who are enemies or allied with the enemies of the United States as defined in the Trading With the Enemy Act.

Referred to Committee on Military Affairs.

Assembly Bill No. 672: By Mr. Johnson—An act to add Section 375 to the Civil Code, relating to the award and assessment of expenses and attorneys’ fees in actions or proceedings against directors, officers or employees of a corporation, brought by or on behalf of the corporation.

Referred to Committee on Judiciary.

Assembly Bill No. 673: By Messrs. Johnson, Dunn, Bashore, Watson, Howser, Potter, Erwin, Stream, Kellems, Beck, Burkhalter, King,

Hollibaugh, Anderson, McMillan, Massion, Smith, Lyons, Thomas, Doyle, Dills, Clayton A., Dills, Ralph C., Clarke, Debs, and Middough—An act to amend Section 3356 of, and to add Sections 3360, 3361, 3362, 3363 and 3364 to, the Revenue and Taxation Code, relating to localized publication of delinquent tax list.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 674: By Mr. Johnson—An act to repeal Article 2, consisting of Sections 321 to 324, inclusive, of Chapter 1 of Division 3 of the Agricultural Code, relating to foreign cold storage meat.

Referred to Committee on Public Health.

Assembly Bill No. 675: By Messrs. Carey and Dunn—An act to add Section 1562 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 676: By Messrs. Carey and Dunn—An act to add Section 2507 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid and relief to indigents.

Referred to Committee on Social Welfare.

Assembly Bill No. 677: By Messrs. Carey and Dunn—An act to add Section 3092 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid to the needy blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 678: By Messrs. Carey and Dunn—An act to add Section 2190 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 679: By Messrs. Dunn, Berry, and Gaffney—An act to amend Section 2350 of the Labor Code, relating to conditions in places of employment.

Referred to Committee on Labor and Capital.

Assembly Bill No. 680: By Messrs. Kilpatrick and Crowley—An act to amend Section 3473 of the Welfare and Institutions Code, and to repeal Section 3474 thereof, relating to aid to partially self-supporting blind residents.

Referred to Committee on Social Welfare.

Assembly Concurrent Resolution No. 23: By Messrs. Sargent and Knight, T. Fenton—Relative to approving certain amendments to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the third day of November, 1942.

Request for Unanimous Consent

Mr. Sargent asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 23, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 23

Assembly Concurrent Resolution No. 23—Relative to approving certain amendments to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the third day of November, 1942.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Werdel, Weybret, and Wollenberg—59.
NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 15: By Messrs. Carlson, Johnson, and Carey—Relative to memorializing Congress to enact legislation allowing the award of interest at the legal rate to successful employee claimants in claims adjusted under the Railway Labor Act.

Request for Unanimous Consent

Mr. Carlson asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 15, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 15

Assembly Joint Resolution No. 15—Relative to memorializing Congress to enact legislation allowing the award of interest at the legal rate to successful employee claimants in claims adjusted under the Railway Labor Act.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thomas, Thompson, Waters, Werdel, Weybret, and Wollenberg—60.
NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent

Mr. Brown asked for, and was granted, unanimous consent to have his name placed upon the roll call as voting "aye" on the adoption of Assembly Joint Resolution No. 15.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 24: By Mr. Crichton—Relative to Reports of the Annual Conventions of the Disabled American Veterans of the World War of the Department of California.

Referred to Committee on Rules and House Functions.

Assembly Joint Resolution No. 16: By Messrs. Burkhalter, Evans, Anderson, Massion, Middough, Waters, Debs, Allen, Lyons, Hollibaugh, Bashore, Bennett, Doyle, Kilpatrick, Dills, Clayton A., Kellems, Hawkins, Thomas, Howser, and Field—Relative to Federal participation in the construction of the highway known as the Los Angeles Freeway.

Referred to Committee on Roads and Highways.

Assembly Joint Resolution No. 17: By Messrs. Kilpatrick, Rosenthal, and Bennett—Relative to assistance to needy disabled persons.

Referred to Committee on Social Welfare.

Assembly Joint Resolution No. 18: By Mr. Hawkins—Relative to poll taxes.

Referred to Committee on Elections and Reapportionment.

Assembly Constitutional Amendment No. 17: By Messrs. Potter, Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gauon, Haggerty, Hastain, Hawkins, Howser, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Wollenberg, Lyon, and Mrs. Niehouse—Proposed amendment to Article XIII of the Constitution, adding a new section numbered 1c, relating to taxation.

Referred to Committee on Constitutional Amendments.

WITHDRAWAL OF ASSEMBLY JOINT RESOLUTION NO. 2 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Kilpatrick asked for, and was granted, unanimous consent to withdraw Assembly Joint Resolution No. 2 from the Committee on Public Health for the purpose of amendment.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 2

Assembly Joint Resolution No. 2—Relative to hearing-instruments for persons who are hard of hearing.

Resolution read.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed measure, strike out line 4, and insert "WHEREAS. Many persons in civilian life who are hard of hearing are unable to"

Amendment No. 2

On page 1, line 7, of the printed measure, strike out "deaf"

Amendments read and adopted.

Resolution ordered reprinted and engrossed.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 320

Assembly Bill No. 352

Assembly Bill No. 321

Assembly Bill No. 366

Assembly Bill No. 322

Assembly Bill No. 367

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 345

Assembly Bill No. 346

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WERDEL, Vice Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 202

Assembly Bill No. 290

Assembly Bill No. 203

Assembly Bill No. 351

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BASHORE, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 3

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred
 Assembly Bill No. 368
 Assembly Bill No. 577

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 384

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

House Resolution No. 57

House Resolution No. 62

Senate Concurrent Resolution No. 15

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Concurrent Resolution No. 21

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 307

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass as amended.

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 341

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Senate Concurrent Resolution No. 8
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

SAM L. COLLINS, Chairman

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 8

Senate Concurrent Resolution No. 8—Relative to the creation of a Joint Fact-Finding Committee on Un-American Activities in California to investigate the activities of persons and groups known or suspected to be foreign dominated or controlled and recommend legislation for their regulation.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 3, line 51, of the printed bill, strike out "eight (§8)", and insert "ten (§10)".

Amendment read and adopted.

Resolution ordered reprinted, and on file for adoption.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 346—An act to amend Sections 261a and 1744 of the Code of Civil Procedure, relating to the appointment, compensation, and expenses of superior court employees in counties, or cities and counties, having a population of 900,000 inhabitants and over.

Bill read second time, and ordered engrossed.

Assembly Bill No. 202—An act to amend Sections 4, 4a, 6, 8, 9, 11, 13, 14, 16, 17, 20, 21, 24, 25, 25.1, 27, 28, 29, 30, 32 and 35 of, and to add a new section to be numbered 24.1 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 203—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14, 16, 18, 19, 20, 21, 22, 23, 24, 25, and 29 of, and to add a new section to be numbered 18.1 to, The Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 290—An act to add Section 214 to the Revenue and Taxation Code, relating to the exemption from taxation of merchandise arrested by war conditions from actually continuing to move in interstate or foreign commerce, declaring the urgency thereof and providing that this act take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 351—An act to amend Section 8 of The Personal Income Tax Act and Section 17306 of the Revenue and Taxation Code, relating to war losses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3—An act to amend Section 2011 and to repeal Sections 2181, 2224, 3088, and 3474 of the Welfare and Institutions Code, to repeal Article 3, comprising Sections 2576 and 2577 of Chapter 2, Division 4 of the Welfare and Institutions Code, and to repeal Section 3 of Chapter 1254 of the Statutes of 1941 and Section 20 of the California Unemployment Relief Act of 1935, relating to the legal responsibility of relatives and others for support of persons receiving public assistance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 368—An act to amend Section 185 of, and to add Section 186.5 to, the Streets and Highways Code, relating to expenditures for highway purposes, declaring the urgency thereof, and providing this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 345—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Bill read second time, and ordered engrossed.

Assembly Bill No. 384—An act to add Section 3.95 to the School Code and to add Section 8161 to the Education Code, relating to the maintenance of schools and classes, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 319—An act to add Article 4 to Chapter 2, Division 5 of the Welfare and Institutions Code, to amend and renumber Section 3305 and to repeal Section 3261, relating to the revolving funds of the manufacturing departments of the Industrial Home for the Adult Blind, the San Diego Workshop and the Los Angeles Workshop for the Adult Blind.

Bill read second time, and ordered to third reading.

Assembly Bill No. 577—An act making an appropriation to meet a deficiency in the appropriation for support of the Division of Corporations, Department of Investment, State of California, for the Ninety-fourth Fiscal Year, to take effect immediately.

Bill read second time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 577:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 21, 1943

*To the Honorable Members of the Assembly
Sacramento, California*

GENTLEMEN:

ASSEMBLY BILL NO. 577

"An act making an appropriation to meet a deficiency in the appropriation for the support of the Division of Corporations, Department of Investment, State of California, for the Ninety-fourth Fiscal Year, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, and consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 577 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor of California

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Wollenberg:

Resolved, That Assembly Bill No. 577 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Waters, Watson, Werdel, Weybret, and Wollenberg—61.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 577

Assembly Bill No. 577—An act making an appropriation to meet a deficiency in the appropriation for support of the Division of Corporations, Department of Investment, State of California, for the Ninety-fourth Fiscal Year, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney,

Massion, McCollister, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Waters, Watson, Werdel, Weybret, and Wollenberg—61.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Desmond, Dieck, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Waters, Watson, Werdel, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 290—An act to add Section 214 to the Revenue and Taxation Code, relating to the exemption from taxation of merchandise arrested by war conditions from actually continuing to move in interstate or foreign commerce, declaring the urgency thereof and providing that this act take effect immediately.

Bill read second time.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 11, of the printed bill, between "facilities" and the comma, insert "due to current war conditions."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 341—An act to add Section 2183.9 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the period, and insert ", and declaring the urgency of this act, to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, after line 19, insert

"Sec 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Because of the increased demand for workers of all kinds in industries directly connected with the prosecution of the war, and the induction of millions of men into the armed forces, a shortage of man power exists throughout the Nation, and particularly in the State of California. Lack of labor threatens shortages of foods, and endangers the successful prosecution of the war. Many recipients of old age aid are eager to contribute to the war effort by accepting employment, and physically able to do so, but are discouraged from accepting gainful employment which would render them ineligible for aid during the period of employment by the belief that the demand for their services is temporary, and the fear that on the cessation of employment, they will be without resources or income during the 90-day period of investigation now required to establish eligibility for aid. The shorter period of investigation of applications of former recipients of aid provided by this act will relieve that

fear, and encourage those recipients of aid who are physically able to do so to accept employment and contribute their labor, directly or indirectly, to the war effort. To make this additional source of man power available at the earliest possible time, and so to avert the threat of food shortages, and hasten the attainment of a victorious peace, it is necessary that this act take effect immediately."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 307—An act to add Chapter 3 to Part 3 of Division 6 of the School Code and to add Chapter 11 to Division 9 of the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, as amended, following line 4, insert "6.780. The policy of the Legislature in enacting this chapter is to provide a means for meeting an emergency, existing in certain communities in this State, created by the employment of women with children in industry as a direct result of the war in which the United States of America is now engaged, without imposing additional taxes on property which the owners of such property can not, because of the burdens imposed by such war, be reasonably expected to bear."

Amendment No. 2

On page 1, line 6, of the printed bill, as amended, strike out "6.780.", and insert "6.781."

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 1 to 14, both inclusive, and insert

"6.782. Said governing board may enter into agreements with any city or city and county or other public agency for the furnishing to, or use by, said governing board in carrying out the provisions of this chapter, of property, facilities, personnel, supplies, equipment and other necessary items and such city, county, city and county, or other public agency is authorized to enter into such agreements.

6.783. The said governing board may permit the use of buildings, grounds, existing administrative personnel and equipment for the purposes of this chapter"

Amendment No. 4

On page 2, line 16, of the printed bill, as amended, strike out "6.781.", and insert "6.784."

Amendment No. 5

On page 2, line 23, of the printed bill, as amended, strike out "6.782.", and insert "6.785."

Amendment No. 6

On page 2 of the printed bill, as amended, strike out lines 28 to 31, both inclusive

Amendment No. 7

On page 2, line 33, of the printed bill, as amended, strike out "6.783.", and insert "6.786."

Amendment No. 8

On page 2, line 35, of the printed bill, as amended, after "which", insert a comma and "together with all funds received under Section 6 792."

Amendment No. 9

On page 2, line 36, of the printed bill, as amended, after "cost", insert "of maintaining such child care center including supervision and care and the cost".

Amendment No. 10

On page 2, line 37, of the printed bill, as amended, strike out "and for such portion of the cost to the"; and strike out lines 38 to 43, both inclusive, and insert a period and "The fees charged need not be uniform."

Amendment No. 11

On page 2, line 47, of the printed bill, as amended, strike out "6.784.", and insert "6.787."

Amendment No. 12

On page 2 of the printed bill, as amended, following line 52, insert
 "No funds of a district derived from the receipts of district taxes or derived from moneys apportioned to the district for the support of the schools thereof may be expended for, or in connection with, a child care center."

Amendment No. 13

On page 3, line 14, of the printed bill, as amended, strike out "6.785.", and insert "6.788."

Amendment No. 14

On page 3, line 23, of the printed bill, as amended, strike out "6.786.", and insert "6.789."

Amendment No. 15

On page 3, line 34, of the printed bill, as amended, strike out "6.787.", and insert "6.790."

Amendment No. 16

On page 3, line 38, of the printed bill, as amended, after "System", strike out the period, and insert "or district retirement system, or an employee subject to the provisions of Article 4 of Chapter 9 of Part 3 of Division 5 of this code."

Amendment No. 17

On page 3, line 40, of the printed bill, as amended, strike out "6.788.", and insert "6.791."

Amendment No. 18

On page 3, line 46, of the printed bill, as amended, strike out "6.789.", and insert "6.792."

Amendment No. 19

On page 4, line 1, of the printed bill, as amended, strike out "6.790.", and insert "6.793."

Amendment No. 20

On page 4 of the printed bill, as amended, following line 10, insert
 "6.794. Said governing board shall insure against the liability, other than a liability which may be insured against under Division 4 of the Labor Code, imposed upon the district by any law of this State in any insurance company authorized to do business in this State. The cost of such insurance shall be paid out of the 'Child Care Center Fund' of the district."

Amendment No. 21

On page 4, line 36, of the printed bill, as amended, strike out "6.792.", and insert "6.795."

Amendment No. 22

On page 4 of the printed bill, as amended, following line 44, insert
 "19601. The policy of the Legislature in enacting this chapter is to provide a means for meeting an emergency, existing in certain communities in this State, created by the employment of women with children in industry as a direct result of the war in which the United States of America is now engaged, without imposing additional taxes on property which the owners of such property can not, because of the burdens imposed by such war, be reasonably expected to bear."

Amendment No. 23

On page 4, line 46, of the printed bill, as amended, strike out "19601.", and insert "19602."

Amendment No. 24

On page 5 of the printed bill, as amended, strike out lines 7 to 20, both inclusive, and insert

"19603. Said governing board may enter into agreements with any city or county and other public agency for the furnishing to, or use by, said governing board in carrying out the provisions of this chapter, of property, facilities, personnel, supplies, equipment and other necessary items and such city, county, city and county, or other public agency is authorized to enter into such agreements.

19604. The said governing board may permit the use of buildings, grounds, existing administrative personnel and equipment for the purposes of this chapter."

Amendment No. 25

On page 5, line 22, of the printed bill, as amended, strike out "19602.", and insert "19605."

Amendment No. 26

On page 5, line 29, of the printed bill, as amended, strike out "19603.", and insert "19606."

Amendment No. 27

On page 5 of the printed bill, as amended, strike out lines 33 to 36, both inclusive.

Amendment No. 28

On page 5, line 38, of the printed bill, as amended, strike out "19604.", and insert "19607."

Amendment No. 29

On page 5, line 40, of the printed bill, as amended, after "which", insert a comma and "together with all funds received under Section 19613."

Amendment No. 30

On page 5, line 41, of the printed bill, as amended, after "cost", insert "of maintaining such child care center including supervision and care and the cost".

Amendment No. 31

On page 5, line 42, of the printed bill, as amended, strike out "and for such portion of the cost to the"; and strike out lines 43 to 49, both inclusive, and insert a period and "The fees charged need not be uniform."

Amendment No. 32

On page 6, line 1, of the printed bill, as amended, strike out "19605.", and insert "19608."

Amendment No. 33

On page 6 of the printed bill, as amended, following line 6, insert "No funds of a district derived from the receipts of district taxes or derived from moneys apportioned to the district for the support of the schools thereof may be expended for, or in connection with, a child care center."

Amendment No. 34

On page 6, line 20, of the printed bill, as amended, strike out "19606.", and insert "19609."

Amendment No. 35

On page 6, line 29, of the printed bill, as amended, strike out "19607.", and insert "19610."

Amendment No. 36

On page 6, line 40, of the printed bill, as amended, strike out "19608.", and insert "19611."

Amendment No. 37

On page 6, line 44, of the printed bill, as amended, after "System", strike out the period and insert "or district retirement system, or an employee subject to the provisions of Article 5 of Chapter 13 of Division 5 of this Code."

Amendment No. 38

On page 6, line 46, of the printed bill, as amended, strike out "19609.", and insert "19612."

Amendment No. 39

On page 7, line 1, of the printed bill, as amended, strike out "19610.", and insert "19613."

Amendment No. 40

On page 7, line 8, of the printed bill, as amended, strike out "19611.", and insert "19614."

Amendment No. 41

On page 7 of the printed bill, as amended, following line 16, insert "19615. Said governing board shall insure against the liability, other than a liability which may be insured against under Division 4 of the Labor Code, imposed upon the district by any law of this State, in any insurance company authorized to do business in this State. The cost of such insurance shall be paid out of the 'Child Care Center Fund' of the district."

Amendment No. 42

On page 7, line 42, of the printed bill, as amended, strike out "19613", and insert "19616."

Amendment No. 43

On page 8 of the printed bill, as amended, strike out all of lines 26 to 36, inclusive, and insert "Due to the request by the Federal Government that all possible sources of labor be utilized for the successful prosecution of the war effort, many women with children are now employed in industry. Such employment of mothers has created a child care problem, making it imperative that the governing boards of school districts be granted the authority to begin immediately the consideration of whether or not child care centers should be established in such local school districts for the care and supervision of young children of mothers so employed in industry. It is necessary that this act take effect immediately in order that such consideration begin at the earliest possible time."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 21, 1943

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

Assembly Bill No. 143

J. A. BEEK, Secretary of the Senate

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 21, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 4

J. A. BEEK, Secretary of the Senate

SENATE CHAMBER, SACRAMENTO, January 21, 1943

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

Senate Bill No. 95

Senate Bill No. 122

Senate Bill No. 147

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 95—An act to amend Section 1 of an act entitled "An act authorizing any city, county, city and county, or district to expend public funds and to expend, use, or permit the use of public property or personnel to meet emergencies created by war, military, naval or air attack, or sabotage, or in providing for adequate National or local defense, irrespective of budget or other limitations; declaring the urgency hereof; to take effect immediately," approved December 23, 1941, relating to the granting of emergency powers to local governmental agencies and public districts including provisions for the transfer, sale, lease, or use of public property of such agencies or districts, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 122—An act to repeal Sections 11 and 21 of an act approved May 23, 1921, as amended, entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," to amend Section 13 and to add Sections 11, 11.10, 11.20, 11.30, 11.40, 11.50, 11.60, 11.70, 21, 21.10, 21.20, 21.30, 21.40, 21.50, 21.60, 21.70, 21.80, 21.90 and 21.100, providing for the powers of the board of directors to determine all questions of policy, to supervise and regulate all utilities owned and operated by a municipal utility district, to appoint a general manager and other officers, assistants and employees, to contract for or employ services, and to provide for the performance of work or services, to create the positions necessary to carry on the functions of the district and to abolish positions and establish salary ranges; providing for the tenure and removal of the general manager; and relating to the powers of the board of directors generally; the powers and duties of the general manager; also providing for the adoption and administration of a civil

service system, specifying the positions included therein and excepted therefrom, providing for appointments based on merit and discharge for cause, period of probation, suspensions, adoption of rules by the general manager, providing for the making of appointments without examination during the present emergency; and relating to civil service generally; and the severability of the act; and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 147—An act to amend Section 5.876 of the School Code and to amend Section 14536 of the Education Code, relating to the employment of persons retired under the State Teachers Retirement Act and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Messrs. Doyle, Lyon, Debs, and Rosenthal:

House Resolution No. 65

WHEREAS, This Assembly has learned of the death of Charles Kramer, former Member of the House of Representatives from the Thirteenth Congressional District of California; and

WHEREAS, Charles Kramer rendered good and faithful public service from the time of his first election to Congress in 1932 throughout his five terms of office; and

WHEREAS, Charles Kramer had in his own community an active public life as a member of the bar, as a member of various civic and fraternal organizations, and as an honorary member of John Henry Carroll Post No. 2325, Veterans of Foreign Wars; now, therefore, be it

Resolved by the Assembly of the State of California, That when this Assembly adjourns today it do so out of respect to the memory of Charles Kramer; and be it further

Resolved, That the Chief Clerk is hereby directed to transmit a suitably engrossed copy of this resolution to the family of Charles Kramer.

Request for Unanimous Consent

Mr. Doyle asked for, and was granted, unanimous consent to take up House Resolution No. 65, at this time, without reference to committee.

Resolution read and adopted unanimously.

WITHDRAWAL OF ASSEMBLY BILL NO. 438 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Desmond asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 438 from the Committee on Municipal and County Government, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 438

Assembly Bill No. 438—An act to amend Section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors.

Bill read second time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, after "supervisors", and before the period, insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "said code", and insert "the Political Code".

Amendment No. 3

On page 1, after line 25, of the printed bill, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Provisions for impounding animals have not heretofore been extant in many counties or such provisions have but recently been enacted, so that fines so far levied or collected are not sufficient to pay the cost of the establishment or construction of pounds, or the expense of their maintenance

It is therefore necessary for the public peace, health and safety that this act take effect immediately."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 21, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 4—An act to amend Sections 4026 and 4026.1 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service, declaring the urgency hereof, to take effect immediately; And appointed Senators Engle, Mixter, and Brown, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate

CONSIDERATION OF ASSEMBLY AMENDMENTS TO SENATE BILL NO. 4

Senate Bill No. 4—An act to amend Sections 4026 and 4026.1 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service, declaring the urgency hereof, to take effect immediately.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 4?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 4 by the following vote:

AYES—Allen, Armstrong, Bashore, Brown, Carlson, Dickey, Doyle, and Evans—8.

NOES—Anderson, Beck, Berry, Brady, Burkhalter, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—52.

Appointment of Committee on Conference Concerning Senate Bill No. 4

The Speaker announced the appointment of Messrs. Crowley, Carlson, and Lowrey as a Committee on Conference concerning Senate Bill No. 4.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Denny, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Clinton Fulcher, former Assemblyman of Lookout, Modoc County.

On request of Messrs. Sargent and Howser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Harold Huls, City Attorney of Pasadena.

MOTION TO ADJOURN

At 12.10 p.m., Mr. Desmond moved that the Assembly adjourn until 11 a.m., Monday, January 25, 1943.

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

AYES—Berry, Brady, Brown, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Dickey, Dilworth, Dunn, Gaffney, Gannon, Haggerty, Heisinger, Johnson, Kellems, Kilpatrick, King, Leonard, Lyons, Maloney, Miller, O'Day, Sargent, Sawallisch, Thompson, Waters, Weher, Werdel, and Wollenberg—34.

NOES—Allen, Anderson, Armstrong, Beck, Bennett, Burkhalter, Burns, Debs, Dills, Clayton A., Doyle, Erwin, Evans, Field, Hastain, Hawkins, Hollibaugh, Howser, Knight, T. Fenton; Kraft, Lowrey, Massion, McCollister, Middough, Niehouse, Pelletier, Potter, Price, Rosenthal, Smith, Stream, Thomas, and Watson—32.

ADJOURNMENT

At 12.13 p.m., the Speaker declared the Assembly adjourned until 11 a.m., Monday, January 25, 1943, out of respect to the memory of the late Hon. Charles Kramer.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTEENTH LEGISLATIVE DAY
 TWENTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
 Monday, January 25, 1943

The Assembly met at 11 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

O God, whose power doth cause the light of this new day to silently break upon us, grant that we may come to know that "in quietness and confidence shall be our strength." Show us the way to rise above all earthly circumstances and spend this day in grateful recognition of Thy mercies. We thank Thee for our citizenship and the blessedness of a Nation whose God is the Lord. To Thee we renew our allegiance and devotion;

Our fathers' God, to Thee,
 Author of liberty,
 To Thee we sing;
 Long may our land be bright
 With freedom's holy light,
 Protect us by Thy might,
 Great God, our King!

AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Price, on motion of Mr. Armstrong.

Mr. Thorp, on motion of Mr. Bashore.

Mr. Thomas, on motion of Mr. Armstrong.

EXPLANATION OF ABSENCE

Upon request of the Speaker, Messrs. Dills, Ralph C., and Call were excused for the legislative day in performance of duties for the State.

COMMUNICATIONS

The Speaker announced that he had received communications, urging the passage of Assembly Bill No. 307, as amended on January 22, 1943, from the following:

Mr. Lew Michener, West Coast Director, W.A.W.-C.I.O.

Mr. Philip M. Connelly, Secretary of Los Angeles Industrial Union Council.

Mental Hygiene Society of Northern California.

San Francisco Center League Women Voters.

San Francisco Association for Childhood Education.

Golden Gate Kindergarten Association.

A communication from Mr. James K. Fisk, Department Adjutant, American Legion, announcing appointment of Mr. W. H. Lollier as legislative representative for the American Legion during the Fifty-fifth Session, was presented by the Speaker, and ordered filed with the Sergeant-at-Arms.

The following communication was received, read, and ordered printed in the Journal:

CALIFORNIA STATE PERSONNEL BOARD
SACRAMENTO, January 22, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk, Assembly
California Legislature, State Capitol, Sacramento, California*

DEAR MR. OHNIMUS: The Resolution No. 15, inclosed in your letter of January 16, 1943, regarding the reorganization of the California State Council of Defense, was read to the State Personnel Board in session January 20, 1943.

The board asked me to inform the Assembly, through you, that they will be glad to cooperate whenever action is required of the Personnel Board.

Very truly yours,

E. VAYNE MILLER, Secretary

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 681: By Messrs. Kilpatrick, Anderson, and Middough—An act to add Section 2163.7 to the Welfare and Institutions Code, relating to aid to the aged, and providing for property qualifications of applicants therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 682: By Messrs. Price, Middough, Hollibaugh, Stream, Hawkins, and Dills, Clayton A.—An act making an additional

appropriation for support, operation, construction, improvements, and equipment at the California Institution for Men.

Referred to Committee on Crime and Correction.

Assembly Bill No. 683: By Mr. Allen—An act to amend Section 1171 of the Labor Code, relating to the employment of women and minors, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Labor and Capital.

Assembly Bill No. 684: By Mr. Lyon—An act to amend Sections 6011, 6012 and 6015 of the Revenue and Taxation Code, and to add Sections 6363 and 6364 to said code, relating to the taxation of the privilege of selling and of storing, using, or otherwise consuming tangible personal property, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 685: By Mr. Lyon—An act to amend Section 1034 of the Political Code, relating to date of receipt of communications by mail.

Referred to Committee on Judiciary.

Assembly Bill No. 686: By Mr. Lyon—An act to amend Sections 103 and 107 of the Health and Safety Code, relating to the State Department of Public Health.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 687: By Mr. Lyon—An act to amend Sections 6011, 6012, 6015, 6353, 6381, 6486, 6487, 6711, 6776, 6811, and 6812 of the Revenue and Taxation Code, and to add Section 6363 to said code, all relating to the taxation of the privilege of selling and of storing, using, or otherwise consuming tangible personal property and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 688: By Messrs. Hollibaugh and Price—An act to amend Sections 777 and 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public work contracts in cities of the fifth and sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 689: By Mr. Hollibaugh—An act to add Section 6 to an act entitled "An act authorizing the creation of a personnel system, merit system, or civil service system in cities; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within the State; and prohibiting certain political activities and providing penalties for the violation of said provisions." approved April 11, 1935, relating to temporary employees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 690: By Mr. Fourn—An act to amend Section 1171 and to add Section 1184 to the Military and Veterans Code, relating to exemption of memorial districts from the provisions of the District Investigation Act of 1933.

Referred to Committee on Military Affairs.

Assembly Bill No. 691: By Mr. Smith—An act to amend Section 739 of the Vehicle Code, relating to the filing of notices to appear in court, the fixing of bail and the indorsement thereof upon such notices, the deposit of bail and the forfeiture thereof for failure to appear.

Referred to Committee on Judiciary.

Assembly Bill No. 692: By Messrs. Smith and Fourn—An act to add Section 422 to the Vehicle Code, relating to compulsory automobile liability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 693: By Mr. Howser—An act to add Section 833 to the Revenue and Taxation Code, relating to inspection of information and records in the State Board of Equalization Office.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 694: By Mr. Howser—An act to authorize the State Board of Equalization to enter into and act pursuant to agreements with the United States or with any other State or political subdivision thereof for the purpose of coordinating the administration of taxes imposed by this State, the United States, or any other State or political subdivision thereof.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 695: By Mr. Howser—An act to restrict the creation of taxing districts and the changing of boundaries of existing taxing districts for the duration of the war and a period of six months after the termination of the war.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 696: By Mr. Dilworth—An act to amend Section 4828 of the Business and Professions Code, relating to emergency veterinarians.

Referred to Committee on Agriculture.

Assembly Bill No. 697: By Mr. Dilworth—An act to add a new section to the Agricultural Code to be numbered 30.5, relating to pest and disease surveys and investigations.

Referred to Committee on Agriculture.

Assembly Bill No. 698: By Mr. Dilworth—An act making an appropriation for the control and eradication of oriental fruit moth.

Referred to Committee on Agriculture.

Assembly Bill No. 699: By Mr. Dilworth—An act to amend Section 108.5 of the Agricultural Code, relative to host-free periods and host-free districts.

Referred to Committee on Agriculture.

Assembly Bill No. 700: By Mr. Dilworth—An act to amend Section 111 of the Agricultural Code, relating to the inspection of plants and articles for pests.

Referred to Committee on Agriculture.

Assembly Bill No. 701: By Mr. Dilworth—An act to amend Section 123 of the Agricultural Code, relating to shipments of nursery stock and the documents pertaining to or accompanying same.

Referred to Committee on Agriculture.

Assembly Bill No. 702: By Mr. Dilworth—An act to amend Section 1022 of the Agricultural Code, pertaining to definitions of fertilizing materials.

Referred to Committee on Agriculture.

Assembly Bill No. 703: By Mr. Dilworth—An act to amend Section 1021 of, and to add Section 1031.1 to, the Agricultural Code, relative to fertilizing materials and the labels thereon.

Referred to Committee on Agriculture.

Assembly Bill No. 704: By Mr. Dilworth—An act to amend Section 1038 of the Agricultural Code, relating to fertilizer tonnage license tax.

Referred to Committee on Agriculture.

Assembly Bill No. 705: By Mr. Dilworth—An act to amend Section 1062 of the Agricultural Code, relating to materials exempt from the economic poisons provisions of said code.

Referred to Committee on Agriculture.

Assembly Bill No. 706: By Mr. Dilworth—An act to amend Section 1066 of, and to add Section 1066.5 to, the Agricultural Code, relative to economic poisons and thallium salts.

Referred to Committee on Agriculture.

Assembly Bill No. 707: By Mr. Dilworth—An act to amend Section 5a of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," as amended, relating to poison schedules and economic poisons.

Referred to Committee on Agriculture.

Assembly Bill No. 708: By Mr. Dilworth—An act to amend Section 4045 of the Business and Professions Code, relating to economic poisons.

Referred to Committee on Agriculture.

Assembly Bill No. 709: By Mr. Dilworth—An act to amend Section 28.5 of the Agricultural Code, relating to refunds.

Referred to Committee on Agriculture.

Assembly Bill No. 710: By Mr. Dilworth—An act to amend Section 323 of the Agricultural Code, relating to the payment of moneys into the State Treasury and to further provide for the disposition of such moneys in the State Treasury.

Referred to Committee on Agriculture.

Assembly Bill No. 711: By Mr. Dilworth—An act to amend Section 215.17 of the Agricultural Code, relating to the payment of moneys into the State Treasury and to further provide for the disposition of such moneys in the State Treasury.

Referred to Committee on Agriculture.

Assembly Bill No. 712: By Mr. McCollister—An act relating to taxation, providing for the licensing of vending machines, providing for the enforcement of this act, to take effect immediately.

Referred to Committee on Public Morals.

Assembly Bill No. 713: By Mr. McCollister—An act making an additional appropriation for support, operation, construction, improvements, and equipment at San Quentin Prison.

Referred to Committee on Crime and Correction.

Assembly Bill No. 714: By Mr. McCollister—An act making an appropriation to the State Department of Social Welfare for the continuation and completion of certain projects undertaken in connection with the Work Projects Authority program of the Federal Government, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

MOTION TO SET SPECIAL ORDER

Mr. Dilworth moved that Assembly Bill No. 307 be made a special order of business for Monday, January 25, 1943, at 11.25 a.m.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Thompson, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

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

Assembly Bill No. 715: By Mr. Robertson—An act making an appropriation for the acquisition of real property for the Santa Barbara State College.

Referred to Committee on Universities and Colleges.

Assembly Bill No. 716: By Mr. Hastain—An act to add Chapter 9 to Part 6, Division 1, of the Revenue and Taxation Code, relating to the rental and sale of tax-deeded property, the disposal thereof, the assessments, the levy of taxes, the collection of taxes, the redemption of tax delinquent property and providing for an alternative procedure for accomplishing said purposes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 717: By Mr. Hastain—An act to amend Section 2 of the act entitled "An act relating to the liability of irrigation districts, their officers and employees," approved July 20, 1935, relating to filing of verified claims with the officers, employees and secretary of the board of directors of irrigation districts as a condition precedent to the filing or maintaining of actions against irrigation districts, their officers and employees.

Referred to Committee on Judiciary.

Assembly Bill No. 718: By Mr. Desmond—An act to add Section 1714.5 to the Civil Code, relating to injuries sustained in air raid shelters.

Referred to Committee on Judiciary.

Assembly Bill No. 719: By Mr. Desmond—An act to amend Section 254 of the Probate Code, relating to succession by kindred of the half blood.

Referred to Committee on Judiciary.

Assembly Bill No. 720: By Mr. Desmond—An act to add Sections 741.1, 741.3, 741.5, 741.7, 741.8 and 741.9 to the Code of Civil Procedure, all relating to compensation for taxes paid and improvements made by occupying claimants of real property.

Referred to Committee on Judiciary.

Assembly Bill No. 721: By Mr. Guthrie—An act to regulate, and to prohibit fraud and deception in, the sale of olive oil, imitation olive oil, and other edible oils, to repeal an act entitled "An act to regulate the sale of imitation olive oil, and to repeal an act entitled 'An act to regulate the sale of olive oil,' approved March 10, 1891," approved March 23, 1893, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Health.

Assembly Bill No. 722: By Messrs Anderson, Beck, Bennett, Mason, Burkhalter, and Rosenthal—An act to add Section 3928.5 to and to amend Section 3929 of the Elections Code, relating to ballots at primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 723: By Mr. Evans—An act to provide for the holding, accounting for and disposal of articles of personal property, other than documentary, taken or held by any peace officer, prosecuting officer or court as evidence or for use as evidence in a criminal action or proceeding, or with the intention of so using the same, or for any other purpose, and repealing an act entitled "An act providing for the disposition of exhibits filed with the court in criminal cases," approved May 24, 1921.

Referred to Committee on Judiciary.

Assembly Bill No. 724: By Mr. Evans—An act to amend Section 2224 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 725: By Mr. Evans—An act to amend Section 1 of an act entitled "An act relating to bids for the construction of public works and improvements," approved July 19, 1941, relating to bids for the construction of public works and improvements.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 726: By Mr. Evans—An act to add Section 13007 to Chapter 1, Part 1, Division XII of the Health and Safety Code, relating to fire protection and clearance of rights of way.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 727: By Mr. John B. Knight—An act to amend Section 138 of the Civil Code, relating to domestic relations.

Referred to Committee on Judiciary.

Assembly Bill No. 728: By Mr. John B. Knight—An act to amend Section 7051 of the Revenue and Taxation Code, relating to the administration of the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 729: By Mr. Dilworth—An act to amend the County Water District Act approved June 10, 1913, as amended, by amending Section 14, relating to duties of district boards and officers; and by adding new Sections 14.5, relating to liability of district directors, officers, agents and employees; 14.6, relating to claims against districts, their directors, officers, agents and employees and actions thereon; 14.7, relating to liability of districts, their directors, officers, agents and employees; and 14.8, relating to judgments against district directors, officers, agents and employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 730: By Mr. Thurman—An act to amend Section 4286 of the Political Code, relating to the compensation for public services in counties of the fifty-seventh class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 731: By Mr. Thurman—An act to amend Section 4281 of the Political Code, relating to compensation for public services in counties of the fifty-second class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 732: By Mr. Thurman—An act to amend Section 4277 of the Political Code, relating to compensation for public services in counties of the forty-eighth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 733: By Mr. Thurman—An act to amend Section 4266 of the Political Code, relating to compensation for public services in counties of the thirty-seventh class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 734: By Mr. Thurman—An act to amend Section 4262 of the Political Code, relating to compensation for public services in counties of the thirty-third class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 735: By Mr. Thurman—An act to amend Section 737c of the Political Code, relating to the compensation of judges of the superior court in the County of Amador.

Referred to Committee on Judiciary.

Assembly Bill No. 736: By Mr. Waters—An act to amend the title of an act entitled, "An act to provide for the acquisition by municipalities of land for public park or playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring and improving such land," approved April 22, 1909, as amended; and to add two new sections thereto, to be numbered 1b and 1c, providing for the maintenance of improvements on such lands and for the establishment of assessment districts and the assessment of property therein to pay the expenses of maintaining said improvements.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 737: By Messrs. Fourt and McCollister—An act to amend Section 1239 of the Penal Code, relating to persons convicted of the commission of crime.

Referred to Committee on Crime and Correction.

Assembly Bill No. 738: By Messrs. Fourt and McCollister—An act to authorize the State Board of Prison Directors to establish a prison farm and to make an appropriation therefor.

Referred to Committee on Crime and Correction.

Assembly Bill No. 739: By Messrs. Fourt and McCollister—An act to repeal Section 6576 of the Business and Professions Code, relating to barbers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 740: By Messrs. Fourt and McCollister—An act to add Section 2714 to the Penal Code, relating to the payment of wages to prisoners.

Referred to Committee on Crime and Correction.

Assembly Bill No. 741: By Mr. Dunn—An act to amend Section 529 of the Vehicle Code, relating to overtaking and passing on the right.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 742: By Messrs. Dunn, Johnson, Carlson, Carey, Sheridan, Dickey, Gaffney, O'Day, Doyle, Maloney, and Call—An act making an appropriation to pay the claim of the estate of James Cassidy against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 743: By Mr. McMillan—An act to add Section 1.185 to the School Code and Section 16690 to the Education Code, relating to the issuance of work permits to minors engaged in street occupations.

Referred to Committee on Education.

Assembly Bill No. 744: By Messrs. McMillan and Doyle—An act to add Article 8, comprising Sections 3.675-1 to 3.675-5, inclusive, to Chapter 2 of Part 4 of Division 3 of the School Code, and to add Article 8, comprising Sections 9501 to 9505, inclusive, to Chapter 8 of Division 4 of the Education Code, relating to school camps.

Referred to Committee on Education.

Assembly Bill No. 745: By Mr. McMillan—An act to amend Section 1298 of the Labor Code, relating to street occupations.

Referred to Committee on Labor and Capital.

Assembly Bill No. 746: By Messrs. Kilpatrick and Crowley—An act to amend Section 3083.5 of the Welfare and Institutions Code, relating to aid to the blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 747: By Mr. George D. Collins—An act to amend Section 16902 of the Business and Professions Code, relating to certain sale contracts declared lawful.

Referred to Committee on Judiciary.

Assembly Bill No. 748: By Mr. George D. Collins—An act to amend Section 1454 of the Elections Code, relating to measures submitted to voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 749: By Mr. George D. Collins—An act to amend Section 1403 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 750: By Mr. George D. Collins—An act to amend Sections 3935 and 3993 of the Elections Code, relating to ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 751: By Mr. Carlson—An act making an appropriation to pay the claim of S. G. Johnson against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 752: By Mr. Carlson—An act making an appropriation to pay the claim of Hogan Lumber Co. against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 753: By Mr. Carlson—An act to amend Section 201 of the Fish and Game Code, relating to the San Leandro Waterfowl Refuge.

Referred to Committee on Fish and Game.

Assembly Bill No. 754: By Mr. Crichton—An act to repeal Section 685 and to amend Sections 336 and 337 5 of the Code of Civil Procedure of the State of California, relating to limitation of action and execution.

Referred to Committee on Judiciary.

Assembly Bill No. 755: By Mr. Carlson—An act to add Sections 8.2 and 13.1 to The Personal Income Tax Act and Sections 17356 and 18434 to the Revenue and Taxation Code, relating to the personal income tax, deductions therefrom and returns made therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military Affairs.

Assembly Bill No. 756: By Mr. Rosenthal—An act to add Section 1043a to the Penal Code, relating to presence of accused in court prior to trial of case.

Referred to Committee on Judiciary.

Assembly Bill No. 757: By Mr. Rosenthal—An act to add Section 18b to the Penal Code, relating to punishment for crime.

Referred to Committee on Judiciary.

Assembly Bill No. 758: By Mr. Rosenthal—An act to add Section 28 to the Penal Code, relating to defendants subject to induction into the armed services of the United States.

Referred to Committee on Judiciary.

Assembly Bill No. 759: By Mr. King—An act to amend Section 30 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 760: By Mr. King—An act to add Sections 3664, 3665, 3666, and 3667 to the Revenue and Taxation Code, relating to the renting of tax-deeded lands and the disposition of the proceeds therefrom.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 761: By Mr. Denny—An act to add Section 620 to the Streets and Highways Code, adding an additional highway to the State Highway System.

Referred to Committee on Roads and Highways.

Assembly Bill No. 762: By Mr. Denny—An act to amend Section 4269 of the Political Code, relating to compensation for public services in counties of the fortieth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 763: By Mr. Crowley—An act making an appropriation for the care and education of pupils of the California School for the Blind who are both deaf and blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 764: By Mr. Bashore—An act to add Section 311a to, and to amend Sections 311 and 312 of, the Penal Code, relating to public morals.

Referred to Committee on Public Morals.

Assembly Bill No. 765: By Mr. Bashore—An act to prohibit persons and others in the business of lending, or negotiating the lending, of money, from advertising for loans, or the rates, terms, interest, conditions, or any other matter having to do therewith.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 766: By Mr. Leonard—An act to amend Section 3572 of the Revenue and Taxation Code, relating to the termination of the right of redemption of tax-delinquent property, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 767: By Mr. Leonard—An act to add Sections 3556.02, 3556.04, 3556.06, 3556.08, 3556.1, 3556.12, 3556.14, 3556.16, 3556.18, 3556.2, 3556.22, 3556.24, 3556.26, 3556.28, 3556.3, 3556.32, 3556.34, 3556.36, 3556.38, 3556.4, 3556.42, 3556.44, 3556.46, to the Revenue and Taxation Code, relating to real property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 768: By Mr. Bashore—An act to repeal an act entitled "An act making an appropriation for the administrative expenses of the State Department of Social Welfare and establishing a revolving fund for the purposes of distributing goods and commodities in accordance with Federal goods and commodities distribution plans by the State Department of Social Welfare, declaring the urgency thereof, to take effect immediately," approved July 1, 1941, relating to the operation of Federal stamp and surplus commodities distribution plans by the State Department of Social Welfare, transferring to the State Department of Finance all powers, duties, responsibilities, and jurisdiction, and all records, books, papers, moneys, and property of the Department of Social Welfare in connection therewith for the purpose of termination thereof, and providing for the disposition of the commodities and other properties transferred.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 769: By Mr. Bashore—An act to amend Section 5 of the Alcoholic Beverage Control Act, relating to licenses.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 770: By Messrs. Potter and Johnson—An act to add Sections 1351.1, 1351.2, 1351.3 and 1351.4 to the Labor Code, relating to the hours of work of female employees in occupations and

industries essential to the war effort, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 771: By Messrs. Sargent, Knight, T. Fenton; Middough, and Howser—An act to add Section 4114 to, and to repeal Sections 3511.3, 3571, 3572, 3573, 3574, 3575, 3576 and 3577 of, the Revenue and Taxation Code, relating to redemption of tax-sold and tax-deeded property located in distressed assessment districts.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 772: By Messrs. Sargent, Knight, T. Fenton; Middough, and Howser—An act to amend Sections 3791 and 3792 of the Revenue and Taxation Code, relating to property sold or deeded for taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 773: By Mr. Johnson—An act to amend Sections 509, 5001, 5002, 5003 and 5006 of the Public Resources Code, relating to the State Park System.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 774: By Mr. Johnson—An act to add Section 5326 to the Business and Professions Code, relating to outdoor advertising license fees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 775: By Mr. Johnson—An act to repeal Section 404 of the Civil Code, relating to corporations.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 776: By Mr. Wollenberg—An act to amend Sections 607 and 607f of the Civil Code, relating to the formation of corporations for the prevention of cruelty to animals and children and to the appointment of humane officers by the corporation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 777: By Mr. T. Fenton Knight—An act to amend Section 4 of the Community Land Chest Act, approved May 25, 1933, relating to the distribution of surplus on liquidation or dissolution.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 778: By Mr. T. Fenton Knight—An act to amend Section 23 of "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to costs of examination, audit or investigation.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 779: By Mr. T. Fenton Knight—An act to amend Section 18 of the Limited Dividend Housing Corporations Act, approved May 24, 1933, relating to the payment of dividends.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 780: By Mr. T. Fenton Knight—An act to amend Section 13 of the Corporate Securities Act, relating to hearings after notice to desist and refrain from selling securities.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 781: By Mr. T. Fenton Knight—An act to amend Section 4 of "An act requiring individuals, as in said act defined, to obtain a certificate from the Commissioner of Corporations, prior to soliciting, receiving or collecting contributions, fees or funds from security owners or holders for the purpose of protecting, enforcing or representing the rights of such security owners or holders; authorizing the Commissioner of Corporations to regulate and supervise the solicitation, collection and application of such funds; and providing for the enforcement of said act and penalties for the violation thereof," approved July 1, 1937, relating to examinations.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 782: By Mr. T. Fenton Knight—An act to amend Sections 1181, 1380, 1381, 1383, 1386, 1387, 1392, and 1410 of, and to add Sections 1384a, 1385a, 1387a and 1392a to, the Fish and Game Code, relating to fish and game.

Referred to Committee on Fish and Game.

Assembly Bill No. 783: By Mr. Stream—An act to add Section 9112.5 to the Public Resources Code, relating to soil conservation districts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 784: By Messrs. Leonard and Dilworth—An act to amend Section 92 of the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 785: By Messrs. Leonard and Dilworth—An act to amend Section 92 of the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 786: By Messrs. Leonard and Dilworth—An act to add Section 4041i to the Political Code, relating to the transfer of county property used for fair purposes

Referred to Committee on Municipal and County Government.

Assembly Bill No. 787: By Messrs. Leonard and Dilworth—An act to amend Section 86 of the Agricultural Code, relating to the powers of district agricultural associations.

Referred to Committee on Agriculture.

Assembly Bill No. 788: By Messrs. Leonard and Dilworth—An act to amend Section 88 of the Agricultural Code, relating to property transfers by district agricultural associations.

Referred to Committee on Agriculture.

Assembly Bill No. 789: By Mr. Leonard—An act to amend Sections 3.30 and 3.33 of the School Code and to amend Sections 8121 and 8122 of the Education Code, relating to the closing of schools and postponement of openings, declaring the urgency thereof, to take effect immediately

Referred to Committee on Education.

Assembly Bill No. 790: By Messrs. Desmond and Gannon—An act to add Section 717 to the Political Code, relating to State buildings in the City of Sacramento.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 791: By Messrs. Desmond and Gannon—An act to amend Section 1143 of the Penal Code, relating to jurors' fees and mileage.

Referred to Committee on Judiciary.

Assembly Bill No. 792: By Messrs. Desmond and Gannon—An act to add Section 1029.5 to the Code of Civil Procedure, relating to costs in civil actions.

Referred to Committee on Judiciary.

Assembly Bill No. 793: By Messrs. Desmond and Gannon—An act making an additional appropriation for support, operation, construction, improvements, and equipment at Folsom State Prison.

Referred to Committee on Crime and Correction.

Assembly Bill No. 794: By Messrs. Wollenberg and Carlson—An act to amend Part 4 of Division 2 of the Revenue and Taxation Code, relating to the motor vehicle transportation tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 795: By Messrs. Carlson and Wollenberg—An act to amend the Corporation Income Tax Act of 1937, relating to the income tax imposed on corporations

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 796: By Messrs. Carlson and Wollenberg—An act to amend Part 5 of Division 2 of the Revenue and Taxation Code, relating to the vehicle license fee.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 797: By Messrs. Carlson and Wollenberg—An act to amend the Personal Income Tax Act, relating to personal income taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 798: By Messrs. Wollenberg and Carlson—An act to amend Part 1 of Division 2 of the Revenue and Taxation Code, relating to the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 799: By Messrs. Wollenberg and Carlson—An act to amend the Bank and Corporation Franchise Tax Act, relating to a franchise tax imposed on banks and corporations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 800: By Mr. Wollenberg—An act to amend Section 776 of the Vehicle Code, relating to the "Motor Vehicle Support Fund," to take effect July 1, 1943.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 801: By Mr. Wollenberg—An act making an appropriation in augmentation of the Special Emergency Fund specified in Item 217 of the Budget Act of 1941, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 802: By Mr. Wollenberg—An act to add Section 2.5 to an act entitled "An act making an appropriation to the Division of Forestry of the Department of Natural Resources, declaring the urgency thereof, to take effect immediately," approved January 28, 1942, relating to expenditures by the Division of Forestry of money appropriated for its support, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 803: By Messrs. Wollenberg and Knight, T. Fenton—An act to amend Section 107 of the Health and Safety Code, relating to the appointment and compensation of the Director of Public Health.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 804: By Mr. Wollenberg—An act to amend Section 6359 of the Revenue and Taxation Code, relating to the sales and use taxes and exemptions therefrom.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 805: By Messrs. Weber, Guthrie, Brown, and Heisinger—An act making an appropriation for the destruction of beet leaf hoppers.

Referred to Committee on Agriculture.

Assembly Bill No. 806: By Mr. Sargent—An act to amend Section 300 of the Labor Code, relating to the assignment of wages.

Referred to Committee on Judiciary.

Assembly Bill No. 807: By Mr. Sargent—An act to amend Section 690.11 of the Code of Civil Procedure, relating to the exemption of the earnings of judgment debtors for their personal services from execution or attachment.

Referred to Committee on Judiciary.

Assembly Bill No. 808: By Mr. Sargent—An act to amend Section 4455 of the Labor Code, relating to workmen's compensation and insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 809: By Mr. Sargent—An act to amend Section 4661 of the Labor Code, relating to workmen's compensation and insurance, including disability payments.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 810: By Mr. Sargent—An act to amend Sections 25 and 78 of the Civil Code and Sections 1433 and 1590 of the Probate Code, relating to minors, and effect of marriage upon minority and guardianship of minors.

Referred to Committee on Judiciary.

Assembly Bill No. 811: By Mr. Sargent—An act to amend Sections 749, 750 and 751 of the Code of Civil Procedure, relating to the determination of conflicting claims to real property.

Referred to Committee on Judiciary.

Assembly Bill No. 812: By Mr. Sargent—An act making an appropriation to the Industrial Accident Commission for boat inspection, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Joint Resolution No. 19: By Mr. Johnson—Relative to memorializing and petitioning Congress to enact legislation giving to draftees and others entering the military and naval services of the United States adequate insurance protection for themselves in the form of permanent total disability insurance as well as life insurance protection.

Without reference to committee.

Assembly Constitutional Amendment No. 18: By Mr. Lyon—Proposed amendment to Article IV, Section 2 of the Constitution, relative to the Legislature.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 25: By Messrs. Howser and Kellems—Relative to approving a certain amendment to the charter of the County of Los Angeles, State of California, ratified by the qualified electors of said county at a general county election held therein on the third day of November, 1942.

Request for Unanimous Consent

Mr. Howser asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 25, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 25

Assembly Concurrent Resolution No. 25—Relative to approving a certain amendment to the charter of the County of Los Angeles, State of California, ratified by the qualified electors of said county at a general county election held therein on the third day of November, 1942.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thompson, Thurman, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—66.
NOES—None.

Resolution ordered transmitted to the Senate.

Hon. C. Don Field Presiding

At 11.24 a.m., Hon. C. Don Field, Member of the Assembly from the Forty-third District, presiding.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 307

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3

Assembly Bill No. 346

Assembly Bill No. 202

Assembly Bill No. 351

Assembly Bill No. 203

Assembly Bill No. 368

Assembly Bill No. 290

Assembly Bill No. 384

Assembly Bill No. 341

Assembly Bill No. 438

Assembly Bill No. 345

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 143—An act making an appropriation for the additional support of the California Polytechnic School, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-third day of January, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 21

Assembly Joint Resolution No. 2

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolutions ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1943

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

Assembly Bill No 235

J. A. BEEK, Secretary of the Senate

By MARGARET DOUVILLE, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 22, 1943

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

Assembly Concurrent Resolution No. 23

Assembly Joint Resolution No. 12

J. A. BEEK, Secretary of the Senate

By MARGARET DOUVILLE, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 22, 1943

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

Senate Concurrent Resolution No. 13

J. A. BEEK, Secretary of the Senate

By MARGARET DOUVILLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 22, 1943

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

Senate Concurrent Resolution No. 16

J. A. BEEK, Secretary of the Senate

By MARGARET DOUVILLE, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 13—Relative to a Fact-Finding Committee on the labor supply for agricultural and industrial enterprises, and defining its powers and duties.

Referred to Committee on Rules and House Functions.

Senate Concurrent Resolution No. 16—Providing for the continuance of the Joint Committee on Water Problems, created by Senate Concurrent Resolution No. 11 (1941 Res Ch. 130).

Referred to Committee on Rules and House Functions.

CONSIDERATION OF SPECIAL ORDER

The hour of 11.25 a. m. having arrived, Assembly Bill No. 307 was taken up.

Assembly Bill No. 307—An act to add Chapter 3 to Part 3 of Division 6 of the School Code and to add Chapter 11 to Division 9 of the

Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended, following line 52, insert "67855 Child care shall not be provided in any case wherein both parents may prefer to work a night-time shift in war industry or other place of employment except wherein an employer attests to the necessity of both parents working a night-time shift and such parents affirm by affidavit their inability to procure private personal night-time care for their child or children."

Amendment No. 2

On page 6 of the printed bill, as amended, following line 7, insert "196065. Child care shall not be provided in any case wherein both parents may prefer to work a night-time shift in war industry or other place of employment except wherein an employer attests to the necessity of both parents working a night-time shift and such parents affirm by affidavit their inability to procure private personal night-time care for their child or children."

Amendments read.

Demand for Previous Question

Messrs. Robertson, Evans, Waters, Howser, and Allen demanded the previous question.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dunn, Fourt, Guthrie, Hastain, Hawkins, Heisinger, Hollbaugh, Howser, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Robertson, Rosenthal, Smith, Stream, Thompson, Thurman, Waters, Watson, and Werdel—45.

NOES—Bashore, Carlson, Collins, George D., Desmond, Dickey, Doyle, Erwin, Evans, Field, Gaffney, Gannon, Haggerty, Johnson, King, Lowrey, Maloney, Niehouse, O'Day, Pelletier, Potter, Sargent, Sawallisch, Weber, and Wollenberg—24.

Speaker Presiding

At 11.50 a.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Further Consideration of Amendments to Assembly Bill No. 307

The question being on the adoption of the amendments offered by Mr. Gaffney to Assembly Bill No. 307.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Gaffney moved a call of the Assembly.

Motion carried. Time, 12.10 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Waters, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 351.

Assembly Bill No. 351—An act to amend Section 8 of The Personal Income Tax Act and Section 17306 of the Revenue and Taxation Code, relating to war losses.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—68.

NOES—None.

Motion to Amend Title

Mr. Waters moved the adoption of the following amendment to the title of Assembly Bill No 351:

Amendment No. 1

In line 3 of the title of the printed bill, following "losses.", strike out the period, and insert "., declaring the urgency thereof and providing that this act take effect immediately."

Amendment read and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Waters, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 202.

Assembly Bill No. 202—An act to amend Sections 4, 4a, 6, 8, 9, 11, 13, 14, 16, 17, 20, 21, 24, 25, 25.1, 27, 28, 29, 30, 32 and 35 of, and to add a new section to be numbered 24 1 to, the Bank and Corporation

Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Waters, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 203.

Assembly Bill No. 203—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14, 16, 18, 19, 20, 21, 22, 23, 24, 25, and 29 of, and to add a new section to be numbered 18.1 to, The Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Smith,

Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Waters, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No 290.

Assembly Bill No. 290—An act to add Section 214 to the Revenue and Taxation Code, relating to the exemption from taxation of merchandise arrested by war conditions from actually continuing to move in interstate or foreign commerce, declaring the urgency thereof and providing that this act take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L, Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A, Dilworth, Doyle, Erwin, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D, Collins, Sam L, Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A, Dilworth, Doyle, Erwin, Field, Fout, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Howser, Johnson, Kellems, King, Knight, John B, Knight T Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—61.

NOES—Anderson, Burns, Desmond, Dunn, Evans, Heisinger, and Kilpatrick—7.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS TO ASSEMBLY BILL NO. 307

At 12.43 p.m., on motion of Mr. Gaffney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments to Assembly Bill No. 307 refused adoption by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Burkhalter, Burns, Carey, Collins, George D, Crichton, Crowley, Desmond, Dills, Clayton A, Doyle, Dunn, Fout, Gaffney, Haggerty, Heisinger, Howser, Kellems, Kilpatrick, King, Lowrey, Lyons, Maloney, McCollister, O'Day, Robertson, Rosenthal, Thompson, Waters, Watson, Weber, and Wollenberg—36

NOES—Bashore, Beck, Brown, Carlson, Clarke, Collins, Sam L, Debs, Denny, Dickey, Dilworth, Erwin, Evans, Field, Gannon, Guthrie, Hastain, Hawkins, Hollibaugh, Johnson, Knight, John R, Knight, T. Fenton; Kraft, Leonard, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Sargent, Sawallisch, Smith, Stream, Thurman, Werdel, and Mr. Speaker—37.

Further Consideration of Assembly Bill No. 307

Assembly Bill No. 307—An act to add Chapter 3 to Part 3 of Division 6 of the School Code and to add Chapter 11 to Division 9 of the

Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 2, lines 3 and 4, of the printed bill, as amended, strike out "State Department of Education", and insert "Superintendent of Public Instruction".

Amendment No. 2

On page 2, line 37, of the printed bill, as amended, strike out "State Department of Education", and insert "Superintendent of Public Instruction".

Amendment No. 3

On page 3, line 32, of the printed bill, as amended, strike out "State Department of Education", and insert "Superintendent of Public Instruction".

Amendment No. 4

On page 3, line 39, of the printed bill, as amended, strike out "State Department of Education", and insert "Superintendent of Public Instruction".

Amendment No. 5

On page 3, line 41, of the printed bill, as amended, after "permits", insert "but who meet such standards as may be established by the Superintendent of Public Instruction".

Amendment No. 6

On page 3, lines 44 and 45, of the printed bill, as amended, strike out "State Department of Education", and insert "Superintendent of Public Instruction".

Amendment No. 7

On page 4, line 5, of the printed bill, as amended, strike out "State Department of Education", and insert "Superintendent of Public Instruction".

Amendment No. 8

On page 4, line 14, of the printed bill, as amended, after "source", insert "other than funds derived from taxes levied by any taxing agency".

Amendment No. 9

On page 4, line 16, of the printed bill, as amended, after the period, insert "As used in this section "taxing agency" has the meaning ascribed to the phrase in the Revenue and Taxation Code."

Amendment No. 10

On page 5, lines 9 and 10, of the printed bill, as amended, strike out "State Department of Education", and insert "Superintendent of Public Instruction".

Amendment No. 11

On page 5, line 43, of the printed bill, as amended, strike out "State Department of Education", and insert "Superintendent of Public Instruction".

Amendment No. 12

On page 6, lines 39 and 40, of the printed bill, as amended, strike out "State Department of Education", and insert "Superintendent of Public Instruction".

Amendment No. 13

On page 6, line 37, of the printed bill, as amended, strike out "State Department of Education", and insert "Superintendent of Public Instruction".

Amendment No. 14

On page 6, line 48, of the printed bill, as amended, after "permits", insert "but who meet such standards as may be established by the Superintendent of Public Instruction".

Amendment No. 15

On page 6, line 52, of the printed bill, as amended, strike out "State Department of Education", and insert "Superintendent of Public Instruction".

Amendment No. 16

On page 7, line 12, of the printed bill, as amended, strike out "State Department of Education", and insert "Superintendent of Public Instruction".

Amendment No. 17

On page 7, line 20, of the printed bill, as amended, after "source", insert "other than funds derived from taxes levied by any taxing agency".

Amendment No. 18

On page 7, line 23, of the printed bill, as amended, after the period, insert "As used in this section "taxing agency" has the meaning ascribed to the phrase in the Revenue and Taxation Code."

Amendments read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Request for Unanimous Consent

Mr. Dilworth asked for, and was granted, unanimous consent to consider further amendments to Assembly Bill No. 307, at this time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

On page 6, line 12, of the printed bill, as amended, after "19613", insert ",".

Amendment No. 2

On page 6, line 16, of the printed bill, as amended, strike out "district for".

Amendments read and adopted.

Request for Unanimous Consent

Mr. Dunn asked for, and was granted, unanimous consent to consider further amendments to Assembly Bill No. 307, at this time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 15, of the printed bill, after the period, insert "6786.5. Recognizing the fact that certain mothers are forced to work due to the father serving in the armed forces of the United States—the State of California, or as civilians, having been killed, reported missing, or so disabled so as to be unable to follow his employment, as a result of enemy action, it is the intent of the Legislature that consideration be given to the income of such mother and dependent children in setting fees to be charged by the school district for the care of such children."

Amendment read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, O'Day, Potter, Rosenthal, Sargent, Sawallisch, Stream, Thompson, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—58

NOES—Allen, Debs, Dills, Clayton A., Erwin, Evans, Howser, Knight, T. Fenton; Lowrey, Middough, Miller, Niehouse, Pelletier, Smith, and Werdel—14.

[On January 25, 1943, above action was rescinded and record ordered expunged whereby amendments by Mr. Dunn to Assembly Bill No. 307 were adopted.]

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to consider further amendments to Assembly Bill No. 307, at this time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 6, line 23, of the printed bill, after the period, insert "19007.5. Recognizing the fact that certain mothers are forced to work due to the father serving in the armed forces of the United States—the State of California, or as civilians, having been killed, reported missing, or so disabled so as to be unable to follow his employment, as a result of enemy action, it is the intent of the Legislature that consideration be given to the income of such mother and dependent children in setting fees to be charged by the school district for the care of such children."

Amendment read and adopted.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to consider further amendments to Assembly Bill No. 307, at this time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "relating to", and insert "to provide for the hours which mothers may work, and for the care of their children in".

Amendment No. 2

On page 1, line 7, of the printed bill, as amended, after "to", insert "regulate the hours and times mothers of children may work and".

Amendment No. 3

On page 1, between lines 14 and 15, of the printed bill, as amended, insert "6.780-1. No mother of children between the ages of two to 16 inclusive shall be employed between the hours of 8 p.m. of one day and 6 a.m. of the next day. Any violation of this section is a misdemeanor."

Amendment No. 4

On page 4, line 47, of the printed bill, as amended, after "to", insert "regulate the hours and times mothers of children may work and".

Amendment No. 5

On page 5, between lines 3 and 4, of the printed bill, as amended, insert "19601 5. No mother of children between the ages of two to 16 inclusive shall be employed between the hours of 8 p.m. of one day and 6 a.m. of the next day. Any violation of this section is a misdemeanor."

Amendments read.

Point of Order

Mr. Johnson rose to the following point of order: That Mr. Bashore's amendments were not in order at this time.

The Speaker ruled the point of order well taken.

Motion to Set Special Order

Mr. Dilworth moved that Assembly Bill No. 307 be made a special order of business for Tuesday, January 26, 1943, at 11.30 a.m.

Motion carried.

Notice of Motion to Reconsider Amendments to Assembly Bill No. 307

Mr. Gaffney gave notice that on the next legislative day he would move to reconsider the vote whereby his amendments to Assembly Bill No. 307 were this day refused adoption.

Motion to Reconsider Amendments to Assembly Bill No. 307

Mr. Dilworth moved that the vote whereby the amendments to Assembly Bill No. 307 were refused adoption be reconsidered at this time.

The roll was called, and the amendments by Mr. Gaffney to Assembly Bill No. 307 refused reconsideration by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Burkhalter, Burns, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dills, Clayton A., Doyle, Dunn, Field, Fourt, Gaffney, Gannon, Haggerty, Heisinger, Howser, Kellems, Kilpatrick, King, Massion, McCollister, O'Day, Thompson, Waters, Watson, and Weber—33.

NOES—Armstrong, Beck, Brown, Carey, Carlson, Clarke, Debs, Denny, Dickey, Dilworth, Erwin, Guthrie, Hastain, Hawkins, Hollibaugh, Johnson, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thurman, Werdel, Weybret, Wollenberg, and Mr. Speaker—38.

Request for Unanimous Consent to Expunge Record and Rescind Action

Mr. Howser asked for, and was granted, unanimous consent to expunge the record and rescind the action whereby Mr. Dunn's amendments to Assembly Bill No. 307 were this day adopted.

Request for Unanimous Consent

Mr. Dunn asked for, and was granted, unanimous consent to consider further amendments to Assembly Bill No. 307, at this time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendment to Assembly Bill No. 307:

Amendment No. 1

On page 3, line 15, of the printed bill, after the period, insert
 "6786 5 Recognizing the fact that certain mothers are forced to work due to the father serving in the armed forces of the United States—the State of California, or as civilians, having been killed, reported missing, or so disabled so as to be unable to follow his employment, as a result of enemy action, it is the intent of the Legislature that consideration be given to the income of such mother and dependent children in setting fees to be charged by the school district for the care of such children."

Amendment read.

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

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Stream, Thompson, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Evans, Knight, T. Fenton; Lowrey, Smith, and Werdel—5

Bill ordered reprinted and re-engrossed.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were ordered withdrawn from the file, and re-referred as follows:

Assembly Bill No. 320 re-referred to Committee on Ways and Means.
 Assembly Bill No. 321 re-referred to Committee on Ways and Means.
 Assembly Bill No. 322 re-referred to Committee on Ways and Means.
 Assembly Bill No. 352 re-referred to Committee on Ways and Means.

Assembly Bill No. 366 re-referred to Committee on Ways and Means.
Assembly Bill No. 367 re-referred to Committee on Ways and Means.
Assembly Bill No. 438 re-referred to Committee on Municipal and County Government.

Assembly Joint Resolution No. 2 re-referred to Committee on Public Health.

MOTION TO USE ASSEMBLY CHAMBER

Mr. Gannon moved that the California State Employees Association be granted use of the Assembly Chamber for their meeting to be held on Saturday and Sunday, February 20th and 21st.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Sargent and Knight, T. Fenton, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Harold Hines of Pasadena.

On request of Mr. Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Fred Fairbanks of the United States Coast Guard.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Eva Bertero of Alameda.

ADJOURNMENT

At 1.46 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 11 a.m., Tuesday, January 26, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTEENTH LEGISLATIVE DAY

TWENTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, January 26, 1943

The Assembly met at 11 a. m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdell, Weybret, Wollenberg, and Mr. Speaker—78

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Eternal God, who hast neither dawn nor evening yet sendest us alternate mercies of the darkness and the day, there is no light but Thine, without or within. As Thou liftest the curtains of night from our abodes, take also the veil from our hearts. Rise with Thy morning upon our souls, quicken all our labor and our prayer and though all else declines, let the noontide of Thy grace and peace remain. May we walk, while it is yet day, in the steps of Him who with fewest hours, finished Thy divinest work.

"Holy Spirit, Truth Divine,
Dawn upon this soul of mine;
Word of God, and Inward Light,
Wake my spirit, clear my sight."

AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:
Mr. Howser, on motion of Mr. Robertson.
Mr. Thurman, on motion of Mr. Leonard.

EXPLANATION OF ABSENCE

Upon request of the Speaker, Messrs. Dills, Ralph C., and Call were excused for the legislative day in performance of duties for the State.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

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

Assembly Bill No. 813: By Mr. T. Fenton Knight—An act to add Section 59 to the Unemployment Insurance Act, relating to seasonal employment.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 814: By Mr. Beck—An act to amend Section 4.250 of the School Code and to amend Section 5340 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 815: By Mr. Beck (By request)—An act establishing county justice courts in portions of counties having a population of more than 900,000 inhabitants, prescribing their constitution, regulation, government, procedure and jurisdiction, and for appeals therefrom, and providing for the election and appointment of county justices, clerks and other attaches of such courts, their terms of office, qualification and compensation.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 816: By Mr. Stream—An act to add Section 6543.5 to the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Public Health.

Assembly Bill No. 817: By Mr. Beck—An act to amend Section 2.20 of the School Code and to amend Section 1502 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 818: By Mr. Thomas—An act amending Sections 668, 669, 670, 671, 672, 672.5, 673, 674, 1005, 7932, and 7965 of, and repealing Section 1003 of, the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 819: By Mr. Dunn—An act to add Section 227 to the Labor Code, relating to wages.

Referred to Committee on Labor and Capital.

Assembly Bill No. 820: By Mr. Thomas—An act amending the title of Chapter 9 of Division 9 of, amending Sections 10625 and 10629 of,

and adding Section 10624 to, the Health and Safety Code, relating to fees.

Referred to Committee on Public Health.

Assembly Bill No. 821: By Mr. Beck—An act to amend Section 5.45 of the School Code and to amend Sections 20376 and 20377 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 822: By Mr. Lyon—An act to add Section 5501.5 to and to amend Section 5537 of the Business and Professions Code, relating to licensed contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 823: By Mr. Weybret—An act making an appropriation for minor construction and repairs at the California Polytechnic School.

Referred to Committee on Universities and Colleges

Assembly Bill No. 824: By Mr. Weybret—An act making an appropriation for the support of the California Polytechnic School.

Referred to Committee on Universities and Colleges.

Assembly Bill No. 825: By Mr. Armstrong—An act to add Section 7.1 to the Unemployment Insurance Act, relating to agricultural labor.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 826: By Mr. Armstrong—An act to add Article 9, consisting of Sections 240 to 243, inclusive, to Chapter 1 of Division 2 of the Fish and Game Code, relating to archery reserves.

Referred to Committee on Fish and Game.

Assembly Bill No. 827: By Mr. Dilworth—An act to add Chapter 4 to Part 1, Article 5 to Chapter 2 of Part 4, of Division 4 of, and Sections 2.1223 and 4.766-1 to, the School Code and to add Chapter 1.5, Article 4.5 to Chapter 13, to Division 3 of, and Sections 356.1 and 6908.1 to, the Education Code, all relating to the support of kindergartens.

Referred to Committee on Education.

Assembly Bill No. 828: By Mr. Potter—An act to amend Section 44.2 of the Unemployment Insurance Act, relating to contributions, refunds, and benefits under said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 829: By Mr. Potter—An act to add Section 79.03a to and to amend Sections 79.03, 79.04 and 79.05 of the Civil Code, all relating to premarital examinations.

Referred to Committee on Judiciary.

Assembly Bill No. 830: By Mr. Guthrie—An act to amend Sections 396 and 397 of the Agricultural Code, relating to estrays.

Referred to Committee on Agriculture.

Assembly Bill No. 831: By Mr. Rosenthal—An act to add Article 5, comprising Section 453, to Chapter 3 of Part 1 of Division 2 of the Labor Code, relating to deductions from wages.

Referred to Committee on Labor and Capital.

Assembly Bill No. 832: By Mr. Thurman—An act to amend Section 737ee of the Political Code, relating to the compensation of judges of the superior court in the County of Placer.

Referred to Committee on Judiciary.

Assembly Bill No. 833: By Mr. Thurman—An act to amend Section 737ec of the Political Code, relating to the compensation of judges of the superior court in the County of Nevada.

Referred to Committee on Judiciary.

Assembly Bill No. 834: By Mr. Thurman—An act to amend Section 737n of the Political Code, relating to the compensation of judges of the superior court in the County of Inyo.

Referred to Committee on Judiciary.

Assembly Bill No. 835: By Mr. King—An act to amend Section 737d of the Political Code, relating to salary of the judge of the superior court in and for the County of Butte.

Referred to Committee on Judiciary.

Assembly Bill No. 836: By Mr. Kilpatrick—An act to add Section 2605.5 to the Welfare and Institutions Code, relating to the property of needy persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 837: By Mr. Hawkins—An act to amend Sections 2 and 3 of an act entitled "An act to carry into effect the provisions of Section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawnbroking, and providing penalties for the violation hereof," approved July 15, 1935, relating to interest rates, and possession of pledges.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 838: By Mr. Hawkins—An act to add Article 19, consisting of Section 1130 of Chapter 1, Part 2, Division 1 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 839: By Messrs. Hawkins and Pelletier—An act to amend Sections 351, 352, 354 and 356, and to repeal Section 353 of, and to add Section 353 to, the Labor Code, relating to tips and gratuities.

Referred to Committee on Labor and Capital.

Assembly Bill No. 840: By Mr. Hawkins—An act to add Section 650.5 to the Penal Code, relating to threats in writing in connection with collections

Referred to Committee on Crime and Correction.

Assembly Bill No. 841: By Mr. Dilworth—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, by amending Section 28f thereof, relating to the time at which tax liens attach.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 842: By Messrs. Dilworth, Lyons, and Mrs. Niehouse—An act to add Section 171c to the Civil Code, relating to the management and control of community property.

Referred to Committee on Judiciary.

Assembly Bill No. 843: By Mr. Werdel—An act to amend Section 6 140 of the School Code and to amend Section 18461 of the Education Code, relating to schools.

Referred to Committee on Education.

Assembly Bill No. 844: By Mr. Werdel—An act to amend Section 6 100 of the School Code and to amend Section 18401 of the Education Code, relating to the powers of governing boards of school districts.

Referred to Committee on Education.

Assembly Bill No. 845: By Mr. Lyon—An act to amend Section 690 4 of the Code of Civil Procedure, relating to exemption from execution or attachment.

Referred to Committee on Judiciary.

Assembly Bill No. 846: By Mr. Clarke—An act to amend Section 787 5 of the Agricultural Code, relating to markings on containers of fruits, nuts and vegetables, declaring the urgency hereof and that this act take effect immediately

Referred to Committee on Agriculture

Assembly Bill No. 847: By Mr. Clarke—An act to add Section 784.9 to the Agricultural Code, relating to fruits, nuts and vegetables.

Referred to Committee on Agriculture.

Assembly Bill No. 848: By Mr. Clarke—An act to add to Chapter 2 of Division 5 of the Agricultural Code a new section to be numbered 790.5, relating to emergency standards.

Referred to Committee on Agriculture.

Assembly Bill No. 849: By Mr. Clarke—An act to amend Sections 761, 762, 762.5 and 763 of, and to add Sections 762.6, 762.7, 762.8, 762.9, 763.1, 763.2, 763.3, and 763.4 to, the Agricultural Code, relating to tomato standards, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 850: By Mr. Clarke—An act to amend Section 822 of the Agricultural Code, relating to markings on containers of apples.

Referred to Committee on Agriculture.

Assembly Bill No. 851: By Mr. Clarke—An act to add Section 822.5 to the Agricultural Code, relating to markings on containers of apples.

Referred to Committee on Agriculture.

Assembly Bill No. 852: By Messrs. Fourt and McCollister—An act to amend Section 2160 of the Welfare and Institutions Code, relating to the payment of old-age benefits.

Referred to Committee on Social Welfare.

Assembly Bill No. 853: By Mr. Thorp—An act to add Section 2727.5 to the Business and Professions Code, relating to nursing service by practical nurses until the termination of hostilities, to take effect immediately.

Referred to Committee on Public Health.

Assembly Bill No. 854: By Messrs. Burns, Thurman, Waters, and Field—An act to amend Section 500 of the Vehicle Code, relating to the crime of negligent homicide.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 855: By Messrs. Burns, Thurman, Waters, and Field—An act to amend Sections 452, 525, and 528 of, and to add Section 459.1 to, the Vehicle Code, relating to traffic regulations.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 856: By Messrs. Burns, Thurman, Waters, and Field—An act to amend Sections 177 and 186 of the Vehicle Code, relating to transfers of vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 857: By Messrs. Burns, Thurman, Waters, and Field—An act to amend Section 402 of the Vehicle Code, relating to financial responsibility.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 858: By Messrs. Burns, Thurman, Waters, and Field—An act to add Section 44.2 to the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 859: By Messrs. Burns, Thurman, and Field—An act to amend Section 676 of the Vehicle Code, relating to windshields and windows of vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 860: By Mr. Sheridan—An act to amend Sections 653.1, 653.3, 653.6 and 653.9 of the Civil Code, all relating to cooperative corporations.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 861: By Messrs. Gaffney, Collins, George D., Berry, and Lyons—An act to amend Section 1350 of the Labor Code, relating to the employment of women.

Referred to Committee on Labor and Capital.

Assembly Bill No. 862: By Messrs. Gaffney, Collins, George D., Berry, and Lyons—An act to add Sections 1350.1 and 1351.2 to the Labor Code, relating to working hours of female employees.

Referred to Committee on Labor and Capital.

Assembly Bill No. 863: By Mr. Debs—An act to add Section 7102.5 to the Revenue and Taxation Code, relating to the disposition of proceeds of the retail sales tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 864: By Mr. Burkhalter—An act to add Section 3729.5 to the Revenue and Taxation Code, relating to taxation and to the rights and remedies of the purchasers of tax-deeded property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 865: By Mr. Burkhalter (By request)—An act to add Section 459.2 to the Vehicle Code, relating to traffic on road approaches to private airports, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 866: By Mr. Burkhalter—An act to amend Sections 1177 and 1203.6 of the Fish and Game Code, relating to pheasants.

Referred to Committee on Fish and Game.

Assembly Bill No. 867: By Messrs. Burns, Thorp, McCollister, and Desmond—An act to amend Section 453 of, and to add Section 453.1 to, the Agricultural Code, relating to milk and cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 868: By Mr. T Fenton Knight—An act to amend Section 7 of the Industrial Loan Act, relating to dividends and surplus of industrial loan companies.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 869: By Messrs. Lowrey and Clarke—An act to add Section 1630 to the Civil Code, relating to contracts for the sale of agricultural products.

Referred to Committee on Agriculture.

Assembly Bill No. 870: By Mr. Lowrey—An act to add Section 613.1 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 871: By Mr. Lowrey—An act to amend Sections 421, 490 5, 698, 698.1, 698 5, 699, 700, 701, 702, 705, 708, 711 and 724.3 of the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 872: By Mr. Lowrey—An act amending Sections 1320, 1310, 1311, 1315, 1316, 1318 and 1321 of, and adding Sections 1311 1 and 1312 1 to the Fish and Game Code, relating to mammals.

Referred to Committee on Fish and Game

Assembly Bill No. 873: By Mr. Lowrey—An act to add Sections 1324, 1325, 1326, 1327, 1328, and 1329 to the Fish and Game Code, relating to fur dealers.

Referred to Committee on Fish and Game.

Assembly Bill No. 874: By Messrs. Bashore, Carlson, Watson, Erwin, Smith, Wollenberg, Haggerty, Denny, Robertson, Gannon, Weybret, Price, Desmond, and Dilworth—An act to amend Part 3 of Division 2 of the Revenue and Taxation Code, relating to the use fuel tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 875: By Messrs. Bashore, Carlson, Watson, Erwin, Smith, Wollenberg, Haggerty, Denny, Robertson, Gannon, Weybret, Price, Desmond, and Dilworth—An act to amend Part 7 of Division 2 of the Revenue and Taxation Code, relating to insurance taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 876: By Messrs. Bashore, Carlson, Watson, Erwin, Smith, Wollenberg, Haggerty, Denny, Robertson, Gannon, Weybret, Price, Desmond, and Dilworth—An act to amend The Personal Income Tax Act, relating to personal income taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 877: By Messrs. Bashore, Carlson, Watson, Erwin, Smith, Wollenberg, Haggerty, Denny, Robertson, Gannon, Weybret, Price, Desmond, and Dilworth—An act to amend Part 6 of Division 2 of the Revenue and Taxation Code, relating to the private car tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 878: By Messrs. Bashore, Carlson, Watson, Erwin, Smith, Wollenberg, Haggerty, Denny, Robertson, Gannon, Weybret, Price, Desmond, and Dilworth—An act to amend Part 4 of Division 2 of the Revenue and Taxation Code, relating to the motor vehicle transportation tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 879: By Messrs. Bashore, Carlson, Watson, Erwin, Smith, Wollenberg, Haggerty, Denny, Robertson, Gannon, Weybret, Price, Desmond, and Dilworth—An act to amend Part 1 of Division 2 of the Revenue and Taxation Code, relating to the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 880: By Messrs. Bashore, Carlson, Watson, Erwin, Smith, Wollenberg, Haggerty, Denny, Robertson, Gannon, Weybret, Price, Desmond, and Dilworth—An act to amend the Inheritance Tax Act of 1935, relating to inheritance taxes.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 881: By Messrs. Bashore, Carlson, Watson, Erwin, Smith, Wollenberg, Haggerty, Denny, Robertson, Gannon, Weybret, Price, Desmond, and Dilworth—An act to amend Part 2 of Division 2 of the Revenue and Taxation Code, relating to the motor vehicle fuel license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 882: By Messrs. Bashore, Carlson, Watson, Erwin, Smith, Wollenberg, Haggerty, Denny, Robertson, Gannon, Weybret, Price, Desmond, and Dilworth—An act to amend Part 5 of Division 2 of the Revenue and Taxation Code, relating to the vehicle license fee.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 883: By Messrs. Bashore, Carlson, Watson, Erwin, Smith, Wollenberg, Haggerty, Denny, Robertson, Gannon, Weybret, Price, Desmond, and Dilworth—An act to amend the Bank and Corporation Franchise Tax Act, relating to a franchise tax imposed on banks and corporations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 884: By Messrs. Bashore, Carlson, Watson, Erwin, Smith, Wollenberg, Haggerty, Denny, Robertson, Gannon, Weybret, Price, Desmond, and Dilworth—An act to amend the Corporation Income Tax Act of 1937, relating to the income tax imposed on corporations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 885: By Messrs. Bashore, Carlson, Watson, Erwin, Smith, Wollenberg, Haggerty, Denny, Robertson, Gannon, Weybret, Price, Desmond, and Dilworth—An act to amend Division 1 of the Revenue and Taxation Code, relating to real property taxes.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 886: By Mr. Middough—An act to add Section 1756.5 to the Welfare and Institutions Code, relating to the Youth Correction Authority, and authorizing the authority to return persons

committed thereto who are found to be mentally abnormal to the committing court for recommitment to the Department of Institutions for placement in State institutions.

Referred to Committee on Judiciary.

Assembly Bill No. 887: By Mr. Carlson—An act to add Section 1204 to the Labor Code, relating to piece work.

Referred to Committee on Labor and Capital.

Assembly Bill No. 888: By Mr. Carlson—An act to amend Section 8 of The Personal Income Tax Act and Section 17301 of the Revenue and Taxation Code, relating to the personal income tax and deductions therefrom.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 889: By Mr. Sam L. Collins—An act to amend Section 737dd of the Political Code, relating to the salary of judges.

Referred to Committee on Judiciary.

Assembly Bill No. 890: By Mr. Sam L. Collins—An act to amend Section 4240 of the Political Code, relating to compensation for public services in counties of the eleventh class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 891: By Mr. George D. Collins—An act to amend Section 700 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 892: By Mr. George D. Collins—An act to amend Sections 131 and 139 of the Elections Code, relating to the registration and qualification of electors and voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 893: By Mr. George D. Collins—An act to repeal Section 4600 of the Elections Code, relating to primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 894: By Mr. Sawallisch—An act to amend Sections 9605 and 9779 of, and to add Section 9654 to Part 4, Division 2 of the Revenue and Taxation Code, relating to the taxation of the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 895: By Messrs. Desmond and Gannon—An act making an appropriation in augmentation of the Emergency Fund specified in Item 216 of the Budget Act of 1941, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 896: By Mr. Rosenthal—An act to amend Section 758 of the Vehicle Code, relating to presumptions as to the character of residence and business districts.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 897: By Mr. Rosenthal—An act to amend Section 468 of the Vehicle Code, relating to speed restriction signs.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 898: By Messrs. Gannon, McCollister, Maloney, Robertson, Watson, Desmond, Gaffney, Burkhalter, Massion, Denny, Dickey, Crowley, Allen, Potter, Crichton, Kraft, Brady, Beck, Thompson, McMillan, Lyons, Anderson, Rosenthal, O'Day, Lowrey, King, Pelletier, Clarke, Werdel, Debs, Heisinger, Haggerty, Erwin, Berry, Miller, Guthrie, Dunn, Burns, Thorp, Kilpatrick, Dills, Clayton A., Doyle, Hawkins, Thomas, Evans, Middough, Smith, Armstrong, Price, Wollenberg, Collins, George D. and Mrs. Niehouse—An act to amend Sections 720, 800, and 870 of the Military and Veterans Code, relating to veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 899: By Messrs. Gannon, Gaffney, Rosenthal, Desmond, Massion, Anderson, Pelletier, Burns, Watson, Dunn, Burkhalter, Crichton, Thorp, McCollister, Maloney, Dickey, Crowley, Allen, Potter, Clarke, Kraft, Beck, Brady, McMillan, Thompson, Lyons, Lowrey, Erwin, O'Day, Werdel, Debs, Heisinger, Haggerty, Evans, Hawkins, Doyle, Dills, Clayton A., Kilpatrick, Guthrie, Berry, Miller, Denny, Smith, Robertson, Armstrong, Price, Collins, George D., Wollenberg, Thomas, and Middough—An act to add Section 800.7 and Chapter 6, comprising Sections 980 to 993, inclusive, to Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1944.

Referred to Committee on Military Affairs.

Assembly Bill No. 900: By Messrs. Dickey, Sheridan, and Werdel—An act to amend Sections 224m and 226 of the Civil Code, relating to the adoption of children.

Referred to Committee on Judiciary.

Assembly Bill No. 901: By Mr. Waters—An act to add Section 22142 to the Streets and Highways Code, relating to the creation of assessment districts and the levy and collection of assessments on property therein to pay the cost and expenses of improvements pro-

vided for in the Tree Planting Act of 1931, being Division 15, Part 1 of said code.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 902: By Mr. Waters—An act to amend Section 8 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 903: By Mr. Waters—An act to amend Section 7 of the Corporation Income Tax Act, relating to corporation taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 904: By Mr. Debs (By request)—An act to amend Section 710 of the Vehicle Code, relating to vehicles of increased size, and weight.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 905: By Mr. Debs—An act to repeal Section 961 of the Code of Civil Procedure and Section 1247k of the Penal Code, relating to rules of the Judicial Council governing appeals.

Referred to Committee on Judiciary.

Assembly Bill No. 906: By Mr. Burkhalter (By request)—An act to add Sections 6.536 and 6.537 to the School Code and to add Sections 19129 and 19130 to the Education Code, relating to school district libraries.

Referred to Committee on Education.

Assembly Bill No. 907: By Mr. Robertson—An act to authorize cities to aid in the operation of local war housing centers established therein.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Concurrent Resolution No. 26: By Messrs. Allen, Crowley, and Doyle—Relative to Reports of the 1942, 1943 and 1944 Annual Conventions of the Military Order of the Purple Heart.

Referred to Committee on Rules and House Functions.

Assembly Concurrent Resolution No. 27: By Messrs. Allen, Crowley, and Doyle—Relative to Reports of the Annual Conventions or Encampments of the Veterans of Foreign Wars of the Department of California.

Referred to Committee on Rules and House Functions.

Assembly Concurrent Resolution No. 28: By Mr. Hawkins—Relative to provision of extension courses to members of the armed forces by the University of California.

Referred to Committee on Universities and Colleges.

Assembly Constitutional Amendment No. 19: By Mr. Ralph C. Dills—Proposed amendment to the Constitution adding Article XVIa thereto, relating to pensions.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 20: By Messrs. Bashore and Pelletier—Proposed amendment to the Constitution by adding Article XVIIA thereto, relating to pensions.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 21: By Mr. Debs—Proposed amendment to Article IV, adding Section 31e, of the Constitution, relative to the allocation and payment of proceeds of State taxes to counties, cities, towns, or other public or municipal corporations.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 20: By Mr. Crowley—Relative to memorializing the Federal Government to immediately assign a large force of O.P.A. investigators to the City of Vallejo and surrounding communities to enforce the Rent Control Act.

Request for Unanimous Consent

Mr. Crowley asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 20, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 20

Assembly Joint Resolution No. 20—Relative to memorializing the Federal Government to immediately assign a large force of O.P.A. investigators to the City of Vallejo and surrounding communities to enforce the Rent Control Act.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Diekey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellens, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 10

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WERDEL, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 10—An act to add Chapter 8.5 (comprising Sections 10615 to 10622 inclusive) to Division 9 of the Health and Safety Code, relating to the registration of previously unregistered births,

marriages and deaths, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 4 of the title of the printed bill, strike out “, marriages and death”.

Amendment No. 2

On page 1, line 6, of the printed bill, strike out “, marriages and deaths”.

Amendment No. 3

On page 1 of the printed bill, strike out lines 8 to 11, inclusive; and on page 2, strike out lines 1 to 10, inclusive, and insert

“10615. Any beneficially interested person born in this State, whose birth (a) was not required by law to be registered at the time it occurred, or (b) was not registered in conformity with law at the time it occurred, or if the record was filed but was thereafter lost or destroyed, may file an application for the original registration of such birth with the State Registrar or local registrar of the district in which the birth occurred. The application shall be on forms prescribed and furnished by the State Registrar and shall contain such information as may be necessary to enable the State Registrar to determine whether such birth did in fact occur and shall show the place and the date of such birth.

The provisions of this chapter are not exclusive of the provisions of Chapters 7 and 8 of this division, but offer an alternative method of securing records of birth. Affidavits or documents of aliens ineligible for citizenship shall not be accepted.”

Amendment No. 4

On page 2 of the printed bill, strike out lines 15 to 25, inclusive, and insert “who attended at the birth.

(b) If the affidavit of the persons named in (a) can not for any reason be secured, the affidavits of both natural parents of the person whose birth it is desired to register, if both are living and available and the person is under the age of 21 years. If one parent is dead or is not available, or if the person is over 21 years of age, the affidavit of any other person who knows the facts may be accepted in lieu of the affidavit of one parent.

(c) If neither parent is living or available, the affidavit of two other persons, either relatives or nonrelatives, who have actual knowledge of the facts, and who at the time of birth were of sufficient age to have a recollection thereof.

(d) If none of the affidavits mentioned in (a), (b), or (c) can be secured, at least two documents, in which the facts showing the date and place of birth were recorded more than five years before the date of application. Original or certified copies of hospital records, baptismal certificates or other church records, school records, census records, insurance policies or statements in applications for insurance policies, Army, Navy or Marine discharges, naturalization certificates of foreign-born parents showing registrant's name and age, voting registration records, family Bible records, birth certificates of registrant's child, marriage certificates, newspaper notices of birth, if sufficiently complete to establish birth, shall be accepted. If the aforementioned documents are not available, or are incomplete, the Registrar may accept other documents which establish the facts.

All affidavits filed pursuant to this section shall contain a statement showing the basis of the affiant's knowledge of the facts sworn to pertaining to the date and place of birth.”

Amendment No. 5

On page 2, line 27, of the printed bill, strike out “, or county recorder such officer”, and insert “he”.

Amendment No. 6

On page 2 of the printed bill, strike out lines 31 to 40, inclusive, and insert

“10617. The State Registrar shall review the application and the affidavits and documentary evidence accompanying it, and if the evidence submitted complies with the provisions of Section 10615 and 10616 hereof, he shall issue and file a delayed certificate of such birth. He shall prepare either duplicate originals or certified copies of the certificate and transmit a copy to the local registrar of the district and the county recorder of the county in which such birth occurred, who shall index it and place it in a book marked “Delayed Certificates of Birth”, except that if the birth occurred”.

Amendment No. 7

On page 2, line 42, of the printed bill, after "only," insert "He shall also transmit either a duplicate original or certified copy of the certificate to the applicant without cost."

Amendment No. 8

On page 3, line 5, of the printed bill, after "who", insert "wilfully".

Amendment No. 9

On page 3, line 16, of the printed bill, strike out ", marriage"; and in line 17, strike out "or death".

Amendments read and adopted.

Request for Unanimous Consent

Mr. Smith asked for, and was granted, unanimous consent to consider a further amendment to Assembly Bill No. 10, at this time.

Motion to Amend

Mr. Smith moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, strike out lines 7 and 8, and insert "ter is guilty of a felony and is also liable".

Amendment read.

Motion to Defer Action on Amendment to Assembly Bill No. 10

Mr. Dilworth moved that further consideration of Mr. Smith's amendment to Assembly Bill No. 10 be deferred until the return of certain members from a committee meeting.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Crime and Correction**

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred: Assembly Bill No. 412

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MIDDOUGH, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 320

Assembly Bill No. 322

Assembly Bill No. 321

Assembly Bill No. 587

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 412—An act to add Section 1760.5 to the Welfare and Institutions Code, relating to the Youth Correction Authority, authorizing the authority to require persons committed thereto to perform work on certain public projects, and to make contracts in relation thereto, and making an appropriation, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 320—An act to amend Section 3259 of the Welfare and Institutions Code, relating to the Industrial Home for the Adult Blind Revolving Fund, making an appropriation, and declaring the urgency thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 321—An act to amend Section 3304 of the Welfare and Institutions Code, relating to the Los Angeles Industrial Workshop for the Blind, making an appropriation and declaring the urgency thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 322—An act to amend Section 3304.5 of the Welfare and Institutions Code, relating to the San Diego Industrial Workshop for the Blind, making an appropriation and declaring the urgency thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 587—An act to make an appropriation for construction, improvements and equipment of the California Maritime Academy, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Crowley:

Resolved, That Assembly Bill No. 587 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Crowley moved a call of the Assembly.

Motion carried. Time, 11.59 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 266
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CARLSON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 266—An act to amend the title and Sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district, or flood control district," approved April 23, 1913, as amended, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipality, or other public or municipal corporation or public district, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 6 of the title of the printed bill, after "as amended," insert "and to repeal an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911."

Amendment No. 2

In line 7 of the title of the printed bill, after "the investment of", insert "moneys in the sinking funds of or".

Amendment No. 3

On page 1, line 4, of the printed bill, after "dispositions of", insert "any moneys in any sinking fund of or".

Amendment No. 4

On page 1, line 14, of the printed bill, after the comma following "shall have", insert "any moneys in any sinking fund of or".

Amendment No. 5

On page 1, line 19, of the printed bill, strike out "surplus", and insert "moneys".

Amendment No. 6

On page 2 of the printed bill, strike out lines 3 to 17, inclusive, and insert "deemed wise or expedient in any bonds already issued or hereafter issued by such county, city and county, incorporated city or town, municipality, or other public or municipal corporation or public district respectively, or in Treasury notes or bonds of the United States or those for which the faith and credit of the United States are pledged for the payment of principal and interest, or of this State, or of any county, city and county, city, town, municipality, or other public or municipal corporation or public district respectively within this State, or registered warrants of this State, which notes, bonds or registered warrants shall be legal investment for savings banks in the State of California,".

Amendment No. 7

On page 2, line 19, of the printed bill, after "issue of", insert "notes,".

Amendment No. 8

On page 2, line 20, of the printed bill, after "such", insert "notes,".

Amendment No. 9

On page 2, line 21, of the printed bill, after "such", insert "notes,".

Amendment No. 10

On page 2, line 22, of the printed bill, after "Any", insert "notes,".

Amendment No. 11

On page 2, line 24, of the printed bill, after "reinvested in", insert "notes,".

Amendment No. 12

On page 2, line 25, of the printed bill, after "any", insert "notes,".

Amendment No. 13

On page 2, line 28, of the printed bill, after "with which the", insert "notes,".

Amendment No. 14

On page 2, line 29, of the printed bill, after "placed in the", insert "sinking fund or the".

Amendment No. 15

On page 2, line 47, of the printed bill, after "have", insert "money in sinking funds or".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

REPORTS OF STANDING COMMITTEES**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 122

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CARLSON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 122—An act to repeal Sections 11 and 21 of an act approved May 23, 1921, as amended, entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," to amend Section 13 and to add Sections 11, 11.10, 11.20, 11.30, 11.40, 11.50, 11.60, 11.70, 21, 21.10, 21.20, 21.30, 21.40, 21.50, 21.60, 21.70, 21.80, 21.90 and 21.100, providing for the powers of the board of directors to determine all questions of policy, to supervise and regulate all utilities owned and operated by a municipal utility district, to appoint a general manager and other officers, assistants and employees, to contract for or employ services, and to provide for the performance of work or services, to create the positions necessary to carry on the functions of the district and to abolish positions and establish salary ranges; providing for the tenure and removal of the general manager; and relating to the powers of the board of directors generally; the powers and duties of the general manager; also providing for the adoption and administration of a civil service system, specifying the positions included therein and excepted therefrom, providing for appointments based on merit and discharge for cause, period of probation, suspensions, adoption of rules by the general manager, providing for the making of appointments without examination during the present emergency; and relating to civil service generally; and the severability of the act; and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government.

Amendment No. 1

On page 4, line 44, of the printed bill, as amended, strike out "10", and insert "15".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 235—An act to add Section 92.1 to the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs, declaring the urgency thereof, and providing that this act shall take effect immediately.

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fifth day of January, 1943, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined

Assembly Joint Resolution No. 12—Relative to memorializing the Secretary of Agriculture, the War Manpower Commission, and the Director of Selective Service in relation to grapes and raisins as essential farm products.

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fifth day of January, 1943, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined

Assembly Bill No. 307

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

Assembly Bill No. 489—An act to amend Sections 5, 6, 7, 8, 10, and 11 of an act entitled "An act providing for the sale of certain State lands," approved May 19, 1915, as amended, and Sections 1, 2, 3, 4, 6, and 7 of an act entitled "An act relating to State lands, making demand for payment of the balance due on the purchase price of certain lands, providing for the forfeiture of such lands for failure to make such payment, and reducing the rate of interest on all contracts for the sale of school lands," approved January 29, 1937, relating to State lands, declaring the urgency thereof, to take effect immediately.

Bill read second time

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 5, 6, 7, 8, 10 and 11 of", and insert "add a new section to be numbered 14, to"

Amendment No. 2

In lines 3 and 4 of the title of the printed bill, strike out "Sections 1, 2, 3, 4, 6 and 7 of", and insert "to add a new section, to be numbered 10, to".

Amendment No. 3

In line 9 of the title of the printed bill, strike out "January 29", and insert "April 22".

Amendment No. 4

In line 10 of the title of the printed bill, after "lands", and before "declaring", insert "and extending time in respect to such lands,".

Amendment No. 5

On page 1, line 1, of the printed bill, strike out "Section 5 of the act cited first in the title hereof". and strike out all of lines 2 to 20, inclusive; strike out all of pages 2, 3, and 4 of the printed bill; and on page 5, strike out lines 1 to 20, inclusive, and insert "A new section is added to the act cited first in the title hereof, to be numbered 14 and to read as follows:

Sec. 14. If all interest due to the State on December 31, 1940, on account of the purchase of any such land, has been paid prior to the effective date of this section, the times specified in Sections 5, 6, 7, 8, 10 and 11 of this act are as to any such land, extended for the period of 10 years.

SEC 2. A new section is added to the act cited second in the title hereof, to be numbered 10 and to read as follows:

Sec. 10. If all interest due to the State on December 31, 1940, on account of the purchase of any such land has been paid prior to the effective date of this section, the times specified in Sections 1, 2, 3, 4, 6 and 7 hereof are extended, as to any such land, for the period of 10 years."

Amendment No. 6

On page 5, line 21, of the printed bill, strike out "13", and insert "3".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Crowley, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on the report of Committee on Conference concerning Senate Bill No. 4.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1943

MR. SPEAKER: Your Committee on Conference concerning:

Senate Bill No. 4—An act to amend Sections 4026 and 4026.1 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service, declaring the urgency hereof, to take effect immediately; Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following: That the amendments of the Assembly be concurred in, and that the bill, as amended on January 18, 1943, be further amended as follows:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "county", insert "or township".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, after "county", insert "or township".

Amendment No. 3

On page 1, line 5, of the printed bill, as amended, after "county", insert "or township".

Amendment No. 4

On page 1, line 15, of the printed bill, as amended, insert "Regardless of any other provision of law, appointments may be made by the authorized appointing power, including the board of supervisors, to fill any vacancy occurring under this section until whichever of the following first occurs: (i) the resigning officer returns to and reenters the office from which he resigned or (ii) the term expires for which the resigning officer was elected or appointed."

Amendment No. 5

On page 1, line 18, of the printed bill, as amended, after "county", insert "or township".

Amendment No. 6

On page 2, line 19, of the printed bill, as amended, after "county", insert "or township".

ENGLE
BROWN
MIXTER

CROWLEY
LOWREY
CARLSON

Senate Committee on Conference

Assembly Committee on Conference

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Motion carried. Time, 12.24 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 25, 1943

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

- Senate Bill No. 30
- Senate Bill No. 98
- Senate Bill No. 301

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 30—An act to amend Section 660.5 of the Fish and Game Code, relating to salmon, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Fish and Game.

Senate Bill No. 98—An act to amend Section 2009 of the Code of Civil Procedure, relating to the use of affidavits in a proceeding to establish the fact of birth, death or marriage, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 301—An act to add Section 704 to the Civil Code, relating to the ownership of United States Savings Bonds or other obligations of the United States registered in the name of two persons as co-owners or registered in the name of one person with a named survivor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 25, 1943

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

- Senate Concurrent Resolution No. 18

J. A. BEEK, Secretary of the Senate
MARGARET DOUVILLE, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 18—Relative to felicitating the Honorable Joseph R. Knowland upon the publication of his book "California, a Historic Landmark."

Request for Unanimous Consent

Mr. Carlson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 18, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 18

Senate Concurrent Resolution No. 18—Relative to felicitating the Honorable Joseph R. Knowland upon the publication of his book "California, a Historic Landmark."

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Gaffney, Gannon, Guthrie, Hagerty, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Kraft, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawalisch, Sheridan, Smith, Thomas, Thompson, Thurman, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 25, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 4—An act to amend Sections 4026 and 4026.1 of the Political Code, relating to county officers, deputies, assistants, and employees, and their return to county service, declaring the urgency hereof, to take effect immediately

J. A. BEEK, Secretary of the Senate

By MARGARET DOUVILLE, Assistant Secretary

RESOLUTIONS

The following resolutions were offered:

By Messrs. Lyon, Maloney, McCollister, Thorp, Stream, Burns, Thurman, and Desmond:

House Resolution No. 66

WHEREAS, Hubert B. Scudder, a former Member of the Assembly of the State of California, has been by the Governor appointed Real Estate Commissioner for the State of California; and

WHEREAS, Hubert B. Scudder has had long years of experience in public service and in associations of private business interests, having held office as president of the Sonoma County Real Estate Board, vice president of the California Real Estate Association, and director of California Insurance Agents Association, as well as having occupied public office as a city councilman, as mayor of Sebastopol, California, and having been for 16 years a Member of the Assembly of California during which period he served at various times as Chairman of the Assembly Committees on Roads and Highways, on Agriculture, and on Insurance, and as a member of the Assembly Committees on Ways and Means, Revenue and Taxation, and other committees; and

WHEREAS, By reason of this experience and the character and ability which Hubert B. Scudder has shown in the course of his public career, he is eminently fitted to execute the duties of the Office of State Real Estate Commissioner in a

manner highly beneficial to the State and to promote harmony among those engaged in this large and important commercial interest of California; and

WHEREAS, The Members of this Assembly wish to express their gratification that the Governor has seen fit to distinguish their former colleague, Hubert B. Scudder, by appointing him to this important office; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly does hereby commend the appointment of Hubert B. Scudder as State Real Estate Commissioner of California, and extends to Hubert B. Scudder its congratulations upon his appointment; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to transmit suitably engrossed copies of this resolution to the Governor of California, and to Honorable Hubert B. Scudder, State Real Estate Commissioner.

Request for Unanimous Consent

Mr. McCollister asked for, and was granted, unanimous consent to take up House Resolution No. 66, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs. Desmond, Gannon, Maloney, and Lyon:

House Resolution No. 67

WHEREAS, Mrs. Hattie M. Newsom, Assistant Postmistress of the Assembly of the State of California, recently fell and suffered injuries which have now resulted in her death; and

WHEREAS, Mrs. Hattie M. Newsom was for many years Assistant Postmistress of the Assembly, in which office she served this Assembly and each of its members faithfully, courteously, and well, and by her womanly graciousness and helpfulness on all occasions won for herself the respect and friendship of each Member of this Assembly; and

WHEREAS, The Members of this Assembly wish to record their appreciation of the years of service which Mrs. Newsom rendered to this Assembly and the State of California, and to express their individual sorrow and loss in the death of this good friend; now, therefore, be it

Resolved by the Assembly of the State of California, That when this Assembly today adjourns it do so out of respect to the memory of Mrs. Hattie M. Newsom; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to transmit a suitably engrossed copy of this resolution to the daughter of Mrs. Newsom, Mrs. Hazel H. Mighavacca of Yountville, California.

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up House Resolution No. 67, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs. Desmond and Gannon:

House Resolution No. 68

Relating to adjournment in respect to the memory of
Mrs. Minnie Ruth Dean

WHEREAS, Death has come, as it must to all, to Mrs. Minnie Ruth Dean, the wife of James S. Dean, born in Sacaton, Arizona, but for years a resident of Sacramento, where she made a host of friends, and was a source of strength and inspiration to her husband in his work as city manager of the City of Sacramento; and

WHEREAS, Mr. James S. Dean has but recently joined the ranks of State officers as Deputy Director of Finance; and

WHEREAS, Our hearts are filled with sympathetic understanding of the loss Mr. Dean has suffered in the loving companionship of his wife, and Mrs. Robert Dollar, II, in the loss of her mother; and

WHEREAS, The Members of the Assembly wish to pay tribute to Mrs. Minnie Ruth Dean; now, therefore, be it

Resolved by the Assembly of the State of California, That when this Assembly adjourns this day it do so out of respect to, and in memory of, Mrs. Minnie Ruth Dean; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to send suitably engrossed copies of this resolution to Mr. James S. Dean and to Mrs. Robert Dollar, II.

Request for Unanimous Consent

Mr. Gannon asked for, and was granted, unanimous consent to take up House Resolution No. 68, at this time, without reference to committee.

Resolution read and adopted unanimously.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RESOLUTION SUSPENDING CONSTITUTION TO CONSIDER ASSEMBLY BILL NO. 587

At 12.50 p.m., on motion of Mr. Crowley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the resolution to suspend Article IV, Section 15 of the Constitution for consideration of Assembly Bill No. 587 adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Edwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—77.

NOES—None.

Article IV, Section 15 of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 587

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 587.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 21, 1943

*To the Honorable Members of the Assembly
Sacramento, California*

GENTLEMEN:

ASSEMBLY BILL NO. 587

"An act to make an appropriation for construction, improvements and equipment of the California Maritime Academy, declaring the urgency of this act, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 587 as necessary for the immediate preservation of the public peace, health, or safety and as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor of California

Assembly Bill No. 587—An act to make an appropriation for construction, improvements and equipment of the California Maritime Academy, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—77.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO DEFER CONSIDERATION OF SPECIAL ORDER

Mr. Dilworth moved that the consideration of Assembly Bill No. 307, set for a special order of business at 11.30 a.m., be deferred until 2.30 p.m.

Motion carried.

MOTION TO EXCUSE MEMBERS TEMPORARILY

Upon motion of Mr. Field, the following members of the Committee on Governmental Efficiency and Economy were excused from the morning roll calls:

Messrs. Field, Leonard, Brown, Carey, Collins, Sam L., Debs, Dickey, Evans, Fourn, Hollibaugh, King, Kellems, Massion, Pelletier, Sargent, Sheridan, Stream, Waters, Weber, Werdel, Johnson, and Potter.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONFERENCE REPORT CONCERNING SENATE BILL NO. 4

At 12.55 p.m., on motion of Mr. Lowrey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the report of the Committee on Conference concerning Senate Bill No. 4 adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—Bashore, Hawkins, Knight, John B., Kraft, and Pelletier—5.

RECESS

At 1 p. m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2.15 p. m.

REASSEMBLED

At 2.15 p. m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MOTION TO EXCUSE MEMBER

Upon motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative day.

REPORTS OF STANDING COMMITTEES**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER SACRAMENTO, January 26, 1943

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 770

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 770—An act to add Sections 1351.1, 1351.2, 1351.3 and 1351.4 to the Labor Code, relating to the hours of work of female employees in occupations and industries essential to the war effort, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

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

Assembly Bill No. 908: By Mr. Sawallisch—An act to amend Sections 39, 382 and 623 of, and to add Section 168 to, the Vehicle Code, relating to special mobile equipment, plates and lights.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 909: By Mr. Sawallisch—An act to add Section 6524 to Article 1 of Chapter 4 of Division 6 of the Health and Safety Code, relating to sanitary district inspection fees.

Referred to Committee on Public Health.

Assembly Bill No. 910: By Mr. Wollenberg—An act making an appropriation for support of Division of Parks, Department of Natural Resources, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 911: By Mr. Wollenberg—An act making an appropriation for administrative expenses of the Department of Social Welfare, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 912: By Mr. Wollenberg—An act to amend Sections 13600, 13607, 13610, 13652, 13655, 13656, 13687, 13727 and 13728 of the Health and Safety Code, and to repeal Sections 13513, 13609,

13611 and 13653 thereof, relating to spotting, sponging and pressing establishments.

Referred to Committee on Public Health.

Assembly Bill No. 913: By Mr. Wollenberg—An act to add Section 37b to the Reclamation Board Act, relating to flood control and the advancement to the United States of funds to be used therefor, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 914: By Mr. John B. Knight—An act to amend Section 4891 of the Health and Safety Code.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 915: By Mr. John B. Knight—An act to amend the title of the Municipal Improvement Act of 1913, and to add Section 1f thereto, relating to the formation of maintenance districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 916: By Mr. John B. Knight—An act to add Section 204.1 of the Welfare and Institutions Code, relating to liability for communicable disease care.

Referred to Committee on Public Health.

Assembly Bill No. 917: By Mr. John B. Knight—An act to amend Sections 118 and 118.1 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 918: By Mr. John B. Knight—An act to amend Section 5133 of the Streets and Highways Code of the State of California.

Referred to Committee on Roads and Highways.

Assembly Bill No. 919: By Mr. John B. Knight—An act to add Section 57.2 to, and to amend Sections 62, 93, 95, 96, 131, and 132 of, the County Employees Retirement Act of 1937, relating to retirement.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 920: By Mr. McMillan—An act to add Article 5 to Chapter 2, Article 1b to Chapter 3, and Article 1a to Chapter 4, all of Part 4 of Division 4 of the School Code, and to add Article 4.5 to Chapter 13, Article 3 to Chapter 14, and Article 1.5 to Chapter 15, all of Division 3 of the Education Code, all relating to the support of the public school system, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 921: By Messrs. Erwin, Fourt, Guthrie, Armstrong, Stream, and Watson—An act to amend Sections 1, 2, 3, 4, and 8, and to add Sections 10a, 10b, 10c, 11a, 13, 14, and 15 to, an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to

property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing the penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," approved by the people November 2, 1920, as amended, relating to the status, rights and disabilities of aliens, and providing penalties for violation of the provisions hereof.

Referred to Committee on Judiciary.

Assembly Bill No. 922: By Mr. John B. Knight—An act to amend Sections 6857, 6860, 6861, 6864, 6866, 6867, 6871, 6875, 6878, 6881, 6885, 6887, 6888, 6890, 6891, 6895, 6900, 6901, 6902, 6905, 6906, 6907, 6912, 6915, 6916, 6922, 6925, 6928, 6930, 6931, 6932, 6937, 6950, 6951, 6955, and 6956 of the Business and Professions Code, relating to the transfer of supervision of collection agencies from the Secretary of State to the Department of Professional and Vocational Standards.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 923: By Mr. Sheridan—An act authorizing municipal corporations to compromise litigation wherein the United States of America seeks to condemn tide or submerged lands heretofore granted such municipal corporation.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 924: By Messrs. Field, Watson, Potter, Leonard, Dickey, Sheridan, Kellems, Crowley, and Wollenberg—An act to add Section 663.8 to the Political Code, transferring certain powers, duties, jurisdiction, property and personnel from the Department of Finance to the State Board of Control.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 925: By Messrs. Field, Watson, Potter, Leonard, Dickey, Sheridan, Kellems, Crowley, and Wollenberg—An act to amend Section 675a of the Political Code, relating to approval of contracts by the Department of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 926: By Messrs. Field, Dickey, Potter, Sheridan, Kellems, Watson, Wollenberg, Leonard, and Bashore—An act to amend Section 83 of the State Civil Service Act, relating to the State civil service, including examinations for the establishment of eligible lists.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 927: By Messrs. Field, Call, Potter, Watson, Dickey, Kellems, Wollenberg, Leonard, and Bashore—An act to amend Section 13.02 of the Building and Loan Association Act, relating to the employment of attorneys by the Building and Loan Commissioner.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 928: By Mr. Potter—An act to amend Section 11003 of, and to repeal Article 1a, consisting of Sections 11540 and

11541 of Chapter 5, of Division 10 of the Health and Safety Code, relating to narcotics.

Referred to Committee on Public Health

Assembly Bill No. 929: By Mr. Potter—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 930: By Mr. Thorp—An act to amend Section 562 of the Agricultural Code, relating to milk drinks

Referred to Committee on Live Stock and Dairies.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Sam L. Collins, the Journals of Monday, January 18, 1943; Tuesday, January 19, 1943; Wednesday, January 20, 1943; Thursday, January 21, 1943; and Friday, January 22, 1943, were approved as corrected by the Minute Clerk.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 10

Assembly Bill No. 10—An act to add Chapter 8.5 (comprising Sections 10615 to 10622 inclusive) to Division 9 of the Health and Safety Code, relating to the registration of previously unregistered births, marriages and deaths, declaring the urgency hereof, to take effect immediately

Bill read second time.

Further Consideration of Amendment by Mr. Smith

Mr. Smith moved the adoption of the following amendment.

Amendment No. 1

On page 3 of the printed bill, strike out lines 7 and 8, and insert "ter is guilty of a felony and is also liable".

Amendment read.

Roll Call Demanded

Messrs. Kraft, Middough, and Gannon demanded a roll call.

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

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field Fourt, Gannon, Guthrie, Haggerty, Hastam, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Robertson, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Waters, Watson, Weber, Weybret, and Mr. Speaker—57

NOES—Beck, Dilworth, Hawkins, Kупatrick, McMillan, Pelletier, Price, Rosenthal, Thomas, and Werdel—10

Bill ordered reprinted and engrossed.

COMMUNICATIONS

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

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 26, 1943

*Honorable Nelson S. Dilworth, Assembly Chamber
State Capitol, Sacramento, California*

Child Care Centers—Assembly Bill No. 307

DEAR MR. DILWORTH: You have asked us if Assembly Bill No. 307 (as amended in the Assembly January 25, 1943), relating to child care centers contains an appropriation requiring the bill to be submitted to the Committee on Ways and Means.

In our opinion the bill does not contain any provision appropriating money so as to require consideration by the Committee on Ways and Means under the provisions of Rule 82 of the Assembly.

Although some provisions of the bill, such as Section 6.786 of the School Code and Section 19607 of the Education Code, authorize the collection of fees and the expenditure thereof by the governing board of the district maintaining the child care center, none of such provisions in our opinion constitutes an appropriation of money within the meaning of that phrase as customarily used in the Rules and in the statutory and constitutional provisions of the State.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By ARTHUR McHENRY, Deputy

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, Assembly Bill No. 307 was taken up.

Assembly Bill No. 307—An act to add Chapter 3 to Part 3 of Division 6 of the School Code and to add Chapter 11 to Division 9 of the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Re-refer

Mr. Bashore moved that Assembly Bill No. 307 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Mr. Allen seconded the motion.

Demand for Previous Question

Messrs. Debs, Evans, Waters, Kraft, and Knight, T. Fenton, demanded the previous question.

Demand for previous question sustained.

The question being on the motion to re-refer Assembly Bill No. 307 to the Committee on Ways and Means.

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

AYES—Allen, Bashore, Burns, Collins, Sam L., Denny, Fourt, Gannon, Kellems, Knight, John B., Knight, T. Fenton; Leonard, and Thorp—12.

NOES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—59

Assembly Bill No. 307—An act to add Chapter 3 to Part 3 of Division 6 of the School Code and to add Chapter 11 to Division 9 of the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73
NOES—Burns—1.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—71.
NOES—Burns, Weber, and Werdel—3.

Bill ordered transmitted to the Senate.

Explanation of Vote on Assembly Bill No. 307

At most this bill only enables school districts to open nursery centers, to use school property for the purpose and to obtain Federal funds under the Lanham Act. The rest is just padding to make the people think they are getting more than they really are. Furthermore, some appropriation seems necessary to properly carry it into effect. For some time Vallejo has been doing everything this bill purports to permit. Though I am against such padded legislation as a fraud upon the people, I voted for the bill in case it does accomplish something.

GEORGE D. COLLINS

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Kilpatrick:

Resolved, That Assembly Bill No. 320 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Allen, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66
NOES—Armstrong—1.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 320

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 320:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 25, 1943

To the Honorable Members of the Senate
Sacramento, California

GENTLEMEN:

ASSEMBLY BILL NO. 320

"An act to amend Section 3259 of the Welfare and Institutions Code, relating to the Industrial Home for the Adult Blind Revolving Fund, making an appropriation, and declaring the urgency thereof,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 320 as necessary for the immediate preservation of the public peace, health, or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor of California

Assembly Bill No. 320—An act to amend Section 3259 of the Welfare and Institutions Code, relating to the Industrial Home for the Adult Blind Revolving Fund, making an appropriation, and declaring the urgency thereof.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Kilpatrick:

Resolved, That Assembly Bill No. 321 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section

requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Malouey, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 321

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 321:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 25, 1943

*To the Honorable Members of the Assembly
Sacramento, California*

GENTLEMEN:

ASSEMBLY BILL NO. 321

"An act to amend Section 3304 of the Welfare and Institutions Code, relating to the Los Angeles Industrial Workshop for the Blind, making an appropriation and declaring the urgency thereof",

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 321 as necessary for the immediate preservation of the public peace, health, or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor of California

Assembly Bill No. 321—An act to amend Section 3304 of the Welfare and Institutions Code, relating to the Los Angeles Industrial Workshop for the Blind, making an appropriation and declaring the urgency thereof.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Malouey, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Kilpatrick:

Resolved, That Assembly Bill No. 322 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 322

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 322:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, JANUARY 25, 1943

*To the Honorable Members of the Assembly
Sacramento, California*

GENTLEMEN:

ASSEMBLY BILL NO. 322

"An act to amend Section 3304.5 of the Welfare and Institutions Code, relating to the San Diego Industrial Workshop for the Blind, making an appropriation and declaring the urgency thereof,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 322 as necessary for the immediate preservation of the public peace, health, or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor of California

Assembly Bill No. 322—An act to amend Section 3304.5 of the Welfare and Institutions Code, relating to the San Diego Industrial

Workshop for the Blind, making an appropriation and declaring the urgency thereof.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 319—An act to add Article 4 to Chapter 2, Division 5 of the Welfare and Institutions Code, to amend and renumber Section 3305 and to repeal Section 3261, relating to the revolving funds of the manufacturing departments of the Industrial Home for the Adult Blind, the San Diego Workshop and the Los Angeles Workshop for the Adult Blind, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 319:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 25, 1943

*To the Honorable Members of the Assembly
Sacramento, California*

GENTLEMEN:

ASSEMBLY BILL No. 319

"An act to add Article 4 to Chapter 2, Division 5 of the Welfare and Institutions Code, to amend and renumber Section 3305 and to repeal Section 3261, relating to the revolving funds of the manufacturing departments of the Industrial Home for the Adult Blind, the San Diego Workshop and the Los Angeles Workshop for the Adult Blind, declaring the urgency thereof, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 319 as necessary for the immediate preservation of the public peace, health, or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

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

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 22, 1943

*Honorable Thomas A. Maloney, Assembly Chambers
State Capitol, Sacramento, California*

ASSEMBLY BILL NO. 504

DEAR MR. MALONEY: In response to your inquiry as to whether Assembly Bill No. 504 makes an appropriation and, therefore, requires a letter from the Governor before it can be passed prior to the enactment of the Budget Bill, we report that, in our opinion, Assembly Bill No. 504 does not make an appropriation.

You have called our attention to Sections 6113 and 6131 which are included in the division to be added to the Labor Code. Section 6113 refers to the State Compensation Insurance Fund and authorizes it to make expenditures, including payments to claimants for medical care. This is not an appropriation because the expenditures made by the State Compensation Insurance Fund will be made pursuant to contract with State agencies, such as the State Board of Harbor Commissioners for San Francisco Bay, and the money from which such expenditures will be made will be provided by other appropriations not included in this bill such as the budget appropriations. Similarly, Section 6131 simply authorizes the expenditure of such money as may be appropriated by the Budget Bill for premiums for the insurance that may be written under this bill.

You have asked us if at the present time the administration of the Harbor of San Francisco is supported by any General Fund appropriation. It is not. The administration of the harbor is paid for out of fees received by the Harbor Commissioners from rental of piers, docks, etc.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By ARTHUR MCHENRY, Deputy

Copy to Mr Gaffney

REQUEST FOR UNANIMOUS CONSENT

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 504, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 504

Resolution to Suspend Constitutional Provision

The following resolution was offered :

By Mr. Maloney :

Resolved, That Assembly Bill No. 504 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hustain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—69.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 504—An act to add Division 4.5, comprising Sections 6100 to 6149, inclusive, to the Labor Code, relating to benefits payable to employees of the State of California and their dependents, directly or through the medium of insurance, on account of injuries arising out of and occurring in the course of their employment, which injuries or resulting death are not compensable under the provisions of Division 4 of the Labor Code, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Allen, Anderson, Arm-strong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hustain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 504—An act to add Division 4.5, comprising Sections 6100 to 6149, inclusive, to the Labor Code, relating to benefits payable to employees of the State of California and their dependents, directly or through the medium of insurance, on account of injuries arising out of and occurring in the course of their employment, which injuries or resulting death are not compensable under the provisions of Division 4 of the Labor Code, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hersinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 368—An act to amend Section 185 of, and to add Section 186.5 to, the Streets and Highways Code, relating to expenditures for highway purposes, declaring the urgency thereof, and provid-ing this act shall take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 368:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 22, 1943

*To the Honorable Members of the Assembly
Sacramento, California*

GENTLEMEN:

ASSEMBLY BILL NO. 368

"An act to amend Section 185 of, and to add Section 186.5 to, the Streets and Highways Code, relating to expenditures for highway purposes, declaring the urgency thereof, and providing this act shall take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I, therefore, recommend consideration of Assembly Bill No. 368 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hersinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Waters, Watson, Weber, Werdel, Wey-bret, Wollenberg, and Mr. Speaker—71.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn,

Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 384—An act to add Section 3.95 to the School Code and to add Section 8161 to the Education Code, relating to the maintenance of schools and classes, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—71.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 346—An act to amend Sections 261a and 1744 of the Code of Civil Procedure, relating to the appointment, compensation, and expenses of superior court employees in counties, or cities and counties, having a population of 900,000 inhabitants and over.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McMillan, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 21—Relative to the Reports of the Annual Conventions of the Disabled American Veterans of the

World War of the Department of California, and the Department Encampment of the Grand Army of the Republic.

Resolution read.

Motion to Amend

Mr. Allen moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 6, of the printed measure, strike out "1943 and 1944", and insert "1942 and 1943"; and on line 14, strike out "1943 and 1944", and insert "1942 and 1943".

Amendment read and adopted.

Request for Unanimous Consent

Mr. Allen asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 21, at this time, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 21, as Amended

Assembly Concurrent Resolution No. 21—Relative to the Reports of the Annual Conventions of the Disabled American Veterans of the World War of the Department of California, and the Department Encampment of the Grand Army of the Republic.

Resolution read, as amended.

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

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crowley, Debs, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollbaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—61.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 62

House Resolution No. 62

Resolved by the Assembly of the State of California, That the Chairman of the Assembly Committee on Governmental Efficiency and Economy is hereby authorized to appoint a committee of five members from the membership of the Committee on Governmental Efficiency and Economy, which shall hold hearings in the City of Los Angeles and investigate into the affairs and conditions of Forty-eighth Agricultural District; and be it further

Resolved, That the committee may sit during the constitutional recess of the Fifty-fifth Session of the Legislature, and may hold meetings in the City of Los Angeles at which the people shall have an opportunity to present their views to the committee; and be it further

Resolved, That said committee is hereby authorized to do all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpoenas and to compel the attendance of witnesses and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths, and all of the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code of the State, relative to the attendance of witnesses before the Legislature and committees thereof and the Rules of the Assembly and of the Senate and the Joint Rules, as they now are or may be hereafter amended, shall apply to the committee appointed under this resolution; and be it further

Resolved, That said committee shall make a report of its conclusions and recommendations to the Fifty-fifth Session of the Legislature not later than March 15, 1943; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of five hundred dollars (\$500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Muller, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 19, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 19

Assembly Joint Resolution No. 19—Relative to memorializing and petitioning Congress to enact legislation giving to draftees and others entering the military and naval services of the United States adequate insurance protection for themselves in the form of permanent total disability insurance as well as life insurance protection.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. McMillan:

House Resolution No. 69

Relating to the one hundredth birthday of Dr. J. W. Dill

WHEREAS, On January 25, 1943, Dr. J. W. Dill, of Los Angeles, celebrated the one hundredth anniversary of his birth; and

WHEREAS, Said Dr. J. W. Dill, throughout his long life, has been a patriotic and useful citizen of this Republic, beginning his active interest in public affairs by a vote for Abraham Lincoln for President, serving as a Soldier in the Army of the United States in the Civil War, and thereafter practicing his profession of physician and surgeon for more than 60 years, raising and educating a fine family, and being, always, a useful, Christian citizen; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly extends to Dr. J. W. Dill its hearty congratulations on his birthday and its best wishes for many more years of useful, happy life; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to have a suitably engrossed copy of this resolution prepared and presented to said Dr. J. W. Dill.

Request for Unanimous Consent

Mr. McMillan asked for, and was granted, unanimous consent to take up House Resolution No. 69, at this time, without reference to committee.

Resolution read and adopted unanimously.

MOTION TO SET SPECIAL ORDER

Mr. Werdel moved that Assembly Bill No. 10 be made a special order of business for Tuesday, January 27, 1943, at 11.30 a.m.

Motion carried.

MOTION TO INCLUDE NAMES ON ROLL CALL

Mr. Carlson moved that the names of the Alameda County Delegation be included in the roll call on Senate Concurrent Resolution No. 18.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

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

Assembly Bill No. 931: By Mr. Thorp—An act to amend Section 552 of the Agricultural Code, relating to skim milk.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 932: By Mr. Thorp—An act to add Sections 496.5 and 501.5 to the Agricultural Code, relating to the inspection and scoring of dairy farms and milk products plants, and fees therefor.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 933: By Mr. Thorp—An act to add to Chapter 2 of Division 4 of the Agricultural Code a new article to be numbered Article 8, including a new section to be numbered 570, relating to emergency standards for milk and milk products.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 934: By Mr. Thorp—An act to amend Section 643 of the Agricultural Code, relating to the definition for insanitary dairy farms.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 935: By Mr. Thorp—An act to add Section 644.6 to the Agricultural Code, relating to sanitation.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 936: By Mr. Thorp—An act to amend Section 645 of the Agricultural Code, relating to the use of milk containers for fruit juices.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 937: By Mr. Thorp—An act to amend Section 687 of the Agricultural Code, relating to the payment of moneys into the State Treasury and to further provide for the disposition of such moneys in the State Treasury.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 938: By Mr. Thorp—An act to add to Chapter 4 of Division 4 of the Agricultural Code a new article to be numbered Article 9, including a new section to be numbered Section 690, relating to the disposition of moneys.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 939: By Mr. Thorp—An act to amend Section 737.6 of the Agricultural Code, relating to the duties of the Director of Agriculture.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 940: By Mr. Waters—An act relating to municipal court fees and costs.

Referred to Committee on Judiciary.

Assembly Bill No. 941: By Mr. Waters—An act to amend Section 117p of the Code of Civil Procedure, relating to fees charged by public officers in connection with small claims actions.

Referred to Committee on Judiciary.

Assembly Bill No. 942: By Mr. Waters—An act to amend Section 1463 of the Penal Code, relating to the disposition of fines and forfeitures in municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 943: By Mr. Waters—An act to amend Section 4300f of the Political Code, relating to jurors' fees.

Referred to Committee on Judiciary.

Assembly Bill No. 944: By Mr. Waters—An act to amend Section 1143 of the Penal Code, relating to the fees of jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 945: By Messrs. Kraft, Massion, Debs, and Potter—An act to add Section 4174 to the Business and Professions Code, relating to temporary licenses to practice pharmacy.

Referred to Committee on Public Health.

Assembly Bill No. 946: By Messrs. Gaffney, Collins, George D., Miller, and Haggerty—An act relating to full time civil service employees of this State and of any local governmental agency thereof and restricting the activities of such persons with regard to the practice of any profession or business requiring a license issued under any statute of this State.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 947: By Mr. Fourt—An act to amend Section 411 of the Code of Civil Procedure, and Section 373 of the Civil Code, relating to service of process.

Referred to Committee on Judiciary.

Assembly Bill No. 948: By Mr. Leonard (By request)—An act to amend Section 1203.5 of the Fish and Game Code, relating to pigeons.

Referred to Committee on Fish and Game.

Assembly Bill No. 949: By Mr. Leonard (By request)—An act to amend the heading of Article 1 of Chapter 1 of Division 4, and Sections 4001, 4003, 4004, 4005, 4006, 4007, 4008 and 4010 of, and to add Section 4000.5 to, the Public Resources Code, relating to the prevention and control of fires.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 950: By Mr. Leonard (By request)—An act to amend the heading of Article 2 of Chapter 1 of Division 4 of, and to add Sections 4051, 4052, 4053, 4054, 4055 and 4056 to, Article 2 of Chapter 1 of Division 4 of the Public Resources Code, relating to the powers and duties of the State Forester in abating fire hazards.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 951: By Mr. Dunn—An act to add Section 6365 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 952: By Mr. Fourt—An act to amend Section 8 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 953: By Mr. Fourt—An act to amend Section 8 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 954: By Mr. Fourt—An act to amend Section 7 of the Corporation Income Tax Act of 1937, relating to corporation taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 955: By Mr. Fourt—An act to amend Section 7 of the Corporation Income Tax Act of 1937, relating to corporation taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 956: By Messrs. Kellems, Robertson, and Johnson—An act to authorize the creation of a branch of the University of California at Santa Barbara, to abolish Santa Barbara State College,

to transfer to The Regents of the University of California all properties belonging to or used for the benefit of said college, including moneys appropriated and unexpended, or which may be appropriated, to grant to employees of Santa Barbara State College who may become employees of the University of California, certain privileges with respect to membership in retirement and pension systems.

Referred to Committee on Universities and Colleges.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 412

Assembly Bill No. 770

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 23—Approving certain amendments to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the third day of November, 1942.

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-sixth day of January, 1943, at 4 p.m.

PELLETIER, Chairman

RESOLUTIONS

The following resolution was offered:

By Mr. Thorp:

House Resolution No. 70

Relative to the investigation of milk production and distribution and swine diseases

WHEREAS, The Standing Committee on Live Stock and Dairies will be called upon to consider legislation relating to milk production and distribution and swine diseases during the current session of the Legislature; and

WHEREAS, In order to intelligently consider and act upon such legislation it is necessary that the said committee be fully informed about the facts concerning the same; and

WHEREAS, It appears that the best method of acquiring accurate and necessary information concerning such matters would be to authorize a subcommittee appointed from the membership of the standing Committee on Live Stock and Dairies to conduct an investigation and to study those subjects; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby established an Investigating Committee to be known as the Committee on Live Stock and Dairies which committee is to study and investigate and survey accurately in detail the problems of milk production and distribution and swine diseases; and be it further

Resolved, That the committee shall consist of seven members of the Assembly standing Committee on Live Stock and Dairies to be appointed by the Speaker. Vacancies in the membership of the committee occurring at any time shall be filled by the Speaker; and be it further

Resolved, That the committee may employ, prescribe the duties and fix the compensation of such professional assistants, clerical, and other employees as it finds necessary for the conduct of its work; and be it further

Resolved, That the committee is authorized to hold public hearings at Sacramento and at any place in California, during the Fifty-fifth Session of the Legislature and any recesses thereof; and be it further

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

Resolved, That the committee, each of its members and any representative of the committee thereunto authorized by the committee or its chairman is authorized and

empowered to administer oaths, and all of the provisions of Article 8, Chapter 2, Title 1, Part 3, of the Political Code, relating to the attendance and examination of witnesses before the Legislature and committees thereof apply to the committee hereby created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0 05½) per mile each way, incurred in connection with their services upon the committee, and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee or in lieu of such expenses for accommodations and meals, an allowance of ten dollars (\$10) per day; be it further

Resolved, That the sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses, or claims it may incur under this resolution, to be disbursed after certification by the chairman of the committee, upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. O'Day and the San Francisco County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank A. Anderson, San Francisco.

On request of Mr. T. Fenton Knight, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Thomas F. Knight, Jr., San Francisco.

On request of Mr. Dunn, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Benjamin Mallory, Berkeley.

On request of Messrs. Rosenthal and Lyons, John C., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Joseph Matthews, Los Angeles.

On request of the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lois Donovan, Sacramento, Co-ordinator of Women's War Activities, and Mrs. Frederick F. Houser, wife of the Lieutenant Governor, as guests of the Assembly.

On request of Mr. Gaffney and the San Francisco County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Bernard Ferguson of San Francisco.

ADJOURNMENT

At 4.32 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10.30 a.m., Wednesday, January 27, 1943, out of respect to the memory of the late Mrs. Hattie M. Newsom and the late Mrs. Minnie Ruth Dean.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

EIGHTEENTH LEGISLATIVE DAY
TWENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, January 27, 1943

The Assembly met at 10.30 a.m.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Lord God Almighty, defend our land, we beseech Thee, from the secret power and open shame of sin; from all dishonesty and civic corruption; from all vainglory and selfish luxury; from all cruelty and the spirit of violence; from impurity which defiles the temple of the Holy Spirit; from intemperance which is the mother of crime and sorrow. We thank Thee for our blessed Country established upon the foundation stone of Christian liberty and directed by the light of pure religion. Guide and guard our President, our Governor, all lawgivers and counsellors, our defenders on land and sea and in the air; our officials and our citizens. Help us ever to remember that

"In the beauty of the lilies
Christ was born across the sea,
With a glory in His bosom
That transfigures you and me;
As He died to make men holy,
Let us die to make men free!
While God is marching on."

AMEN

READING OF THE JOURNAL DISPENSED WITH

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

EXPLANATION OF ABSENCE

Upon request of the Speaker, Messrs. Dills, Ralph C., and Call were excused for the legislative day in performance of duties for the State.

Speaker Presiding

At 10.33 a m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

LOS ANGELES, CALIFORNIA, January 26, 1943

Charles W. Lyon

Assembly Chamber, State Capitol, Sacramento, California

Passage of Assembly Bill No. 770 is vitally necessary to insure maximum aircraft production. Your vote will help solve manpower shortage and will expedite slaps at the Japs.

AIRCRAFT PARTS MANUFACTURERS ASSN.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 957: By Messrs. Lyons, Maloney, Hollibaugh, Massion, Pelletier, Anderson, McMillan, Berry, Haggerty, and Rosenthal—An act to increase production by providing for exemptions from various requirements relating to employment and working conditions of employees, declaring the urgency of this act, to take effect immediately.

Without reference to committee.

Assembly Bill No. 958: By Mr. Middough—An act declaring certain corporations, individuals or association of individuals engaged, directly or indirectly, in the transportation of crude oil or petroleum or the products thereof, for hire or otherwise, to be common carriers and public utilities and subject to the provisions of the Public Utilities Act.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 959: By Mr. Lowrey—An act to amend Section 3.493 of the School Code and to amend Section 9034 of the Education Code, relating to the maintenance of continuation education classes, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 960: By Mr. Lowrey—An act to amend Section 2 of the Fish and Game Code, relating to definitions of terms used in said code.

Referred to Committee on Fish and Game.

Assembly Bill No. 961: By Messrs. Middough, Anderson, McMillan, Watson, Kraft, Stream, Kellems, Lyons, Allen, Evans, Burkhalter, Debs, Howser, Fourt, McCollister, Weybret, and Thomas—An act to add Chapter 7, consisting of Sections 880 and 881, to Division 1 of the Streets and Highways Code, relating to the acquisition, by the State, of shoreline property adjoining State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 962: By Messrs. Kellems, Kraft, Stream, Fourt, Weybret, Middough, Anderson, Lyons, Allen, Evans, Watson, Burkhalter, Debs, Howser, McCollister, Leonard, and Thomas—An act to add Sections 5015, 5016, and 5017 to the Public Resources Code, relating to parks and beaches.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 963: By Messrs. Howser, Kraft, Stream, Fourt, Anderson, Kellems, Lyons, Allen, Evans, Middough, Watson, Leonard, McCollister, Weybret, and Thomas—An act to add Section 5015 to the Public Resources Code, relating to appointment of a Beach Erosion Control Engineer.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 964: By Messrs. Middough, Fourt, Kraft, Anderson, McMillan, Watson, Kellems, Stream, Evans, Weybret, McCollister, and Thomas—An act making an appropriation for the acquisition, development and protection of ocean beaches for public recreational use.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 965: By Mr. Dunn—An act to amend Section 2501 of the Labor Code, relating to the furnishing of hospital services by employers to employees and former employees.

Referred to Committee on Labor and Capital.

Assembly Bill No. 966: By Mr. Kellems—An act to add Section 6387 to the Revenue and Taxation Code, relating to the exemption of ice from the sales tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 967: By Mr. Dilworth—An act to add Section 210.5 to the Revenue and Taxation Code, defining a householder.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 968: By Messrs. Hastain, Erwin, Burns, Clarke, Thorp, Guthrie, Lowrey, Preece, Armstrong, Gannon, Deuny, Thompson, Leonard, Heisinger, Weybret, and McCollister—An act to add Section 487a to the Penal Code, and to add Section 378.5 to the Agricultural Code, relating to theft of animals or carcasses or parts of same.

Referred to Committee on Judiciary.

Assembly Bill No. 969: By Messrs. Hastain, Watson, Clarke, Thorp, Guthrie, Lowrey, Erwin, Thompson, Weybret, Leonard, McCollister, Heisinger, Price, and Armstrong—An act to repeal Article 1 of Chapter 5 of Division 5 of the Agricultural Code, and to add to said chapter a new article, to be numbered Article 1, relating to seeds.

Referred to Committee on Agriculture.

Assembly Bill No. 970: By Mr. Hawkins—An act to amend Section 26230 of the Health and Safety Code, relating to the adulteration of drugs and devices and to the powers of the State Board of Health in relation thereto.

Referred to Committee on Public Health.

Assembly Bill No. 971: By Mr. Hawkins—An act to amend Section 300 of the Labor Code, relating to assignment of wages.

Referred to Committee on Labor and Capital.

Assembly Bill No. 972: By Mr. Hawkins—An act to amend Section 57.7 of the Unemployment Insurance Act, relating to unemployment benefits for persons who have served in the armed forces.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 973: By Mr. Thomas—An act to add Section 1109.5 to the Fish and Game Code, relating to crews on fishing boats.

Referred to Committee on Fish and Game.

Assembly Bill No. 974: By Mr. Smith—An act to amend Section 494 of the Civil Code, relating to the sale of property and franchises of railroad corporations.

Referred to Committee on Public Utilities, Manufacturing and Corporations.

Assembly Bill No. 975: By Mr. John B. Knight—An act to amend Section 67.5 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 976: By Mr. Sheridan—An act to amend Sections 10250, 10251, 10252, 10253, 10253.5 and 10254 of, and to add Section 10250.5 to, the Health and Safety Code, relating to birth certificates.

Referred to Committee on Public Health.

Assembly Bill No. 977: By Mr. Rosenthal and Mrs. Niehouse—An act to add Sections 459.1 and 459.2 to the Vehicle Code, relating to powers of local authorities.

Referred to Committee on Judiciary.

Assembly Bill No. 978: By Mr. Heisinger—An act to amend Section 663 of the Agricultural Code, relating to false statements and records of purchases.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 979: By Mr. Heisinger—An act to amend Section 666 of the Agricultural Code, relating to the labeling of milk products and imitations thereof.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 980: By Mr. Heisinger—An act to amend Section 560 of the Agricultural Code, relating to modified milk.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 981: By Mr. Price—An act making an appropriation to pay the claim of Harry B. Stark against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 982: By Mr. Sargent—An act to add Section 1029.5 to the Code of Civil Procedure, relating to costs in civil actions.

Referred to Committee on Judiciary.

Assembly Bill No. 983: By Mr. Sargent—An act to amend Section 4077 of the Political Code, relating to the allowance or rejection of claims against counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 984: By Mr. Sargent—An act to add Section 4321a to the Political Code, relating to inventories of county property.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 985: By Mr. Sam L. Collins—An act to repeal Section 508 of, amend Sections 3001, 3002 and 3003 of, and add Section 3100 to, the Public Resources Code, and provide for appropriate transfers, relating to the administration of the Division of Oil and Gas.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 986: By Mr. Sam L. Collins—An act to amend Sections 3109, 3110, and 3111, and repeal Article 7 of Chapter 1 of Division 3, of the Public Resources Code, relating to the income and support of the Division of Oil and Gas, making an appropriation.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 987: By Mr. T. Fenton Knight—An act to amend Section 1043 of the Insurance Code, relating to insurance.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 988: By Mr. T. Fenton Knight—An act to add Section 135g to the Bank Act, relating to conservators, Superintendent of Banks or their employees accepting employment by merged, liquidated or reorganized banks.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 989: By Mr. T. Fenton Knight—An act to add Section 13.20 to the Building and Loan Association Act; relating to

employment of the commissioner or his employees by merged, liquidated or reorganized associations.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 990: By Mr. T. Fenton Knight—An act to amend Section 721 of the Political Code, relating to the filing of regulations of State agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 991: By Mr. T. Fenton Knight—An act to add a new article to Chapter 3 of Title 1 to Part 3 of the Political Code, to be numbered Article 2a, comprising Sections 360.01 to 360.1, both inclusive, relating to declaratory rulings of administrative agencies.

Referred to Committee on Judiciary.

Assembly Bill No. 992: By Messrs. Knight, T. Fenton; Waters, Watson, Middough, Burkhalter, Potter, Howser, and Hawkins—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, by adding thereto Section 7.1, relating to the incurring of indebtedness for the repair or replacement of district works damaged or demolished by reason of fire, flood, earthquake, sabotage, or act of God or the public enemy, the refunding of such indebtedness, the levy and collection of taxes to pay such indebtedness, and providing the manner of adoption of ordinances relating thereto.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 993: By Mr. T. Fenton Knight—An act empowering cities and counties to enact airport approach and turning area regulations for the protection of air approaches to, and turning areas of, airports, for the administration of the same, and for the compensation of owners of property whose property rights are taken or damaged by such regulations.

Referred to Committee on Military Affairs.

Assembly Bill No. 994: By Messrs. Miller, Maloney, Haggerty, Stream, McCollister, Carey, Gaffney, and Mrs. Niehouse—An act to amend Section 400 of the Vehicle Code, relating to the liability of governmental agencies.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 995: By Mr. Smith—An act to validate contracts between public utility districts and individuals, firms or corporations for the joint payment for or joint construction or joint use of sewers or sewer facilities or for the purchase of rights or capacity in any sewer or sewer facilities constructed by such districts.

Referred to Committee on Judiciary.

Assembly Bill No. 996: By Mr. Smith—An act to validate the boundaries of municipal water districts and proceedings for the annexation of territory to such districts.

Referred to Committee on Judiciary.

Assembly Bill No. 997: By Messrs. Debs, Dills, Clayton A., and Thomas—An act to amend Section 6359 of the Revenue and Taxation Code, relating to the exemption of food from the application of the sales and use tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 998: By Messrs. Kilpatrick and Crowley—An act to add Section 2264 to the Political Code and to add Section 20924 to the Education Code, relating to the employment of a field worker at the California School for the Blind.

Referred to Committee on Education.

Assembly Bill No. 999: By Mr. Werdel—An act to add Section 2206 to Article 1 of Chapter 5 of Division 3 of the Health and Safety Code, relating to mosquito abatement districts.

Referred to Committee on Public Health.

Assembly Bill No. 1000: By Mr. Werdel—An act to amend Section 4295 of the Political Code, relating to payment of fees to State, county and township officers.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 22: By Mr. O'Day—Proposed amendment to Article XX of the Constitution, relative to term of office of notaries public.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 21: By Messrs. Howser and Middough—Relative to memorializing the President and the Secretary of the Navy to name a Navy cruiser of the United States Fleet, for the City of Long Beach, California.

Request for Unanimous Consent

Mr. Howser asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 21, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 21

Assembly Joint Resolution No. 21—Relative to memorializing the President and the Secretary of the Navy to name a Navy cruiser of the United States Fleet, for the City of Long Beach, California.

Resolution read.

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

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Clarke, Crichton, Crowley, Debs, Dills, Clayton A., Dilworth, Dunn, Eirwin, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Howser, Kellem, Kilpatrick, King, Knight, T. Fenton, Kraft, Lowrey, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, and Mr. Speaker—46

NOES—None.

Resolution ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Joint Resolution No. 22: By Mrs. Niehouse—Relative to memorializing the President and the Congress of the United States to amend the Federal Social Security Act in respect to earnings and other income of recipients of old-age assistance.

Request for Unanimous Consent

Mrs. Niehouse asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 22, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 22

Assembly Joint Resolution No. 22—Relative to memorializing the President and the Congress of the United States to amend the Federal Social Security Act in respect to earnings and other income of recipients of old-age assistance.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Waters, Watson, Werdel, Weybret, and Mr. Speaker—52.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 10

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE GOVERNOR

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

Proclamation

WHEREAS, An extraordinary occasion has arisen and now exists, requiring that the Legislature of the State of California be convened in extraordinary session; now, therefore,

I, EARL WARREN, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session at Sacramento, California, on Thursday, the twenty-eighth day of January, 1943, at 10 o'clock a. m. of said day, for the following purposes, and to legislate upon the following subjects, to wit:

1 To consider and act upon legislation to repeal Division 7 of the Military and Veterans Code, and to add a new Division 7 thereto, relating to and providing for State, local, and regional participation in civilian defense and the war effort, including but not limited to provision for a State War Council and local war councils and other State, regional, and local agencies, bodies, and officers, and defining their powers and duties and those of the Governor

and other existing State and local officers, bodies, and agencies in relation thereto.

2. To consider and act upon legislation making an appropriation for the support of civilian defense activities within the State of California until such time as the legislation referred to in paragraph one (1) hereof becomes legally effective and an appropriation by the Legislature to carry out the purposes of such legislation can be made.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-sixth day of January, 1943.

(Signed)

EARL WARREN, Governor of California

ATTEST:

FRANK M. JORDAN, Secretary of State

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 26, 1943

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

Assembly Concurrent Resolution No. 25

J. A. BEEK, Secretary of the Senate

By MARGARET DOUVILLE, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 26, 1943

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

Senate Joint Resolution No. 10

Senate Concurrent Resolution No. 19

Senate Concurrent Resolution No. 20

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 10—Relative to memorializing the President, the Congress, the Secretary of the Interior and the War Production Board with respect to the urgency of prompt completion of all units of the Central Valley Project.

Request for Unanimous Consent

Mr. Werdel asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 10, at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 10

Senate Joint Resolution No. 10—Relative to memorializing the President, the Congress, the Secretary of the Interior and the War Production Board with respect to the urgency of prompt completion of all units of the Central Valley Project.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Carey, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Werdel, Wollenberg, and Mr. Speaker—54.

NOES—None.

Resolution ordered transmitted to the Senate.

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read :

Senate Concurrent Resolution No. 19—Relative to requesting the Governor to establish a commission to make a survey of the food supply in California.

Request for Unanimous Consent

Mr. McCollister asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 19, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 19

Senate Concurrent Resolution No. 19—Relative to requesting the Governor to establish a commission to make a survey of the food supply in California.

Resolution read.

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

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Burkhalter, Carey, Carlson, Collins, Sam L. Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None

Resolution ordered transmitted to the Senate.

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read :

Senate Concurrent Resolution No. 20—Relative to adjournment in respect to the memory of Fred E. Stewart.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 20, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 20

Senate Concurrent Resolution No. 20—Relative to adjournment in respect to the memory of Fred E. Stewart.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Carey, Carlson, Collins, Sam L. Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 26, 1943

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

Senate Concurrent Resolution No. 17

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 17—Relative to the creation of a Joint Committee to Investigate the Water Situation at Needles and Vicinity.

Referred to Committee on Rules and House Functions.

RECESS

At 11 12 a.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 11.15 a.m. to hear from former Speaker of the Assembly, Hon. Edgar C. Levey.

REASSEMBLED

At 11.15 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 26, 1943

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

Senate Bill No. 390

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 390—An act to add Section 6781.1 to the Health and Safety Code, relating to the use of county assessor's rolls by sanitary district boards and the filing of resolutions by such boards declaring election of such use, declaring the urgency of this act, to take effect immediately.

Request for Unanimous Consent

Mr. Wollenberg asked for, and was granted, unanimous consent to take up Senate Bill No. 390, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NO. 390

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Wollenberg:

Resolved, That Senate Bill No. 390 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—59

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 390—An act to add Section 6781.1 to the Health and Safety Code, relating to the use of county assessor's rolls by sanitary district boards and the filing of resolutions by such boards declaring election of such use, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Senate Bill No. 390—An act to add Section 6781.1 to the Health and Safety Code, relating to the use of county assessor's rolls by sanitary district boards and the filing of resolutions by such boards declaring election of such use, declaring the urgency of this act, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 29: By Mr. Sam L. Collins—Relative to adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after such recess and fixing the date for said adjournment and said reassembling.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 29, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 29

Assembly Concurrent Resolution No. 29—Relative to adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after such recess and fixing the date for said adjournment and said reassembling.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carlson, Collins, Sam L. Creighton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES**Committee on Fish and Game**

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred

Assembly Bill No. 125

Senate Bill No. 30

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 352

Assembly Bill No. 802

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 125—An act to add Section 842.5 to the Fish and Game Code, relating to the use of nets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 352—An act creating a special fund in the State Treasury for the deposit of restitutions received by the State from former recipients of relief under the provisions of the "California Unemployment Relief Act of 1935," making a transfer of funds to

this fund, making an appropriation to the State Controller for continued collection of restitutions, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 802—An act to add Section 2.5 to an act entitled "An act making an appropriation to the Division of Forestry of the Department of Natural Resources, declaring the urgency thereof, to take effect immediately," approved January 28, 1942, relating to expenditures by the Division of Forestry of money appropriated for its support, to take effect immediately.

Bill read second time, and ordered engrossed.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 30—An act to amend Section 660.5 of the Fish and Game Code, relating to salmon, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

RESOLUTIONS

The following resolutions were offered:

By Mr. Rosenthal:

House Resolution No. 71

WHEREAS, Many of the men, women, and children of our State are unselfishly devoting many hours, often at great inconvenience to themselves, to aiding in the war effort; and

WHEREAS, Their efforts have been directed to many different forms of service, such as selling war bonds, performing work for the Red Cross, many different types of civilian defense work, and helping in numerous other endeavors; and

WHEREAS, The Assembly desires to give some tangible evidence of its appreciation of such patriotism and sacrifice; now, therefore, be it

Resolved by the Assembly of the State of California, That a certificate of merit, in substantially the following form:

CERTIFICATE OF MERIT

In recognition of unselfish service in
behalf of his Country, the State
Assembly of the State of California
during the Fifty-fifth Session hereby
awards this certificate of merit to

(Name)

Speaker, CHARLES W. LYON
Assemblyman-----

be awarded by the Assembly to such persons who are deserving of them and who may be recommended therefor by a Member of the Assembly; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to have such forms printed for that purpose.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Hollibaugh and Gaffney:

House Resolution No. 72

WHEREAS, Scandinavians and people of Scandinavian descent have observed October 9th of each year as the occasion to honor the memory of Leif Ericson, the famed Norwegian seaman, who was the first white man known to have landed on the shores of North America some 942 years ago; and

WHEREAS, The principles of democracy were first expounded by the Scandinavians as early as the year 900 A.D.; and

WHEREAS, The American people are now engaged in the greatest of all wars as a protector of such principles and the general rights of free peoples; now, therefore, be it

Resolved by the Assembly of the State of California, That October 9, 1943, shall be designated as "Leif Ericson Day" in California; and be it further

Resolved, That civic, fraternal, and patriotic groups and the general public are requested to join with Scandinavians in celebrating such day; and be it further

Resolved, That public schools observe the occasion by devoting one-half hour to appropriate exercises relative to and in commemoration of the life and history of Leif Ericson and the principles he fostered; and be it further

Resolved, That should such date fall upon a holiday, such school exercises shall be held on the school day nearest such date.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Bashore, Collins, Sam L. Dickey, Doyle, and Debs:

House Resolution No. 73

Relative to the investigation of the administration enforcement of the criminal laws

WHEREAS, The orderly and efficient administration and enforcement of the criminal laws of the State is essential to the orderly processes of government for the protection of the fundamental rights of the citizenry; and

WHEREAS, The orderly attention of this House has been forcibly drawn to the lack of such administration and enforcement in the City of Los Angeles by the following telegram addressed to the Honorable Charles W. Lyon, Speaker of the Assembly, by the Honorable John F. Dockweiler, District Attorney of Los Angeles County, which reads as follows, to wit:

My office conducting investigation of alleged police brutalities one of which resulted in death of Stanley H. Beebe. Have spent several weeks securing evidence and statements. Last week completed coroner's jury hearing. Verdict was as follows "Decedent has received an abdominal injury inflicted by persons unknown, with homicidal intent, while in the custody of the Los Angeles Police Department." Have reached impasse. All men in Police Department having contact with Beebe deny any knowledge of beating. For the sake of the Police Department and for the public good, and to clear up the statutory and charter provisions, deem it advisable to suggest that an Assembly Committee be appointed to investigate such alleged police brutality cases. Letter follows.

now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created a committee to be known as the Assembly Committee on Criminal Laws, to consist of three members appointed from the membership of the Rules Committee by the Speaker of the Assembly, which committee shall investigate, study, ascertain, collate and appraise accurately and in detail all facts pertinent to the administration and enforcement of the criminal laws of the State and, in connection therewith, all facts pertinent to the conduct, operation, and maintenance of city, county, and State jails, prisons, correctional institutions, and places of detention, the conduct, character, and personnel staffing, maintaining and operating such places, including but not limited to the treatment and care of persons in the custody of municipal law enforcement officers and the extent to which the rights of such persons are observed, protected, and defended or violated and otherwise disregarded in any manner whatsoever by such municipal law enforcement officers; all for the purpose of recommending such changes and proposing such legislation as may appear to be necessary in order to provide for the efficient and orderly administration and enforcement of the criminal laws and for the proper protection and safeguarding of the rights of persons accused of crime; and be it further

Resolved, That every department, commission, board, agency, officer, and employee of the State Government and of any political subdivision, county, city, or public district of or in this State, shall furnish the committee, and any subcommittee it may create, upon request, any and all assistance, information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the committee shall have all the powers and privileges conferred upon an Investigating Committee by Rule 35 of the Joint Rules of the Senate and Assembly as the same now exist or may hereafter from time to time be amended; and be it further

Resolved, That the committee may hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee; and be it further

Resolved, That the committee is authorized to act during the sessions of the Fifty-fifth Regular Session of the Legislature, including any recess thereof but in no event beyond the final adjournment of the Fifty-fifth Legislature; and be it further

Resolved, That upon the appointment of its members the committee may organize and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out to the full force and effect the powers granted and duties imposed by this resolution; and be it further

Resolved, That the committee may create subcommittees from its membership, assign to the subcommittee any study, inquiry, investigation, or hearing which the committee itself has authority to take or hold and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee, limited by the express terms of the resolution or resolutions of the committee defining the powers and duties of the subcommittee which power may be withdrawn or terminated at any time by the committee; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of one thousand five hundred dollars (\$1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution to be paid after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Howser :

House Resolution No. 74

Relating to the Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum Oil and Its Products, created by House Resolution No. 56

Resolved by the Assembly of the State of California, That the members of said committee created by said House Resolution No. 56 as supplemented hereby shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their service on the committee or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of five hundred dollars (\$500) or so much thereof as may be necessary be hereby made available from the Contingent Fund of the Assembly for the expenses or claims that may be incurred by said committee, to be paid from the Contingent Fund of the Assembly and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasury.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Wollenberg, Johnson, Doyle, Knight, T. Fenton; and O'Day :

House Resolution No. 75

Relating to meetings of the Ways and Means Committee

Resolved by the Assembly of the State of California, That the standing Committee on Ways and Means of the Assembly is hereby authorized to meet during any recess of the regular session of the Fifty-fifth Legislature at the State Capitol, or elsewhere in the State, and to perform the duties and to exercise all the powers vested in it by the Standing Rules of the Assembly; and be it further

Resolved, That except as otherwise provided in this resolution the committee shall have all the powers granted to a committee by Rule 35 of the Joint Rules of the Senate and Assembly as the same now exist or may hereafter from time to time be amended; and be it further

Resolved, That the committee or chairman thereof may create subcommittees from the membership of the committee, assigning to the subcommittee any study, inquiry, investigation, or hearing which the committee itself has authority to make or hold, and the subcommittee for the purpose of this assignment shall have and exercise all the powers conferred upon the committee, limited only by the resolution of the committee or order of the chairman defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee or the chairman thereof, and be it further

Resolved, That the sum of ten thousand dollars (\$10,000) is hereby made available to the committee from the Contingent Fund of the Assembly for the purpose of paying the expenses of the committee in connection with its duties, including cost of any records or transcripts and an allowance of ten dollars (\$10) per day (in lieu of expenses for living accommodations and meals) and five and one-half cents (\$.05½) per mile each way for each member of the committee incurred in connection with the powers granted and duties imposed by this resolution and the Rules of the Assembly and for the paying of the expenses of the necessary clerical, legal, and technical assistants of said committee, the sum so made available to be disbursed upon the certification of the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 95
BY UNANIMOUS CONSENT**

Mr. Carlson asked for, and was granted, unanimous consent to withdraw Senate Bill No. 95 from the Committee on Municipal and County Government, and have it re-referred to the Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 75

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 75

House Resolution No. 75

Relating to meetings of the Ways and Means Committee

Resolved by the Assembly of the State of California, That the standing Committee on Ways and Means of the Assembly is hereby authorized to meet during any recess of the regular session of the Fifty-fifth Legislature at the State Capitol, or elsewhere in the State, and to perform the duties and to exercise all the powers vested in it by the Standing Rules of the Assembly; and be it further

Resolved, That except as otherwise provided in this resolution the committee shall have all the powers granted to a committee by Rule 35 of the Joint Rules of the Senate and Assembly as the same now exist or may hereafter from time to time be amended; and be it further

Resolved, That the committee or chairman thereof may create subcommittees from the membership of the committee, assigning to the subcommittee any study, inquiry, investigation, or hearing which the committee itself has authority to make or hold, and the subcommittee for the purpose of this assignment shall have and exercise all the powers conferred upon the committee, limited only by the resolution of the committee or order of the chairman defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee or the chairman thereof; and be it further

Resolved, That the sum of ten thousand dollars (\$10,000) is hereby made available to the committee from the Contingent Fund of the Assembly for the purpose of paying the expenses of the committee in connection with its duties, including cost of any records or transcripts and an allowance of ten dollars (\$10) per day

(in lieu of expenses for living accommodations and meals) and five and one-half cents (\$0.05½) per mile each way for each member of the committee incurred in connection with the powers granted and duties imposed by this resolution and the Rules of the Assembly and for the paying of the expenses of the necessary clerical, legal, and technical assistants of said committee, the sum so made available to be disbursed upon the certification of the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dicke, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fort, Gaffney, Gannon, Guthrie, Haggerty, Hastau, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

MEMBER EXCUSED BY UNANIMOUS CONSENT

Mr. T. Fenton Knight asked for, and was granted, unanimous consent for a leave of absence for the legislative days of Thursday, January 28th, and Friday, January 29th.

CONSIDERATION OF SPECIAL ORDER

The hour of 11.30 a m. having arrived, Assembly Bill No. 10 was taken up.

Assembly Bill No. 10—An act to add Chapter 8.5 (comprising Sections 10615 to 10622, inclusive) to Division 9 of the Health and Safety Code, relating to the registration of previously unregistered births, marriages and deaths, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, at line 31, insert
 "Birth certificates issued pursuant to this chapter shall not be considered as evidence in any action or proceeding involving estates of decedents or in any proceeding to establish heirship unless the affidavit of at least one person who knew the facts was filed at the time of obtaining the certificate"

Amendment read and adopted.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to consider further amendments to Assembly Bill No. 10, at this time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments to Assembly Bill No. 10:

Amendment No. 1

On page 3 of the printed bill, between lines 30 and 31, insert
 "10616.1. Before filing the application with the State Registrar, local registrar or county recorder, the applicant for a delayed birth certificate shall serve a copy of his application and the proofs thereof upon the district attorney of the county in which it is alleged that the birth took place. If the district attorney within 10 days after receipt of the copy of the application files with the State Registrar an objection

to the issuing of the delayed birth certificate, the State Registrar shall take no further action."

Amendment No. 2

On page 3, line 43, of the printed bill, after "Registrar", insert "after the expiration of 10 days from receipt by him of the application, if no objection has been made by the district attorney,".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 345—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "600,000", and insert "500,000".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Speaker Pro Tempore Presiding

At 12.10 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

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

Assembly Bill No. 1001: By Messrs. O'Day, Brady, Maloney, Wollenberg, Collins, George D., Gaffney, Berry, Haggerty, McCollister, Crowley, and Burns—An act to provide State aid for the cost of operation of the Golden Gate Bridge, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1002: By Messrs. O'Day, Brady, Maloney, Wollenberg, Collins, George D., Gaffney, Berry, Haggerty, McCollister, Crowley, and Burns—An act to provide for the assumption by the State of California of any deficit in the cost of maintenance and operation of the Golden Gate Bridge during the duration of the war emergency.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1003: By Messrs. O'Day, Maloney, Wollenberg, Brady, Collins, George D., Gaffney, Berry, Haggerty, McCollister, Crowley, and Burns—An act to provide for the transfer of title and easement to the highway known as Sausalito Lateral by the State Highway Commission from the Golden Gate Bridge and Highway District,

and to provide for the incorporation of such highway in the State Highway System of the State of California.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1004: By Messrs. O'Day, Maloney, Wollenberg, Collins, George D., Gaffney, Berry, Haggerty, Brady, McCollister, Crowley, and Burns—An act declaring certain approaches to the Golden Gate Bridge to be a part of the State Highway System.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1005: By Messrs. O'Day, Maloney, Wollenberg, Crowley, Collins, George D., Gaffney, Berry, Haggerty, Brady, McCollister, and Burns—An act to add Section 17a to an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges, and approaches thereto, and for the acquisition of all property necessary therefor, and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts, and for the annexation of additional territory thereto," approved May 25, 1923, authorizing the refunding of existing indebtedness, whether bonded or otherwise, and for the issuance of bonds and other indebtedness in aid of the refunding of existing bonds, or the creation of a new bonded indebtedness.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1006: By Mr. Middough—An act to add Section 6.493 to the School Code and to add Section 18924 to the Education Code, relating to the furnishing of supplies to pupils of the public schools.

Referred to Committee on Education.

Assembly Bill No. 1007: By Mr. Crowley—An act to amend Section 1a of an act entitled "An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the Chairman of the Judicial Council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments," approved May 20, 1927, as amended, relating to expenses of judges and justices of the peace sitting under assignment from the Judicial Council.

Referred to Committee on Judiciary.

Assembly Bill No. 1008: By Mr. Bashore—An act to amend Sections 90, 325, 533, 640 and 773 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to tax levies.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1009: By Messrs. Sheridan, Brown, Dickey, and Carlson—An act to authorize public agencies to withhold amounts from

salaries and wages, paid by public agencies and to comply with provisions of Internal Revenue Laws of the United States, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 1010: By Messrs. Carlson and Johnson—An act to add Section 276.5 to the Vehicle Code, relating to the extension of the life of operators' licenses during the war emergency, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1011: By Messrs. Maloney, Miller, and Haggerty—An act to add Sections 838.5, 1710, 1691.3, 1831.6, 1831.7, 1831.8, and 1831.9 to the Insurance Code, to add Article 18, comprising Sections 1110 to 1113, to Chapter 1, Part 2, Division 1, thereof, and to amend Sections 382, 733, 763, 1200, 1202, 1591, 1808 and 1831.5, and to repeal Section 1710 of the Insurance Code, all relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1012: By Messrs. Maloney, Miller, and Haggerty—An act to amend Sections 102 and 112 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1013: By Messrs. Maloney, Miller, and Haggerty—An act to amend Section 108 of the Insurance Code, relating to liability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1014: By Messrs. Maloney, Miller, and Haggerty—An act to add Sections 10176, 10206.5 and 10641.5 to, and to amend Sections 10202, 10203, 10206, 10270 5, 10270 55, 10270.9, 10270.93 and 10342 of, the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1015: By Messrs. Maloney, Miller, and Haggerty—An act to amend Sections 11493, 11502, 11505, 11507, 11510, 11512, 11513 and 11516.5 of, to add Sections 11512 1, 11512.2 and 11512.3 to, and to repeal Section 11497 of, the Insurance Code, all relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1016: By Messrs. Maloney, Miller, and Haggerty—An act to add Chapter 6A to Part 2, Division 1, of the Insurance Code, relating to taxes on non-admitted insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1017: By Messrs. Maloney, Miller, and Haggerty—An act to add Sections 756.5 and 11730x to, and to amend Sections 11561 and 11715 of, the Insurance Code, relating to insurance

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1018: By Messrs. Maloney, Miller, and Haggerty—An act to add Chapter 3, comprising Sections 12980 to 12981, inclusive, to Division 3 of the Insurance Code, relating to agreements between insurers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1019: By Messrs. Maloney, Miller, and Haggerty—An act to amend Sections 916 and 918 and repeal Section 10487 of, to add Sections 10150.1, 10478 and 10479 to, and to add Article 3a to Chapter 1 and Article 3A to Chapter 5 of Part 2, Division 2 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1020: By Messrs. Maloney, Miller, and Haggerty—An act to amend Section 12003 of the Revenue and Taxation Code; to repeal Article 1 of Chapter 3, Part 7, Division 2 of said code; to add a new article, comprising Sections 12251 to 12264 inclusive, to Chapter 3, Part 7, Division 2 of said code, to be known as Article 1; to amend Sections 12402, 12403, 12404, 12405, 12431, 12434, 12438, 12461, 12462, 12464, 12622, 12623, 12801, 12978, 12996, 12997 and 12999 of said code; and providing that it shall take effect from and after December 31, 1943; all relating to the taxation of insurers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1021: By Messrs. Maloney, Miller, and Haggerty—An act to amend Sections 10490, 10491, 10492, 10493, 10494, 10495, 10497, 10498, 10499 and 10500, and to add Section 10498.5 to, the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1022: By Messrs. Hastain, Watson, Kellems, Knight, T. Fenton; Stream, Dilworth, Bashore, Armstrong, Fourt, Thorp, and Leonard—An act to add Chapter 9, comprising Section 1140, to the Labor Code, relating to interference with employment relations.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1023: By Mr. Lowrey—An act to provide for the scraping of debris from roads and highways into stream channels.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1024: By Messrs. Brown and Sheridan—An act to amend Section 755 of the Probate Code, relating to sales of property of the estates of decedents.

Referred to Committee on Judiciary.

Assembly Bill No. 1025: By Messrs. Brown and Sheridan—An act to amend Section 756.5 of the Probate Code, relating to sale of personal property.

Referred to Committee on Judiciary.

Assembly Bill No. 1026: By Messrs. Brown and Sheridan—An act to add Section 754.5 to the Probate Code, relating to the sale of personal and real property as a unit.

Referred to Committee on Judiciary.

Assembly Bill No. 1027: By Mr. Brown—An act to amend Section 801 of the Probate Code, relating to bond on sale of contract to purchase.

Referred to Committee on Judiciary.

Assembly Bill No. 1028: By Messrs. Brown and Sheridan—An act to add Section 3656.5 to the Revenue and Taxation Code, relating to rental by State of tax-deeded property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1029: By Messrs. Brown, Thompson, and Miller—An act to add Section 615 to the Streets and Highways Code, establishing a new State highway.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1030: By Mr. Brown—An act to amend Sections 120, 157, 2630, 4106, 4110 and 4153 of, to repeal Chapter 4 of and to add a new Chapter 4 to Part 7, Division 1 of, and to add Sections 2630.5, 4105 5, 4105 6, 4106.5 and 4106 6 to the Revenue and Taxation Code, relating to the redemption of property and the transfer of tax redemption duties from the auditor and treasurer to the tax collector.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1031: By Messrs. Brown and Sheridan—An act to add Section 1844a to the Code of Civil Procedure, relating to proof of gifts causa mortis.

Referred to Committee on Judiciary

Assembly Bill No. 1032: By Mr. Desmond—An act to amend Sections 43 5 and 43.6 of the County Employees Retirement Act of 1937, relating to retirement.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1033: By Mr. Potter—An act to add Section 261b to the Code of Civil Procedure, relating to phonographic reporters in counties of 900,000 population or more.

Referred to Committee on Judiciary.

Assembly Bill No. 1034: By Mr. Potter (By request)—An act to amend Section 274 of the Code of Civil Procedure, relating to phonographic reporters of the superior court

Referred to Committee on Judiciary.

Assembly Bill No. 1035: By Messrs. Potter and Erwin—An act to provide for the formation of districts within municipalities for the acquisition, construction, maintenance, and operation of parking places, garages and other improvements for the parking of motor vehicles, levy

and collection of assessments upon property in said districts, the issuance, sale and payment of bonds secured by such assessments, the collection of rentals, fees, and charges for the use of such parking places, garages or other improvements, the administration thereof, and the levy of taxes.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1036: By Messrs Dickey, Sheridan, Leonard, Field, Potter, and Bashore—An act to add Section 1041.5 to the Insurance Code, relating to annual reports and accounts by the Insurance Commissioner, and making an appropriation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1037: By Messrs. Dickey, Sheridan, Leonard, Field, Potter, and Bashore—An act to add Section 136e to the Bank Act, relating to annual reports and accounts by the Superintendent of Banks, and making an appropriation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1038: By Messrs. Dickey, Sheridan, Leonard, Field, Potter, and Bashore—An act to add Section 13.16f to the Building and Loan Association Act, relating to annual reports and accounts by the Building and Loan Commissioner, and making an appropriation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1039: By Messrs. Carey, Sheridan, Johnson, Dunn, Dickey, Waters, and Fourn—An act to add Section 673.6 to the Vehicle Code, relating to exhaust pipes.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1040: By Mr. Denny—An act to amend Section 39 of the Fish and Game Code, relating to migratory birds.

Referred to Committee on Fish and Game.

Assembly Bill No. 1041: By Mr. Sheridan—An act to amend Section 7061 of the Welfare and Institutions Code, relating to witness fees in hearings for the commitment of alleged defective or psychopathic delinquents.

Referred to Committee on Judiciary.

Assembly Bill No. 1042: By Mr. Sheridan—An act to add Section 17.1 to the Welfare and Institutions Code, relating to the residence of minor persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 1043: By Mr. Sheridan—An act to repeal Sections 834 and 835 of, and to add Section 833.5 to, the Welfare and Institutions Code, relating to proceedings in the juvenile court with respect to persons over the age of 18 years and under the age of 21 years.

Referred to Committee on Social Welfare.

Assembly Bill No. 1044: By Mr. O'Day—An act to amend Section 791 of the Political Code and Section 8200 of the Government Code

and to repeal an act entitled "An act providing for the appointment of an additional notary public for the City and County of San Francisco for the accommodation of the inhabitants of said city and county residing at the Presidio of San Francisco," approved April 6, 1931, relating to notaries public.

Referred to Committee on Judiciary.

Assembly Bill No. 1045: By Mr. O'Day—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, and providing that this act shall take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1046: By Mr. Carlson—An act to add Section 1631.8 to the Labor Code, relating to fees of employment agencies.

Referred to Committee on Judiciary.

Assembly Bill No. 1047: By Mr. Carlson—An act to amend Section 4316 of the Political Code, relating to the privileges of public officers.

Referred to Committee on Judiciary.

Assembly Bill No. 1048: By Mr. George D. Collins—An act to amend and renumber the heading of Article 1 of Chapter 1 of Part 9 of Division 2 of the Labor Code, to add Article 1, comprising Sections 2200 and 2201, and Article 3.5, comprising Sections 2370 and 2371, to said chapter, and to repeal an act entitled "An act to provide for the keeping of medical and surgical appliances in factories," approved May 19, 1913, and an act entitled "An act to require employers of labor to furnish, without charge, pure drinking water to their employees during working hours," approved May 24, 1915, all relating to the obligations of employers of labor to provide for the health and comfort of their employees.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1049: By Mr. George D. Collins—An act to add Section 100.5 to the Labor Code, relating to preferred claims for work performed or personal services rendered.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1050: By Mr. Leonard (By request)—An act to amend Section 1 of an act entitled "An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than ten thousand dollars (\$10,000); requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and,

upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records," approved June 21, 1923, as amended, relating to reports to be filed thereunder.

Referred to Committee on Governmental Efficiency and Economy.

Hon. Willis Sargent Presiding

At 12 14 p.m., Hon. Willis Sargent, Member of the Assembly from the Forty-seventh District, presiding.

RECESS

At 12.27 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred.

Senate Concurrent Resolution No. 13

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend and be adopted, as amended.

SAM L. COLLINS, Chairman

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 13

Senate Concurrent Resolution No. 13—Relative to a Fact-Finding Committee on the labor supply for agricultural and industrial enterprises, and defining its powers and duties.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 1, line 20, of the printed measure, after the word "four" in knockout type, strike out the italicized word "two", and insert "three".

Amendment read and adopted.

Resolution ordered reprinted, and on file for adoption.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Senate Concurrent Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Joint Resolution No. 11

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Concurrent Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 60

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

RECESS

At 2.04 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2.05 p.m., to hear from former Chaplain of the Assembly, the Reverend Raymond L. Bailey of Sacramento.

REASSEMBLED

At 2.05 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF HOUSE RESOLUTION NO. 60

House Resolution No. 60

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance, Typewriter service-----	\$ 108 60
Department of Finance, Typewriter service-----	98 18
Department of Finance, Typewriter service-----	92 15
Department of Finance, Typewriter service-----	30 58
Department of Finance, Typewriter service-----	87 66
Department of Finance, Typewriter service-----	90 03
The Recorder Printing and Publishing Co., 85 Larnac Indexes_	1,050 60
Walsh & Day, Repairing microphones-----	46 05

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollbaugh, Howser, Johnson, King, Knight, John B. Kraft, Leonard, Lyons, Maloney, McCollister, Middough, Miller, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, and Weybret—51.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which was referred: Assembly Bill No. 755
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 755—An act to add Sections 8.2 and 13.1 to The Personal Income Tax Act and Sections 17356 and 18434 to the Revenue and Taxation Code, relating to the personal income tax, deductions therefrom and returns made therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "the Merchant Marine."

Amendment No. 2

On page 1, line 13, of the printed bill, strike out "the Merchant Marine."

Amendment No. 3

On page 2, line 3, of the printed bill, strike out "the Merchant Marine."

Amendment No. 4

On page 2, line 10, of the printed bill, strike out "the Merchant Marine."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 70

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 70

House Resolution No. 70

Relative to the investigation of milk production and distribution and swine diseases

WHEREAS, The Standing Committee on Live Stock and Dairies will be called upon to consider legislation relating to milk production and distribution and swine diseases during the current session of the Legislature; and

WHEREAS, In order to intelligently consider and act upon such legislation it is necessary that the said committee be fully informed about the facts concerning the same; and

WHEREAS, It appears that the best method of acquiring accurate and necessary information concerning such matters would be to authorize a subcommittee appointed from the membership of the standing Committee on Live Stock and Dairies to conduct an investigation and to study those subjects; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby established an Investigating Committee to be known as the Committee on Live Stock and Dairies which committee is to study and investigate and survey accurately in detail the problems of milk production and distribution and swine diseases; and be it further

Resolved, That the committee shall consist of seven members of the Assembly standing Committee on Live Stock and Dairies to be appointed by the Speaker. Vacancies in the membership of the committee occurring at any time shall be filled by the Speaker; and be it further

Resolved, That the committee may employ, prescribe the duties and fix the compensation of such professional assistants, clerical, and other employees as it finds necessary for the conduct of its work; and be it further

Resolved, That the committee is authorized to hold public hearings at Sacramento and at any place in California, during the Fifty-fifth Session of the Legislature and any recesses thereof; and be it further

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

Resolved, That the committee, each of its members and any representative of the committee thereunto authorized by the committee or its chairman is authorized and empowered to administer oaths, and all of the provisions of Article 8, Chapter 2, Title 1, Part 3, of the Political Code, relating to the attendance and examination of witnesses before the Legislature and committee thereof apply to the committee hereby created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way, incurred in connection with their services upon the committee, and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee or in lieu of such expenses for accommodations and meals, an allowance of ten dollars (\$10) per day; be it further

Resolved, That the sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses, or claims it may incur under this resolution, to be disbursed after certification by the chairman of the committee, upon warrants drawn by the Controller upon the Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules and House Functions:

Resolved, by the Assembly, That the fourth "Resolve" clause in House Resolution No. 70 be amended to read:

"Resolved, That the committee is authorized to hold public hearings at Sacramento and at any place in California, and to exercise all the powers and perform all the duties imposed upon it by this resolution during the Fifty-fifth Session of the Legislature, any recesses thereof and after final adjournment, and to file its report with the Fifty-sixth Session of the Legislature upon its convening; and be it further".

Amendment read and adopted.

Resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 341—An act to add Section 2183.9 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh,

Howser, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, and Weybret—61.

NOES—Wollenberg—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 2.23 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Assembly Bill No. 412—An act to add Section 1760.5 to the Welfare and Institutions Code, relating to the Youth Correction Authority, authorizing the authority to require persons committed thereto to perform work on certain public projects, and to make contracts in relation thereto, and making an appropriation, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 412:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 18, 1943

*To the Honorable Members of the Assembly
Sacramento, California*

GENTLEMEN

ASSEMBLY BILL NO. 412

"An act to add Section 1760.5 to the Welfare and Institutions Code, relating to the Youth Correction Authority, authorizing the authority to require persons committed thereto to perform work on certain public projects, and to make contracts in relation thereto, and making an appropriation, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I, therefore, recommend consideration of Assembly Bill No. 412 as necessary for the immediate preservation of the public peace, health, or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day,

Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellem, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Nichouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 57

House Resolution No. 57

WHEREAS, The Fish and Game Code provides for the establishment of public shooting grounds upon State land acquired for game refuges; and

WHEREAS, Section 328 of said code authorizes the Fish and Game Commission to make rules and regulations for the occupation, use, operation, protection, and administration of property acquired for game refuges or public shooting grounds as either game refuges, public shooting grounds, or both; and

WHEREAS, The purpose of said Section 328 is that public shooting should be permitted upon such State owned lands at such periods as it can be permitted without undue depletion of the wild life on such land; and

WHEREAS, The continued maintenance of refuges which are plentifully stocked with game serves no useful purpose, and certain game refuges might well be opened for a judicious amount of public shooting; now, therefore, be it

Resolved by the Assembly of the State of California, That the Fish and Game Commission is hereby requested to investigate the condition of the lands belonging to the State which were acquired for game refuges or public shooting grounds or both, and to take such action as may be necessary to permit the public to enjoy the advantages sought to be attained by the acquisition of such property by the State.

Resolution read and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 352—An act creating a special fund in the State Treasury for the deposit of restitutions received by the State from former recipients of relief under the provisions of the "California Unemployment Relief Act of 1935," making a transfer of funds to this fund, making an appropriation to the State Controller for continued collection of restitutions, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 352:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 25, 1943

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

ASSEMBLY BILL NO. 352

"An act creating a special fund in the State Treasury for the deposit of restitutions received by the State from former recipients of relief under the provisions of the 'California Unemployment Relief Act of 1935,' making a transfer of funds to this fund, making an appropriation to the State Controller for continued collection of restitutions, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 352 as necessary for the immediate preservation of the public peace, health, or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

CHANGES IN STANDING COMMITTEES

The Speaker announced the following changes in standing committee appointments:

Roads and Highways—Sam L. Heisinger in place of Bernard R. Brady.

Municipal and County Government—Bernard R. Brady, in place of Sam L. Heisinger.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 8—Relative to the creation of a Joint Fact-Finding Committee on Un-American Activities in California to investigate the activities of persons and groups known or suspected to be foreign dominated or controlled and recommend legislation for their regulation.

Resolution read.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 21, of the printed measure, as amended, strike out "The powers specified"; and strike out line 22; and in line 23, strike out "final adjournment of this session".

Amendment No. 2

On page 3, line 6, of the printed measure, as amended, after "meet", insert "either during sessions of this Legislature or during any recess thereof".

Amendments read and adopted.

Request for Unanimous Consent

Mr. Kellems asked for, and was granted, unanimous consent to consider Senate Concurrent Resolution No. 8, as amended, at this time, without reference to reprint or file.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 8,
AS AMENDED**

Senate Concurrent Resolution No. 8—Relative to the creation of a Joint Fact-Finding Committee on Un-American Activities in California to investigate the activities of persons and groups known or suspected to be foreign dominated or controlled and recommend legislation for their regulation.

Resolution read, as amended.

Demand for Previous Question

Messrs. Debs, Middough, Lyon, Evans, and Robertson demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Senate Concurrent Resolution No. 8.

The roll was called, and Senate Concurrent Resolution No. 8 adopted by the following vote:

AYES—Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollbaugh, Howser, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—Bennett, Collins, George D., Hawkins, McMillan, and Pelletier—5.

Resolution ordered transmitted to the Senate.

Explanation of Vote on Senate Concurrent Resolution No. 8

While I have not been in full accord with all of the activities of this Tenney Committee, believing that in some respects its operations are not even welcome by the Federal Bureau of Investigation, had I been present I would have voted for it.

VERNON KILPATRICK

RESOLUTIONS

The following resolution was offered:

By Messrs. Brady, O'Day, Maloney, Wollenberg, Collins, George D., Gaffney, and Berry:

House Resolution No. 76

Relating to the birthday of Mr. Gerald P. Haggerty

WHEREAS, Mr. Gerald P. Haggerty today celebrates his fortieth birthday; and **WHEREAS**, Mr. Haggerty is to be congratulated thereupon and is also to be congratulated upon serving this, his first term, as a Member of the Assembly from San Francisco; and

WHEREAS, Mr. Haggerty is about to learn whether or not any truth lies in the oft-heard statement that "Life begins at forty"; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly tenders to Mr. Gerald P. Haggerty its good wishes and congratulations upon this happy event; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to prepare a suitably engrossed copy of this resolution to be presented to Mr. and Mrs. Peter Haggerty, the mother and father of Assemblyman Haggerty

Request for Unanimous Consent

Mr. Brady asked for, and was granted, unanimous consent to take up House Resolution No. 76, at this time, without reference to committee.

Resolution read and adopted.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 122—An act to repeal Sections 11 and 21 of an act approved May 23, 1921, as amended, entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," to amend Section 13 and to add Sections 11, 11.10, 11.20, 11.30, 11.40, 11.50, 11.60, 11.70, 21, 21.10, 21.20, 21.30, 21.40, 21.50, 21.60, 21.70, 21.80, 21.90 and 21.100, providing for the powers of the board of directors to determine all questions of policy, to supervise and regulate all utilities owned and operated by a municipal utility district, to appoint a general manager and other officers, assistants and employees, to contract for or employ services, and to provide for the performance of work or services, to create the positions necessary to carry on the functions of the district and to abolish positions and establish salary ranges; providing for the tenure and removal of the general manager; and relating to the powers of the board of directors generally; the powers and duties of the general manager; also providing for the adoption and administration of a civil service system, specifying the positions included therein and excepted therefrom, providing for appointments based on merit and discharge for cause, period of probation; suspensions, adoption of rules by the general manager, providing for the making of appointments without examination during the present emergency; and relating to civil service generally; and the severability of the act; and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellem, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellem, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan,

Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 15—Relative to designating this session of the Legislature "The Victory Session."

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beek, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMullan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. McMullan, Gaffney, Hawkins, and Collins, George D.:

House Resolution No. 77

Relating to the President's North Africa trip

WHEREAS, The President's trip to North Africa demonstrates his courage and determination to win the war and win it quickly; and

WHEREAS, The official communication issued by President Franklin D. Roosevelt and Prime Minister Churchill said that "all resources are being marshaled for a more intense prosecution by sea, land, and air" and that complete agreement was reached between the leaders of the two countries and their respective staffs upon the war plans and enterprises to be undertaken during the campaign of 1943 against Germany, Italy, and Japan, with a view to drawing the utmost advantage from the remarkably favorable turn of events at the close of 1942; and

WHEREAS, The same communication stated that Joseph Stalin and Generalissimo Chiang Kai-Shek had been invited to the meeting but had been unable to attend due to the fact that they were personally directing the offensive against the common enemies; and

WHEREAS, This indicates even closer cooperation by the United Nations and the prosecution of the war; and

WHEREAS, The President's trip and the resulting communication has been an exhilarating lift to the morale of the American people and their determination to win the war at the earliest possible date; now, therefore, be it

Resolved by the Assembly of the State of California, That the Legislature of the State of California go on record as commending the President on his extraordinary trip to North Africa to confer with Premier Churchill of Great Britain and allied military leaders of the war and the salutary effects thereof in stimulating enthusiasm and unity among the peoples of the Allied Nations, for a vigorous prosecution of the war against the Axis Nations and a speedy and victorious termination of the war.

Request for Unanimous Consent

Mr. McMullan asked for, and was granted, unanimous consent to take up House Resolution No. 77, at this time, without reference to committee.

Resolution read and adopted.

MOTION TO SET SPECIAL ORDER

Mr. Bashore moved that Assembly Bill No. 489 be made a special order of business for Thursday, January 28, 1943, at 2.15 p.m.

Motion carried.

EXPLANATION OF MOTION TO TABLE ASSEMBLY BILL NO. 124

Assembly Bill No. 124 was introduced for the purpose of extending the present sardine season during the month of March in order to meet commitments made under the Lend Lease Act for the armed forces.

In March, 1942, Southern California cannery packed over 140,000 cases of edible sardines. With improvements made, the same cannery could pack 427,000 cases of sardines during this extended period—which would help fulfilling the requests of the Federal Government.

The motion to table the bill was made by the author for the following reasons:

1. Letter of opposition filed by the Regional Office of the War Production Board, signed by Mr. Otto Lang and Mr. Clevenger of said bureau.

2. Several members of the committee voiced opposition, contending that this would result in depleting this specie of fish.

VINCENT THOMAS

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

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

Assembly Bill No. 1051: By Mr. Robertson—An act making an appropriation for the support of the Santa Barbara State College.

Referred to Committee on Ways and Means.

Assembly Bill No. 1052: By Mr. Fourn—An act making an additional appropriation for the support, operation, construction, improvements, and equipment at the State prisons of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1053: By Messrs. Leonard, Carey, Fourn, and Watson—An act to amend Section 1 of an act entitled "An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts," approved July 1, 1937, relating to capital outlays by cities, counties, cities and counties, or districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1054: By Messrs. Leonard, Carey, and Fourn—An act to amend Section 862.6 of and to add Section 862.29 to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to powers of a city council in cities of the sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1055: By Messrs. O'Day, Maloney, Wollenberg, Berry, Haggerty, Gaffney, Collins, George D., and Brady—An act to amend Section 1908 of the Harbors and Navigation Code, relating to fire boats.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 1056: By Messrs. O'Day, Gaffney, and Maloney—An act to add Section 538 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1057: By Mr. McCollister—An act authorizing the investment of surplus funds of the State and the political subdivisions thereof in bonds and other obligations for the payment of

which the faith and credit of the United States of America are pledged and legalizing all such investments heretofore made.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1058: By Mr. McCollister—An act to amend Sections 7454, 7457, 7701, 7702, 7703 and 7704 of the Revenue and Taxation Code, relating to the collection of the motor vehicle fuel license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1059: By Mr. McCollister—An act to amend Sections 8127 and 8150 of the Revenue and Taxation Code, relating to refunds of the motor vehicle fuel license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1060: By Mr. McCollister—An act authorizing the exchange of information relating to the liability for and the payment of taxes and excises between the State Board of Equalization and the Commissioner of Internal Revenue of the United States.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1061: By Mr. McCollister—An act to amend Sections 8703, 8705, 9151 and 9174 of the Revenue and Taxation Code, relating to use fuel tax permits and refunds of the use fuel tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1062: By Messrs. Waters and Fourt—An act to amend Section 5.1112 of the School Code and to add Section 14702 to the Education Code, relating to members of district retirement systems, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1063: By Messrs. Burns, Waters, Field, and Thurman—An act to amend Section 54 of the Vehicle Code and Section 1.91 of the School Code.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1064: By Messrs. Burns, Waters, and Thurman—An act to amend Section 622 of the Vehicle Code, relating to lamps on bicycles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1065: By Messrs. Burns, Waters, and Thurman—An act to amend Sections 645, 665 and 698, and to repeal Section 707 of the Vehicle Code, relating to the testing of lamps and devices on motor vehicles, elevated wheels and length of loads.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1066: By Messrs. Burns, Waters, and Thurman—An act to amend Sections 251, 252, 267, 302, 305, 307, 310, 353, 414, 415, 416, 417 and 418 of the Vehicle Code, relating to driver's licenses and proof of ability to respond in damages.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1067: By Messrs. Burns, Waters, and Thurman—An act to amend Sections 10.5, 56, 130, 142, 146, 154, 164.5, 175, 217, 222, 225, 245.5, 371.5, 372.5, 374, 378, 383, 384 and 776 of the Vehicle Code, relating to registration of vehicles and fees, and Section 11001 of the Revenue and Taxation Code, relating to the report and deposit of moneys.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1068: By Messrs. Burns, Thurman, Waters, and Field—An act to add Section 135.4 to the Vehicle Code, relating to members of California Highway Patrol having power of peace officers.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1069: By Messrs. Burns, Waters, Field, and Thurman—An act to amend Section 359b of the Political Code, relating to the Governor's Council.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1070: By Messrs. Burns, Thurman, Waters, and Field—An act to add Section 156.5 to the Vehicle Code, relating to the issuance of stickers in lieu of license plates to vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1071: By Messrs. Burns, Waters, Field, and Thurman—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1072: By Messrs. Burns, Thurman, Waters, and Field—An act to amend Section 128 of the Vehicle Code, relating to powers and duties of the director.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1073: By Messrs. Collins, George D., Gaffney, and Berry—An act to amend Section 974 of the Labor Code, relating to penalties for violation of provisions concerning advertisements for employees during labor trouble.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1074: By Messrs. Collins, George D., Gaffney, and Berry—An act to amend Section 1299 of the Labor Code, relating to the employment of minors.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1075: By Mr. Evans—An act to add Article 3 to Chapter 1 of Part 1 of Division 3 of the School Code, and to add Chapter 3.5 to Division 4 of the Education Code, relating to the study of child growth and development.

Referred to Committee on Education.

Assembly Bill No. 1076: By Mr. Doyle—An act to add Section 273d to the Penal Code, relating to wilful corporal injury to wife or child.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1077: By Messrs. King, Thompson, Crichton, and Robertson—An act to add Section 530 to the School Code and to add Section 20355 to the Education Code, relating to the establishment and maintenance of student health services at State colleges.

Referred to Committee on Education.

Assembly Bill No. 1078: By Mr. Doyle—An act to add Section 109a to an act entitled "An act to provide for the creation, establishment and adjustment with other such systems, of a Retirement System for Employees of the State of California and of such cities as may elect to include employees under such system and make an appropriation therefor," approved June 9, 1931, relating to fish and game wardens.

Referred to Committee on Fish and Game.

Assembly Bill No. 1079: By Mr. Hawkins—An act to amend the title and Section 3 of, and to add Articles 11 to 18, inclusive, comprising Sections 151 to 357, inclusive, to the Unemployment Insurance Act, relating to a System of Health Insurance within the System of Unemployment Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1080: By Messrs. O'Day, Collins, George D., Wollenberg, Maloney, Berry, Brady, Haggerty, and Gaffney—An act to add Section 647 to the Streets and Highways Code, relating to State highways, and creating the "Divisional Highway," in the City and County of San Francisco.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1081: By Mr. Carlson—An act to amend Section 3714 of the Political Code, relating to annual financial estimates of counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1082: By Messrs. Gaffney, Berry, Crichton, Haggerty, O'Day, Collins, George D., and Lyons—An act to add Section 383c to the Penal Code, relating to destruction of food stuffs, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 1083: By Mr. Sheridan—An act to amend Section 6854 of the Business and Professions Code, relating to exclusions from definition of "collection agency."

Referred to Committee on Judiciary.

Assembly Bill No. 1084: By Mr. Howser—An act to amend Section 3720 of the Political Code, relating to changes of boundaries of taxation and assessment districts

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1085: By Mr. Sam L. Collins—An act to amend Section 96.5 of the State Civil Service Act, relating to status of members of armed forces on civil service lists.

Referred to Committee on Civil Service and State Departments

Assembly Bill No. 1086: By Mr. Potter—An act making an appropriation to pay the claim of State Athletic Commission against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1087: By Mr. Potter (By request)—An act to add Section 9.19 to the Building and Loan Association Act, relating to powers of building and loan associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1088: By Mr. Potter (By request)—An act to add Section 9.02a to the Building and Loan Association Act, relating to powers of building and loan associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1089: By Messrs. Collins, George D., and Gaffney—An act to add Section 1.224 to the School Code and Section 16735 to the Education Code, relating to the employment of minors.

Referred to the Committee on Education.

Assembly Bill No. 1090: By Mr. T. Fenton Knight—An act to add Chapter 1.1, consisting of Sections 2160 to 2162 inclusive, to Part 4, of Division 1 of the Revenue and Taxation Code, relating to taxation of personal property, secured and unsecured, and providing a maximum tax rate of three dollars (\$3) per one hundred dollars (\$100) of assessed valuation on all personal property, both secured and unsecured, and making such rate limitation applicable to all personal property situated in cities of all classes, including chartered cities; providing for the apportionment and distribution of such taxes on personal property; and providing that such rate limitation shall not affect any tax rate or levy made prior to the effective date of this act.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1091: By Mr. Desmond—An act making an appropriation to pay the claim of the County of Sacramento against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1092: By Mr. Desmond—An act to amend Section 61.2 of the Alcohol Beverage Control Act, relating to the purchase and sale of alcoholic beverages, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Public Morals.

Assembly Joint Resolution No. 23: By Messrs. Miller, Bashore, Maloney, Weybret, Gaffney, Haggerty, Berry, Dunn, Sargent, Anderson, Massion, O'Day, Brown, Sheridan, Hollibaugh, Bennett, Knight, John B., and Debs—Relative to memorializing Congress to enact Senate Bill No. 450 regarding compensation to civilians.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 23, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 23

Assembly Joint Resolution No. 23—Relative to memorializing Congress to enact Senate Bill No. 450 regarding compensation to civilians. Resolution read.

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

AYES—Anderson, Bashore, Bennett, Berry, Burkhalter, Burns, Carlson, Collins, George D., Collins, Sam L., Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Howser, Johnson, Kellems, Knight, John B., Leonard, Maloney, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Thomas, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—48.
NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 24: By Messrs. Weber, Dills, Clayton A., Johnson, Bashore, Hollibaugh, Knight, T. Fenton; Massion, Waters, Robertson, Fourt, Denny, Gaffney, Knight, John B., Leonard, Evans, Hawkins, Field, Thorp, and Burns—Relative to the growing shortage of motor truck transportation.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 24, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 24

Assembly Joint Resolution No. 24—Relative to the growing shortage of motor truck transportation.

Resolution read.

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

AYES—Anderson, Bashore, Bennett, Berry, Burkhalter, Burns, Carlson, Collins, George D., Collins, Sam L., Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Evans, Field, Fourt, Gaffney, Hawkins, Johnson, Knight, John B., Knight, T. Fenton; Maloney, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Sargent, Sheridan, Smith, Thomas, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—41.
NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Weber:

House Resolution No. 78

Resolved, That the Committee on Legislative Organization is hereby authorized to carry on the work of the Subcommittee on Post-War Planning of the Committee on Economic Security created pursuant to the provisions of House Resolution No. 186, Fifty-fourth Session, and to follow the recommendations of the said committee in regard to the organization of a research foundation to act in the aid of the legislative function; and be it further

Resolved, That the Committee on Legislative Organization, during the recess and thereafter, shall perform the duties prescribed in House Resolution No. 22 of the Fifty-fifth Session; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of eight dollars (\$8) per day for accommodations and meals. The sum of five hundred dollars (\$500) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee and its members, and for any other charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 10

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 266

Assembly Bill No. 489

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 16

Assembly Joint Resolution No. 11

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolutions ordered on file for adoption.

Hon. Earl D. Desmond Presiding

At 4.07 p.m., Hon. Earl D. Desmond, Member of the Assembly from the Ninth District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 224

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

WATERS, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 224—An act to add Sections 3211.2, 3211.4, 3211.6, and 3352.5 to, and Chapter 10, comprising Sections 4301 to 4439, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 7, comprising Sections 1570 to 1573, inclusive, to Chapter 1 of

Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to civilian defense workers, including the limiting of the liability of the State of California, counties, cities, and civilian defense organizations for injuries arising out of and occurring in the course of activities as a civilian defense worker, authorizing the State Council of Defense to certify civilian defense organizations and to make rules and regulations for the classifying and registering of civilian defense workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 1 of the title of the printed bill, after "3211.6", insert "3211 7, 3211.8,".

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "officer or governmental", and strike out "by a county".

Amendment No. 3

On page 1, line 5, of the printed bill, strike out "or city".

Amendment No. 4

On page 2 of the printed bill, strike out all of lines 13 to 26, inclusive, and insert "3211 6. "Civilian defense worker" means any natural person in the State who is registered with a civilian defense organization for the purpose of engaging in either civilian protection or civilian war services without pay or other consideration."

Amendment No. 5

On page 2, line 31, of the printed bill, after the period, insert "Sec. 4 Section 3211.7 is hereby added to the Labor Code, to read as follows: 3211.7 "Civilian protection" means that part of civilian defense activities which has for its purpose the limitation of the effects of enemy action and the protection of life and property.

Sec. 5. Section 3211.8 is hereby added to the Labor Code, to read as follows: 3211.8. "Civilian war services" means all civilian defense activities, other than those relating to civilian protection, with which the State, communities and individuals must be concerned as a part of their contribution to the successful prosecution of the war. They include but are not limited to, salvage, transportation, war savings, services to service men, recreation, consumer interests, nutrition, health and medical care, welfare and child care, housing, education, agriculture, manpower supply and training, and plant utilization "

Amendment No. 6

On page 2, line 32, of the printed bill, strike out "Sec. 4", and insert "Sec 6".

Amendment No. 7

On page 2, lines 38 and 39, of the printed bill, strike out "or only for nominal consideration, as defined in Section 3211.6."

Amendment No. 8

On page 2, line 40, of the printed bill, strike out "Sec. 5", and insert "Sec. 7".

Amendment No. 9

On page 4, line 28, of the printed bill, strike out "fifteen dollars (\$15)", and insert "twenty dollars (\$20)"; and in lines 32 and 33, strike out "fifteen dollars (\$15)", and insert "twenty dollars (\$20)"

Amendment No. 10

On page 4, line 37, of the printed bill, strike out "fifteen dollars (\$15)", and insert "twenty dollars (\$20)".

Amendment No. 11

On page 6, line 50, of the printed bill, after "regulation", insert "or order".

Amendment No. 12

On page 6 of the printed bill, strike out all of lines 9 to 19, inclusive.

Amendment No. 13

On page 7, line 33, of the printed bill, after "regulation", insert "or order".

Amendment No. 14

On page 9, line 3, of the printed bill, strike out "Sec. 6", and insert "Sec. 8."

Amendment No. 15

On page 9, line 21, of the printed bill, strike out "this article", and insert "Section 1571 of this code".

Amendment No. 16

On page 9, line 34, of the printed bill, strike out "Sec. 7.", and insert "Sec. 9."

Amendment No. 17

On page 9, lines 36 and 37, of the printed bill, strike out "ten million dollars (\$10,000,000)", and insert "five hundred thousand dollars (\$500,000)".

Amendment No. 18

On page 10, line 12, of the printed bill, strike out "Sec. 8.", and insert "Sec. 10."

Amendment No. 19

On page 9, line 49, of the printed bill, after "aggregate", strike out "ten thousand"; and, in line 50, strike out "dollars" and "(\$10,000)", and insert "one hundred thousand dollars (\$100,000)".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 10

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bill ordered to third reading.

MOTION TO SET SPECIAL ORDER

Mr. Dilworth moved that Assembly Bill No. 10 be made a special order of business on Thursday, January 28, 1943, at 2.30 p.m.

Motion carried.

RESOLUTIONS

The following resolution was offered:

By Messrs. Evans, Lyon, Doyle, and Maloney:

House Resolution No. 79

Relating to adjournment in respect to the memory of John Horn

WHEREAS, Death has claimed John Horn, for years an invaluable member of the board of public works of Los Angeles, and past president of the Central Labor Council and vice president of the State Federation of Labor; and

WHEREAS, John Horn unstintedly and graciously contributed his services to further community and labor interests; and

WHEREAS, The Members of the Assembly wish to pay tribute to John Horn; now, therefore, be it

Resolved by the Assembly of the State of California, That when this Assembly adjourns this day, it do so out of respect to, and in memory of John Horn.

Request for Unanimous Consent

Mr. Evans asked for, and was granted, unanimous consent to take up House Resolution No. 79, at this time, without reference to committee.

Resolution read and adopted.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 770—An act to add Sections 1351.1, 1351.2, 1351.3 and 1351.4 to the Labor Code, relating to the hours of work of female employees in occupations and industries essential to the war effort, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to add Sections 1351.1, 1351.2, 1351.3, and 1351.4 to the Labor Code, relating to the hours of work", and insert "to increase production by providing for exemptions from various requirements relating to employment and working conditions".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "in occupations and industries"

Amendment No. 3

On page 1 of the printed bill, strike out all of line 1, and insert "SECTION 1 This act shall be known as the War Production Act

SEC. 2. The Legislature hereby declares that, in order to increase production and to win the war in which the United States is engaged, certain restrictions on activities of employees should be temporarily revised, either wholly or partly, such revision of restrictions to be in effect only as provided in Section 10 hereof.

SEC. 3 The Governor may, upon the application of an employer, issue a war production permit covering a designated place or places of employment permitting the employment of female employees at such hours, and at such type of work, and under such conditions, as may be helpful in increasing production and furthering the war effort without unreasonably increasing the risk of impairing the health or safety of said female employees, in view of the emergency. Such permit when issued shall remain in effect until revoked, modified or suspended under Section 6

SEC 4. An application for such a permit shall be filed by an employer within 24 hours after he employs females at or for such hours or at such type of work or under such conditions not permitted by law without a permit under this act, with the State department in which is vested the enforcement of the law from which it is proposed to create an exemption as herein provided. Such State department is authorized to recommend the issuance of such a permit. If it recommends the issuance of such a permit, it shall incorporate the terms and conditions upon which the permit is to be issued. Upon such favorable recommendation being made, the Governor may issue the permit and the Governor may include the terms and condition within the permit

SEC. 5. "State department" includes every department of the State, and every other State board or agency, whether or not created by the Constitution, but does not include any division, bureau or other branch or bureau of a State department

SEC 6 The Governor may at any time revoke, suspend or modify any permit upon recommendation of the department which recommended the issuance of said permit. Upon proof being made that the terms and conditions of any such permit have been violated wilfully, such department may recommend to the Governor that the permit be suspended, modified or revoked

SEC 7 All State departments shall continue to exercise their duties under the laws and rules to insure that the relaxation authorized by the permit does not adversely affect the health or safety of the female employees involved.

SEC 8 No relaxation permit shall have the effect of abrogating any collective bargaining agreement prescribing overtime rates of pay or any of the overtime rates prescribed by the Industrial Welfare Commission or agencies of the Federal Government.

SEC 9. Any authority herein given to a State department may be exercised by any official or employee in the department so authorized by the director or other head of the department.

SEC. 10. This act shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this act is in effect it shall supersede any existing provisions of law which are in conflict with this act; but such provisions are not repealed by this act and after this act is no longer effective shall have the same force as though this act had not been enacted.

SEC. 11 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The war emergency requires that all facilities of production be utilized to the utmost and that restrictions upon the hours and conditions of work be relaxed to such an extent as may be compatible with the health and safety of the persons affected. This act provides a method whereby production can be increased under safeguards designed to afford full protection to all persons involved and its early effectiveness is necessary to the prosecution of the war effort."

Amendment No. 4

On page 1 of the printed bill, strike out lines 2 to 24, inclusive, and strike out all of pages 2 and 3.

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

MOTION TO SET SPECIAL ORDER

Mr. Potter moved that Assembly Bill No. 770 be made a special order of business for Thursday, January 28, 1943, at 3 p.m.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lena B. Everett, teacher, and the following students of the H 8 Social Studies Class, Stanford Jr. High, Sacramento:

Anna Bartella, LaRae Bruno, Merle Courter, Joe DeFrisco, Kenneth Gage, Barbara Galante, Dolores Hendricks, Marie Johnson, Mary Johnson, Robert Kent, Gloria Lee, Wileta Luke, Gail Mansfield, Lewis McDonald, William Petrol, Roberta Randon, Vera Redgate, Josephine Rizzata, Jerry Rose, Jean Schlack, Dorothy Skarles, and Dorothy Wear.

On request of Mr. Carlson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. A. W. Carlson, and Major and Mrs. R. C. Ham of Oakland.

On request of Mr. Burkhalter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Harry Woods of North Hollywood.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Grace Prentiss of San Francisco.

On request of Mr. Debs, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to William Richman of Los Angeles.

On request of Messrs. Kellems and Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Reverend Raymond L. Bailey, former Chaplain of the Assembly.

On request of Messrs. Maloney, Johnson, and the San Francisco County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Edgar C. Levey, former Speaker of the Assembly.

On request of the San Francisco County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to William T. Sweigert, Jr., of San Francisco.

ADJOURNMENT

At 4.16 p.m., on motion of Mr. Sam L. Collins, the Chair declared the Assembly adjourned until 2 p.m., Thursday, January 28, 1943, out of respect to the memory of the late Fred E. Stewart and the late John Horn.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

NINETEENTH LEGISLATIVE DAY
 TWENTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
 Thursday, January 28, 1943

The Assembly met at 2 p.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
 Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Cull, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Muldough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

O Thou King eternal, immortal, invisible, Thou only wise God our Saviour; hasten, we beseech Thee, the coming of Thy kingdom on earth, and draw the whole of mankind into willing obedience to Thy blessed reign. Overcome all the enemies of Christ and bring low every power that is exalted against Him. Cast out all the evil which causes war and fighting so that Thy spirit may completely rule the hearts of men in righteousness and love.

"Sun of our life, Thy quickening ray
 Sheds on our path the glow of day;
 Star of our hope, Thy softened light
 Cheers the long watches of the night
 Grant us Thy truth to make us free,
 And kindling hearts that burn for Thee,
 Till all Thy living altars claim
 One holy light, one heavenly flame."

AMEN

READING OF THE JOURNAL DISPENSED WITH

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

EXPLANATION OF ABSENCE

Upon request of the Speaker, Mr. Ralph C. Dills was excused for the legislative day in performance of duties for the State.

Speaker Pro Tempore Presiding

At 2.05 p m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

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

Assembly Bill No. 1093: By Messrs. Carey, Dunn, and Brown—An act to amend Sections 18108 and 18201 of the Health and Safety Code, relating to auto courts and resorts and auto and trailer camps, to nuisances therein and to the abatement, prevention and punishment of such nuisances.

Referred to Committee on Public Health.

Assembly Bill No. 1094: By Messrs. Carey, Dunn, and Brown—An act to amend Section 18200 of the Health and Safety Code, relating to the enforcement of the provisions of Part 2 of said code.

Referred to Committee on Public Health.

Assembly Bill No. 1095: By Messrs. Hollibaugh, Anderson, Price, and Rosenthal—An act to amend Sections 864 and 885 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1096: By Mr. Howser—An act authorizing a conveyance to the United States of America of the reversionary and possessory interest of the State of California in and to certain portions of tide and submerged lands heretofore conveyed in trust to the City of Long Beach by the State of California.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 1097: By Mr. Field—An act to amend Section 81 of the Metropolitan Water District Act, relating to district taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1098: By Mr. George D. Collins—An act to amend Sections 2609, 2621 and 2792 of the Elections Code, relating to the nomination of candidates at primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1099: By Mr. George D. Collins—An act to add Sections 964 to 972, inclusive, and Sections 972.1, 972.2 and 972.3 to the Code of Civil Procedure, relating to appeals to the Supreme Court and district court of appeals.

Referred to Committee on Judiciary.

Assembly Bill No. 1100: By Mr. Rosenthal (By request)—An act to amend Sections 2736 and 2786 of the Business and Professions Code, relating to nurses and nursing schools.

Referred to Committee on Public Health.

Assembly Bill No. 1101: By Mr. Rosenthal (By request)—An act to add Section 421 to the Penal Code, relating to reporting false rumors, causing insubordination, and obstructing enlistment in time of war.

Referred to Committee on Judiciary.

Assembly Bill No. 1102: By Messrs. Leonard, Burns, Kellems, Miller, Thompson, Weber, and Erwin—An act making an appropriation for the purchase of land for State forests and restricting expenditures of the money appropriated.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1103: By Mr. Leonard—An act to amend Sections 4381 and 4382 of, and to add Section 4382.5 to, the Public Resources Code, relating to the establishment of a State Forest Fund, providing for the payment of money into and from such fund, and for the reimbursement of counties for the loss of tax revenues resulting from the acquisition of lands for State forest purposes.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1104: By Messrs. Burns, Thurman, and Waters—An act to amend Section 140 of the Vehicle Code, relating to the registration of motor vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1105: By Mr. Crowley—An act to amend Section 1325 of the Streets and Highways Code and Section 4041.18 of the Political Code, relating to the cost limit on county construction and repair contracts which can be let without calling for bids.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1106: By Mr. Leonard—An act to repeal Chapter 43 of Part 6, Division 1, and Sections 3662 and 3663 of, and to add Chapter 43 to Part 6, Division 1 of the Revenue and Taxation Code, relating to real property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1107: By Messrs. Field, Dickey, Sheridan, Kellems, Crowley, Leonard, Wollenberg, Watson, and Potter—An act to amend School Code Sections 5801, 5821, 5830, 5844, 5850, 5851, 5852, 5853, 5860, 5861, 5863, 5871, 5873 and 5874, and to add School Code Sections 5855 and 5877-1, and to amend Education Code Sections 14265, 14268, 14272, 14274, 14325, 14326, 14327, 14361, 14363, 14427, 14431, 14432, 14433, 14434, 14435, 14436, 14440, 14441, 14442, 14444, 14445, 14446, 14447, 14450, 14452, 14458, 14491, 14492, 14494, 14496, 14523, 14526, 14534, and to add Education Code Sections 14274.1, 14274.2, 14274.3, 14274.4, 14274.5, 14437, 14438, 14458.1,

14458.2, 14458.3, 14469, 14470, 14471, 14472, 14473, 14523.1, 14523.2, 14523.3, 14526 1, and 14542, and to repeal Education Code Sections 14365, 14437, 14438, 14439, and 14456, relating to the California State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Bill No. 1108: By Messrs. Waters and Kellems—An act to add Section 193.5 to the Streets and Highways Code, authorizing use of State Highway Fund money for the relief of special assessments.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1109: By Messrs. Waters and Fourn—An act to amend Section 142 of the Civil Code, relating to payment of alimony.

Referred to Committee on Judiciary.

Assembly Bill No. 1110: By Messrs. Waters, Debs, and Fourn—An act to add Chapter 4.5, comprising Sections 1800 to 1953, inclusive, to Division 2 of the Business and Professions Code, relating to the licensing and regulation of chiropodists; to amend Section 2135 and repeal Sections 2139, 2143, 2148, 2245, 2245.5, 2246, 2292, 2398, and 2410, all of the Business and Professions Code.

Referred to Committee on Public Health.

Assembly Bill No. 1111: By Messrs. Wollenberg and Maloney—An act to amend the heading of Article 2 of Chapter 1 of Division 5, to amend Sections 2451, 2452, 2453, 2454, 2455, 2831, 2832, 2840, 2841, 2842, and 2843 and to repeal Section 2450 of the Elections Code, relating to county central committees.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1112: By Messrs. Wollenberg and Maloney—An act to amend Section 385 of the Political Code, relating to the appointment of secretaries, assistants, and employees of the Governor, and to repeal Section 386 of the Political Code.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1113: By Messrs. Wollenberg and Maloney—An act to add Sections 1521.5, 2166, 3047.5 and 3448 to the Welfare and Institutions Code, relating to the property of persons receiving public assistance.

Referred to Committee on Social Welfare.

Assembly Bill No. 1114: By Messrs. Wollenberg and Maloney—An act to repeal Section 1600 of the Welfare and Institutions Code, relating to the publishing of names of children in orphan asylums.

Referred to Committee on Social Welfare.

Assembly Bill No. 1115: By Messrs. Wollenberg and Maloney—An act to add Sections 2143, 3092, and 3463 to the Welfare and Institutions Code, relating to disputes between counties as to responsibility under the public assistance laws

Referred to Committee on Social Welfare.

Assembly Bill No. 1116: By Messrs. Wollenberg and Maloney—An act to add Section 1463 to the Probate Code, relating to the appointment of guardians of insane or incompetent persons.

Referred to Committee on Judiciary.

Assembly Bill No. 1117: By Mr. Rosenthal—An act to add Chapter 9 to Part 3 of Division 2 of the Labor Code, relating to discrimination in employment due to race, color or religious beliefs.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1118: By Mr. Rosenthal—An act to add Chapter 9 to Part 3 of Division 2 of the Labor Code, relating to discrimination in employment due to race, color or religious beliefs.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1119: By Mr. Wollenberg—An act making an appropriation for the support of the Governor and of the Governor's Office to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1120: By Mr. Wollenberg—An act making an appropriation for the operation, maintenance, and organization of the State Guard to take effect immediately.

Referred to Committee on Military Affairs.

Assembly Bill No. 1121: By Mr. Lowrey—An act to amend Section 401 of the Vehicle Code, relating to the operating of authorized emergency vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1122: By Mr. Dunn—An act transferring the possession of the statue of Juan Rodriguez Cabrillo to the City of Oakland.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1123: By Messrs. Weybret, Erwin, Kraft, Lowrey, Miller, Brown, Crichton, Denny, Fourt, Beck, Thompson, King, Guthrie, Dilworth, Hastain, Watson, Bashore, Armstrong, Price, Clarke, Thorp, Heisinger, Weber, Stream, Leonard, and Werdel—An act to create the California Food-Labor Commission, prescribing its duties and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1124: By Mr. Weybret—An act to amend Sections 812.4 and 829.35 of the Agricultural Code, relating to containers for bunched carrots, declaring the urgency hereof and that this act take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 1125: By Messrs. Carlson, Dunn, Carey, Dickey, Brown, Guthrie, Doyle, Kellems, Thomas, Armstrong, Rosenthal, and Beck—An act to amend Section 276 of the Vehicle Code, relating to operators' licenses.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1126: By Mr. Heisinger—An act to amend Section 3595 of the Revenue and Taxation Code, relating to quieting of title sold for taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1127: By Mr. Heisinger—An act to add Section 45.1 to the California Irrigation District Act, relating to the assessment and redemption of property.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1128: By Messrs. Desmond and Gannon—An act to amend Section 96 of the State Civil Service Act, relating to reemployment lists.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1129: By Messrs. Desmond and Gannon—An act to amend Section 57 of an act entitled "An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution," approved July 1, 1937, relating to employees of the Attorney General's Office.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1130: By Messrs. Desmond and Gannon—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public employees on military or naval duty.

Referred to Committee on Military Affairs.

Assembly Bill No. 1131: By Messrs. Maloney, Wollenberg, Lyon, and Johnson—An act to repeal Section 905 of the Political Code, relating to oaths of office of the Governor and Lieutenant Governor.

Referred to Committee on Judiciary.

Assembly Bill No. 1132: By Mr. Dilworth—An act to amend Section 3.140 of the School Code and Section 8406 of the Education Code, relating to kindergartens.

Referred to Committee on Education.

Assembly Bill No. 1133: By Mr. Robertson—An act to repeal Section 4222 of, and to add Section 4225.5 to, the Revenue and Taxation Code, relating to the right of redemption when delinquent taxes are paid in installments, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1134: By Mr. Stream—An act to amend Section 6.770 of the School Code and to amend Section 19437 of the Education Code, relating to the use of school property as civil centers.

Referred to Committee on Education.

Assembly Bill No. 1135: By Mr. Stream—An act to amend Section 3.480 and to add Article 15, comprising Section 3.569, to Chapter 1 of Part 4 of Division 3 of the School Code, and to amend Section 9191

and to add Article 14, comprising Section 9196, to Chapter 7 of Division 4 of the Education Code, relating to adult education.

Referred to Committee on Education.

Assembly Bill No. 1136: By Mr. Stream—An act to amend Section 5.710 and 5.711 of the School Code and to amend Section 13651 of the Education Code, relating to decrease in number of permanent employees.

Referred to Committee on Education.

Assembly Bill No. 1137: By Mr. Stream—An act to add Section 2.1429 to the School Code and to add Section 151 to the Education Code, relating to the publication of the Biennial Report of the Superintendent of Public Instruction.

Referred to Committee on Education.

Assembly Bill No. 1138: By Mr. Stream—An act to amend the article heading of Article 4 of Chapter 1 of Part 2 of Division 1 and Sections 1.170, 1.171, 1.177 and 1.360 and to repeal Sections 1.172, 1.179, 1.180, 1.181 and 1.184 of the School Code, and to amend Sections 16671, 16672, 16678 and 17021 and to repeal Sections 16673, 16680, 16681, 16682 and 16685 of the Education Code, relating to permits to work.

Referred to Committee on Education.

Assembly Bill No. 1139: By Mr. Stream—An act to add Section 101.5 to the Agricultural Code, relating to compensation of owners of plants destroyed under the Plant Quarantine and Pest Control Laws.

Referred to Committee on Agriculture.

Assembly Bill No. 1140: By Messrs. Kellems, Allen, Field, Lyons, Waters, Doyle, Knight, John B., Dills, Clayton A., Smith, Howser, Evans, Debs, McMillan, Massion, Burkhalter, Thomas, Armstrong, Pelletier, Middough, Hawkins, Price, Anderson, Stream, Kraft, Bennett, Rosenthal, Bashore, Fourt, Kilpatrick, Hastain, Potter, Erwin, Robertson, and Mrs. Niehouse—An act to provide for the establishment and maintenance of a School of Aeronautical Engineering and Sciences in the University of California at Los Angeles, and to make an appropriation therefor.

Referred to Committee on Universities and Colleges.

Assembly Bill No. 1141: By Mr. Gannon—An act to require shelters for certain railroad employees and providing penalties.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 1142: By Mr. King—An act to amend Sections 163, 869 and 7012 of the Welfare and Institutions Code; to amend Sections 6650, 6651, 6652, 6653, 6654, 6654.5, 6655, 6656, 6656.5, 6657, 6658, 6659, 6660, 6660.5, 6661, 6662, 6663 and to renumber them to be Sections 167, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, and 184 thereof; to repeal Sections 1201, 1202, 5105.5, 5105.6, 5260, 5262.6, 5356, 5515, 5516, 6664, 6702, 6703, 7009, 7010, 7011, 7015, 7060, 7062, 7063, 7064, 7106, 7107, 7108, 7109 and the article heading of Article 5, Chapter 1, Part 4, Division 6 thereof; to

add Sections 154.5 and 168 thereto; and to repeal Sections 1373, 1373.5 and 1375 of the Penal Code, relating to costs of maintenance of persons committed to the State Department of Institutions for placement in institutions.

Referred to Committee on Social Welfare.

Assembly Bill No. 1143: By Mr. Call—An act to add Article 1.5 to Chapter 8 of Part 6 of the Revenue and Taxation Code, relating to the sale of property acquired by public districts and other taxing agencies and providing a method for restoring such property to the public tax rolls.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1144: By Mr. Call—An act to amend Section 5752 of the Welfare and Institutions Code, relating to court proceedings concerning patients in private institutions for the mentally ill.

Referred to Committee on Judiciary.

Assembly Bill No. 1145: By Mr. Call—An act to add Section 83.6 to the Agricultural Code, relating to the board of directors of 1A District agricultural association.

Referred to Committee on Agriculture.

Assembly Bill No. 1146: By Mr. Call—An act to amend Section 799 of the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

Assembly Bill No. 1147: By Messrs. Call and Watson—An act to amend Section 1011.5 of the Fish and Game Code, relating to sharks and shark livers.

Referred to Committee on Fish and Game.

Assembly Bill No. 1148: By Mr. Fourt—An act to amend Section 81 of the Code of Civil Procedure, relating to the classification of judicial townships and the jurisdiction of justices' courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1149: By Mr. Fourt—An act to add Section 66d to the Code of Civil Procedure and to amend Section 737ddd of the Political Code, relating to the number of superior court judges and providing for the appointment of an additional superior court judge in and for the County of Ventura, and providing for his compensation.

Referred to Committee on Judiciary.

Assembly Bill No. 1150: By Messrs. Armstrong, Thomas, and Johnson—An act to amend Section 8603 and 8652 of the Revenue and Taxation Code, relating to the use fuel tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1151: By Mr. Thomas—An act to amend Section 702 of the Welfare and Institutions Code, and to add Article 7.5, comprising Sections 760 to 761.5, inclusive, to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to conduct

inimical to the welfare of minors, providing for the exercise of jurisdiction by the juvenile court over persons who engage in such conduct, defining such conduct as crime and providing for the punishment thereof.

Referred to Committee on Social Welfare.

Assembly Bill No. 1152: By Mr. Thomas—An act to amend Sections 573, 720, 721, 722, 726, and 734 of the Welfare and Institutions Code, and to add thereto Sections 572.1, 572.2, 721.1, 721.2, 722.1, 722.2, 722.3, 722.4, and 724.5, relating to juvenile court proceedings and to procedures therein and in connection therewith.

Referred to Committee on Social Welfare.

Assembly Bill No. 1153: By Mr. O'Day—An act to add Sections 6762 and 6763 to the Business and Professions Code, relating to the fees and bonds of civil engineers and structural engineers engaged in public works.

Referred to Committee on Judiciary.

Assembly Bill No. 1154: By Mr. O'Day—An act to add Sections 5559 and 5560 to the Business and Professions Code, relating to the fees and bonds of architects engaged in public works.

Referred to Committee on Judiciary.

Assembly Bill No. 1155: By Mr. Dilworth—An act relating to public officers and employees, including oath of office or employment, cause of removal, and procedure for removal from an office or employment.

Referred to Committee on Judiciary.

Assembly Bill No. 1156: By Messrs. McMillan, Lyons, and Collins, George D.—An act to amend Section 1649 of the Labor Code, relating to employment agencies.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1157: By Messrs. McMillan, Lyons, and Collins, George D.—An act to add Section 22.1 to the Labor Code, relating to the employment of minors.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1158: By Mr. Evans—An act to add Section 474b to the Political Code, relating to the collection of claims or judgments due the State, or to any department, board or commission, under one thousand dollars (\$1,000), and payment for services therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1159: By Mr. Burkhalter—An act to add Chapter 4, comprising Sections 5700 to 5771, inclusive, to Division 5 of the Public Resources Code, relating to bridle trails; to declare the necessity of providing bridle trails for use of civilian defense, transportation and recreation, and the use of forest fire patrols; to provide for cooperation by State planning, regional planning, county and city planning boards, public works and other departments; to define the powers and duties of the California Trails Commission; to provide the exercise of such

power; to provide for the planning, construction, maintenance and financing of trails.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1160: By Mr. Burkhalter—An act to amend Section 842 of the Fish and Game Code, relating to the unlawful use of nets, traps, lines or appliances.

Referred to Committee on Fish and Game.

Assembly Bill No. 1161: By Mr. Burkhalter—An act to add Section 39.6 to the Fish and Game Code, relating to the sale of certain properties, real or personal, no longer necessary, or useful to the Fish and Game Commission.

Referred to Committee on Fish and Game.

Assembly Bill No. 1162: By Mr. Burkhalter—An act to provide for the use of property belonging to public agencies for horseback riding.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1163: By Mr. Burkhalter—An act to add Section 179.5, and to amend Section 180 of, the Vehicle Code, relating to transfers of ownership of vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1164: By Mr. Burkhalter—An act to amend Section 487.5 of the Fish and Game Code, relating to trout roe or spawn for bait.

Referred to Committee on Fish and Game.

Assembly Bill No. 1165: By Mr. Burkhalter—An act to add Chapter 10.5, comprising Section 567, to Division 9 of the Vehicle Code, and to add Section 146 to the Streets and Highways Code, relating to equestrian crossings, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1166: By Mr. George D. Collins—An act to amend Section 1395 of the Labor Code, relating to the employment of minors in radio broadcasting and television studios.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1167: By Messrs. Brady, Gaffney, Berry, Collins, George D., Haggerty, Lyons, and McMillan—An act to amend Section 1294 of the Labor Code, relating to the employment of minors.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1168: By Messrs. Brady, Gaffney, Berry, Collins, George D., Haggerty, and Lyons—An act to amend Section 102 of the Labor Code, relating to recorders' fees in connection with the enforcement of law by the Labor Commissioner.

Referred to Committee on Judiciary.

Assembly Bill No. 1169: By Mr. George D. Collins—An act to amend and renumber Section 1208 of the Code of Civil Procedure as added by Statutes of 1905, Chapter 472, and amended by Statutes of 1935, Chapter 104, to be Section 1208.5, relating to liens upon animals.

Referred to Committee on Judiciary.

Assembly Bill No. 1170: By Mr. George D. Collins—An act to amend Section 6 of the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 1171: By Mr. Potter—An act to add Section 2108.5 to the Business and Professions Code, relating to issuance of certificates to practice medicine, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

Assembly Bill No. 1172: By Mr. Potter—An act to amend Sections 2365, 2366, and 2367 of, and to add Section 2366.5 to, the Business and Professions Code, relating to disciplinary procedure under the chapter of medicine thereof.

Referred to Committee on Public Health.

Assembly Bill No. 1173: By Mr. Potter—An act to add Section 2369.5 to the Business and Professions Code, relating to the immunity of witnesses in disciplinary proceedings with respect to the practice of medicine.

Referred to Committee on Public Health.

Assembly Bill No. 1174: By Mr. Potter—An act to add Section 2376.5 to the Business and Professions Code, relating to the reinstatement of certificates to practice medicine.

Referred to Committee on Public Health.

Assembly Bill No. 1175: By Mr. Potter—An act to add Sections 2168.5 and 2316.5 to the Business and Professions Code, relating to the proof of the completion of instruction and training requirements to practice medicine.

Referred to Committee on Public Health.

Assembly Bill No. 1176: By Mr. Potter—An act to amend Sections 1, 2, 4 and 23 and to repeal Section 4a of the Bank and Corporation Franchise Tax Act, relating to the rate of tax and to credits for personal property taxes paid.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1177: By Mr. Potter—An act to amend Section 3 of the Corporation Income Tax Act of 1937, relating to credits for personal property taxes paid.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1178: By Mr. Potter—An act to amend Section 1500 of the Civil Code, relating to extinguishment of debt by deposit in a bank.

Referred to Committee on Judiciary.

Assembly Bill No. 1179: By Messrs. Middough and Potter—An act to amend Section 6726 and 6727 of the Welfare and Institutions Code, relating to payment for family care and other needs of patients on parole from State hospitals, and declaring the urgency thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1180: By Messrs. Middough and Potter—An act to amend Section 5355 and to add Sections 5355.1, 5356.1 and 5356.2 to the Welfare and Institutions Code, relating to the cost and care of narcotic addicts.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1181: By Messrs. Middough and Potter—An act to amend Sections 5260, 7009, and 7010 of the Welfare and Institutions Code, relating to the cost and reimbursement for the care of feeble-minded persons.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1182: By Messrs. Middough and Potter—An act to add Section 1203 and Chapter 9, to Part 4 of Division 6, consisting of Section 7400, to the Welfare and Institutions Code, relating to the transportation of inmates to State institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1183: By Messrs. Middough and Potter—An act to amend Section 308 of the Penal Code, relating to sale of tobacco to minors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1184: By Messrs. Wollenberg, Haggerty, and Potter—An act to amend Section 7302 of the Welfare and Institutions Code, relating to the Langley Porter Clinic.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1185: By Mr. Potter—An act to add Section 6564 to the Welfare and Institutions Code, relating to nonprofit stores on the grounds of State institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1186: By Mr. Potter—An act to amend Sections 6650, 6655, 6662, and to repeal Section 6657, and to add a new section to be called 6727.5 of the Welfare and Institutions Code, relating to the property and support of patients in State hospitals or patients on parole from such hospitals.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1187: By Mrs. Niehouse and Mr. Potter—An act to amend Sections 5701 and 5701.5 of the Welfare and Institutions Code, relating to licensing of private institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1188: By Messrs. Potter and Fourn—An act to amend Section 162 of the Welfare and Institutions Code, relating to the expenses of deporting nonresident persons who were committed to State institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1189: By Messrs. Fourn and Potter—An act to amend Sections 165, 6656.5, 6660.5 and 6661 of the Welfare and Institutions Code, relating to funds and personal property belonging to patients in State institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1190: By Messrs. Fourn and Potter—An act to amend Sections 7500, 7501, 7505 and 7506 of the Welfare and Institutions Code, relating to the general powers and duties of the State Department of Institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1191: By Messrs. Fourn and Potter—An act to amend Sections 5700, 5703, 5705, 5706, 5707, 5708, 5750, 5751 and 5753 of the Welfare and Institutions Code, relating to private institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1192: By Mr. Potter—An act to amend Sections 5404 and 5406 of, and to add Sections 5404.1 and 5404.2 to, the Welfare and Institutions Code, relating to dipsomaniacs, inebriates and stimulant addicts.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1193: By Messrs. Potter and Fourn—An act to amend Sections 7352, 7353, 6514, and 7504 of the Welfare and Institutions Code, relating to the care and parole of patients from State hospitals.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1194: By Messrs. Potter and Fourn—An act to amend Sections 6720 and 6721 of the Welfare and Institutions Code, relating to escapes and return from parole of patients under the jurisdiction of a State hospital.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1195: By Messrs. Fourn and Potter—An act to amend Sections 7051, 7058, 7069 and to add Section 7058.1 and to repeal Section 7051.5 of the Welfare and Institutions Code, relating to defective and psychopathic delinquents.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1196: By Messrs. Fourt and Potter—An act to amend Section 5050.7 of the Welfare and Institutions Code, relating to the apprehension of mentally ill or insane persons.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1197: By Messrs. Fourt and Potter—An act to amend Sections 1516, 1535, 1550, 1554, and 1558 of the Probate Code, relating to guardianship matters of persons confined in State institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1198: By Messrs. Fourt and Potter—An act to amend Section 1461 of the Probate Code, relating to the appointment of guardians for insane or incompetent persons.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1199: By Messrs. Wollenberg, Maloney, Haggerty, and Potter—An act to amend Section 791 of the Political Code, relating to notaries public.

Referred to Committee on Judiciary.

Assembly Bill No. 1200: By Messrs. Middough and Potter—An act to amend Section 579 of the Agricultural Code, relating to oleomargarine.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1201: By Messrs. Thorp, Burns, Desmond, and Erwin—An act to add Article 8 to Chapter 2 of Division 4 of the Agricultural Code, relating to emergency standards for milk and milk products.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1202: By Messrs. Thorp, Burns, and Desmond—An act to add Section 496.6 to the Agricultural Code, relating to standards for milk or products thereof.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1203: By Messrs. Thorp, Burns, Desmond, and Erwin—An act to amend Sections 736.14 and 737.6 of the Agricultural Code, relating to assessments for administration of stabilization and marketing plans for fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1204: By Mr. Kraft—An act to amend Section 500 of the Vehicle Code, relating to negligent homicide.

Referred to Committee on Judiciary.

Assembly Bill No. 1205: By Mr. George D. Collins—An act to amend Section 1713 of the Welfare and Institutions Code, relating to the Advisory Panel created by the Youth Correction Authority Act.

Referred to Committee on Crime and Correction

Assembly Bill No. 1206: By Messrs. Gaffney, Haggerty, Brady, and Berry—An act to add Section 958.5 to the Fish and Game Code, relating to the use of trawl nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1207: By Mr. Hastain—An act to repeal Section 2.2012 of the School Code and to repeal Section 4643 of the Education Code, relating to the annexation of school districts to unified school districts.

Referred to Committee on Education.

Assembly Bill No. 1208: By Mr. Hastain—An act to amend Section 1425 of the Penal Code, relating to justices' courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1209: By Mr. Hastain—An act to amend Section 3.2 of the School Code and to amend Section 8002 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 1210: By Mr. Hastain—An act to amend Section 1.31 of the School Code and to amend Section 16072 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 1211: By Mr. Hastain—An act to amend Section 6 41 of the School Code and to amend Section 18152 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 1212: By Mr. Hastain—An act to amend Section 710 and to add Sections 690.48 and 710.5 to the Code of Civil Procedure, relating to moneys due and owing to a judgment debtor by his employer.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 23: By Messrs. Waters and Kellems—Proposed amendment to Article XXVI, Section 1, of the Constitution, relative to the purposes for which money collected from taxes upon the manufacture, sale, distribution or use of motor fuel may be used.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 30: By Messrs. Carlson and Johnson—Relative to the problem of spastic and crippled children.

Referred to Committee on Social Welfare.

Hon. John W. Evans Presiding

At 2.12 p.m., Hon. John W. Evans, Member of the Assembly from the Sixty-fifth District, presiding.

REPORTS OF STANDING COMMITTEES**Committee on Crime and Correction**

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred.

Senate Bill No. 49

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MIDDOUGH, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 180

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 95

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

FIELD, Chairman

Above reported bill ordered to second reading.

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which were referred

Assembly Bill No. 568

Assembly Bill No. 571

Assembly Bill No. 569

Assembly Bill No. 572

Assembly Bill No. 570

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MIDDOUGH, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 25—Approving a certain amendment to the charter of the County of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held in said county on the third day of November, 1942;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-eighth day of January, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 224

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 345

Assembly Bill No. 770

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 345

Assembly Bill No. 770

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Senate Concurrent Resolution No. 17

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 17

Senate Concurrent Resolution No. 17—Relative to the creation of a Joint Committee to Investigate the Water Situation at Needles and Vicinity.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 2, line 22, of the printed measure, following the word "three" in strike-out type, strike out "two", and insert "three".

Amendment read and adopted.

Resolution ordered reprinted, and on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 27, 1943

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

Assembly Joint Resolution No. 20

J. A. BEEK, Secretary of the Senate

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 27, 1943

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

Senate Bill No. 80

J. A. BEEK, Secretary of the Senate

SENATE CHAMBER, SACRAMENTO, January 27, 1943

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

Senate Concurrent Resolution No. 21

Senate Concurrent Resolution No. 22

Senate Concurrent Resolution No. 23

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 80—An act to amend Sections 10600, 10602, 10603, 10604, and 10607 of the Health and Safety Code, relating to proceedings to establish records of birth, death or marriage, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

Senate Concurrent Resolution No. 21—Amending and supplementing Joint Rule 36 and Senate Concurrent Resolution No. 4, relative to the Legislative Budget Committee.

Referred to Committee on Rules and House Functions.

Senate Concurrent Resolution No. 22—Approving certain amendments to the charter of the City of Roseville, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the fourteenth day of April, 1942.

Without reference to committee.

Senate Concurrent Resolution No. 23—Relative to opinions of the Legislative Counsel Bureau concerning legislation.

Referred to Committee on Rules and House Functions.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 49—An act to amend Sections 2 and 3 of the Sabotage Prevention Act, relating to punishments, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 180—An act to add Section 350.5 to the Political Code, relating to the sale or rental of tools or equipment of the State, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 95—An act to amend Section 1 of an act entitled "An act authorizing any city, county, city and county, or district to expend public funds and to expend, use, or permit the use of public property or personnel to meet emergencies created by war, military, naval or air attack, or sabotage, or in providing for adequate National or local defense, irrespective of budget or other limitations; declaring the urgency hereof; to take effect immediately," approved December 23,

1941, relating to the granting of emergency powers to local governmental agencies and public districts including provisions for the transfer, sale, lease, or use of public property of such agencies or districts, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "of", insert "and add Section 2 to".

Amendment No. 2

In line 12 of the title of the printed bill, as amended, after the comma following "districts", insert "and the effective period of operation of the act".

Amendment No. 3

On page 1, line 8, of the printed bill, as amended, strike out "sell".

Amendment No. 4

On page 2, line 3, of the printed bill, as amended, before "request", insert "written".

Amendment No. 5

On page 2, line 4, of the printed bill, as amended, after "any", insert "appropriate"; and strike out "or agency", and insert "board or bureau".

Amendment No. 6

On page 2, line 7, of the printed bill, as amended, after the period, insert "No real property may be sold pursuant to the authority of this subsection unless the conveyance thereof shall expressly provide for the reconveyance or reversion of all title in and to such real property to the agency selling the same within six months after the cessation of hostilities as defined in Section 2 of this act."

Amendment No. 7

On page 2, line 15, of the printed bill, as amended, before "request", insert "written".

Amendment No. 8

On page 2, line 16, of the printed bill, as amended, after "any", insert "appropriate"; and at the end of said line 16, strike out "or".

Amendment No. 9

On page 2, line 17, of the printed bill, as amended, strike out "agency", and insert "board or bureau".

Amendment No. 10

On page 2 of the printed bill, as amended, between lines 19 and 20, insert "SEC. 2. Section 2 is hereby added to said act to read:".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 568—An act to add Section 2710.3 to the Penal Code, relating to the Prison Camp Revolving Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

Strike out line 2 of the title of the printed bill, and insert "the Prison Camp Revolving Fund, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1, line 4, of the printed bill, after "than", strike out "(\$)" and insert "one hundred thousand dollars (\$100,000)".

Amendment No. 3

On page 1, line 9, of the printed bill, after "System", insert a period.

Amendment No. 4

On page 1 of the printed bill, strike out lines 10 and 11, and insert "Money".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 569—An act to add Section 2710.2 to the Penal Code, relating to the California Institution for Men Working Revolving Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1 of the printed bill, strike out line 3 of the title, and insert: "Fund, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, strike out lines 10, 11 and 12 and insert: "tution for Men. Said fund shall at all times contain the amount of one".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 570—An act to add Section 2710.1 to the Penal Code, relating to the Folsom Working Revolving Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1 of the printed bill, strike out line 2 of the title, and insert "Folsom Working Revolving Fund, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, strike out lines 9, 10, and 11, and insert "program at the State Prison at Folsom Said fund shall at all".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 571—An act to amend Section 2710 of the Penal Code, relating to working revolving funds for the State prisons, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime and Corrections:

Amendment No. 1

On page 1 of the printed bill, strike out lines 10, 11, and 12 and insert "State Prison at San Quentin. Said fund shall at all times con-".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 572—An act to amend Sections 2701, 2702 and 2780 of, and to add Section 2715 and 2729 to, the Penal Code, relating to prisons, the employment of prisoners and the sale of prison-made products, and declaring the urgency thereof and that this act shall go into immediate effect.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1, line 11, of the printed bill, after "thereof", strike out "or", and insert "and also".

Amendment No. 2

On page 1, line 12, of the printed bill, strike out "thereof.", and insert "until April 15, 1945, or until the termination of the present National emergency declared to exist by the President of the United States by his Proclamation of September 8, 1939, or until the termination of the present war and six months thereafter, whichever of the foregoing first occurs."

Amendment No. 3

On page 2 of the printed bill, strike out lines 18 and 19, and insert "tody of prison officials to harvest crops and fight fires until April 15, 1945, or until the termination of the present National emergency declared to exist by the President of the United States by his Proclamation of September 8, 1939, or until the termination of the present war and six months thereafter, whichever of the foregoing first occurs."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

ABSENCE OF QUORUM SUGGESTED

Mr. Sam L. Collins suggested the absence of a quorum.

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

Allen, Armstrong, Bashore, Berry, Brady, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dills, Clayton A., Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Knight, John B., Lowrey, Lyons, Maloney, Massion, McCollister, O'Day, Pelletier, Robertson, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, and Mr. Speaker—43.

Quorum present.

Speaker Presiding

At 3 p.m. Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 80

Resolved, That the following named person be stricken from the list of Assembly attaches and her name be stricken from the pay roll of the Assembly, to take effect upon the completion of work on Saturday, January 23, 1943:

Hattie M. Newsom, Assistant Postmistress	<i>Per day</i> \$5 00
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Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 80, at this time, without reference to committee.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sam L. Collins moved a call of the Assembly.

Motion carried. Time, 3.05 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

RESOLUTIONS

The following resolutions were offered :

By Mr. Field :

House Resolution No. 81

Relating to creation of an Assembly Committee on Governmental Efficiency and Economy, defining its powers and duties and making an appropriation for its expenses.

WHEREAS, Hundreds of changes in the organization and administration of the State Government are proposed at each session of the Legislature. The complicated machinery of State Government erected to serve the citizens of this State, can function only under law. New circumstances constantly arise which previous statutes did not contemplate. It is necessary for the Legislature to study these circumstances carefully, with a view to revising and amending the law relating thereto, in order that the most efficient, economical and equitable administration of the laws may be fostered.

During the interim between sessions it is desirable to ascertain and collate the facts upon which legislation may be based. The Legislature can best function as a fact-finding agency through Legislative Committees; therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on Governmental Efficiency and Economy, which committee shall study and investigate, accurately and in detail, the organization, functions, and administration of the State Government and of any department, agency, or subdivision thereof and of the governments of the cities and counties of this State, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the State and local governments and the agencies and subdivisions thereof.

The committee shall consist of 15 Members of the Assembly appointed by the Speaker of the Assembly, and the Speaker as an ex officio member. Vacancies on the committee shall be filled by appointment by the Speaker.

Upon the appointment of its members, the committee may organize, appoint a secretary, and employ such clerical and technical assistants, and adopt such Rules as in its discretion it deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein.

The committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records, of every kind and description, and to take all necessary means to compel the attendance of witnesses and to procure testimony. The members of the committee may each administer oaths, and all of the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects heretofore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it.

The committee may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter, defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The committee may hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee. The committee may also meet in executive session. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the

Fifty-sixth Legislature. The committee may report to any session of this Legislature or to the regular session of the Fifty-sixth Legislature, on or before March 15, 1945.

Every department, commission, board, agency, officer, and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee upon request, any and all assistance and information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of ten dollars (\$10) per day for accommodations and meals.

The sum of ten thousand dollars (\$10,000) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee hereby created and its members, and for any other charges, expenses, or claims it may incur under this resolution to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer.

Resolution read, and referred to the Committee on Rules and House Functions.

By Mr. Sam L. Collins :

House Resolution No. 82

Resolved, That the Chief Clerk of the Assembly be and he is hereby ordered and directed to prepare, during the constitutional recess, for use of the Members of the Legislature, a complete and comprehensive Legislative Manual or Handbook of the size and style uniform with similar publications of previous sessions, same to contain list of State officers, members and officers of both houses of the Legislature, list of committees and Rules of both houses and Joint Rules, together with indexes to the same, and such other information as he may deem useful; also to prepare for the use of Members of the Legislature a Semi-final Calendar containing a history of all bills introduced to date, together with a complete index and cross index to the same, to be printed and distributed during the constitutional recess, and the Chief Clerk is hereby empowered to employ such expert assistants, indexers, etc., as he may find necessary, and the Controller is hereby ordered and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly in the sum of one thousand dollars (\$1,000) to pay for such services, and the Treasurer is hereby ordered and directed to pay the same. The Chief Clerk of the Assembly is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of the work set forth above, during the said constitutional recess.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 82, at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Berry, Brady, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Price, Robertson, Streaun, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Mr. Speaker—53.

NOES—None

By Mr. Sam L. Collins .

House Resolution No. 83

WHEREAS, Various Members of the Assembly will desire to have shipped to their various places of residence their bill files and other printed matter for use during the constitutional recess; therefore, be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing and other material as is necessary for the purpose of shipping same properly packed to said members, and the State Controller is hereby authorized to draw his warrant on the Contingent Expense Fund of the Assembly in favor of Wilkie Ogg, Sergeant-at-Arms, in an amount not to exceed five hundred dollars (\$500), and the State Treasurer is hereby authorized to pay the same. The Sergeant-at-Arms of the Assembly is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of the work set forth above, during the said constitutional recess.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 83, at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Berry, Brady, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollbaugh, Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Mr. Speaker—55.

By Mr. Sam L. Collins:

House Resolution No. 84

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

Morris Martin, Assistant Sergeant-at-Arms, January 1st, 2d, and 3d; three days @ \$5-----	\$15 00
Michael Connolly, Assistant Sergeant-at-Arms, January 2d and 3d; two days @ \$5-----	10 00
George Petrick, Assistant Sergeant-at-Arms, January 2d and 3d; two days @ \$5-----	10 00
Ed Nathan, Assistant Sergeant-at-Arms, January 3d, one day @ \$5	5 00
Joe Maloney, Assistant Sergeant-at-Arms, January 3d, one day @ \$5	5 00
Jess Patterson, Assistant Sergeant-at-Arms, January 3d, one day @ \$5-----	5 00
W. J. Green, Assistant Sergeant-at-Arms, January 3d, one day @ \$5-----	5 00

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 84, at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollbaugh, Hower, Johnson, Kellems, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Mr. Speaker—57.

NOES—None

REQUEST FOR UNANIMOUS CONSENT

Mr. Thurman asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 22, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 22

Senate Concurrent Resolution No. 22—Approving certain amendments to the charter of the City of Roseville, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the fourteenth day of April, 1942.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71

NOES—None.

Resolution ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 80

At 3.15 p. m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and House Resolution No. 80 adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 489 was taken up.

Assembly Bill No. 489—An act to amend Sections 5, 6, 7, 8, 10, and 11 of an act entitled "An act providing for the sale of certain State lands," approved May 19, 1915, as amended, and Sections 1, 2, 3, 4, 6, and 7 of an act entitled "An act relating to State lands, making demand for payment of the balance due on the purchase price of certain lands, providing for the forfeiture of such lands for failure to make such payment, and reducing the rate of interest on all contracts for the sale of school lands," approved January 29, 1937, relating to State lands, declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 10 was taken up.

Assembly Bill No. 10—An act to add Chapter 85, comprising Sections 10615 to 10622 inclusive, to Division 9 of the Health and Safety Code, relating to the registration of previously unregistered births, marriages and deaths, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—77.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Potter asked for, and was granted, unanimous consent to temporarily suspend the Rules for the purpose of allowing additional time for debate on Assembly Bill No. 770.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 770 was taken up.

Assembly Bill No. 770—An act to add Sections 1351.1, 1351.2, 1351.3, and 1351.4 to the Labor Code, relating to the hours of work of female employees in occupations and industries essential to the war effort, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellem, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—Bashore—1.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellem, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—Bashore—1.

Bill ordered transmitted to the Senate

Statement of Vote

I answered the morning roll call, but through illness I was compelled to leave the Chamber before Assembly Bill No. 10 and Assembly Bill No. 770 were being considered in the Assembly. Had I been present in the Chamber when the votes were taken on these bills, I would have voted "Aye" on both of them.

KATHRYN NIEHOUSE

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

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

Assembly Bill No. 1213: By Mr. Robertson—An act to amend Section 5.752 of the School Code and to add Section 13843 to the Education Code, relating to the salaries of substitute employees of school districts.

Referred to Committee on Education

Assembly Bill No. 1214: By Mr. Waters—An act to provide for the organization, management and control of and to fix the powers, duties and liabilities of industrial banks, relating to industrial banks

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1215: By Mr. Doyle—An act to amend Section 6.30 of the School Code and to amend Section 18051 of the Education Code, relating to the letting of contracts by governing boards of school districts.

Referred to Committee on Education.

Assembly Bill No. 1216: By Mr. Sawallisch—An act to add Section 5.432 to the School Code and to add Section 13034.1 to the Education Code, relating to the employment of principals.

Referred to Committee on Education.

Assembly Bill No. 1217: By Mr. Maloney—An act to add Division 16, comprising Sections 25000 to 25551, inclusive, to the Streets and Highways Code, and to add Section 50005 to Division 50 of said code, thereby consolidating and revising the law relating to the creation, organization and government of joint highway districts composed of two or more counties of the State of California, and providing for the issuance of bonds and the levy and collection of all taxes, assessments and other moneys necessary for the retirement and payment thereof, and for the payment of the costs of all acquisitions and improvements and all other expenses hereunder.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1218: By Mr. Maloney—An act to add Part 2, comprising Sections 26000 to 26263, inclusive, to Division 16 of the Streets and Highways Code, and to add Section 50006 to Division 50 of said code, thereby consolidating and revising the law relating to the formation, establishment and government of boulevard districts, and the construction, acquisition, maintenance, control and use of boulevards by such districts, and providing for the voting, issuing and selling of bonds and the levying of taxes to finance such boulevards.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1219: By Mr. Maloney—An act to add Part 3, comprising Sections 27000 to 27325, inclusive, to Division 16 of the Streets and Highways Code, and to add Section 50007 to Division 50 of said code, thereby consolidating and revising the law relating to the incorporation, organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1220: By Mr. Maloney—An act to add Section 50008 to Division 50 of the Streets and Highways Code, thereby repealing certain special statutes, relating to roads, bridges and highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1221: By Mr. Maloney—An act to amend Section 5362 of the Streets and Highways Code, relating to notices of filing of and hearings on assessments under the Improvement Act of 1911.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1222: By Mr. Gannon—An act to add Section 121364-2 to the School Code and to add Article 2.1 to Chapter 15 of Division 2 of the Education Code, relating to the powers and duties of the Director of Education, and making an appropriation.

Referred to Committee on Education.

Assembly Bill No. 1223: By Mr. Sawallisch—An act to amend Section 770 of the Vehicle Code relative to the disposition by cities of certain fines and forfeitures.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1224: By Messrs. Maloney and Wollenberg—An act to amend Section 791 of the Political Code and Section 8200 of the Government Code, relating to notaries public.

Referred to Committee on Judiciary.

Assembly Bill No. 1225: By Messrs. Knight, John B., Armstrong, Hastain, Middough, Potter, Kellems, Fourt, Guthrie, Thorp, Clarke, Leonard, Stream, Thurman, Watson, and Desmond—An act to amend Section 9.2 of the Unemployment Insurance Act, relating to employment and wages under said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1226: By Messrs. Knight, John B., Armstrong, Hastain, Middough, Potter, Kellems, Fourt, Guthrie, Watson, Stream, Thorp, Clarke, Leonard, Thurman, and Desmond—An act to amend Sections 66 to 72, inclusive, of the Unemployment Insurance Act, relating to claims for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1227: By Messrs. Knight, John B., Armstrong, Hastain, Middough, Potter, Kellems, Fourt, Guthrie, Watson, Stream, Thorp, Clarke, Leonard, Thurman, and Desmond—An act to amend Sections 11 and 12 of the Unemployment Insurance Act, relating to the definitions of "wages" and "week" under said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1228: By Messrs. Knight, John B., Armstrong, Middough, Potter, Kellems, Fourt, Guthrie, Leonard, Watson, Stream, Thorp, Clarke, Thurman, and Desmond—An act to repeal Sections 47 to 51, inclusive, of the Unemployment Insurance Act, relating to exemptions, guaranteed employment, and private employment plans under said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1229: By Messrs. Carlson, Knight, John B., Armstrong, Hastain, Middough, Potter, Kellems, Fourt, Guthrie, Leonard, Watson, Stream, Thorp, Clarke, Thurman, and Desmond—An act to

amend Section 442 of the Unemployment Insurance Act, relating to contributions, refunds, and benefits under said act.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1230: By Messrs. Howser, Knight, John B., Armstrong, Hastain, Middough, Kellems, Fourt, Guthrie, Watson, Stream, Thorp, Clarke, Leonard, Thurman, and Desmond—An act to amend Section 13 of the Unemployment Insurance Act, relating to the definition of "suitable employment" under said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1231: By Messrs. Knight, T. Fenton; Knight, John B., Armstrong, Hastain, Middough, Potter, Kellems, Fourt, Guthrie, Watson, Stream, Thorp, Clarke, Leonard, and Thurman—An act to amend Sections 55, 56, 57 and 57.5 and repeal Section 58 of the Unemployment Insurance Act, relating to eligibility for benefits under said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1232: By Messrs. Johnson, Knight, John B., Hastain, Stream, Middough, Armstrong, Fourt, Potter, Kellems, Watson, Guthrie, Thorp, Clarke, Leonard, Thurman, and Desmond—An act to amend Sections 2, 45, 45.9, 45.10, 75, 91, 92, and 94 of the Unemployment Insurance Act, relating to a System of Unemployment Insurance

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1233: By Messrs. Fourt, McCollister, Knight, John B., Hastain, Middough, Armstrong, Stream, Potter, Kellems, Watson, Guthrie, Thorp, Clarke, Leonard, Thurman, and Desmond—An act to amend Section 15 of the Unemployment Insurance Act, relating to election to become an employer and to have services deemed employment under this act.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1234: By Messrs. McCollister, Knight, John B., Armstrong, Hastain, Middough, Kellems, Fourt, Potter, Guthrie, Watson, Stream, Thorp, Clarke, Leonard, Thurman, and Desmond—An act to amend Sections 41 and 61, and to repeal Section 41.3 of, and to add Section 41.6 to, the Unemployment Insurance Act, relating to contributions, funds and accounts under the act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1235: By Messrs. McCollister, Knight, John B., Armstrong, Hastain, Middough, Potter, Kellems, Fourt, Guthrie, Stream, Thorp, Clarke, Leonard, Watson, Thurman, and Desmond—An act to amend Sections 52.2, 53, and 54 of the Unemployment Insurance Act, relating to base periods and benefits under said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1236: By Messrs. Desmond, Knight, John B., Armstrong, Hastain, Middough, Potter, Watson, Kellems, Fourt, Guthrie, Stream, Thorp, Clarke, Leonard, Thurman, and Desmond—An act

to amend Section 7 of, and to add Sections 7.1 and 7.2 to, the Unemployment Insurance Act, relating to inclusions and exclusions from employment under a System of Unemployment Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1237: By Mr. Sheridan—An act to amend Section 10253 5 of the Health and Safety Code, relating to new birth certificate upon adoption.

Referred to Committee on Public Health.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Berry and the San Francisco delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon Dan Gallagher, former Assemblyman, and Mr. Joseph Bender of San Francisco.

On request of Mr. Hastain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. M. J. Dowd of El Centro.

ADJOURNMENT

At 3.25 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10.30 a.m., Friday, January 29, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTIETH LEGISLATIVE DAY
TWENTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, January 29, 1943

The Assembly met at 10.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Almighty and eternal God, who dost bid us walk as pilgrims and strangers in this passing world, seeking that abiding city which Thou hast prepared for us in heaven, so govern our hearts by Thy Holy Spirit, we pray Thee, that we may give obedience to Thy will and show forth Thy glory before the world in good works.

We commit ourselves unto Thee, our refuge and our present help in the time of trouble, our hiding place from the wind and covert from the tempest

"Breathe through the pulses of desire
Thy coolness and Thy balm;
Let sense be dumb, let flesh retire
Speak through the earthquake, wind, and fire,
O still small voice of calm!"

AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mrs Niehouse, on motion of Mr Stream.

EXPLANATION OF ABSENCE

Upon request of the Speaker, Mr. Ralph C. Dills was excused for the legislative day in performance of duties for the State.

COMMUNICATIONS

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

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION No. 3135

Respectfully requesting the San Francisco representatives at the State Legislature to abstain from introducing a so-called Harbor Bill seeking transfer of control over San Francisco Harbor properties from the State to the City and County of San Francisco

WHEREAS, At each session of the Legislature for many years, the City and County of San Francisco traditionally has sought return of control over its harbor; and

WHEREAS, The Port of San Francisco now is devoted almost exclusively to war purposes so that the question of State or city control is, at the present time, of relatively minor importance; and

WHEREAS, The City and County of San Francisco does not wish to inject a controversial issue into this session of the Legislature, which has so much vital war legislation pending before it; and

WHEREAS, San Francisco hopes and believes that it will some day so enjoy the esteem and confidence of its neighbors in Northern and Central California that they will join with it spontaneously to restore control of the harbor to San Francisco; now, therefore, be it

Resolved, That the representatives of the City and County of San Francisco in the 1943 Legislature be and they are hereby respectfully requested to abstain from introducing a so-called "Harbor Bill" seeking transfer of control over San Francisco Harbor properties from the State to the City and County of San Francisco; and be it

Further Resolved, That copies of this resolution be transmitted to San Francisco's Representatives in the Legislature, the mayor, the Governor, and to the chairmen of the boards of supervisors of all other counties in California.

January 18, 1943.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS

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

Assembly Bill No. 1238: By Mr Waters—An act to amend Section 1062 of the Agricultural Code, relating to the coloration of economic poisons.

Referred to Committee on Agriculture.

Assembly Bill No. 1239: By Mr. Clarke—An act to amend Section 25655 of the Water Code, relating to irrigation district assessments.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1240: By Mr Clarke—An act to amend Section 2400 of the Water Code, relating to payment of improvement district assessments.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1241: By Mr. Clarke—An act to amend Section 23606 of the Water Code, relating to the formation of improvement districts within irrigation districts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1242: By Mr. Clarke—An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California to adopt a system of group life, health and accident insurance and health services for the benefit of officers and employees and to deduct from the compensation thereof the premiums upon such insurance, approved May 25, 1939, relating to group insurance of public employees.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1243: By Mr. Dilworth—An act to amend Section 6 of an act entitled "An act to provide for the replacement and/or the reconstruction in whole or in part of all city, county, school district, or other special district buildings wholly or partially destroyed by earthquakes since January, 1933, declaring the urgency thereof and providing that this act shall take effect immediately," approved May 26, 1933, relating to the payment, disposition and expenditure of rentals payable under said act.

Referred to Committee on Education.

Assembly Bill No. 1244: By Mr. Lowrey—An act to amend Section 26702 of the Water Code, relating to exclusion of land from irrigation districts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1245: By Mr. Lowrey—An act to amend Section 26879 of the Water Code, relating to inclusion of land into an irrigation district.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1246: By Mr. Lowrey—An act to amend Section 22231 of the Water Code, relating to the general powers of irrigation districts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1247: By Mr. Lowrey—An act to amend Section 24950 of the Water Code, relating to bonds of irrigation districts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1248: By Mr. Lowrey—An act to amend Section 24600 of the Water Code, relating to warrants of irrigation districts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1249: By Mr. Thorp—An act to amend Section 5.734 of the School Code and to amend Section 13805 of the Education Code, relating to teachers' salaries.

Referred to Committee on Education.

Assembly Bill No. 1250: By Messrs. Thorp and Clarke—An act to amend Section 1.33 of the School Code and to amend Section 16074 of the Education Code, relating to damage to school property.

Referred to Committee on Education.

Assembly Bill No. 1251: By Messrs. Thorp and Clarke—An act to amend Section 1.50 of the School Code and to amend Section 16143 of the Education Code, relating to student body funds.

Referred to Committee on Education.

Assembly Bill No. 1252: By Mr. Werdel—An act to amend Section 2.971 of the School Code and to amend Section 2102 of the Education Code, relating to city boards of education.

Referred to Committee on Education.

Assembly Bill No. 1253: By Messrs. Dilworth, Desmond, and Hollibaugh—An act to add Section 5903 to and amend Sections 7881, 3712, 7204, 5804, 5809, 7003, 7005, 3711, 5707, 5511, 5708, 5803, 3814, 3818, 3819, 3872, 3873, 3879, 3921, 3922, 3929, 3938, 3939, 3941, 3822, 3944, and 3924 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1254: By Messrs. Collins, Sam L., and Watson—An act to provide a method for the dissolution of Orange County Water District, a district organized and existing under an act of the Legislature of the State of California, approved June 14, 1935, and to provide for the distribution of its assets.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1255: By Mr. Sam L. Collins—An act to amend Section 8 of The Personal Income Tax Act and Section 17301 of the Revenue and Taxation Code, relating to the personal income tax and deductions therefrom.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1256: By Mr. Dilworth—An act to add Chapter 3 to Part 3 of Division 6 of the School Code and to add Chapter 11 to Division 9 of the Education Code, relating to child care centers.

Referred to Committee on Education.

Assembly Bill No. 1257: By Mr. Sam L. Collins—An act to add Section 8.5 to the Bank and Corporation Franchise Tax Act, relating to deductions from the franchise tax imposed on banks and corporations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1258: By Mr. Lowrey—An act to amend Section 435 of the Political Code, relating to the reversion of unexpended balances of certain appropriations.

Referred to Committee on Ways and Means.

Assembly Bill No. 1259: By Mr. Stream—An act to amend Section 5.402 of the School Code, and to add Section 13003.1 to the Education Code, relating to persons employed by school districts in positions requiring certification qualifications.

Referred to Committee on Education.

Assembly Bill No. 1260: By Mr. Wollenberg—An act making an appropriation to the Printing Fund, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1261: By Mr. Wollenberg—An act making an appropriation to the Printing Fund, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1262: By Mr. Wollenberg—An act making an appropriation for the purchase of real property in San Francisco.

Referred to Committee on Ways and Means

Assembly Bill No. 1263: By Mr. Wollenberg—An act to amend Section 2160 5 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 1264: By Mr. Wollenberg—An act making an appropriation for special contingent expenses of the Governor's Office, to take effect immediately

Referred to Committee on Ways and Means.

Assembly Bill No. 1265: By Mr. Howser—An act to add Article 9 to Chapter 7 of Part 3 of Division 5 of the School Code and to add Article 8 to Chapter 11 of Division 7 of the Education Code, relating to the placing on involuntary leave of absence of permanent employees of school districts serving as teachers in junior colleges.

Referred to Committee on Education.

Assembly Bill No. 1266: By Mr. Howser—An act to amend Section 1 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and county fire protection district officers and employees, namely county foresters, fire wardens and county fire protection district firemen as defined in the act, and to provide certain benefits for their dependents and empowering county boards of supervisors to levy a special tax," approved May 19, 1939, Stats 1939, Ch. 174, relating to the county foresters, fire wardens and firemen's pension system.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1267: By Mr. Doyle—An act to amend Sections 1, 4, 5, 11, 12, 13 and 15 and to repeal Section 11.5 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May

5. 1931. as amended, relating to county peace officers' retirement systems

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1268: By Mr. Desmond—An act to amend Section 3300 of the Health and Safety Code, relating to State aid to cities and counties for the treatment of persons suffering from tuberculosis.

Referred to Committee on Ways and Means.

Assembly Bill No. 1269: By Mr. Desmond—An act to amend Section 21502 of the Business and Professions Code, relating to secondhand goods.

Referred to Committee on Judiciary.

Assembly Bill No. 1270: By Mr. Desmond—An act to amend Section 160 and to add Sections 55.5 and 154 to the County Employees Retirement Act of 1937, relating to retirement.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1271: By Mr. Desmond—An act making an appropriation to meet a deficiency in the appropriation for the publishing, purchasing and shipping of free textbooks for the Ninety-first and Ninety-second Fiscal Years, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1272: By Mr. Desmond—An act to add Section 6.3 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 1273: By Messrs Sargent and Waters—An act to amend Section 7.1 of The Personal Income Tax Act and Section 17054 of the Revenue and Taxation Code, relating to the income tax on compensation for personal services, patents, and copyrights, and artistic works and inventions, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1274: By Mr. Bashore—An act to amend Section 4.375 of the School Code and to amend Section 6357 of the Education Code, relating to the maximum rate of school district tax.

Referred to Committee on Education.

Assembly Bill No. 1275: By Mr. Bashore—An act to add Section 578 to the Vehicle Code, relating to railroad crossings.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 1276: By Mr. Sargent—An act to amend Sections 132, 1515, 5901 and 5931 of, and to add Sections 5884 and 5885 to, the Elections Code, relating to the absentee registration and voting of the members, of the armed forces of the United States, or any auxiliary branch thereof.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1277: By Mr. Sargent—An act to amend Sections 35, 2574, 2576, 2605, 2628, 2670, 2702, 2705, 3880, 3878, 7966, 7970, 7971, 8137, 8138 and 8721 of, to repeal Sections 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2811, 2812, 2813, 2814 and 2815 of, to add Article 12, consisting of Sections 2470 to 2481, inclusive, to Chapter 1 of Division 5, and Sections 2671.4, 2701.5, 2746.5, 2798, 2799, 2811, 2812, 2812.5, 2813, 2813.5, 2814, 2814.5, 2815, 2822.5, 2829.5, 2845.5, 2848, 3879.5, 3879.6, 3879.7, 3925.5, 3933.5 and 4533.5 to, the Elections Code, relating to primary elections and party committees.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1278: By Mr. Sargent—An act to add Section 3.363 to, and to amend Section 4.930 of, the School Code and to add Section 8819.1 to, and to amend Section 7307 of, the Education Code, relating to junior colleges and junior college classes.

Referred to Committee on Universities and Colleges.

Assembly Bill No. 1279: By Mr. Sargent—An act amending the title and Sections 1, 2, 3, 4, and 5 of, and adding Sections 1.5 and 7 to, an act entitled "An act authorizing and empowering any city, city and county, county or subdivision of the State of California, to park and to permit the parking of, vehicles on real property belonging to, or in the possession of, or subject to an easement of, such city, city and county, county or subdivision of the State to lease or grant franchises in real property for such purpose and to construct, and maintain land and buildings for such purpose," approved May 24, 1927, relating to the parking of motor vehicles.

Referred to Committee on Municipal and County Government

Assembly Bill No. 1280: By Mr. Sargent—An act relating to public officers, deputies, assistants, and employees, and their return to public service, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1281: By Mr. Sargent—An act amending Section 2356 of the Civil Code, relating to the revocation of an agent's powers.

Referred to Committee on Judiciary.

Assembly Bill No. 1282: By Mr. Sargent—An act to amend Section 266 of the Political Code and Section 9300 of the Government Code, relating to compensation for Members of the Legislature.

Referred to Committee on Rules and House Functions.

Assembly Bill No. 1283: By Mr. Carlson—An act to amend Section 1382 of the Penal Code, relating to dismissal of prosecutions.

Referred to Committee on Judiciary.

Assembly Bill No. 1284: By Mr. Middough—An act relating to the relief of debtors and guarantors; permitting postponement of sales under certain chattel mortgages, mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of

purchase, or extensions of periods for redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases; declaring the urgency hereof, and providing that it shall take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 1285: By Mr. Massion—An act relating to compensation for overtime work by civil service employees for local governmental agencies.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1286: By Mr. Massion—An act to add Section 73 to the State Civil Service Act, relating to overtime of employees in State civil service.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1287: By Messrs. McMillan and Beck—An act to amend Sections 1.110, 1.111, 1.120, 1.122, 1.123, and 1.125 of the School Code, relating to supervision of the health of pupils in the public schools.

Referred to Committee on Education.

Assembly Bill No. 1288: By Messrs. McMillan and Beck—An act to amend Section 3.461 of the School Code, relating to special day and evening classes in high school.

Referred to Committee on Education.

Assembly Bill No. 1289: By Messrs. McMillan and Beck—An act to amend Section 3.421 of the School Code, relating to special day and evening classes in elementary schools.

Referred to Committee on Education.

Assembly Bill No. 1290: By Messrs. Beck and McMillan—An act to amend Section 3 493 of the School Code, relating to continuation education classes.

Referred to Committee on Education.

Assembly Bill No. 1291: By Messrs. Beck and McMillan—An act to add Section 3 223a to, and to amend Section 4 922 of, the School Code and to add Section 8703.1 to, and to amend Section 7302 of, the Education Code, relating to high schools and high school classes

Referred to Committee on Education.

Assembly Bill No. 1292: By Messrs. Beck and McMillan—An act to amend Section 4.922 of the School Code, relating to average daily attendance.

Referred to Committee on Education.

Assembly Bill No. 1293: By Mr. Hastain—An act to amend Section 20043 of the Water Code, relating to reports by the California Districts Securities Commission.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1294: By Mr. Hastain—An act to repeal Sections 22900, 22901, 22902, 22903, 22904, 22905, and 22906 of the Water Code, relating to the distribution of electric power in irrigation districts containing 500,000 acres or more.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1295: By Mr. Hastain—An act to amend Section 22950 of the Water Code, relating to assessments in irrigation districts containing 500,000 acres or more.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1296: By Mr. Hastain—An act to amend Sections 25035 and 25335 of the Water Code, relating to refunding bonds of irrigation districts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1297: By Mr. Hastain—An act to amend Section 20847 of the Water Code, relating to the names of irrigation districts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1298: By Mr. Hastain—An act to add Section 21123 to the Water Code, relating to the offices of assessor and collector of an irrigation district.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1299: By Mr. Hastain—An act to add Section 24624 to the Water Code, relating to warrants of an irrigation district.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1300: By Mr. Hastain—An act to amend the title and Section 4 and to repeal Sections 4c and 4d of an act entitled "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and for elections and the qualification of electors therein and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to the government, operation, and functions of irrigation districts of an area of over 500,000 acres.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1301: By Mr. Hastain—An act to amend Sections 1 and 3 of an act entitled "An act to provide for the acquisition, development, and disposal of electrical power by irrigation districts," approved May 21, 1919, relating to the application of the California

Irrigation District Act and acts amendatory thereof and supplemental to the California Irrigation District Act and to the borrowing of funds and issuance of warrants and securities by irrigation districts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1302: By Mr. Hastain—An act to amend an act entitled “An act creating the California Districts Securities Commission, providing for its appointment, and defining its duties and powers, relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized, providing that certain districts may be declared insolvent, and providing for the administration of insolvent districts, making an appropriation, to carry out the purposes of the act, and repealing an act entitled ‘An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized.’ approved June 13, 1913, and as amended,” by amending Section 4 thereof, relating to the certification of bonds, and investigations and reports relating thereto.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1303: By Mr. Hastain—An act to amend Section 1 of an act entitled “An act to provide for the change of name of irrigation districts.” approved April 6, 1929, relating to the title that may be adopted as a part of the name of an irrigation district.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1304: By Mr. Hastain—An act to amend the California Irrigation District Act by amending Sections 7, 61, and 109a relating to irrigation districts, including provisions relating to the changing of the name of an irrigation district, the issuance of warrants by an irrigation district, officers and the consolidation of offices of an irrigation district.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1305: By Mr. Watson—An act to add Article 6a, comprising Sections 2.62 to 2.64, inclusive, to Chapter 1 of Part 1 of Division 2 of the School Code, and to add Article 4.1, comprising

Sections 1581 to 1583, inclusive, to Chapter 3 of Division 2 of the Education Code, relating to boundaries of school districts.

Referred to Committee on Education.

Assembly Bill No. 1306: By Mr. Potter—An act making an appropriation of two thousand dollars (\$2,000) for the purchase of the files of "American Flag."

Referred to Committee on Ways and Means.

Assembly Bill No. 1307: By Mr. Potter—An act to amend Section 112 of the Labor Code, relating to appointment of members of the Industrial Accident Commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1308: By Mr. Potter—An act to repeal Chapter 8, comprising Sections 6850 and 6955, inclusive, of Division 3 of the Business and Professions Code, and to add Chapter 8 comprising Sections 6850 to 6991, inclusive, to Division 3 of the Business and Professions Code, providing for the regulation, bonding, supervision and licensing of collection agencies and penalizing violations thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1309: By Mr. Waters—An act to amend Section 261 of the Code of Civil Procedure, relating to salaries of court commissioners.

Referred to Committee on Judiciary.

Assembly Bill No. 1310: By Mr. Waters—An act to add Sections 2.89, 2.89a, and 2.89b to the School Code and to add Sections 1603, 1604, and 1605 to the Education Code, relating to the transfer of territory from one school district to another school district.

Referred to Committee on Education.

Assembly Bill No. 1311: By Messrs. Thurman and Call—An act to add Section 54.1 to the Civil Code, relating to the right of privacy of persons.

Referred to Committee on Judiciary.

Assembly Bill No. 1312: By Mr. Potter—An act to amend Section 702 of the Probate Code, relating to notice in probate proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 1313: By Mr. Potter—An act to amend Section 1023 of the Probate Code, relating to final distribution of estates in probate.

Referred to Committee on Judiciary.

Assembly Bill No. 1314: By Mr. Johnson—An act to amend Section 5.120 of the School Code and to amend Section 12001 of the Education Code, relating to authorization of service in the public schools.

Referred to Committee on Education.

Assembly Bill No. 1315: By Mr. Johnson—An act to add Section 2.25 to the School Code and to add Section 1506 to the Education Code, relating to the attendance of pupils upon school, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1316: By Mr. Johnson—An act to add Article 4a to Chapter 1 of Part 1 of Division 5 of the School Code and to add Article 3.5 to Chapter 2 of the Education Code, relating to the dismissal of employees of State colleges not in State civil service.

Referred to Committee on Education.

Assembly Bill No. 1317: By Mr. Johnson—An act to add Section 5.45-1 to the School Code and to add Section 20379 to the Education Code, relating to employees of State colleges not serving in the State civil service.

Referred to Committee on Education.

Assembly Bill No. 1318: By Mr. Johnson—An act to amend Sections 5.129, 5.344 and 5 534 of the School Code and to add Sections 12009.1, 12894.1 and 13204.1 to the Education Code, relating to persons in the military service, including service in uniformed auxiliaries thereof or thereto, of the United States of America or of the State of California, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1319: By Mr. Johnson—An act to repeal Sections 2244 and 2259 of the Political Code and to repeal Sections 20773 and 20923 of the Education Code, relating to the qualifications of certain teachers appointed or employed by the State Department of Education.

Referred to Committee on Education.

Assembly Bill No. 1320: By Mr. Johnson—An act to repeal Section 2934a of the Civil Code relating to substitution of trustee under trust deed, mailing of copy to persons entitled to notice of default, and contents and effect of substitution.

Referred to Committee on Judiciary.

Assembly Bill No. 1321: By Mr. Johnson—An act to amend Section 259 of the Probate Code and to repeal Sections 259.1 and 259.2 of the Probate Code relating to the rights of inheritance of aliens.

Referred to Committee on Judiciary.

Assembly Bill No. 1322: By Mr. Johnson—An act to amend Sections 799 and 800 of the Political Code, relating to qualification of notaries public.

Referred to Committee on Judiciary.

Assembly Bill No. 1323: By Mr. Johnson—An act to amend Section 1352 of the Labor Code, relating to working hours for women.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1324: By Mr. Johnson—An act making an appropriation for the support of the State Board of Equalization.

Referred to Committee on Ways and Means.

Assembly Bill No. 1325: By Mr. Johnson—An act making an appropriation for the support of the University of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1326: By Mr. Sam L. Collins—An act making an appropriation for the contingent expenses of the Assembly, to take effect immediately.

Without reference to committee.

Assembly Joint Resolution No. 25: By Messrs. Lowrey, King, and Thompson—Relative to memorializing Congress not to pass reciprocal trade agreements.

Request for Unanimous Consent

Mr. Lowrey asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 25, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 25

Assembly Joint Resolution No. 25—Relative to memorializing Congress not to pass reciprocal trade agreements.

Resolution read.

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

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Guthrie, Hastain, Heisinger, Hollibaugh, Howser, Johnson, Kellems, King, Knight, John B., Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Price, Robertson, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—50
NOES—Dunn, and Hawkins—2.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 26: By Messrs. Massion and Kraft—Relative to the Pharmacy Corps Bill.

Request for Unanimous Consent

Mr. Massion asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 26, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 26

Assembly Joint Resolution No. 26—Relative to the Pharmacy Corps Bill.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Carey, Clarke, Collins, Sam L., Crichton, Debs, Dills, Clayton A., Erwin, Fourt, Gaffney,

Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Howser, King, Knight, John B. Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Thomas, Thorp, Thurman, Waters, Werdel, Wollenberg, and Mr. Speaker—46.

NOES—None.

Resolution ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS**

Assembly Bill No. 125—An act to add Section 842.5 to the Fish and Game Code, relating to the use of nets, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Howser moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, strike out "during the period of the war emergency".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 8 to 13, inclusive, and insert "This section is applicable only to districts or parts of districts south of a line extended both east and west as continuations of the present boundary line between the counties of Monterey and San Luis Obispo.

This section shall remain in effect until the first day of March, 1945, or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

House Resolution No. 71

House Resolution No. 78

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No 147

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DILWORTH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 147—An act to amend Section 5.876 of the School Code and to amend Section 14536 of the Education Code, relating to

the employment of persons retired under the State Teachers Retirement Act and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "School Code Section 5 870", and insert "Section 5.870 hereof".

Amendment No. 2

On page 1 of the printed bill, beginning in line 19, strike out "School Code Section 5.872", and insert "Section 5 872 hereof".

Amendment No. 3

On page 2, line 4, of the printed bill, strike out the period, and insert a comma.

Amendment No. 4

On page 2, line 22, of the printed bill, strike out "Education Code Section 14521", and insert "Section 14521 hereof".

Amendment No. 5

On page 2 of the printed bill, beginning in line 23, strike out "Education Code Section 14524", and insert "Section 14525 hereof".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1943

MR. SPEAKER. Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 367

Assembly Bill No. 895

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 367—An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, strike out "or any authorized agency thereof".

Amendment No. 2

On page 1, line 7, of the printed bill, after "do", insert "in writing by the Public Roads Administration, the Maritime Commission, the Army or the Navy".

Amendment No. 3

On page 1, line 11, of the printed bill, after the period, insert "Any architectural or construction work on buildings shall be limited to projects on property owned or controlled by the State."

Amendment No. 4

On page 1, line 19, of the printed bill, strike out "authorize agents of the", and insert "authorized agents of the above mentioned agencies of the".

Amendment No. 5

On page 2 of the printed bill, between lines 31 and 32, insert "SEC. 2.5. This act shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs, except that within six months thereafter the department may complete any work under way."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 895—An act making an appropriation in augmentation of the emergency fund specified in Item 216 of the Budget Act of 1941, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 2 and 3, of the printed bill, strike out "three hundred ninety-eight thousand one hundred eighty-five dollars (\$398,185)", and insert "six hundred forty-eight thousand one hundred eighty-five dollars (\$648,185)" of which amount the sum of two hundred fifty thousand dollars (\$250,000) shall be allocated for retroactive salary adjustments for employees of the University of California "

~~Amendment read and adopted.~~

~~Bill ordered reprinted and engrossed.~~

[On January 29, 1943, above action was rescinded, and record ordered expunged whereby amendment to Assembly Bill No. 895 was adopted.]

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 28, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 48

Assembly Bill No. 162

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By MARGARET DOUVILLE, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, January 28, 1943

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

Assembly Bill No. 15

Assembly Bill No. 36

J. A. BEEK, Secretary of the Senate

By MARGARET DOUVILLE, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 28, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 122

Senate Concurrent Resolution No. 8

J. A. BEEK, Secretary of the Senate

SENATE CHAMBER, SACRAMENTO, January 28, 1943

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

Senate Bill No. 15

J. A. BEEK, Secretary of the Senate

SENATE CHAMBER, SACRAMENTO, January 28, 1943

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

Senate Bill No. 59
Senate Bill No. 151

Senate Bill No. 152
Senate Bill No. 280

J. A. BEEK, Secretary of the Senate
By MARGARET DOUVILLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 28, 1943

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

Senate Joint Resolution No. 12
Senate Joint Resolution No. 13
Senate Constitutional Amendment No. 10

J. A. BEEK, Secretary of the Senate
By MARGARET DOUVILLE, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 15—An act creating the Salary Emergency Fund, and making an appropriation to said fund for the purpose of providing salary and wage increases for State employees and providing that this act take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 59—An act to regulate, and to prohibit fraud and deception in, the sale of olive oil, imitation olive oil, and other edible oils, to repeal an act entitled "An act to regulate the sale of imitation olive oil, and to repeal an act entitled 'An act to regulate the sale of olive oil,' approved March 10, 1891," approved March 23, 1893, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 151—An act to amend Section 13 of the Personal Income Tax Act and Section 18431 of the Revenue and Taxation Code, relating to filing returns, declaring the urgency thereof to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 152—An act to add Section 5.1 to the Personal Income Tax Act and Section 17053.5 to the Revenue and Taxation Code, relating to personal income taxes, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 280—An act to add Section 68 to the Code of Civil Procedure, relating to State officers, including judges of the superior court, and providing for the rights of such officers after service in the armed forces, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Senate Joint Resolution No. 12—Relative to memorializing the President of the United States, the Members of Congress from California and the Surgeons General of United States Army and Navy, to institute investigations concerning the advantages that would accrue to the

patients, if one or more military hospitals of convalescent or other nature were erected in mineral spring areas located in California; with special reference to the treatment of invalid Soldiers and Sailors suffering from shock or nervous or other disorders and for whom mineral spring and spa procedures offer special advantages in recovery of health and rehabilitation for useful life.

Referred to Committee on Military Affairs.

Senate Joint Resolution No. 13—Relative to old age assistance.

Referred to Committee on Social Welfare.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 8.5 to Article VI thereof, relating to State officers, including judges of the superior court, and providing for the rights of such officers after service in the armed forces.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 345—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Bill read third time.

The bill was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 3—An act to amend Section 2011 and to repeal Sections 2181, 2224, 3088, and 3474 of the Welfare and Institutions Code, to repeal Article 3, comprising Sections 2576 and 2577 of Chapter 2, Division 4 of the Welfare and Institutions Code, and to repeal Section 3 of Chapter 1254 of the Statutes of 1941 and Section 20 of the California Unemployment Relief Act of 1935, relating to legal responsibility of relatives and others for support of persons receiving public assistance.

Bill read third time.

Motion to Re-refer to Committee on Social Welfare

Mr. Kellems moved that Assembly Bill No. 3 be withdrawn from the file, and re-referred to the Committee on Social Welfare.

Mr. Desmond seconded the motion.

The Speaker ruled the motion out of order.

Motion to Re-refer to Committee on Ways and Means

Mr. Field moved that Assembly Bill No. 3 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Mr. Johnson seconded the motion.

Substitute Motion to Re-refer to Committee on Social Welfare

Mr. Gaffney moved, as a substitute motion, that Assembly Bill No. 3 be withdrawn from the file, and re-referred to the Committee on Social Welfare.

Mr. Berry seconded the motion.

Demand for Previous Question

Messrs. Howser, Beck, Rosenthal, Waters, and Knight, John B., demanded the previous question.

Demand for previous question sustained.

The question being on the substitute motion to re-refer Assembly Bill No. 3 to the Committee on Social Welfare.

Roll Call Demanded

Messrs. Knight, John B., Gannon, and Gaffney demanded a roll call. The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Gaffney moved a call of the Assembly.

The roll was called, and motion for a call of the Assembly carried by the following vote:

AYES—Armstrong, Beck, Berry, Brady, Burns, Carey, Carlson, Collins, George D., Denny, Desmond, Dickey, Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Howser, Kellems, King, Knight, John B., Leonard, Lowrey, Maloney, McCollister, McMillan, Robertson, Rosenthal, Sheridan, Smith, Thurman, Waters, Werdel, Wollenberg, and Mr. Speaker—39.

NOES—Anderson, Bashore, Bennett, Burkhalter, Call, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dunn, Evans, Guthrie, Hollibaugh, Johnson, Kilpatrick, Kraft, Lyons, Massion, Middough, Miller, Potter, Price, Sargent, Sawallisch, Stream, Thomas, Thompson, Thorp, Watson, and Weybret—32.

Time, 12.10 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

**MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON
AMENDMENTS TO ASSEMBLY BILL NO. 895**

Mr. Desmond moved to expunge the record and rescind the action whereby amendment to Assembly Bill No. 895 was this day adopted.

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

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson,

Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.
 NOES—None.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 895

Assembly Bill No. 895—An act making an appropriation in augmentation of the Emergency Fund specified in Item 216 of the Budget Act of 1941, to take effect immediately.

Bill read second time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 2 and 3, of the printed bill, strike out "three hundred ninety-eight thousand one hundred eighty-five dollars (\$398,185)", and insert "six hundred forty-eight thousand one hundred eighty-five dollars (\$648,185) of which amount the sum of two hundred fifty thousand dollars (\$250,000) shall be allocated for salary adjustments for employees of Regents of the University of California."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

MOTION TO RE-REFER ASSEMBLY BILL NO. 224 TO COMMITTEE

Mr. Bashore moved that Assembly Bill No. 224 be withdrawn from the file, and re-referred to the Committee on Finance and Insurance.

Hon. Augustus F. Hawkins Presiding

At 12.25 p.m., Hon. Augustus F. Hawkins, Member of the Assembly from the Sixty-second District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 70

House Resolution No. 70

Relative to the investigation of milk production and distribution and swine diseases

WHEREAS, The Standing Committee on Live Stock and Dairies will be called upon to consider legislation relating to milk production and distribution and swine diseases during the current session of the Legislature; and

WHEREAS, In order to intelligently consider and act upon such legislation it is necessary that the said committee be fully informed about the facts concerning the same; and

WHEREAS, It appears that the best method of acquiring accurate and necessary information concerning such matters would be to authorize a subcommittee appointed from the membership of the Standing Committee on Live Stock and Dairies to conduct an investigation and to study those subjects; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby established an investigating committee to be known as the Committee on Live Stock and Dairies which committee is to study and investigate and survey accurately in detail the problems of milk production and distribution and swine diseases; and be it further

Resolved, That the committee shall consist of seven members of the Assembly Standing Committee on Live Stock and Dairies to be appointed by the Speaker. Vacancies in the membership of the committee occurring at any time shall be filled by the Speaker; and be it further

Resolved, That the committee may employ, prescribe the duties and fix the compensation of such professional assistants, clerical, and other employees as it finds necessary for the conduct of its work; and be it further

Resolved, That the committee is authorized to hold public hearings at Sacramento and at any place in California, and to exercise all the powers and perform all the duties imposed upon it by this resolution during the Fifty-fifth Session of the Legislature, any recesses thereof and after final adjournment, and to file its report with the Fifty-sixth Session of the Legislature upon its convening; and be it further

Resolved, That the committee is authorized and empowered to summon and subpoena witnesses, require the production of books, papers, accounts, reports, documents,

records, and papers of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and to procure testimony; and be it further

Resolved, That the committee, each of its members and any representative of the committee thereunto authorized by the committee or its chairman is authorized and empowered to administer oaths, and all of the provisions of Article 8, Chapter 2, Title 1, Part 3, of the Political Code, relating to the attendance and examination of witnesses before the Legislature and committees thereof apply to the committee hereby created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way, incurred in connection with their services upon the committee, and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee or in lieu of such expenses for accommodations and meals, an allowance of ten dollars (\$10) per day; be it further

Resolved, That the sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses, or claims it may incur under this resolution, to be disbursed after certification by the chairman of the committee, upon warrants drawn by the Controller upon the Treasurer.

Resolution read.

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

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—69

NOES—None

Appointment of Special Committee

Pursuant to the provisions of House Resolution No. 70, the Speaker announced the appointment of Messrs. Burns, Denny, McCollister, Desmond, Erwin, Dills, Ralph C., and Thorp as such Special Committee on Live Stock and Dairies.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 11—Relative to memorializing the President and Congress to enact legislation to secure all aged citizens against want or poverty by means of a system of Federal old-age pensions

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Wollenberg—69.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 16—Relative to designating the magazine "Pictorial California" be the official pictorial magazine of the State of California

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Kellem, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 12.40 p.m., Hon Charles W. Lyon, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SUBSTITUTE MOTION TO RE-REFER ASSEMBLY BILL NO. 3 TO COMMITTEE

At 12.40 p.m., on motion of Mr. Gaffney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the substitute motion to re-refer Assembly Bill No. 3 to Committee on Social Welfare carried by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Berry, Brady, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Howser, Johnson, Kellem, King, Knight, John B., Leonard, Lowrey, Maloney, Middough, Miller, Potter, Price, Robertson, Sargent, Sawallsch, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—Anderson, Bennett, Brown, Burkhalter, Clarke, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Dunn, Evans, Hastain, Hawkins, Hollibaugh, Kilpatrick, Kraft, Lyons, Massion, McCollister, McMillan, Pelletier, Rosenthal, Sheridan, and Thomas—25.

Assembly Bill No. 3 ordered re-referred to Committee on Social Welfare.

RECESS

At 12.45 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 3 p.m.

REASSEMBLED

At 3 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 15—An act to amend Section 6 of the Inheritance Tax Act of 1935, relating to inheritance taxation, to take effect immediately;

Assembly Bill No. 36—An act to amend Section 4 of the Budget Act of 1941, relating to approval of withdrawals from appropriations, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of January, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 20—Relative to memorializing the Federal Government to immediately assign a large force of OPA investigators to the City of Vallejo and surrounding communities to enforce the Rent Control Act; And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-ninth day of January, 1943, at 3 p.m.

PELLETIER, Chairman

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 568
Assembly Bill No. 569
Assembly Bill No. 570

Assembly Bill No. 571
Assembly Bill No. 572

And reports the same correctly engrossed

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 895

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1943

MR. SPEAKER. Your Committee on Judiciary, to which were referred:

Assembly Bill No 1009
Assembly Bill No. 354

Senate Bill No. 301
Senate Bill No. 98

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WERDEL, Vice Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 358

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

KILPATRICK, Vice Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 151
Senate Bill No. 152

Has had the same under consideration, and reports the same back with the recommendation: Do pass

BASHORE, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 80

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WERDEL, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1009—An act to authorize public agencies to withhold amounts from salaries and wages, paid by public agencies and to comply with provisions of internal revenue laws of the United States, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 354—An act to amend Section 1183 of, and to add Section 1184a to, the Civil Code, relating to the proof or acknowledgment of instruments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 358—An act to add Section 10202 to the Health and Safety Code, relating to certified copies of birth certificates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out line 6, and insert "subdivisions (3), (6), (10), (11), (13), (14), (17), (19), (20), (21), (22), (23), (26), (27), and (28) of Section".

Amendment No. 2

On page 1, line 10, of the printed bill, after "issued," insert "nor whether the birth is legitimate or otherwise."

Amendment No. 3

On page 1, line 11, of the printed bill, after "copy," insert "Certified copies of birth certificates hereafter issued shall contain only the information provided for in this section, unless otherwise requested, regardless of statements contained in or the form of birth records heretofore filed."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 301—An act to add Section 704 to the Civil Code, relating to the ownership of United States Savings Bonds or other obligations of the United States registered in the name of two persons as co-owners or registered in the name of one person with a named survivor, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 98—An act to amend Section 2009 of the Code of Civil Procedure, relating to the use of affidavits in a proceeding to establish the fact of birth, death or marriage, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 151—An act to amend Section 13 of the Personal Income Tax Act and Section 18431 of the Revenue and Taxation Code, relating to filing returns, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 152—An act to add Section 5.1 to the Personal Income Tax Act and Section 17053.5 to the Revenue and Taxation Code, relating to personal income taxes, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 80—An act to amend Sections 10600, 10602, 10603, 10604, and 10607 of the Health and Safety Code, relating to proceedings to establish records of birth, death or marriage, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 24, of the printed bill, strike out "A", and insert "At least five days before the date of the hearing, a".

Amendment No. 2

On page 2, line 3, of the printed bill, after "of", and before "hearing", insert "the".

Amendment No. 3

On page 2, line 8, of the printed bill, after "not", insert "less than five nor".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Kellems, Doyle, Sheridan, Waters, Kilpatrick, Pelletier, Field, Lyon, Call, Evans, Thorp, Clarke, Maloney, Desmond, and Carlson:

House Resolution No. 84-A

WHEREAS, The Reverend Raymond L. Bailey, Pastor of the First Baptist Church at Sacramento has been called to the First Baptist Church at Columbus, Ohio; and

WHEREAS, The Members of this Assembly have a very warm and grateful memory of Reverend Bailey as Chaplain of the Assembly of the State of California during the Fifty-third Legislature and the Special Session of 1940; be it

Resolved by the Assembly of the State of California, That this Assembly does hereby congratulate The Reverend Raymond L. Bailey and convey to him felicitations; and be it further

Resolved, That the Chief Clerk is hereby directed to transmit a suitably engrossed copy of this resolution to The Reverend Raymond L. Bailey.

Request for Unanimous Consent

Mr. Kellems asked for, and was granted, unanimous consent to take up House Resolution No. 84-A, at this time, without reference to committee.

Resolution read and adopted

By Messrs. Lyon, Call, and Thurman:

House Resolution No. 85

WHEREAS, It has come to the attention of this Assembly that Herbert Bayard Swope may soon pass through California in the course of his first tour of the Western States; and

WHEREAS, Herbert Bayard Swope has an eminent record of achievement in many fields, having been attached to the German Armies in the First World War as correspondent for the New York World, awarded the Pulitzer Prize in 1917,

commissioned Lieutenant Commander in the United States Navy upon America's entry into that war, made Executive Editor of the New York World from 1920 to 1928, and continues to be considered one of the best newspapermen in the United States; and

WHEREAS, In the realm of politics Herbert Bayard Swope achieved equal success, it being credited to him that by his individual efforts alone he brought the 1924 National Democratic Convention to New York, and he is now Chairman of the New York State Racing Commission, and Director of Public Relations for Secretary of the Navy Knox; and

WHEREAS, As an individual he has been a crusader for good government, a sports enthusiast who is said to have brought to an end confusion and favoritism in legalized horse racing throughout the Nation by introducing the electric eye and camera finish method of determining the winner in horse racing, and now is Chairman of the Turf Committee of America, and sits on many boards of directors; and

WHEREAS, Herbert Bayard Swope is said to have a greater number of acquaintances than anyone else in the United States, and yet, while counting the great among his friends, has not lost the common touch, but in spite of his eminence in many fields is still best known as Herbert Bayard Swope; now, therefore, be it

Resolved by the Assembly of the State of California, That the Chief Clerk be and he is hereby authorized and directed to extend to Herbert Bayard Swope the cordial invitation of this Assembly urging him that, should his tour of the Western States bring him to California when this Legislature has reconvened after its constitutional recess, he visit the Legislature of California and be the guest of, and address the Assembly of the State of California.

Request for Unanimous Consent

Mr. Call asked for, and was granted, unanimous consent to take up House Resolution No. 85, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Sam L. Collins:

House Resolution No. 86

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

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 86, at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beek, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—67

NOES—None

By Mr. Sam L. Collins:

House Resolution No. 87

WHEREAS, During the constitutional recess services of the officers, attaches, and employees of the Assembly will not be required, with certain exceptions; and

WHEREAS, There is a great deal of exacting detail pertaining to this session of the Legislature to be taken care of; and

WHEREAS, It will be necessary to retain a certain amount of help to perform in the assistance of this work; now, therefore, be it

Resolved, That Arthur A. Ohnimus, Chief Clerk of the Assembly, is hereby directed to take charge of arranging and preparing the books, bills, and all other records of the Assembly and filing with the Secretary of State such papers as provided by law and all indexing, correcting, compiling and proofreading and otherwise preparing the Journal of the Assembly for the Fifty-fifth Session of the Legislature and of the First Extraordinary Session and correcting and perfecting the records of the Assembly so that they may be properly filed at the adjournment of the Assembly and of compiling and preparing and having printed a Semi-Final Calendar of the legislative business of the Fifty-fifth Session of the Legislature and of the First Extraordinary Session, said history to contain titles of all measures introduced and their authors, the numbers that shall have become law, those that shall have been read the second time, and any and such information as will provide a history of the session's business and a guide for the information of subsequent sessions of the Legislature.

When the Semi-Final History is prepared, Arthur A. Ohnimus, Chief Clerk of the Assembly, is directed to forward one copy of this book to each Member of the Assembly and to each public library of the State which may apply for same; and be it further

Resolved, That the Chief Clerk is hereby authorized to retain such legislative help as may be necessary to complete the aforesaid work of the Assembly and the same shall be compensated at the same rate paid per diem as allowed them during the time the Legislature is in session; provided, however, that no compensation shall be allowed except for services actually performed and the Chief Clerk is hereby directed to keep an accurate attendance record of all attaches so employed and certified by him to the State Controller as being entitled to compensation; and be it further

Resolved, That the State Controller is hereby authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same, and such sums shall be payable from the unexpended balance of the fund provided for the pay of officers and attaches of the Assembly.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 87, at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

By Mr. Waters:

House Resolution No. 88

WHEREAS, It has been customary for many years for the State to print and distribute free of cost to the students in the schools and to others, copies of the Constitution of the State of California, the Constitution of the United States, and other documents; and

WHEREAS, The course of study in the schools of the State requires a study of State Government and the Constitution; and

WHEREAS, The Constitution of the State of California and the Constitution of the United States and other historical documents and information about the Legislature are of great use in the teaching of civics in the public schools and in the teaching of Americanism; and

WHEREAS, At the last general election held on November 3, 1942 the people of the State of California voted their approval of six proposed amendments to the Constitution of the State of California; and

WHEREAS, The last edition of the Constitution is now exhausted and is out of date because of the adoption of these six amendments thereto; and

WHEREAS, There are numerous requests from our schools and from others for copies of the Constitution of the State of California and the Constitution of the

United States, and other historical documents and information pertaining to the Legislature; and

WHEREAS, The article on information pertaining to the Legislature is of particular value to those who are studying our State Government; and

WHEREAS, For many years the Legislature has provided for the distribution of the Constitution by members and officers of the Legislature; and

WHEREAS, During this World War it is essential that the children of this Nation should be instructed in principles and ideals of Americanism, and one of the best methods of obtaining this information is the reading of the Constitution of the United States, the Constitution of the State of California, and the historical documents telling how this Country became a Nation; now, therefore, be it

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby directed to compile, revise, and have published a volume similar to those previously issued by the Assembly containing information of an educational nature pertaining to the Legislature of the State of California, together with the Constitution of the State of California, the Constitution of the United States and other documents, and he is authorized to augment the article on the Legislature and to distribute the same on request of Members of the Assembly not to exceed 50 copies to any one member and to others properly entitled thereto; and be it further

Resolved, That the cost of compilation and the printing of this publication be charged to and payable from the Legislative Printing Fund

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 88, at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thuman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 16—Providing for the continuance of the Joint Committee on Water Problems created by Senate Concurrent Resolution No. 11 (1941 Res. Ch. 130).

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thuman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 27, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento, California*

DEAR MR. OHNIMUS. The Governor has asked me to acknowledge receipt of your letter of January 21st, enclosing resolution, and to advise you that he has referred your letter to the Adjutant General for his attention.

Sincerely yours,

W. T. SWEIGERT, Executive Secretary

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 802—An act to add Section 2.5 to an act entitled "An act making an appropriation to the Division of Forestry of the Department of Natural Resources, declaring the urgency thereof, to take effect immediately," approved January 28, 1942, relating to expenditures by the Division of Forestry of money appropriated for its support, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 802:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 27, 1943

*To the Honorable Members of the Assembly
Sacramento, California*

GENTLEMEN:

ASSEMBLY BILL No 802

"An act to add Section 2.5 to an act entitled 'An act making an appropriation to the Division of Forestry of the Department of Natural Resources, declaring the urgency thereof, to take effect immediately,' approved January 28, 1942, relating to expenditures by the Division of Forestry of money appropriated for its support, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 802 as necessary for the immediate preservation of the public peace, health, or safety and as an emergency measure

Respectfully submitted.

EARL WARREN, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Wehbret, Woltenberg, and Mr. Speaker—60.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle,

Dunn, Erwin, Evans, Field, Fount, Gaffney, Guthrie, Haggerty, Hawkins, Hetsinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

Bill ordered transmitted to the Senate.

Assembly Bill No. 755—An act to add Sections 82 and 13.1 to The Personal Income Tax Act and Sections 17356 and 18434 to the Revenue and Taxation Code, relating to the personal income tax, deductions therefrom and returns made therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed bill, after "thereof," insert "the Merchant Marine".

Amendment No. 2

On page 2, line 10, of the printed bill, after "thereof, the", insert "Merchant Marine".

Amendments read and adopted.

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to consider further amendments to Assembly Bill No. 755, at this time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 13 and 14, of the printed bill, as amended, strike out "or the State Guard,".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 18 and 19, and insert "tax until 180 days after his discharge or release from active service therein."

Amendment No. 3

On page 2, line 10, of the printed bill, as amended, strike out "or the State Guard,".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 15 and 16, and insert "180 days after his discharge or release from active service therein."

Amendments read.

Division of Question

Mr. Carlson called for division of the question.

Request granted.

The question being on the adoption of Amendment No. 1, by Mr. Desmond.

Amendment read and adopted.

The question being on the adoption of Amendment No. 2, by Mr. Desmond.

Amendment read and adopted.

The question being on the adoption of Amendments Nos. 3 and 4, by Mr. Desmond.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 13—Relative to a Fact-Finding Committee on the labor supply for agricultural and industrial enterprises, and defining its powers and duties.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Wollenberg:

Resolved, That Senate Bill No. 301 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 301

Senate Bill No. 301—An act to add Section 704 to the Civil Code, relating to the ownership of United States Savings Bonds or other obligations of the United States registered in the name of two persons as co-owners or registered in the name of one person with a named survivor, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—King—1.

Senate Bill No. 301—An act to add Section 704 to the Civil Code, relating to the ownership of United States Savings Bonds or other obligations of the United States registered in the name of two persons as co-owners or registered in the name of one person with a named survivor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—King—1.

Notice of reconsideration given by Mr. King.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 30—An act to amend Section 660.5 of the Fish and Game Code, relating to salmon, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 266—An act to amend the title and Sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district, or flood control district," approved April 23, 1913, as amended, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or

town, municipality, or other public or municipal corporation or public district, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Weber moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended, strike out "the act cited in the title hereof", and insert "an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district, or flood control district," approved April 23, 1913".

Amendment No. 2

On page 3, line 10, of the printed bill, as amended, after "Sec. 4.", insert "An act authorizing the investment and reinvestment and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town, approved March 3, 1909,' approved April 3, 1911, is repealed.

Sec. 5."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 95—An act to amend Section 1 of an act entitled "An act authorizing any city, county, city and county, or district to expend public funds and to expend, use, or permit the use of public property or personnel to meet emergencies created by war, military, naval or air attack, or sabotage, or in providing for adequate National or local defense, irrespective of budget or other limitations; declaring the urgency hereof; to take effect immediately," approved December 23, 1941, relating to the granting of emergency powers to local governmental agencies and public districts including provisions for the transfer, sale, lease, or use of public property of such agencies or districts, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Re-refer

Mr. Desmond moved that Senate Bill No. 95 be withdrawn from the file, and re-referred to the Committee on Governmental Efficiency and Economy.

Roll Call Demanded

Messr. Dills, Clayton A., Desmond, and Call demanded a roll call.

The roll was called, and the motion to re-refer Senate Bill No. 95 to Committee on Governmental Efficiency and Economy carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Collins, Sam L., Crichton, Denny, Desmond, Doyle, Erwin, Fourt, Gannon, Haggerty, Hastain, Heisinger, Howser, King, Kraft, Lowrey, Lyons, Massion, McCollister, Middough, Miller, Pelletier, Potter, Price, Sheridan, Smith, Stream, Thorp, Thurman, Waters, Weber, and Weybret—42.

NOES—Beck, Bennett, Carlson, Collins, George D., Crowley, Debs, Dickey, Dills, Clayton A., Dunn, Field, Guthrie, Hawkins, Hollibaugh, Johnson, Kilpatrick, Leonard,

Maloney, McMillan, Rosenthal, Sargent, Thomas, Thompson, Watson, Werdel, Wollenberg, and Mr. Speaker—26.

Senate Bill No. 95 ordered re-referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 180—An act to add Section 350.5 to the Political Code, relating to the sale or rental of tools or equipment of the State, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Motion to Re-refer

Mr. Desmond moved that Senate Bill No. 180 be withdrawn from the file, and re-referred to the Committee on Governmental Efficiency and Economy.

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

AYES—Anderson, Bashore, Brady, Burkhalter, Call, Collins, Sam L., Desmond, Fourt, King, Massion, McCollister, McMillan, Potter, Price, and Waters—15.

NOES—Armstrong, Beck, Bennett, Berry, Brown, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney, Middough, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—52.

Senate Bill No. 180—An act to add Section 350.5 to the Political Code, relating to the sale or rental of tools or equipment of the State, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS

Mr. Fourt moved that Assembly Bill No. 568 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

Mr. Fourt moved that Assembly Bill No. 569 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

Mr. Fourt moved that Assembly Bill No. 570 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

Mr. Fourt moved that Assembly Bill No. 571 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT

Mr. Johnson asked for, and was granted, unanimous consent to consider amendments to Assembly Bill No. 354, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 354

Assembly Bill No. 354—An act to amend Section 1183 of, and to add Section 1184a to, the Civil Code, relating to the proof or acknowledgment of instruments.

Bill read second time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, after "instruments", insert ", declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 2 of the printed bill, after line 28, insert

"Sec. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The existing statutes covering the acknowledgment of documents are such that since the entrance of the United States into the war a large percentage of those serving in or with the armed forces are unable to have needed documents notarized. Essential transactions pertaining to the family affairs of members of the Army, Navy, Marine Corps and Coast Guard and others serving in or with such forces can not be consummated for this reason. To remedy this situation and to protect and aid the members of our armed forces in the conduct of their and their families' affairs it is urgently necessary that this act take effect immediately."

~~Amendment read and adopted.~~

~~Bill ordered reprinted and re-engrossed.~~

[On January 29, 1943, above record was expunged and action ordered rescinded whereby amendments to Assembly Bill No. 354 were adopted.]

WITHDRAWAL OF SENATE JOINT RESOLUTION NO. 12 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Crowley asked for, and was granted, unanimous consent to withdraw Senate Joint Resolution No. 12 from the Committee on Military Affairs and have it placed upon the file.

Request for Unanimous Consent

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 12, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 12

Senate Joint Resolution No. 12—Relative to memorializing the President of the United States, the Members of Congress from California and the Surgeon Generals of United States Army and Navy, to institute investigations concerning the advantages that would accrue to the patients, if one or more military hospitals of convalescent or other nature were erected in mineral spring areas located in California; with special reference to the treatment of invalid soldiers and sailors suffering from shock or nervous or other disorders and for whom mineral spring and spa procedures offer special advantages in recovery of health and rehabilitation for useful life.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

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

Assembly Bill No. 1327: By Mr. Johnson—An act to amend Sections 7059 and 7065 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1328: By Mr. Johnson—An act to amend Sections 7006 and 7072 of, and to add Section 7085 to, the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1329: By Mr. Johnson—An act to amend Sections 7136 and 7137 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1330: By Mr. Johnson—An act to add Section 7050 to the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1331: By Mr. Johnson—An act to amend Section 22103 of the Business and Professions Code, relating to the marking of precious metals.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1332: By Messrs. Hollibaugh and Leonard—An act to amend Section 87 of the Agricultural Code, relating to district agricultural associations.

Referred to Committee on Agriculture.

Assembly Bill No. 1333: By Messrs. Hollibaugh and Leonard—An act to amend Section 86 of the Agricultural Code, relating to agricultural associations.

Referred to Committee on Agriculture.

Assembly Bill No. 1334: By Messrs. Kraft, Debs, Stream, and Potter—An act to amend Section 7 of the "Unemployment Insurance Act," relating to exemptions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1335: By Messrs. Kraft, Massion, and Debs—An act to amend Section 5a of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof" approved March 6, 1907, as amended, relating to poisons.

Referred to Committee on Public Health.

Assembly Bill No. 1336: By Messrs. Kraft, Massion, and Debs—An act to amend Section 4212 of the Business and Professions Code, relating to pharmacy.

Referred to Committee on Public Health.

Assembly Bill No. 1337: By Messrs. Kraft, Massion, and Debs—An act to amend Section 4094 of the Business and Professions Code, relating to pharmacy.

Referred to Committee on Public Health.

Assembly Bill No. 1338: By Mr. Kraft—An act to repeal Article 1, comprising Sections 4160 to 4162, inclusive, of Chapter 9, Division 2 of the Business and Professions Code, relating to pharmacy.

Referred to Committee on Public Health.

Assembly Bill No. 1339: By Messrs. Rosenthal and Bennett—An act to amend Section 3440 of the Civil Code, relating to fraudulent conveyances.

Referred to Committee on Judiciary.

Assembly Bill No. 1340: By Mr. Rosenthal (By request)—An act to add Section 7501.5 to the Welfare and Institutions Code, relating to mentally ill persons and persons alleged to be mentally ill.

Referred to Committee on Judiciary.

Assembly Bill No. 1341: By Mr. Rosenthal (By request)—An act to amend Section 5054 of the Welfare and Institutions Code, relating to the procedure for the commitment of mentally ill persons.

Referred to Committee on Judiciary.

Assembly Bill No. 1342: By Mr. Rosenthal (By request)—An act to amend Sections 5050.2 and 5050 6 of the Welfare and Institutions Code, relating to procedure for the commitment of mentally ill persons.

Referred to Committee on Judiciary.

Assembly Bill No. 1343: By Mr. Rosenthal (By request)—An act to amend Section 6731 of the Welfare and Institutions Code, relating to the discharge of patients from State hospitals, and for their subsequent care and support.

Referred to Committee on Judiciary.

Assembly Bill No. 1344: By Mr. Rosenthal (By request)—An act to amend Sections 5047, 5048, and 5049 of the Welfare and Institutions Code, relating to the procedure for the commitment of mentally ill persons.

Referred to Committee on Judiciary.

Assembly Bill No. 1345: By Mr. Howser—An act to amend Section 409 of the Political Code, relating to the fees of the Secretary of State.

Referred to Committee on Judiciary.

Assembly Bill No. 1346: By Mr. Howser—An act to amend Section 14427 of the Business and Professions Code, relating to the registration of container brands.

Referred to Committee on Judiciary.

Assembly Bill No. 1347: By Mr. Howser—An act to amend Sections 595, 596 and 605e of the Civil Code, relating to nonprofit corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 1348: By Mr. Howser—An act to amend Section 14483 of the Business and Professions Code, relating to the registration of laundry supply designations.

Referred to Committee on Judiciary.

Assembly Bill No. 1349: By Mr. Howser—An act to add Section 291.4 to the Civil Code, relating to corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 1350: By Mr. Crowley—An act to amend Section 737q of the Political Code of the State of California, referring to the salary of the superior judge of Lake County.

Referred to Committee on Judiciary.

Assembly Bill No. 1351: By Mr. Leonard—An act to provide for the acquisition and administration of State forests, and making an appropriation.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1352: By Mr. Leonard (By request)—An act to amend Section 661 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1353: By Mr. Middough—An act defining, prohibiting, and prescribing the penalties for the commission of certain fraudulent and unfair trade practices in connection with the sale of merchandise.

Referred to Committee on Judiciary.

Assembly Bill No. 1354: By Mr. Thomas—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 1355: By Mr. Thomas—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 1356: By Mr. Sawallisch—An act to add Article 1a to Chapter 1 of Part 3 of Division 2 of the School Code and to add Section 366 to the Education Code, relating to county superintendents of schools.

Referred to Committee on Education.

Assembly Bill No. 1357: By Messrs. Johnson, Knight, John B., and Evans—An act to amend the Alcoholic Beverage Control Act by adding thereto Sections 59.1 and 59.2, making it a misdemeanor for any candidate seeking election or reelection to the Board of Equalization of the State of California and any officer, employee and appointee of said board, to solicit or receive from persons holding liquor licenses issued by said board any money or other thing of value for any political campaign for election or reelection to such board, and making it a misdemeanor for any licensee or holder of a liquor license to contribute or give money or any other thing of value for any such political campaign.

Referred to Committee on Public Morals.

Assembly Bill No. 1358: By Messrs. Johnson and Wollenberg—An act to amend Sections 124, 2500, 2506, 2555 and 2556 and to repeal Sections 2501, 2502 and 2600 of the Welfare and Institutions Code, to add Sections 2501, 2502 and Article 2.5, comprising Sections 2559 to 2570, inclusive, Article 6, comprising Sections 2625 to 2633, inclusive, Article 6.5, comprising Sections 2635 and 2636, and Article 7, comprising Sections 2650 to 2658, inclusive, to Chapter 2 of Division 4 of the Welfare and Institutions Code and repealing acts and parts of acts specified herein; relating to the relief of hardship and destitution, irrespective of cause; the administration and means of financing thereof; the conditions and terms upon which assistance may be granted; prohibiting political activities in connection therewith; penalizing violations thereof, defining the purposes for which money appropriated for relief activities may be used, abolishing the State Relief Administration, the Senate Relief Commission, and the office of State Relief Administrator and transferring certain records and other properties thereof to the State Department of Social Welfare, and transferring the powers and duties of the State Emergency Relief Commission and the Emergency Relief Administration to the State Department of Social Welfare.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1359: By Messrs. Johnson and Wollenberg—An act to amend the chapter heading of Chapter 2 of Division 4 of the Welfare and Institutions Code, to amend Sections 124, 2500, 2503, 2505, 2506, 2555, and 2556 of said code, to repeal Sections 2501, 2502, 2504, and 2600 thereof, to add Sections 2501, 2502, and 2507 thereto, to add Article 2.5, comprising Sections 2560 to 2565, inclusive, Article 6, comprising Sections 2625 to 2630, inclusive, Article 7, comprising Sections 2650 to 2660, inclusive, and Article 8, comprising Sections 2675 to 2683, inclusive, to Chapter 2 of Division 4 of said code, and to repeal certain laws and parts of laws therein specified, relating to the relief of hardship and destitution; establishing an integrated program of State and county administration of relief, defining the scope of the powers and duties of the State and the counties in regard thereto, apportioning funds for the direct and administrative costs thereof, determining eligibility for relief, prohibiting political activities, penalizing persons violating its provisions, defining the purposes for which money appropriated for relief activities may be used, transferring the powers and duties of the State Emergency Relief Commission and the Emergency Relief Administrator to the State Department of Social Welfare, abolishing the State Relief Commission and the Office of State Relief Administrator, and transferring certain records and other properties thereof to the State Department of Social Welfare.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1360: By Messrs. Johnson and Wollenberg—An act to amend Sections 103 and 113, and to repeal Sections 114 and 119 of, and to add Sections 113.5, 114, 114.5, 119, 119.3 and 125 to, the Welfare and Institutions Code, relating to the powers and duties of the State Department of Social Welfare, the State Board of Social Welfare and the Director of Social Welfare.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1361: By Messrs. Call and Thurman—An act to amend the Political Code by adding thereto Section 17.5, Part 6 and Titles 1, 2 and 3 thereof, Sections 4600 to 4609, inclusive, Section 4640, Sections 4650 to 4655, inclusive, relating to the liability of the State and its political subdivisions and their officers and employees, repealing Section 400 of the Vehicle Code; repealing Section 472, Title 4 of Part 4 and Sections 4452 to 4457, inclusive, of the Political Code; and repealing certain other acts in conflict therewith.

Referred to Committee on Judiciary.

Assembly Bill No. 1362: By Mr. Johnson—An act to amend Section 30 of the State Employees' Retirement Act, relating to the membership of the Retirement System established thereunder.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1363: By Mr. Brady—An act to add Article 8.5, comprising Section 7406, to Chapter 10 of Division 3 of the Business and Professions Code, relating to minimum price schedules for persons licensed under the chapter on cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 1364: By Mr. Brady—An act to amend Sections 7332 and 7442 of, and to add Section 7335 to, the Business and Professions Code, relating to cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 1365: By Messrs. Dunn and Burns—An act to add Section 6903.5 to the Labor Code, relating to train crews on gas, gas-electric, diesel, or diesel-electric cars and locomotives operated by railroad common carriers.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 1366: By Messrs. Evans, Allen, Middough, Lyons, Massion, Debs, Pelletier, Hawkins, and Thompson—An act to amend Sections 2746, 2831, 2832, and 2834, of, and to add Sections 2841.1 and 2841.2 to, the Elections Code, relating to county central committees.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1367: By Mr. Allen—An act to repeal an act entitled "An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof," approved June 14, 1935, and transferring property and records of said board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1368: By Mr. Allen—An act to amend Section 7000 of, and to add Section 7000.1 to, the Business and Professions Code, relating to jurisdiction of the Contractors' State License Board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1369: By Mr. Allen—An act to add Section 231 to the Political Code and to add Article 4, comprising Section 9075, to the Government Code, relating to Members of the Legislature.

Referred to Committee on Judiciary.

Assembly Bill No. 1370: By Messrs. Collins, George D., Gaffney, Berry, and Lyons—An act to amend Section 96 of the Labor Code, relating to assignments of claims.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1371: By Messrs. Collins, George D., Lyons, and McMillan—An act to amend Section 1632 of the Labor Code, relating to fees of employment agencies.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1372: By Mr. George D. Collins (By request)—An act to add Section 214 to the Revenue and Taxation Code, relating to exemption from real property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1373: By Mr. George D. Collins—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 1374: By Messrs. Collins, George D., Lyon, and Middough (By request)—An act to add Section 697.6 to the Fish and Game Code, relating to the taking of striped bass with nets, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Fish and Game.

Assembly Bill No. 1375: By Mr. George D. Collins—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 1376: By Mr. Dunn—An act to add Section 799.5 to the Fish and Game Code, relating to the taking of abalones.

Referred to Committee on Fish and Game.

Assembly Bill No. 1377: By Messrs. Brady and Dunn—An act to amend Section 786.5 of the Fish and Game Code, relating to lobsters and shellfish.

Referred to Committee on Fish and Game.

Assembly Bill No. 1378: By Messrs. Brady and Dunn—An act to add Section 942 to the Fish and Game Code, relating to the use of beach nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1379: By Messrs. Brady and Dunn—An act to add Section 876 to the Fish and Game Code, relating to the use of gill nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1380: By Mr. Wollenberg—An act making an appropriation in augmentation of the Emergency Fund specified in Item 216 of the Budget Act of 1941, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1381: By Mr. Wollenberg—An act to add Section 164.1 to the Military and Veterans Code, relating to the compensation of The Adjutant General.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1382: By Messrs. Evans, Allen, Anderson, Debs, Price, Lyons, Massion, and Doyle—An act to amend Sections 2005, 2007, 2011, 2020, 2021, 2140, 2141, 2160, 2160.5, 2160.6, 2180, 2181, 2182, 2183, 2186, 2187, 2188, 2200, 2220, 2221, 2222, and 2223 of the Welfare and Institutions Code, to repeal Sections 2012, 2022, 2023, 2160.7, 2184, 2185, 2189, and 2224 thereof, and to add Sections 2012, 2020 5, 2184, and 2187.5 thereto, relating to aid to the aged, providing for the administration thereof, determining the amount of aid to be granted, the eligibility qualifications therefor, and the respective participation of the State and the counties in the cost thereof, eliminating the liability of relatives of recipients to make reimbursement for aid granted, granting burial and funeral expenses to recipients of such aid, and making an appropriation, to become operative as therein provided.

Referred to Committee on Social Welfare.

Assembly Bill No. 1383: By Mr. Bashore—An act to add Section 5.30 to the School Code and to add Section 20355 to the Education Code, relating to dormitories, cafeterias and student stores.

Referred to Committee on Education.

Assembly Bill No. 1384: By Messrs. Price, Dills, Clayton A., Robertson, Guthrie, Carlson, and Johnson—An act to amend Sections 12200 and 12214 of the Business and Professions Code, relating to weights and measures.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1385: By Mr. Sheridan—An act to amend Section 12 of "An act to establish police courts in cities of the second class, to fix their jurisdiction and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, relating to imprisonment of person convicted in the courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1386: By Mr. Sheridan—An act to add Section 16 to "An act to establish police courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, relating to jurors' fees.

Referred to Committee on Judiciary.

Assembly Bill No. 1387: By Mr. Howser—An act to add Sections 38.3, 53.55, 53.65 and 59.6 to the Alcoholic Beverage Control Act, relating to credit rules and regulations, containers, cartons, bottles and closing hours, to take effect immediately.

Referred to Committee on Public Morals.

Assembly Bill No. 1388: By Mr. Crowley—An act to add Section 7½ to "An act providing for a State Nautical School in the Port of San Francisco, creating a board to govern and manage the same, determining the power, duty and authority of the board, and its officers providing for the appointment of the members of the board and its officers and employees, creating a fund for the support of the board and the school and equipment for the use thereof, and authorizing the Governor to secure a suitable vessel from the Federal Government for the use of the school, and making an appropriation therefor," relating to State Nautical School.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1389: By Mr. Desmond—An act to amend Sections 10170 and 10171 of the Insurance Code, relating to life insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1390: By Mr. Burns—An act to add Section 10456 to the Revenue and Taxation Code, relating to an appropriation from the Motor Vehicle Transportation Tax Fund.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1391: By Messrs. Carlson, Johnson, and Wollenberg—An act to amend Sections 7301, 7303, 7304, 7351, 7352, 7402,

7405, 7501, and 7604 of, and to amend and renumber Section 7306 to be Section 6210.3 of, the Public Resources Code, relating to the sale and exchange of land, and granting and taking rights and interests therein, by the State and its political subdivisions.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1392: By Messrs. Carlson, Johnson, and Wollenberg—An act to amend Sections 6301, 6321, 6443 and 6502 of, and to add Sections 6442.5 and 6506 to, the Public Resources Code, relating to leases or exchanges of land by the State Lands Commission.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1393: By Messrs. Carlson, Johnson, and Wollenberg—An act to repeal Sections 7353, 7354, 7355, 7356, 7357, 7359, of the Public Resources Code, and to amend and renumber Sections 7358, 7360, 7361, and 7362 to be, respectively, Sections 7353, 7354, 7355, and 7356 thereof, relating to the sale and exchange of land, and granting and taking interests therein, by the State and its political subdivisions.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1394: By Messrs. Carlson, Johnson, and Wollenberg—An act to add Parts 3 and 4, comprising Sections 7301 to 8557, inclusive, to Division 6 of the Public Resources Code, and to add Sections 10014, 10015, and 10016 to Division 10 thereof, thereby revising and consolidating the law relating to the natural resources of the State, including the sale and exchange of land, and granting and taking rights and interests therein, and regulating the use thereof, by the State and its political subdivisions.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1395: By Mr. Howser—An act to amend Section 156 of the Revenue and Taxation Code, relating to abbreviations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1396: By Mr. Waters—An act to amend Section 4 of the Corporation Income Tax Act of 1937, relating to corporation taxes.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 1397: By Messrs. Waters and Sheridan—An act to amend Sections 6, 11 and 13 of the Inheritance Tax Act of 1935, relating to inheritance taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1398: By Mr. Waters—An act to add Section 215 to the Revenue and Taxation Code, relating to the exemption from taxation of certain processed food and food products.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1399: By Mr. Waters—An act to amend Section 4 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1400: By Mr. Weber—An act making an appropriation to pay the claim of Merle Sprague against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1401: By Mr. Weber—An act to add Section 6028.5 to the Business and Professions Code, relating to annual financial statements of the State Bar.

Referred to Committee on Judiciary.

Assembly Bill No. 1402: By Mr. Weber—An act to add Section 8705 to, and to amend Sections 8712, 8725, 8726, 8727, 8729, 8731, 8732, 8760, 8761, 8762, 8767, 8769, 8772, and 8802, and repeal Sections 8705, 8730, and 8804, of the Business and Professions Code, relating to the practice of land surveying.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1403: By Mr. Weber—An act to amend Sections 6701, 6711, 6715, 6716, 6721, 6730, 6733, 6737, 6740, 6759, 6775, 6795, 6796, and 6799, and repeal Sections 6705, 6736, 6738, 6739, and 6743 of the Business and Professions Code relating to the practice of civil engineering.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1404: By Mr. Weber—An act to amend the Civil Engineers' Act by amending Sections 6730, 6731, 6733, 6737, and 6739, and adding Sections 6752.5 and 6756.5, and repealing Sections 6734, 6735, and 6736, all of the Business and Professions Code relating to civil engineers.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1405: By Mr. Weber—An act to amend Sections 5500 and 5537 of the Business and Professions Code, relating to the practice of architecture.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1406: By Mr. Weber—An act to amend Sections 19132 and 19138 of, and to add Sections 19132.3, 19132.5, 19132.7, and 19132.9 to, the Health and Safety Code, relating to requirements for earthquake protection and the design and construction of building, including the securing of building permits and the prescribing of the fees therefor.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1407: By Mr. Weber—An act relating to real estate subdivisions, procedure for surveying, subdividing and mapping of real estate; the sale and disposal of real estate by reference to maps; regulating the powers and duties of cities, counties and towns with reference to the procedure for surveying, subdividing and mapping of real estate, and the preparation of official maps; prescribing penalties for violation thereof; and repealing acts and parts of acts in conflict herewith.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1408: By Mr. Weber—An act making an appropriation for the Division of Mapping Surveys of Natural Resources in the Department of Natural Resources.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1409: By Mr. Weber—An act to define and officially adopt a State-wide System of Plain Coordiance for designating and stating positions of land survey points within the State of California, and permitting, but not requiring, the use thereof, in survey maps and other documents.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1410: By Mr. Weber—An act to amend Sections 1, 2, and 3 of an act entitled "An act to prescribe a procedure for the acquisition by the State, counties, cities and cities and counties of property under the provisions of Section 14½ of Article I of the Constitution of California; also providing for the sale or other disposition and conveyance of lands so acquired, and providing for the disposition of the proceeds of the sale of such lands," approved June 13, 1929, relating to the acquisition and disposition of property by the State, counties, cities, and cities and counties.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1411: By Messrs. Weber, Carey, and Holli-baugh—An act to amend Section 2 of the Planning Act, relating to planning commissions.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1412: By Messrs. Weber, Robertson, Knight, T. Fenton; Kellems, Desmond, Sargent, and Stream—An act to add Division 1a, comprising Sections 1001 to 1209, inclusive, to the Public Resources Code, relating to surveys and maps, creating a State Board of Mapping and Surveys of Natural Resources in the Department of Natural Resources, and prescribing its powers and duties.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1413: By Mr. Sam L. Collins—An act making an appropriation to pay the claim of Brea Canon Oil Company.

Referred to Committee on Ways and Means.

Assembly Bill No. 1414: By Mr. Thorp—An act to add Section 471.5 to the Agricultural Code, relating to cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1415: By Mr. McCollister—An act to add Section 25 to an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, to provide for the building of approach roads in cooperation with city, city and county, county, district, and State authorities.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1416: By Mr. McCollister—An act to add Sections 207, 208, and 209 to, and to amend Sections 251 and 301 of the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1417: By Messrs. Sawallisch and Call—An act to add a new section to be numbered 55.9 to the Alcoholic Beverage Control Act, relating to crediting terms.

Referred to Committee on Public Morals.

Assembly Bill No. 1418: By Mr. Sawallisch—An act to amend Section 14.5 of the Alcoholic Beverage Control Act, relating to licenses.

Referred to Committee on Public Morals.

Assembly Bill No. 1419: By Messrs. Denny and Guthrie—An act to add Section 55.1 to the Alcoholic Beverage Control Act, relating to signs.

Referred to Committee on Public Morals.

Assembly Bill No. 1420: By Mr. Hollibaugh—An act to add a new section to the District Organization Act (Statutes of 1933, page 2280), relating to the Improvement District Acts made applicable to the provisions for the dissolution of such districts in the manner provided in said District Organization Act.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1421: By Mr. Hollibaugh—An act to amend Section 4076a of the Political Code, relating to procedure for audit allowance and payment or rejection of claims in counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1422: By Mr. Hollibaugh—An act to amend Section 345 of the Code of Civil Procedure, relating to limitation of actions.

Referred to Committee on Judiciary.

Assembly Bill No. 1423: By Mr. Desmond—An act to amend Section 10129 of, and to add Section 10133 to the Insurance Code, relating to assignment of life policies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1424: By Mr. Desmond—An act to add Section 763.4 to the Insurance Code, relating to the payment of commissions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1425: By Mr. Desmond—An act to add Section 763.3 to the Insurance Code, relating to commissions to employees of insurers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1426: By Mr. Erwin—An act to amend Division 4 of the Streets and Highways Code, the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, by amending Section 2804 thereof.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1427: By Mr. Watson—An act to amend Sections 4.873 and 4.885 of the School Code and to amend Sections 7105 and 7137 of the Education Code, relating to apportionments to high school districts.

Referred to Committee on Education.

Assembly Bill No. 1428: By Messrs. Kraft and Johnson—An act to add Section 16904.5 to the Business and Professions Code, for the purpose of preventing evasion of resale price restrictions imposed with respect to any commodity by any contract entered into pursuant to the provisions of the Fair Trade Act.

Referred to Committee on Judiciary.

Assembly Bill No. 1429: By Messrs. Kraft and Johnson—An act to amend Section 17701 of the Business and Professions Code, relating to the issuance of redeemable coupons and prohibiting their use where such use constitutes unfair competition or is an unfair trade practice.

Referred to Committee on Judiciary.

Assembly Bill No. 1430: By Messrs. Kraft and Stream—An act to amend Section 797 of the Fish and Game Code, relating to abalones, and declaring its urgency in order to produce more necessary food at once.

Referred to Committee on Fish and Game.

Assembly Bill No. 1431: By Messrs. Dickey, Hastain, and Sheridan—An act to amend Section 740 of the Welfare and Institutions Code, relating to commitments by the juvenile court, and authorizing commitment of wards to the Youth Correction Authority.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1432: By Mr. T. Fenton Knight—An act to amend Section 6 of the Inheritance Tax Act of 1935, and to add Section 600 5 to the Probate Code, relating to moneys held in United States postal savings accounts, at the time of death.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1433: By Mr. T. Fenton Knight—An act to add Section 21a to the Corporate Securities Act, relating to the commissioner or his employees accepting employment by corporations, the organization, reorganization, rehabilitation or merger of which they supervised.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 1434: By Messrs. Collins, George D., O'Day, and Wollenberg—An act to amend Section 1028 of the Code of Civil Procedure, relating to award of costs against the State.

Referred to Committee on Judiciary.

Assembly Bill No. 1435: By Messrs. Collins, George D., and Lyons—An act to amend Section 1590 of the Labor Code, relating to surety bonds of employment agencies.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1436: By Messrs. Collins, George D., and Lyons—An act to amend Section 3351 of the Labor Code, relating to the definition of employee.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1437: By Mr. Debs—An act relating to taxation, providing for the licensing and regulation of pinball, claw, bowling, baseball and other coin operated amusement machines, providing for the enforcement of this act, and making an appropriation, to take effect immediately.

Referred to Committee on Public Morals.

Assembly Bill No. 1438: By Mr. Crowley—An act to add Section 7½ to "An act providing for a State Nautical School in the Port of San Francisco, creating a board to govern and manage the same, determining the power, duty and authority of the board, and its officers, providing for the appointment of the members of the board and its officers and employees, creating a fund for the support of the board and the school and equipment for the use thereof, and authorizing the Governor to secure a suitable vessel from the Federal Government for the use of the school, and making an appropriation therefor," relating to State Nautical School.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1439: By Messrs. Gaffney, Brady, Haggerty, and Lyons—An act to amend Section 664a of the Political Code, relating to the payment of State officers and employees.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1440: By Messrs. Gaffney, Berry, Haggerty, Brady, McMillan, Collins, George D., and Mrs. Niehouse—An act to permit inmates of public institutions to retain possession of property sufficient to defray their funeral expenses.

Referred to Committee on Judiciary.

Assembly Bill No. 1441: By Messrs. Gaffney, Doyle, Collins, George D., and Robertson—An act to encourage local planning for post-war construction and improvement by local governmental agencies, prescribing the powers and duties of the State Planning Board in relation thereto, establishing a special fund to facilitate the carrying out of such powers and duties, and making an appropriation.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1442: By Messrs. Gaffney, Lyons, Collins, George D., and Berry—An act relating to the raising of revenue to provide for industrial inspectors for the Industrial Accident Commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1443: By Messrs. Gaffney, Doyle, Crowley, Collins, George, D., and Robertson—An act to amend Sections 3 and 9 of, and to add Section 8.2 to, the Housing Authorities Law, relating to the powers of authorities under said act, including provisions for the acquisition and disposal of land for public purposes and for the inclusion with the housing projects of facilities incidental to the use and enjoyment of housing accommodations provided thereby.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1444: By Messrs. Gaffney, Wollenberg, and Collins, George D.—An act to amend Section 3.760 of the School Code and to amend Section 10301 of the Education Code, relating to the course of study for elementary schools.

Referred to Committee on Education.

Assembly Bill No. 1445: By Messrs. Gaffney, Wollenberg, and Collins, George D.—An act to amend Section 3.735-2 of the School Code and to amend Section 10126 of the Education Code, relating to exemption from physical education.

Referred to Committee on Education.

Assembly Bill No. 1446: By Mr. Lyons—An act to amend Sections 63 and 57 of the Unemployment Insurance Act, relating to benefits thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1447: By Mr. Lyons—An act to amend Sections 7 and 9 of the Unemployment Insurance Act, relating to inclusions and exclusions from employment under a System of Unemployment Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1448: By Mr. Burkhalter—An act to add a new section numbered 7.3 to the Alcoholic Beverage Control Act, relating to licenses.

Referred to Committee on Public Morals.

Assembly Bill No. 1449: By Mr. Dilworth—An act to add Article 3a to Chapter 2 of Part 2 of Division 3 of the School Code and to add Article 1.5 to Chapter 5 of Division 4 of the Education Code, relating to the admission of children to the elementary schools.

Referred to Committee on Education.

Assembly Bill No. 1450: By Mr. Kellems—An act to amend Section 2224 of the Welfare and Institutions Code, relating to aid to the aged and liability of responsible relatives.

Referred to Committee on Social Welfare.

Assembly Bill No. 1451: By Mr. Kellems—An act to add Sections 2501.1 and 2501.2 to the Welfare and Institutions Code, relating to aid to indigents.

Referred to Committee on Social Welfare.

Assembly Bill No. 1452: By Messrs. Fourt, Doyle, and Erwin—An act to add Section 26.5 to the Fish and Game Code, relating to stocking of waters of the State with fish and providing for the acquisition of public easements over private property for the purpose of taking fish from waters stocked by the State.

Referred to Committee on Fish and Game.

Assembly Joint Resolution No. 27: By Messrs. Call, Thomas, and Howser—Relative to memorializing Congress in relation to retaining the administration of California fishery production in the United States Department of Agriculture.

REQUEST FOR UNANIMOUS CONSENT

Mr. Call asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 27, at this time, without reference to committee, print, or file, and that the same be considered engrossed

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 27

Assembly Joint Resolution No. 27—Relative to memorializing Congress in relation to retaining the administration of California fishery production in the United States Department of Agriculture.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Howser, Johnson, Kellems, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—King—1.

Resolution ordered transmitted to the Senate

MOTION TO MAKE REPAIRS IN ASSEMBLY CHAMBER

Mr. Field moved that the Speaker instruct Mr. Frank N. Killam to remove the drapes at the rear of the Assembly Chamber; reupholster the plush chairs; and to cooperate with the Legislative Planning Committee in arranging for proper ventilation and lighting.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 125

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 125—An act to add Section 842.5 to the Fish and Game Code, relating to the use of nets.

Bill read third time.

Motion to Re-refer

Mr. Doyle moved that Assembly Bill No. 125 be withdrawn from the file, and re-referred to the Committee on Fish and Game.

Mr. Leonard seconded the motion.

Demand for Previous Question

Messrs. Desmond, Dills, Clayton A., Middough, Rosenthal, and Evans demanded the previous question.

Demand for previous question sustained by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Brady, Burns, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dilworth, Erwin, Evans, Gannon, Hollibaugh, Howser, Kilpatrick, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Potter, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Watson, Werdel, and Weybret—42.

NOES—Anderson, Berry, Burkhalter, Call, Carlson, Collins, George D., Dickey, Doyle, Dunn, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Lowrey, Robertson, Sheridan, Thomas, and Thurman—21

The question being on the motion that Assembly Bill No. 125 be withdrawn from the file, and re-referred to the Committee on Fish and Game.

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

AYES—Bashore, Beck, Burkhalter, Call, Clarke, Crichton, Doyle, Erwin, Fourt, Heisinger, Hollibaugh, Kellems, King, Leonard, Maloney, McCollister, Miller, Potter, Robertson, Rosenthal, Sargent, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, and Weybret—29.

NOES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Gaffney, Guthrie, Haggerty, Hawkins, Howser, Johnson, Kilpatrick, Kraft, Lowrey, Lyons, Massion, McMillan, Middough, Pelletier, Price, Sawallisch, Sheridan, Smith, Thomas, Waters, and Mr. Speaker—41.

Hon. Sam L. Collins Presiding

At 3.50 p.m., Hon. Sam L. Collins, Member of the Assembly from the Seventy-fifth District, presiding.

Speaker Presiding

At 3.52 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Assembly Bill No. 125—An act to add Section 842.5 to the Fish and Game Code, relating to the use of nets, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Re-refer

Mr. Thomas moved that Assembly Bill No. 125 be withdrawn from the file, and re-referred to the Committee on Fish and Game.

Mr. Howser seconded the motion.

Motion carried.

RECESS

At 3.55 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 9 p.m.

REASSEMBLED

At 9 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 358

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 29, 1943

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

Assembly Bill No. 202

Assembly Bill No. 203

Assembly Bill No. 351

Assembly Bill No. 412

Assembly Bill No. 587

J. A. BEEK, Secretary of the Senate
By Margaret Douville, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 29, 1943

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

Assembly Joint Resolution No. 22

J. A. BEEK, Secretary of the Senate
By Margaret Douville, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 29, 1943

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

Assembly Joint Resolution No. 24

J. A. BEEK, Secretary of the Senate
By Margaret Douville, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 29, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 13

J. A. BEEK, Secretary of the Senate
By Margaret Douville, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 29, 1943

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

Senate Bill No. 150

J. A. BEEK, Secretary of the Senate
By Margaret Douville, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 29, 1943

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

Senate Bill No. 309
Senate Bill No. 310
Senate Bill No. 452

J. A. BEEK, Secretary of the Senate
By Margaret Douville, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 29, 1943

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

Senate Concurrent Resolution No. 24

J. A. BEEK, Secretary of the Senate
By Margaret Douville, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 150—An act providing for substitution of fiduciaries during wartime, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 309—An act to amend Section 86.2 of the State Civil Service Act, relating to oaths to be taken by persons in the State Civil Service, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 310—An act to add Section 150.5 to, and to amend Sections 150, 151, and 190 of, the State Civil Service Act, relating to the payment of compensation earned and the computation of vacation and sick leave privileges, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 452—An act to add Section 4132.5 to the Business and Professions Code, relating to licentiate in pharmacy, declaring the urgency thereof to take effect immediately.

Without reference to committee.

Senate Concurrent Resolution No. 24—Relative to child care, and the employment of mothers of young children.

Referred to Committee on Social Welfare.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 180

Mr. Desmond gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 180 was this day passed.

Motion to Temporarily Suspend the Rules

Mr. Werdel moved that the Rules be temporarily suspended for the purpose of reconsidering Senate Bill No. 180, at this time.

Mr. Field seconded the motion.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Brady, Brown, Burkhalter, Carey, Clarke, Collins, Sam L., Crowley, Dickey, Doyle, Dunn, Erwin, Evans, Field, Guthrie, Haggerty, Hastain, Hawkins, Howser, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Middough, Miller, Pelletier, Potter, Robertson, Rosenthal, Sargent, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—47.

NOES—Anderson, Bashore, Berry, Burns, Call, Collins, George D., Crichton, Denny, Desmond, Dilworth, Fourt, Gaffney, Gannon, Heisinger, Hollibaugh, Massion, McCollister, O'Day, Price, Smith, and Watson—21.

MEMBER EXCUSED

Upon motion of Mr. Doyle, Mr. Kellems was excused for the balance of the legislative day.

RECONSIDERATION OF SENATE BILL NO. 180

Mr. Desmond moved that the vote whereby Senate Bill No. 180 was passed be reconsidered.

The roll was called, and Senate Bill No. 180 refused reconsideration by the following vote:

AYES—Allen, Anderson, Bashore, Berry, Brady, Burkhalter, Burns, Call, Collins, George D., Denny, Desmond, Dilworth, Hastain, Kraft, Lowrey, Massion, McCollister, O'Day, Stream, and Thorp—20.

NOES—Armstrong, Beck, Bennett, Brown, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Howser, Johnson, Kilpatrick, King, Leonard, Lyons, Maloney, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—49.

Senate Bill No. 180 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Bill No. 1326, at this time, without reference to committee or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 1326**Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Mr. Sam L. Collins:

Resolved, That Assembly Bill No. 1326 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 1326—An act making an appropriation for the contingent expenses of the Assembly, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 1326—An act making an appropriation for the contingent expenses of the Assembly, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON ASSEMBLY BILL NO. 354

Mr. Johnson moved to expunge the record and rescind the action whereby amendments to Assembly Bill No. 354 were this day adopted.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 354, at this time, for purpose of amendment.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 354

Assembly Bill No. 354—An act to amend Section 1183 of, and to add Section 1184a to, the Civil Code, relating to the proof or acknowledgment of instruments.

Bill read second time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1184a", and insert "1184.5".

Amendment No. 2

In line 3 of the title of the printed bill, after "instruments", insert "and the administering of oaths or affirmations, declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of the printed bill, strike out lines 22 to 26, inclusive; and on page 2, strike out lines 1 to 11, inclusive, and insert

"Sec. 2. Section 1183 5 is added to said code, to read:

1183.5. 1. Any officer of any component of the Army of the United States on active duty in Federal service commissioned in or assigned or detailed to duty with the Judge Advocate General's Department, any Staff Judge Advocate or Acting Staff Judge Advocate, and the Adjutant, Assistant Adjutant, Personnel Adjutant or commanding officer of any command;

2. Any commanding officer or executive officer of a ship, shore station or establishment on active duty with the Navy or Coast Guard of the United States;

3. Any Adjutant, Assistant Adjutant, Personnel Adjutant or commanding officer on active duty with any United States Marine Corps command;

Shall have the power to administer and certify oaths or affirmations, attest documents, take acknowledgements, and perform all other notarial acts, for any person serving in or with the armed forces of the United States, wherever located within or without this State.

Any instrument acknowledged by any such officer shall not be rendered invalid by the failure to state therein the place of execution or acknowledgement. No authentication of the officer's certificate of acknowledgment shall be required but the officer taking the acknowledgment shall indorse thereon or attach thereto a certificate substantially in the following form:"

Amendment No. 4

On page 2 of the printed bill, strike out lines 25 and 26, and insert "Rank, branch of service and capacity in which signed."

Amendment No. 5

On page 2 of the printed bill, after line 28, insert "Any affidavit subscribed and sworn to before such officer shall be attested by him substantially in the following form:

Subscribed and sworn to before me on this_____day of_____ 19_____

Signature of Officer

Rank, branch of service and capacity in
which signed.

SEC. 3 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect A statement of the facts constituting such necessity is as follows:

The existing statutes covering the acknowledgement of documents and the administration and certification of oaths and affirmations are such that since the entrance of the United States into the war a large percentage of those serving in or with the armed forces are unable to have needed documents notarized. Essential transactions pertaining to the family affairs of members of the Army, Navy, Marine Corps and Coast Guard and others serving in or with such forces can not be consummated for this reason To remedy this situation and to protect and aid the

members of our armed forces in the conduct of their and their families' affairs it is urgently necessary that this act take effect immediately."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 301

Mr. King gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 301 was this day passed.

Motion to Temporarily Suspend the Rules

Mr. Wollenberg moved that the Rules be temporarily suspended for the purpose of reconsidering Senate Bill No. 301, at this time.

Mr. Field seconded the motion.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Armstrong, Beck, Berry, Brady, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, O'Day, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—44.

NOES—Anderson, Bennett, Brown, Collins, George D., Dilworth, Dunn, Gannon, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Lowrey, McMillan, Pelletier, Rosenthal, and Werdel—17.

RECONSIDERATION OF SENATE BILL NO. 301

Mr. Wollenberg moved that the vote whereby Senate Bill No. 301 was passed be reconsidered.

Demand for Previous Question

Messrs. Watson, Middough, Waters, Lowrey, and Evans demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider the vote whereby Senate Bill No. 301 was this day passed.

The roll was called, and Senate Bill No. 301 refused reconsideration by the following vote:

AYES—Bashore, Berry, Biady, Brown, Burkhalter, Burns, Call, Collins, George D., Desmond, Dills, Clayton A., Dunn, Gaffney, Gannon, Howser, Kilpatrick, King, McCollister, O'Day, Rosenthal, Sheridan, and Thompson—21.

NOES—Armstrong, Beck, Bennett, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Denny, Dickey, Dilworth, Doyle, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Potter, Price, Sargent, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—44.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Kraft asked for, and was granted, unanimous consent to take up Senate Bill No. 452, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NO. 452

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Kraft:

Resolved, That Senate Bill No. 452 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provisions of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 452—An act to add Section 4132.5 to the Business and Professions Code, relating to licentiate in pharmacy, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Senate Bill No. 452—An act to add Section 4132.5 to the Business and Professions Code, relating to licentiate in pharmacy, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO CONSIDER ASSEMBLY BILLS ONLY AT THIS TIME

Mr. Field moved that the Assembly bills on third reading file, and declared urgency matters, be considered in preference to Senate bills, at this time.

Motion carried.

APPOINTMENT OF JOINT INTERIM COMMITTEES

Pursuant to the provisions of Senate Concurrent Resolution No. 11, the Speaker announced the appointment of Messrs. Wollenberg, Clarke, Desmond, and Burns, as such Joint Legislative Budget Committee

Pursuant to the provisions of Senate Concurrent Resolution No. 13, the Speaker announced the appointment of Messrs. Hastain, Bashore, and Lowrey, as such Fact-Finding Committee on Labor Supply.

Pursuant to the provisions of Senate Concurrent Resolution No. 8, the Speaker announced the appointment of Messrs. Dilworth and Kellems, as a partial membership of the Joint Fact-Finding Committee on Un-American Activities in California, the remaining member to be appointed at a later date.

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 568

Assembly Bill No. 571

Assembly Bill No. 569

Senate Bill No. 15

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bills ordered to third reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 15—An act creating the Salary Emergency Fund, and making an appropriation to said fund for the purpose of providing salary and wage increases for State employees and providing that this act take effect immediately.

Bill read second time, and ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 572—An act to amend Sections 2701, 2702 and 2780 of, and to add Section 2715 and 2729 to, the Penal Code, relating to prisons, the employment of prisoners and the sale of prison-made products, and declaring the urgency thereof and that this act shall go into immediate effect.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, King, Knight, John B., Leonard,

Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Wollenberg—68.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Wollenberg—68.
NOES—None.

Bill ordered transmitted to the Senate.

Hon. Earl D. Desmond Presiding

At 11.10 p.m., Hon. Earl D. Desmond, Member of the Assembly from the Ninth District, presiding.

COMMUNICATIONS

The following communication from the Legislative Counsel was received and ordered printed in the Journal:

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 29, 1943

Honorable Walter J. Fourt
Assembly Chamber, State Capitol
Sacramento, California

ASSEMBLY BILL No. 571—Re San Quentin Prison Revolving Fund

DEAR MR. FOURT: In answer to your request, this is to inform you that in our opinion Assembly Bill No. 571 (as amended in Assembly January 28, 1943) does not make an appropriation within the meaning of Section 34 of Article IV of the Constitution.

The bill changes the name of the present revolving fund and makes the existing fund available for other purposes. It does not increase the amount of the fund and does not, therefore, in our opinion, constitute an appropriation.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By ARTHUR MCHENRY, Deputy

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 571—An act to amend Section 2710 of the Penal Code, relating to working revolving funds for the State prisons, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 755

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

Request for Unanimous Consent

Mr. Carlson asked for, and was granted, unanimous consent to take up Assembly Bill No. 755, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 755

Assembly Bill No. 755—An act to add Sections 8.2 and 13.1 to The Personal Income Tax Act and Sections 17356 and 18434 to the Revenue and Taxation Code, relating to The Personal Income Tax Act, deductions therefrom and returns made therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66

NOES—Dilworth—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—63

NOES—Bashore, Dilworth, and Stream—3

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1009

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

Request for Unanimous Consent

Mr. Sheridan asked for, and was granted, unanimous consent to take up Assembly Bill No. 1009, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1009

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Sheridan:

Resolved, That Assembly Bill No. 1009 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 1009—An act to authorize public agencies to withhold amounts from salaries and wages, paid by public agencies and to comply with provisions of internal revenue laws of the United States, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger,

Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—65.
 NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER ASSEMBLY BILL NO. 957 TO COMMITTEE

Mr. Lyons moved that Assembly Bill No. 957 be withdrawn from the file, and re-referred to the Committee on Labor and Capital.

Motion carried.

**INTRODUCTION, FIRST READING, AND REFERENCE
 OF ASSEMBLY BILLS (RESUMED)**

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

Assembly Bill No. 1453: By Mr. Kraft—An act to add Chapter 10, comprising Sections 480 to 499.3, inclusive, to Part 1 of Division 2 of the Military and Veterans Code, relating to State defense, including the establishment of the California Naval Reserve Force.

Referred to Committee on Military Affairs.

Assembly Bill No. 1454: By Mr. Kraft—An act to add Section 228.5 to the Military and Veterans Code, relating to retirement of officers in the military and naval service of the State.

Referred to Committee on Military Affairs.

Assembly Bill No. 1455: By Mr. Kraft—An act to amend Section 4256 of the Business and Professions Code, relating to pharmacy.

Referred to Committee on Public Health.

Assembly Bill No. 1456: By Mr. Allen—An act making appropriation to pay the claim of Dr. Carl T. Rose against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1457: By Mr. Allen—An act to make appropriation to pay the claim of the Severns Drilling Company against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1458: By Messrs. Gaffney, Wollenberg, and Johnson—An act to amend Section 5.770 of the School Code, and to amend Section 14001 of the Education Code, relating to employment and compensation of persons in executive or technical positions which do not require certification qualifications.

Referred to Committee on Education.

Assembly Bill No. 1459: By Mr. Howser—An act to amend Section 5287 of the Business and Professions Code, relating to outdoor advertising.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1460: By Mr. Burns—An act to amend Section 577 of the Agricultural Code, relating to oleomargarine.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1461: By Mr. Burns—An act to amend Section 521 of the Agricultural Code, relating to butter.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1462: By Messrs. Price, Hollibagh, and Lyons—An act establishing the "Post-War Planning Board" and prescribing its powers and duties; authorizing the "Post-War Planning Board" to make investigations, recommendations, and expenditures; making an appropriation.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1463: By Messrs. Call, Maloney, Wollenberg, O'Day, Collins, George D., Gaffney, Berry, Haggerty, and Brady—An act granting to the City and County of San Francisco certain tidelands and submerged lands belonging to the State of California and situated in the County of San Mateo for development and use in connection with the San Francisco Airport in San Mateo County and as a part of the public airport being used, operated and maintained by the City and County of San Francisco, regulating the management, use and control thereof and authorizing the reclamation and improvement thereof, all in conjunction with the use, operation and maintenance of the San Francisco Airport in San Mateo County.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 1464: By Messrs. Burns, Miller, Thompson, Kraft, Crichton, Stream, Berry, Gaffney, King, O'Day, Robertson, and Mrs. Niehouse—An act to provide a uniform and centralized program of construction, repair, improvements, and purchase of land and equipment for State purposes, making an appropriation for the purposes of this act.

Referred to Committee on Education.

Assembly Bill No. 1465: By Messrs. Debs, Howser, and Wollenberg—An act to amend the Dental Practice Act by amending Section 1674 of the Business and Professions Code.

Referred to Committee on Public Health.

Assembly Bill No. 1466: By Messrs. Debs, Howser, and Wollenberg—An act to amend Section 1603 of the Business and Professions Code, relating to appointments to the Board of Dental Examiners.

Referred to Committee on Public Health.

Assembly Bill No. 1467: By Messrs. Debs, Howser, and Wollenberg—An act to amend the Dental Practice Act by adding Sections 1636 and 1637 to the Business and Professions Code, relating to temporary licenses to practice, and providing that this act shall take effect immediately.

Referred to Committee on Public Health.

Assembly Bill No. 1468: By Messrs. Debs, Howser, and Wollenberg—An act to amend Section 1675 of the Business and Professions Code, relating to the powers of the Board of Dental Examiners.

Referred to Committee on Public Health.

Assembly Bill No. 1469: By Messrs. Debs, Howser, and Wollenberg—An act to add a new section to the Dental Practice Act, it being Section 1681 of the Business and Professions Code.

Referred to Committee on Public Health.

Assembly Bill No. 1470: By Mr. O'Day—An act to amend Section 19100 of the Health and Safety Code, relating to buildings.

Referred to Committee on Public Health.

Assembly Bill No. 1471: By Mr. O'Day—An act to amend Sections 19100 of the Health and Safety Code, relating to exemptions from the earthquake protection provisions.

Referred to Committee on Public Health.

Assembly Bill No. 1472: By Messrs. Crowley and Kilpatrick—An act to add Sections 3083.3 and 3471.5 to the Welfare and Institutions Code, relating to aid to the blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 1473: By Messrs. Crowley and Kilpatrick—An act to add Sections 3401.5 and 3432.1 to the Welfare and Institutions Code, relating to aid to the blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 1474: By Messrs. Crowley and Kilpatrick—An act to amend Sections 1550, 2183, and 3082 of the Welfare and Institutions Code, relating to public assistance, providing for investigations into applications therefor, and for the time of commencement of payments thereof.

Referred to Committee on Social Welfare.

Assembly Bill No. 1475: By Messrs. Crowley and Kilpatrick—An act to amend Section 3472 of the Welfare and Institutions Code, relating to aid and income of partially self-supporting blind residents.

Referred to Committee on Social Welfare.

Assembly Bill No. 1476: By Messrs. Crowley and Kilpatrick—An act to add Section 1030b to the Political Code, relating to work by State employees on holidays.

Referred to Committee on Civil Service and State Departments

Assembly Bill No. 1477: By Messrs. Crowley and Kilpatrick—An act to add Section 1030a to the Political Code, relating to the hours of work of State employees.

Referred to Committee on Civil Service and State Departments

Assembly Bill No. 1478: By Mr. Call—An act to create a Highway Traffic Advisory Committee to the War Department, to prescribe its powers and duties, and providing for the effective period of such act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1479: By Mr. Call—An act to amend Section 2 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to interest.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1480: By Mr. Call—An act to repeal the Unlawful Liquor Sales Abatement Law of 1915.

Referred to Committee on Public Morals

Assembly Bill No. 1481: By Mr. Thorp—An act to amend Section 1067 of the Fish and Game Code, relating to sardines

Referred to Committee on Fish and Game.

Assembly Bill No. 1482: By Mr. O'Day—An act to add Section 566 to the Vehicle Code, relating to pedestrians.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1483: By Messrs. O'Day, Collins, George D., Maloney, Berry, Haggerty, Brady, Wollenberg, and Gaffney—An act to amend Sections 658, 1601, 1701, 2604, 2606, 2617, 2631, 5557, 6344, of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1484: By Messrs. O'Day, Collins, George D., Brady, Maloney, Berry, Haggerty, Wollenberg, and Gaffney—An act to amend Section 575 of the Welfare and Institutions Code of the State of California by providing that in counties of the second class the compensation of the referee of the juvenile court shall be three hundred fifty dollars (\$350) per month.

Referred to Committee on Judiciary.

Assembly Bill No. 1485: By Mr. Desmond—An act to amend Section 412 of the Political Code, relating to the Secretary of State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1486: By Mr. Burns—An act to amend Section 640 and to add Sections 95 and 661 to the Vehicle Code, relating to lighting devices, color of lights and road test for adjustment of lights and lighting devices on vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1487: By Mr. Erwin—An act to amend Sections 737.5, 737.6, 737.8, and 737.11 of the Agricultural Code, relating to licensing and bonding of distributors of fluid milk and fluid cream,

and the fees therefor; providing for records of purchases, and for proceedings to refuse, revoke or suspend such licenses.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1488: By Mr. Erwin—An act to amend Section 469 of the Agricultural Code and to repeal Section 472, relating to milk and cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1489: By Mr. Erwin—An act to amend Section 489 of the Agricultural Code, relating to the sale of graded milk.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1490: By Mr. Erwin—An act to amend Section 498 of, and to add Section 498.5 to, the Agricultural Code, relating to dairy farm building requirements and qualifications for milk and dairy inspectors.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1491: By Mr. Erwin—An act to amend Sections 736.14 and 737.6 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream and to assessments thereunder, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1492: By Mr. Erwin—An act to amend Sections 736.2 and 736.15 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream provisions of said code and to control boards thereunder, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1493: By Mr. Wollenberg—An act to amend Sections 4, 4a, 6, 8, 9 and 12 of the Bank and Corporation Franchise Tax Act, as amended.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1494: By Mr. Wollenberg—An act to amend Section 10452 of the Revenue and Taxation Code, relating to the disposition of money in the Motor Vehicle Transportation Tax Fund.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1495: By Mr. Wollenberg—An act to amend Sections 3, 4, 5, 6, 7, 8, 9, and 10 of, "The Personal Income Tax Act of 1935," as amended.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1496: By Mr. Wollenberg—An act to amend Section 3 of the "Retail Sales Tax Act of 1933," as amended.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1497: By Messrs. Carlson, Johnson, and Wollenberg (By request of Apartment Owners and Managers Association)—

An act to amend Section 7329 of the Labor Code, relating to the installation of safety devices upon the windows of all buildings.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1498: By Mr. Hawkins—An act to amend Section 690.11 of the Code of Civil Procedure, relating to exemption of the earnings of a defendant or charged debtor from attachment or execution.

Referred to Committee on Judiciary.

Assembly Bill No. 1499: By Mr. Hawkins—An act to amend Sections 4453, 4605, 4653, 4654, 5405, 5801, 6407, 6408, 6409 and 6410 of the Labor Code, and to add Sections 4664.4, 6407.5 and 6415.5 thereto, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1500: By Mr. Dilworth—An act to repeal Chapters 2 and 3 and Articles 2 and 3 of Chapter 5 of, to add Chapter 2 to, Part 2 of Division 5, and to amend Sections 5263, 5420, and 5540, all of the School Code and to repeal Chapters 2 and 3 of, to add Chapter 2 to Division 7, and to amend Sections 12604, 13031, and 13226, all of the Education Code, relating to the authorization of persons to serve in the public schools.

Referred to Committee on Education.

Assembly Bill No. 1501: By Messrs Gaffney, Collins, George D., Brady, Haggerty, McMillan, Sargent, and O'Day—An act to repeal Chapter 2 of Division 7 of the Vehicle Code, consisting of Sections 410 to 418, inclusive, and to add Chapter 2 to Division 7 of the Vehicle Code, consisting of Sections 410 to 410.35, inclusive, relating to financial responsibility.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1502: By Mr. Burkhalter—An act to amend Section 6.370 of the School Code and to amend Section 11651 of the Education Code, relating to high school textbooks.

Referred to Committee on Education.

Assembly Bill No. 1503: By Mr. Burkhalter—An act to amend Section 1 of an act entitled "An act relating to the education of persons in connection with programs of National Defense, declaring the urgency thereof, and providing that this act shall take effect immediately," approved June 28, 1941, and to amend Section 9176 of the Education Code, relating to the education of persons.

Referred to Committee on Education.

Assembly Bill No. 1504: By Messrs. Gaffney, Robertson, Howser, Lyon, Field, Brady, Kilpatrick, Allen, Bennett, Collins, George D., Crowley, Waters, Maloney, Haggerty, Berry, Gannon, Johnson, Weber, McCollister, Burns, Clarke, Middough, Dunn, Doyle, Rosenthal, Werdel, Debs, Evans, Lyons, Smith, Hawkins, Potter, and Hastain—An act relating to the National Flag and the Flag of the State of California, and other flags

Referred to Committee on Rules and House Functions.

Assembly Bill No. 1505: By Mr. Guthrie—An act to amend Section 1196 of the Agricultural Code, relating to articles of incorporation of cooperative marketing associations.

Referred to Committee on Agriculture

Assembly Bill No. 1506: By Messrs. Leonard and Dilworth—An act to amend Section 92 of the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 1507: By Mr. Clarke—An act to amend Section 1300.1 of the Agricultural Code, relating to processors of farm products.

Referred to Committee on Agriculture.

Assembly Bill No. 1508: By Mr. Clarke—An act to amend Section 139 of the Agricultural Code, relating to newly discovered pests.

Referred to Committee on Agriculture.

Assembly Bill No. 1509: By Mr. Clarke—An act to amend Sections 122 and 123 of, and to add Sections 123.55, 123.56, 123.57 and 123.58 to, the Agricultural Code, relating to inspection and certification of nursery stock.

Referred to Committee on Agriculture.

Assembly Bill No. 1510: By Mr. Clarke—An act to add Section 1152.5 to the Agricultural Code, relating to cooperative agreements to effectuate the purposes of marketing laws.

Referred to Committee on Agriculture.

Assembly Bill No. 1511: By Mr. Clarke—An act to amend Section 1260.15 of the Agricultural Code, relating to time of payment of grain warehouse registration fees.

Referred to Committee on Agriculture.

Assembly Bill No. 1512: By Mr. Clarke—An act to amend Section 1261 of the Agricultural Code, relating to definitions affecting produce dealers and brokers.

Referred to Committee on Agriculture.

Assembly Bill No. 1513: By Mr. Maloney—An act to amend Section 92 of the Unemployment Insurance Act, relating to the acquisition of specified property.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1514: By Mr. Maloney—An act to add Section 64 and amend Section 101 of the Unemployment Insurance Act, relating to the recoupment of erroneous payments and the prevention of collusion.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1515: By Mr. Maloney—An act to add Sections 56.6 and 56.7 to the Unemployment Insurance Act, relating to coopera-

tion between States in the collection of contributions and obtaining of wage records.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1516: By Mr. Maloney—An act to amend Section 52.1 of the Unemployment Insurance Act, relating to the filing of claims.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1517: By Mr. Maloney—An act to repeal Sections 47, 48, 49, and 50 of the Unemployment Insurance Act, relating to guaranteed employment plans and private plans

Referred to Committee on Finance and Insurance

Assembly Bill No. 1518: By Mr. Maloney—An act to amend Sections 45.2, 45.3, and 45.5 of the Unemployment Insurance Act, relating to wage records and the collection of contributions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1519: By Mr. Maloney—An act to amend Sections 44, 45.6, 45.7, 45.11 and 46.1 of the Unemployment Insurance Act, relating to the collection of contributions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1520: By Mr. Maloney—An act to amend Sections 41.1 and 41.5 of the Unemployment Insurance Act, relating to experience rating

Referred to Committee on Finance and Insurance

Assembly Bill No. 1521: By Mr. Maloney—An act to amend Section 27 of the Unemployment Insurance Act, relating to the escheating of funds.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1522: By Mr. Maloney—An act to amend Section 9.7 of the Unemployment Insurance Act, relating to the termination of subject status.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1523: By Mr. Maloney—An act to amend Sections 2, 7, and 9 and to add Section 7.1 to the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1524: By Messrs. Collins, George D., and Lyons—An act to add Section 1351.1 to the Labor Code, relating to discrimination against employees.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1525: By Messrs. Collins, George D., O'Day, Gaffney, Haggerty, Berry, Crichton, Thompson, King, Bennett, McMillan, Lyons, Kilpatrick, Anderson, Massion, Lowrey, Dills, Clayton A., Rosenthal, and Price—An act to add Section 6364 to the Revenue and

Taxation Code, relating to exemptions from the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1526: By Messrs. Gannon and Desmond—An act to add Section 359e to the Political Code, relating to sick leave for employees exempt from civil service.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1527: By Messrs. Gannon and Desmond—An act to add Section 152.6 to the State Civil Service Act, relating to the effect of time spent in the military service by civil service employees.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1528: By Messrs. Gannon and Desmond—An act to add Section 96 6 to the State Civil Service Act, relating to the appointment of persons from promotional lists who are in the armed forces.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1529: By Messrs. Gannon and Desmond—An act to add Section 512 to the Vehicle Code, relating to speed limits on highways under construction or repair.

Referred to Committee on Motor Vehicles.

Assembly Constitutional Amendment No. 24: By Mr. Denny—Proposed amendment to Article XIII, Section 1. of the Constitution, relative to taxation.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 31: By Messrs. Desmond, Evans, Robertson, Weber, Maloney, Thorp, Burns, Lyon, and Gannon—Relative to commending Joseph C. Beard, Captain of State Police.

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 31, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 31

Assembly Concurrent Resolution No. 31—Relative to commending Joseph C. Beard, Captain of State Police.

Resolution read.

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

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Weybret—65.

NOES—None.

Resolution ordered transmitted to the Senate

Hon. Michael J. Burns Presiding

At 11.35 p.m. Hon Michael J. Burns, Member of the Assembly from the First District, presiding.

REQUEST FOR UNANIMOUS CONSENT

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 895. at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 895

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Desmond:

Resolved, That Assembly Bill No. 895 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 895:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 27, 1943

*To the Honorable Members of the Assembly
Sacramento, California*

GENTLEMEN:

ASSEMBLY BILL NO. 895

"An act making an appropriation in augmentation of the emergency fund specified in Item 216 of the Budget Act of 1941, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 895 as necessary for the immediate preservation of the public peace, health, or safety and as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor of California

Assembly Bill No. 895—An act making an appropriation in augmentation of the emergency fund specified in Item 216 of the Budget Act of 1941, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Hon. Earl D. Desmond Presiding

At 11.45 p.m., Hon. Earl D. Desmond, Member of the Assembly from the Ninth District, presiding.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 367

And reports the same correctly re-engrossed

PELLETIER, Chairman

Above reported bill ordered to third reading.

Request for Unanimous Consent

Mr. Stream asked for, and was granted, unanimous consent to take up Assembly Bill No. 367, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 367

Assembly Bill No. 367—An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 367:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, JANUARY 25, 1943

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GENTLEMEN:

ASSEMBLY BILL NO. 367

"An act relating to the performance by the Department of Public Works

of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately”.

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 367 as necessary for the immediate preservation of the public peace, health, and safety, and as an emergency measure.

Respectfully submitted

EARL WARREN, Governor of California

Further consideration of Assembly Bill No. 367 postponed temporarily.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 17—Relative to the creation of a Joint Committee to Investigate the water situation at Needles and vicinity.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Cull, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, O'Day, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 11.46 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 367

Assembly Bill No. 367—An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Motion to Re-refer

Mr. Stream moved that Assembly Bill No. 367 be withdrawn from the file, and re-referred to the Committee on Governmental Efficiency and Economy.

Mr. Waters seconded the motion.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Carey, Carlson, Collins, Sam L., Desmond, Dickey, Dills, Clayton A., Dunn, Erwin, Evans, Field, Fourt, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, King, Kraft, Leonard, Lyons, Massion, Middough, Miller, Price, Rosenthal, Sargent, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—45.

NOES—Burkhalter, Burns, Collins, George D., Crichton, Denny, Doyle, Gaffney, Guthrie, Hawkins, Maloney, O'Day, Potter, Smith, Weber, and Wollenberg—15.

Assembly Bill No. 367 ordered re-referred to Committee on Governmental Efficiency and Economy.

RESOLUTIONS

The following resolutions were offered:

By Messrs. O'Day, Hawkins, and Middough:

House Resolution No. 89

WHEREAS, The Interim Committee to study the location and availability of camps and camp sites which might be used for juvenile delinquents and the cost of equipping and operating them was created by House Resolution No. 249, Fifty-fourth Session; and

WHEREAS, It is the desire of the Assembly to continue said committee in existence insofar as possible as a Committee of the Assembly at this Fifty-fifth Session of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee to study, investigate, and report to the Legislature, within 15 days after the termination of the constitutional recess, the location and availability of camps and camp sites which might be used for juvenile delinquents and the cost of equipping and operating them is hereby created to consist of those Members of the Assembly who were appointed to the committee created by said House Resolution No. 249 of the Fifty-fourth Session and who are Members of the Assembly at this Fifty-fifth Session of the Legislature; and be it further

Resolved, That there is hereby made available from the Contingent Fund of the Assembly the sum of five hundred dollars (\$500), which said sum shall be available for disbursement by the committee created by this resolution, and, be it further

Resolved, That the committee created by this resolution may meet during any session of the Legislature or during any recess thereof and all of the provisions of said House Resolution No. 249 of the Fifty-fourth Session applicable to the committee thereby created shall apply to the committee created by this resolution the same as if said provisions were set out at length and incorporated herein; and be it further

Resolved, That the committee created by this resolution shall have and exercise no powers under this resolution after 15 days after the termination of the constitutional recess.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Rosenthal, McMillan, Anderson, and Hollibaugh:

House Resolution No. 90

WHEREAS, There is much agitation to revise the laws relating to social security and for a planned expansion thereof, now, therefore, be it

Resolved by the Assembly of the State of California, That a committee consisting of five Members of the Assembly be appointed by the Speaker for the purpose of studying and considering plans, such as the Beveridge Plan and other plans, relating to the further expansion of social security and to study postwar social security for our returning service men; and be it further

Resolved, That said committee shall organize before the adjournment of the Fifty-fifth Session by the election of one of its members as chairman and one as secretary, and shall proceed as soon as practicable with the performance of the duty imposed upon it; and be it further

Resolved, That the committee may sit either during this session or after adjournment and may hold hearings at any place in this State, at which the people shall have an opportunity to present their views to the committee; and be it further

Resolved, That said committee is hereby authorized to do all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents, and papers of every kind; to issue subpoenas and to compel the attendance of witnesses and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths, and all the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code of this State, relative to the attendance of witnesses before the Legislature and committees thereof and the Rules of the Assembly and of the Senate and the Joint Rules, as they now are or may be hereafter amended, shall apply to the committee appointed under this resolution; and be it further

Resolved, That said committee shall make a report of its conclusions and recommendations to the Fifty-sixth Session of this Legislature within the first 15 days thereof, together with drafts of such legislation as it may deem desirable, relating to the further expansion of social security plans; and be it further

Resolved. That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee, and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars (\$8) per day; and be it further

Resolved. That the sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Anderson, Crowley, Heisinger, Price, Clarke, and Weber:

House Resolution No. 91

WHEREAS, During the years before the war, the Department of Public Works issued a booklet entitled "California Highway Needs," wherein it was indicated that the State highways were far below a normal condition, which to rectify would require multiplied millions of dollars; and

WHEREAS, The highway traffic under war conditions has greatly increased the damage to the county highways and city streets as well as to the State Highway System; and

WHEREAS, There are numerous bills introduced in this session which in the aggregate would appropriate millions of dollars for various highway purposes; and

WHEREAS, There are a few bills introduced to augment the funds for State, county, and city highway purposes; and

WHEREAS, There is a widespread belief that postwar conditions will leave thousands of men unemployed who may best be provided for through construction and reconstruction in our highway systems; and

WHEREAS, The Members of the Assembly have not sufficient information at this time and are in need of data and facts pertaining to these important matters so that proper legislation might be enacted to provide for present needs and to plan for after-war conditions, now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint a committee of five Members of the Assembly to be chosen from the Roads and Highways Committee, to hold hearings anywhere in the State during the constitutional recess or during the regular session of the Legislature or after final adjournment thereof, to make a study of the matters contained in this resolution; and be it further

Resolved. That the committee shall make a report of its findings as soon after the constitutional recess as possible, and may make further reports from time to time, and shall make a final report to the Legislature not later than March 15, 1945; and be it further

Resolved. That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of ten dollars (\$10) per day for accommodations and meals; and be it further

Resolved. That the sum of two thousand dollars (\$2,000) is hereby made available from the Contingent Fund of the Assembly, for the expenses of the committee hereby created and its members, and for any other charges, expenses, or claims it may incur under this resolution to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

**WITHDRAWAL OF ASSEMBLY JOINT RESOLUTION NO. 14 FROM
COMMITTEE BY UNANIMOUS CONSENT**

Mr. Allen asked for, and was granted, unanimous consent to withdraw Assembly Joint Resolution No. 14 from the Committee on Public Welfare, and have it placed upon the file.

Request for Unanimous Consent

Mr. Allen asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 14, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 14

Assembly Joint Resolution No. 14—Relative to small business enterprises.

Resolution read.

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

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carlson, Collins, George D., Collins, Sam L., Crichton, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Harry Bartell and Mr. H. A. Bruntsch of Oakland.

On request of the Los Angeles County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Isidore B. Doekweiler of Los Angeles.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Bea Moss of Berkeley.

On request of Mr. Lyons, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Rosalind Bates of Los Angeles.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Hudson Ford of Colusa.

On request of Messrs. Crowley and Denny, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Homer Denny of Napa.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Charles Scully of Sacramento, and Mr. Patrick J. Kearns of San Carlos.

On request of Mr. Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. James A. Evans of the United States Coast Guard.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Vera Hoschler and Mrs. Tululua Bordenhamer of Sacramento.

On request of Messrs. Johnson and Carlson, the privilege of the floor of the Assembly for this day was unanimously extended to Lieutenant Governor Frederick F. Houser.

On request of Mr. Wollenberg, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Ray Williamson, former Assemblyman, of San Francisco.

On request of Mr. Werdel, the privilege of the floor of the Assembly

Chamber for this day was unanimously extended to Senator Jesse Dorsey of Bakersfield

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Joseph Gilmore, Mr. William Hornblower, and Mr. Arthur Samish, of San Francisco.

On request of Messrs Carey and Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Glendora Carey of Emeryville.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Thomas Lyon of Sacramento, former Assistant Sergeant-at-Arms

ADJOURNMENT

At 11.58 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 30 a m., Saturday, January 30, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNALTWENTY-FIRST LEGISLATIVE DAY
TWENTY-SEVENTH CALENDAR DAY**IN ASSEMBLY**ASSEMBLY CHAMBER, SACRAMENTO
Saturday, January 30, 1943

The Assembly met at 10.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L, Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Almighty God, our Heavenly Father, from whom cometh every good and perfect gift, we seek Thy presence for the responsibilities now before us. Even so let our light shine before men that they will see our good work and glorify our Father who is in heaven.

And now unto Him that is able to keep us from falling and present us faultless before the presence of His glory with exceeding joy, to the only wise God, our Savior, be glory and majesty, dominion and power, both now and forever. AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mrs. Niehouse, on motion of Mr. Kraft.

Mr. Kellems, on motion of Mr. Doyle.

Mr. T. Fenton Knight, on motion of Mr. John B. Knight.

EXPLANATION OF ABSENCE

Upon request of the Speaker, Mr. Ralph C. Dills was excused for the legislative day in performance of duties for the State.

COMMUNICATIONS

By Mr. Carlson:

The following communications were received, read, and ordered printed in the Journal:

To Assembly Members of Alameda County

GENTLEMEN. It is the desire of the Old Age Pension Club No. 1 of Oakland that you may be informed of a few facts that you may better understand our situation.

First—May we ask that you assist in securing a pension of \$60 per month *without* reductions: as you all know the price of food and materials has reached a point where \$40 does not provide a comfortable, to say nothing of a respectable living.

Second—That rent *not be taken* off our checks for those who are living in homes they have spent most of their lives earning and paying for.

Third—That support is *not demanded* of children who have families of their own to provide for.

Fourth—Why can we not raise a victory garden *without* deducting from our check, when the Government has requested it? And our present check will not cover the high prices.

I can furnish and prove many instances where our County Social Welfare Board have deducted without reason to such a point that it is inhuman to expect us to live off the amount granted.

Any assistance you gentlemen can give us will be greatly appreciated by the undersigned.

Respectfully,

M. A. SEYMOUR, President

FRED DAVIS

LEO A. IMHOF, SR.

LEONA H. IMHOF

NITO P. SMITH

OLIVIA SMITH

ALLAN McDONALD

MRS. ALLAN McDONALD

MRS. H. M. DELONG

To the Assembly Members of Alameda County

GENTLEMEN: I have been requested by the members of the Old Age Pension Club No. 1 of Oakland to inform you of some of the atrocities perpetrated upon us in this county, all of which we can prove if you so desire.

One of our club members, taking temporary work for the Government, was told he could return to his pension when through, but now has been refused (as the work is finished) and to get a blank from the Post Office, fill out and mail to Washington, D. C., and for several months has had to depend upon the kindness of friends and relatives for food etc.

Another who had work for a time returned his pension check, saying he was earning at present, and for his *honesty* had his wife's check discontinued.

Two old people—one 91 very deaf, wife 69 and disabled limb, receive only \$30 each with no reason given. They do *not* own their home nor have victory garden. Needless to say they have very uncomfortable quarters.

One lady who has one-third interest in a home (used by her and daughter's family) because she owned the lot they built on, lives in part of the home, and because the Welfare *think* she *may* take a few meals with the family, grant her only \$27.50 per month.

Another lady who applied about two years ago (over 80) received \$15 each of first two months because of a sister earning a living. There are many other injustices, but these show the way we are treated here.

Trusting you can do something to help prevent these things, I am

Respectfully,

M. A. SEYMOUR, President of Oakland Chapter No. 1

Old Age Pensioners of California

Jan 20, 1943, 2002 Montana St., Oakland, California

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Thanking you for your lovely remembrance and the kind thoughts it expresses

MR AND MRS MIGLIAVACCA

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 266

And reports the same correctly re-engrossed

PELLETIER, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 28, 1943

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

Senate Bill No. 17

J. A. BEEK, Secretary of the Senate
By MARGARET DOUVILLE, Assistant Secretary**FIRST READING AND REFERENCE OF SENATE BILLS**

The following bill was read the first time:

Senate Bill No. 17—An act to add Section 78a to the State Employees' Retirement Act, relating to retirement of members of the State Employees' Retirement System, and providing for retention in State service, upon conditions specified therein, of persons who have attained the age of compulsory retirement, to take effect immediately.

Without reference to committee.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

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

Assembly Bill No. 1530: By Mr. Waters—An act to add Section 387 to the Political Code, relating to the acquisition of exclusive jurisdiction over lands in the State of California by the United States.

Referred to Committee on Judiciary.

Assembly Bill No. 1531: By Messrs. Dickey, Sheridan, and Leonard—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered 13.11a, relating to building and loan associations, the Building and Loan Commissioner, plans for the rehabilitation, readjustment, reorganization or liquidation of such an association or of all or of any part of the business, properties and assets of such association or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to dissent from a plan as defined in said Section 13.11a, and to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities or properties so received.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1532: By Messrs. Dickey, Sheridan, and Leonard—An act to add Section 13.21 to the Building and Loan Association Act, relating to building and loan associations, the Building and Loan Commissioner, the rights of investors and creditors of any such association in the possession of the commissioner to obtain assets of such association in exchange for investment certificates or unsecured creditors' claims, providing for the organization of a corporation or corporations to acquire such assets or a portion thereof and for the kinds of securities issuable in connection therewith, exempting such securities from the necessity of a permit under the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to exchange investment certificates, shares, stock, or other rights or claims, for securities issued by such corporation or corporations or for property, and to continue to hold as a legal investment any securities or property so received, and exempting said investment certificate holders, share holders, stockholders and unsecured creditors from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1533: By Messrs. Dickey, Sheridan, and Leonard—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 13.16d, relating to building and loan associations, including the rehabilitation, readjustment, reorganization or plans for the liquidation of such an association, or of all or of any part of the business, property and assets of such association, or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Section 13.16d, and exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1534: By Messrs. Carey, Hawkins, Rosenthal, and Gannon—An act to amend Section 1 of "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations

hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, relating to deadly weapons.

Referred to Committee on Judiciary.

Assembly Bill No. 1535: By Mr. Ralph C. Dills—An act to amend Sections 735.4 and 736.3 of the Agricultural Code, relating to stabilization and marketing plans for fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1536: By Mr. Ralph C. Dills—An act to add Chapter 10A to, and to repeal Articles 2A, 3 and 4 of Chapter 10 of Division 4 of the Agricultural Code, relating to the distribution of fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1537: By Mr. Ralph C. Dills—An act to amend Sections 2021, 2187, 2188, and 2222 of the Welfare and Institutions Code, relating to aid to the aged, providing for full reimbursement by the State to the counties for such aid granted, and making an appropriation.

Referred to Committee on Social Welfare.

Assembly Bill No. 1538: By Mr. Wollenberg—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, to take effect immediately.

Referred to Committee on Ways and Means

Assembly Bill No. 1539: By Messrs. Werdel, Carlson, Maloney, and Wollenberg—An act authorizing any city, county, city and county or district to sell or lease any tools, equipment or other personal property under its control to the United States or to any person designated by the War Production Board, providing the procedure therefor, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 1540: By Mr. Sargent—An act to add Section 1005 to the Political Code and Section 1779 to the Government Code, relating to appointments by the Governor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1541: By Messrs. Sargent and Smith—An act to add Section 37i to the Water Commission Act, and Chapter 9 to Part 4 of Division 2 of the Water Code, relating to methods and procedure to carry into effect decrees providing for the distribution of water and for the allocation and payment of the expenses thereof.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1542: By Messrs. Guthrie, Werdel, Brown, Desmond, Crowley, Crichton, McCollister, Thorp, and Clarke—An act making an appropriation to the University of California to be expended for an investigation of the control of Pierce's disease of grapevines in California, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Universities and Colleges.

Assembly Bill No. 1543: By Mr. Howser—An act to amend Section 4532 of the Penal Code, relating to prisoners.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1544: By Mr. Howser—An act to amend Section 7 of the Unemployment Insurance Act, relating to excluded employments under said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1545: By Mr. Waters—An act to amend Sections 10250, 10252, 10253, 10425, 10576, 10577, and 10579 of the Health and Safety Code, and to add Section 10255 thereto, relating to vital statistics.

Referred to Committee on Public Health.

Assembly Bill No. 1546: By Mr. Waters—An act to amend Section 459 of the Vehicle Code, relating to powers of local authorities.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1547: By Mr. Dunn—An act relating to the use and construction of buildings for housing of persons engaged in war work and of buildings for nursery schools for pre-school age children of such persons.

Referred to Committee on Military Affairs.

Assembly Bill No. 1548: By Mr. Dickey—An act to add Section 12½ to the Highway Carriers' Act, relating to reparation.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 1549: By Messrs. Haggerty, Maloney, Gaffney, and Miller—An act to add Section 1648.3 to the Insurance Code, relating to the qualifications of insurance brokers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1550: By Mr. Wollenberg—An act making an appropriation to pay the claim of Charles M. Hewitt against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1551: By Mr. Wollenberg—An act to amend Section 41 of the Probate Code, relating to bequests to charity and charitable use.

Referred to Committee on Judiciary.

Assembly Bill No. 1552: By Messrs Maloney, Wollenberg, and Haggerty—An act to amend Section 1, of an act entitled "An act to provide for the establishing and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, relating to destruction of such records as the result of enemy action or from any other cause.

Referred to Committee on Judiciary.

Assembly Bill No. 1553: By Mr. Call—An act to add Section 8.5 to "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled, providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; providing for the licensing of premises upon which walnuts are shelled or otherwise prepared and for the inspection of such premises and prohibiting the purchase, acquisition or receiving of walnuts shelled or prepared other than on licensed premises; providing for license fees; providing for producer exemption and empowering the California State Board of Public Health to make rules and regulations, and providing for the keeping of records; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the medical examination of domestic servants and of persons handling food or containers of food intended for the consumption of others

Referred to Committee on Public Health

Assembly Bill No. 1554: By Mr. Gannon—An act to amend Section 4.270 of the School Code and to amend Section 5476 of the Education Code, relating to junior college pupils.

Referred to Committee on Education.

Assembly Bill No. 1555: By Mr. Field—An act to add Section 499c to the Penal Code, relating to theft of automobile tires, and fixing the time when the section shall no longer be effective.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1556: By Mr. Waters—An act making an appropriation to pay the claim of L. H. Olson against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1557: By Mr. Potter—An act making an appropriation for services to physically handicapped children.

Referred to Committee on Social Welfare.

Assembly Bill No. 1558: By Mr. Evans—An act to amend Section 19622 of the Business and Professions Code, relating to the appropriation from the Fair and Exposition Fund to the Sixth District Agricultural Association.

Referred to Committee on Agriculture.

Assembly Bill No. 1559: By Mr. Dunn—An act to amend Sections 501, 502, 503, 504, and 505 of the Elections Code, relating to election precincts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1560: By Mr. McCollister—An act to amend Sections 658 and 658.1 of the Fish and Game Code, relating to the taking of salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1561: By Mr. Lyon—An act to add Section 576.5 to the Agricultural Code, relating to the manufacture and sale of oleo-margarine colored to resemble butter.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1562: By Mr. Hastain—An act to amend Section 6011 of the Revenue and Taxation Code, relating to the definition of "sales price."

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1563: By Mr. McMillan—An act creating a Commission to Establish and Maintain Day Nursery Centers and making an appropriation therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 1564: By Mr. Desmond—An act to amend Section 7 of the "American River Flood Control District Act," approved May 28, 1927, relating to the board of trustees.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1565: By Mr. Desmond—An act to amend Sections 584 and 1557 of the Probate Code, relating to investments by executors, administrators or guardians in life or annuity contracts.

Referred to Committee on Judiciary.

Assembly Bill No. 1566: By Messrs. Desmond and Gannon—An act making an appropriation for expenses of county treasurers making settlement with the State Controller, this act to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1567: By Mr. Robertson—An act to add Section 21.6 to the Fish and Game Code, relating to the powers of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Assembly Bill No. 1568: By Mr. Call—An act to amend Section 8 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1569: By Mr. Call—An act to amend Sections 46, 47, 85, 96.5, 112, 152.5, and 173 of and to add Sections 116.5 and 152.6 to the State Civil Service Act, relating to the State civil service.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1570: By Mr. Call—An act to amend Section 149 of the State Civil Service Act, relating to leaves of absence, declaring the urgency thereof and to take effect immediately.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1571: By Mr. Call—An act to amend Section 1203.6 of, and to add Sections 1203.7, 1203.8, 1203.9, 1203.10, 1203.11, 1203.12, 1203.13, 1203.14, 1203.15 and 1203.16 to, the Fish and Game Code, relating to pheasants.

Referred to Committee on Fish and Game.

Assembly Bill No. 1572: By Mr. Call—An act to amend Section 482 of the Fish and Game Code, relating to pollution of waters.

Referred to Committee on Fish and Game.

Assembly Bill No. 1573: By Messrs. Middough, McMillan, Burkhalter, Watson, Bashore, Thomas, Armstrong, Hollibaugh, Sargent, and Kilpatrick—An act to repeal Section 902 and to amend Sections 904 and 925 of the Penal Code, and to amend Sections 241 and 242 of the Code of Civil Procedure, relating to grand juries.

Referred to Committee on Judiciary.

Assembly Bill No. 1574: By Mr. Middough—An act to amend Section 621 of the Agricultural Code, relating to the use of imitation milk products in State institutions.

Referred to Committee on Live Stock and Dairies

Assembly Bill No. 1575: By Mr. O'Day—An act to amend Section 1651 of the Business and Professions Code, relating to the practice of dentistry, and disciplinary proceedings.

Referred to Committee on Public Health.

Assembly Bill No. 1576: By Mr. O'Day—An act to add Section 1656 to the Business and Professions Code, relating to the practices of dentistry.

Referred to Committee on Public Health.

Assembly Bill No. 1577: By Messrs. Maloney and Gaffney—An act to amend Section 702 of the Welfare and Institutions Code, relating to the jurisdiction of the juvenile court.

Referred to Committee on Judiciary.

Assembly Bill No. 1578: By Messrs. Knight, T. Fenton; and Watson—An act amending Section 9 of the California Airport District Act, relating to the powers of airport districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1579: By Messrs. Knight, T. Fenton; and Watson—An act amending the title of and adding Section 6 to "An act authorizing and empowering any city and county, or county, or city operating under a freeholders' charter or otherwise, or any town, or any municipal corporation in the State of California to acquire land

and construct and complete improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of hangars for storing aircraft; permitting use for said purposes or property owned for park purposes; providing for the incurring of indebtedness and issuing bonds; validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purposes and of the proceedings leading up to the issuance and the proposed issuance of any such purpose and to levy taxes for such purposes," approved April 28, 1927, relating to the acquisition of airspace and easements therein by counties, city and counties, and cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1580: By Messrs Knight, T. Fenton; and Watson—An act adding Sections 1239.2 and 1239.4 to the Code of Civil Procedure, relating to eminent domain for airport purposes.

Referred to Committee on Judiciary.

Assembly Bill No. 1581: By Mr. Johnson—An act to amend Section 12 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended, relating to the reinstatement of corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 1582: By Mr. Johnson—An act to amend Sections 290 and 403c of the Civil Code, relating to corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 1583: By Mr. Johnson—An act to add Section 746 to the Penal Code, to prohibit and make it unlawful for any person, as an employee, servant, agent or otherwise, to receive or be entitled to receive any salary or other compensation for the same or equivalent personal services rendered to or performed jointly for the United States of America, or any department, board, bureau, civil or military service or subdivision thereof and the State of California or any county, municipality, district, agency or subdivision thereof

Referred to Committee on Judiciary.

Assembly Bill No. 1584: By Mr. Johnson—An act to repeal Section 2.1321 of the School Code and to repeal Section 172 of the Education Code, relating to the Department of Education

Referred to Committee on Education.

Assembly Bill No. 1585: By Mr. Johnson—An act to repeal Section 2.1321 of, to add Section 2.1331-1 to, the School Code, and to repeal Section 172 of, and to add Section 177.1 to, the Education Code, relating to the Department of Education.

Referred to Committee on Education

Assembly Bill No. 1586: By Mr. Johnson—An act to add Article 4, comprising Section 457, to Chapter 4 of Division 3 of the Probate Code,

relating to the joint administration of the estates of former husbands and wives.

Referred to Committee on Judiciary.

Assembly Bill No. 1587: By Mr. Johnson—An act to add Section 431 5 to the Code of Civil Procedure, relating to specifying the grounds upon which a demurrer is sustained.

Referred to Committee on Judiciary.

Assembly Bill No. 1588: By Mr. Johnson—An act to add Section 44.2 to the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1589: By Mr. Johnson—An act to amend Section 7 of the California Unemployment Insurance Act, relating to labor and services not included in the term "employment" as used in said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1590: By Mr. Johnson—An act to add Section 2 to an act entitled "An act making an additional appropriation for construction, improvements, and equipment at the University of California," approved July 8, 1941, relative to the period of time during which the moneys thereby appropriated are available for expenditure.

Referred to Committee on Universities and Colleges.

Assembly Bill No. 1591: By Mr. Johnson—An act to add Parts 8 and 9, comprising Sections 13301 to 16652, inclusive, to Division 2 of the Revenue and Taxation Code, and to add Section 50014 thereto, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Inheritance Tax Act of 1935, the Gift Tax Act of 1939, and Section 445 of the Political Code, and repealing acts and parts of acts specified therein.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1592: By Mr. Johnson—An act to add Part 10, comprising Sections 17001 to 19452, inclusive, to Division 2 of, and to add Section 50015 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Personal Income Tax Act, and repealing acts and parts of acts specified herein.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1593: By Mr. Johnson—An act to amend Sections 6702, 6736, 6738, 6757, 6776, and 6796, and to repeal Sections 6360 and 6361 of the Revenue and Taxation Code, relating to the sales and use taxes, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1594: By Mr. Johnson—An act to amend Section 9912 of the Revenue and Taxation Code, relating to jeopardy determinations with respect to the motor vehicle transportation license tax,

including the delinquency penalty and interest in connection therewith, to take effect immediately.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 1595: By Mr. Johnson—An act to amend Sections 12256 and 12626 of the Revenue and Taxation Code, relating to the State Compensation Insurance Fund, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1596: By Mr. Johnson—An act to amend Section 68 of the Gift Tax Act of 1939, relating to gift taxes

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1597: By Mr. Johnson—An act to amend Section 10 of the Inheritance Tax Act of 1935, relating to inheritance taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1598: By Mr. Hawkins—An act to add Section 1103 to Article II of Chapter 2 of Title 4, of Part 4 of Division 2 of the Civil Code, relating to transfers of real property.

Referred to Committee on Judiciary.

Assembly Bill No. 1599: By Mr. Hawkins—An act to amend Section 10 of the Housing Authorities Law, relating to housing projects.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE GOVERNOR

Budget Message

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

In conformance with the duty imposed by the Constitution of the State, I herewith submit for your consideration the budget for the biennium beginning July 1, 1943, and ending June 30, 1945.

It may be that further economies can be effected during the biennium after we have had opportunity for detailed study. I say this because, in my opinion, it is impossible for any incoming Governor to make what I consider to be an accurate and detailed analysis of budgetary problems within the short interval of time allowed.

Between election and taking office, the incoming Governor must make whatever analysis he can, for the time after taking office is required for assembly and printing of the budget. It is my belief that provision should be made for the elapse of a greater length of time before an incoming Governor must complete and submit his initial budget.

During the short period of time available to prepare and present this document, I have relied very largely upon the staff of the Department of Finance which has been faithful to its task. In all of our budget hearings we have exchanged views with your Legislative Auditor and feel indebted to him for many valuable suggestions.

The budget which I now submit has been compiled in a period of war and for a State which is an important contributor to the war effort of the Nation. It is a budget influenced by war economy. In total recommended expenditures it calls for \$463,947,005 for the operation of State Government. This represents a decrease of \$64,264,452 from the actual and estimated total for the present biennium and is \$133,054,445 below the estimated total revenue of the State during the two-year period beginning July 1, 1943.

Executive Policies

In compiling the budget certain general policies were adopted. This is a necessary procedure in order to assure that some semblance of standard practice may be established and uniform treatment accorded all State agencies. These general policies are briefly indicated in the following:

The budget is based on the premise that the war will continue through the biennium.

The general principle upon which the budget is predicated is that war-essential services are to be adequately provided for and lesser essential services curtailed.

In those departments performing war functions or where the work-load is accentuated by the war, the appropriations recommended consider the facts as applying throughout the period.

Due to war conditions curtailment has been advisable in some agencies. In all items of reduction, consideration has been given the need for protecting the investment of the State in organization, trained manpower and physical assets.

Expansion of departments or functions not directly connected with the war effort has been eliminated.

Only such functions have been included as are now authorized by statute. Appropriations are provided for these functions in accordance with the indicated intent of past Legislatures.

In every budget involving personnel, an allowance has been made for the \$15 emergency increase approved by the Personnel Board effective July 1, 1942.

War conditions have reduced building construction to an absolute minimum. No requests were considered unless priorities were in hand or could be reasonably expected.

In developing this budget I have laid considerable emphasis upon the elimination of waste and red tape, and also the development of operating economies. Many departments will not fill vacant positions.

The recommended appropriations are based on a curtailment of travel in order that additional relief may be given to transportation facilities.

War Problems of State Government

The impact of global war has had a tremendous influence upon the State of California. The transition from peace to war production; the migration of workers from other States into our manufacturing areas; the intensity of the National program of civilian, war factory, and coastal defense; the transportation of materials and men; the safeguarding of public health; and the draft of manpower have all had a broad and disturbing influence upon the operations of normal State Government.

The State is responding to these changes in creating and developing new agencies for defense, and by imposing upon all of its civil and protective units such functions as are deemed to contribute to the general betterment of the lot of all the people of the State. In addition, many of the departments will assume responsibilities for the execution of powers delegated by the war agencies of the Federal Government.

The financial program of the State may require adjustment time after time, until we are able to meet the challenge of these problems. Some of the departments have been curtailed and as we progress further into the biennium more drastic curtailments may be made. Manpower should be flexible and the assignment of employees to the most essential tasks should be permitted.

War Agency Study Continues

I wish to call special attention at this time to the probability that I may have something further to report in connection with the budgets of four agencies of government which are now involved in reorganization studies. These are Civilian Defense, State Guard, Division of Forestry, and the Department of Public Health. Studies are under way which may materially alter present tentative recommendations.

While we are in the process of reorganizing the civilian defense program of the State, I deemed it advisable to ask for the amount requested for the existing State Council of Defense. Since the figures were not developed in connection with an analysis of needs under proposed reorganization, a supplemental statement will doubtless be required.

This same consideration should be applied to the State Guard budget of \$15,100,000. The Adjutant General is now conducting a preliminary survey which is likely to lead to new recommendations in weeks to come.

It is likewise entirely probable that I may have some new recommendations to make in regard to the budget of the Division of Forestry when studies have been completed.

Likelihood also exists that there may be an additional report required for the Department of Public Health. The protection of the health of the communities of California and the rendering of health facilities for Selective Service and the armed forces is a duty of vital importance. I have recommended an increase of \$300,000 from the General Fund for the Department of Public Health. The recommended increase does not cover any transfer of the functions heretofore supported by Federal funds to the General Fund.

Industrial Relations

Another agency which is performing an essential war service is the Department of Industrial Relations. The character of the war service performed is in reality an expansion of its normal function. The quick development of great war industries

hiring thousands of workers has necessitated additional safety engineers to protect the workers against hazards of employment. An upward trend in accidents has increased the work resulting from the operation of the Workmen's Compensation and Safety Act.

The housing congestion in defense areas has caused an increase in the Division of Immigration and Housing. In cooperation with other governmental authorities the trailer and auto camp problems must be solved. The Division of Industrial Welfare budget has been adjusted to care for the problems of women in industry. The over-all increase recommended for the Department of Industrial Relations is \$300,000.

Highway Patrol

The Highway Patrol has been operating on a much expanded program due primarily to the war effort. The principal war functions may be enumerated as follows: Regulation of traffic within reduced speed limits, patrol for the prevention of sabotage; participation in the scrap metal drives; regulation of traffic in congested manufacturing areas; enforcement of dim-out regulation; coastal patrol, conveying the transporting of men and materials; and training of auxiliary patrol. This program required an expenditure greatly in excess of the funds provided by a declining revenue. In view of the condition of the fund, I am recommending an appropriation \$1,250,000 below the actual and estimated expenditures for the current biennium. Despite this decrease the Motor Vehicle Support Fund will show a deficit of \$850,000 at the end of the biennium. It is necessary therefore for me to request that you appropriate an additional 4 per cent of the registration fees for the support of the department or provide a similar amount from some other source of revenue.

Education—University and State Colleges

There are several current factors affecting the educational system of our State. Enrollments have declined on the University campuses from 28,000 a year prior to the war to an estimated 15,000 at the start of the next school year. The seven State colleges have experienced a similar decline. War needs may effect further decreases.

The budgets recommended for support of the University and State colleges have been reduced to \$29,950,000 which is a decrease of \$3,200,000 from current expenditures in line with the indicated trend in enrollments. The sum recommended is commensurate with reduced enrollments only insofar as reductions are possible without damage to the institutions.

The recommended budget includes an increase of \$60,000 for support of the California Maritime Academy. This increase is occasioned by the moving of this institution to its new base at Merrow Cove where more suitable quarters have been provided.

Previously the Polytechnic School received all its support from horse racing revenues. With the curtailment of revenue from this source, it was necessary to transfer support of this school to the General Fund. An amount of \$528,000 will thus become a liability of the General Fund.

Highways

The administration of the State Highway System presents a serious financial problem, due to the greatly increased burden of heavy war and industrial traffic, and the unprecedented reduction in gasoline tax. The elimination of Federal aid represents a further loss of approximately \$9,800,000. The funds available for State highway purposes, as shown by this budget, will be reduced about \$34,000,000.

There are sections of State highway now beyond the point where their useful condition can be preserved by ordinary maintenance. Since these highways are essential to the war effort, reconditioning will be necessary. This will constitute an extraordinary, but necessary demand on the reduced highway funds. Only small amounts will be left for engineering, planning, and acquisition of rights of way for postwar work on urgently needed highway projects.

Youth Correction Authority

This new agency has been organized to provide a better means of training youths both to cure and prevent delinquency. During the present biennium the Authority has operated only to a very limited extent. For the next biennium I have recommended an appropriation of \$378,000. This amount will permit the Authority to operate diagnostic and classification clinics; guidance and prevention work; parole and after care; and training and custody in work camps. At the present time the Authority is contracting with the Federal Forest Service for farms and forest work. These camps will assist the war effort in providing manpower to raise guayule for rubber. Funds provided by the Federal Government will enable the Authority to finance a program involving the expenditure of \$1,300,000. Over 500 youths will participate in the program.

Revenue has been estimated in excess of \$300,000 for charges to counties for youths committed to the Authority. It is my belief that the amount of this budget and the expanded program of assuming actual custody and care of present county charges should be dependent upon the enactment of statutory authority fixing the financial obligation on the counties.

Institutions and Prisons

I am recommending appropriations totaling \$32,500,000 to provide for the institutions and prisons of the State. This represents an increase of \$1,250,000. These agencies will provide for the care and maintenance of 37,000 persons during the next biennium. Commodity price increases; increased population in mental institutions and correctional schools; full period operations of recently constructed units; added personnel for maintenance of buildings; increased expenditures on institutional farms, and additional fire protection provided for the agencies have necessitated this increase.

With the development of the Youth Correction Authority into an active agency, I am proposing a further expansion of its influence. I would ask that you consider the advisability of transferring the three correctional schools—Preston School of Industry, Fred C. Nelles School for Boys, and Ventura School for Girls—from the Department of Institutions to the Authority.

Social Welfare

The regular activities of the Department of Social Welfare are recommended at an increased amount of \$375,000. This increase is not brought about by expansion but originated from continuation of positions authorized in the current biennium and extension of emergency salary adjustments. While a noticeable decrease in the case loads of the categorical aids is estimated for the next biennium, a comparable decrease is not reflected in administrative expenditures of the department because its duties are more of a supervisory nature and are not directly in ratio to the case loads.

The special activities of the department consisting of WPA, Stamp Plan and Surplus Commodities have been eliminated from this budget with the exception of an amount of \$40,000 for a restricted program of warehousing surplus commodities for the school lunch program. This represents a cut of \$1,000,000 from the request for Surplus Commodity Distribution.

Personnel Problems

Government today is confronted by labor problems very similar to those confronting industrial establishments. There has been a substantial increase in labor turnover. Hundreds of State employees have been granted military leave to enter the armed forces of our Country. Thousands have accepted employment in war industries. Records show that 8,200 resignations from State service were filed during the period of eight months ending with October, 1942.

This situation in manpower has increased the number of unfilled positions until it can be recognized as a measurable factor in the amounts required for salaries and wages. In preparing this budget it has been assumed that the number of vacancies will continue to be abnormally high in the coming biennium and this fact has been taken into account.

As a means of maintaining morale among State employees by recognizing the increase in cost of living, and to retain the personnel essential to government operations, provision has been made for the continuation of the emergency salary increase recently granted State employees. Conditions are changing very rapidly and the amount of the increase merits further study and investigation. The \$15 allowance now in effect amounts to some \$10,000,000 for the next biennium and is a significant factor in the budget total.

In all probability the employment problems of State Government will become more critical during the coming months. At the present time State employees are not paid for overtime work. It is common practice in private industry to meet labor shortages by extending the hours of labor and making commensurate adjustments in salaries or wages. This principle has recently been adopted by the Federal Government and other public agencies. I am recommending that you give consideration to granting statutory authority to pay for overtime work when required by depletion of manpower but in so doing it is my belief we should conform with National policy in regard to the 40-hour week.

Motor Vehicle Appropriation

Because of the unsettled conditions no allowance had been recommended for any motor vehicles in General Fund departments. During the current year the class of small cars has been frozen for purchase by the armed forces. It will be necessary to take definite steps to conserve cars now owned by the State. Some discretion should be exercised in determining whether or not cars should be purchased for the lesser essential services. Since such a determination can not be made at this time

it has been deemed advisable to recommend one amount of \$250,000 to be appropriated at the disposal of the Department of Finance, to be used to the best advantage of the State General Fund departments when necessary for the purchase and maintenance of automotive equipment.

Payments and Grants to Local Governments

As a result of wartime conditions, payments and grants by the State to local units of government will be substantially lower during the coming biennium than in the current two-year period. Shifting conditions and not State policy have caused the change in outlook. Factors underlying the decline are temporary in nature and illustrate how definitely our fiscal programs have been thrown into a state of flux by the war. It is estimated that these State costs will total \$250,000,000 during the 1943-1945 biennium—a decrease of \$35,000,000.

The demands of industry and the armed forces upon students in our secondary schools will result in lower school enrollments and decreased State expenditures for school support during the coming two fiscal years. A similar disruption exists in the case of expenditures for aid to needy aged, blind and children. Sharp decreases will be noted in the apportionments of motor vehicle taxes and fees and in gasoline tax.

Any appraisal of the State's fiscal position and financial outlook must take into consideration the fact that these decreases in requirements and revenue are wholly artificial; that the postwar reaction must be met largely from the State General Fund and that over 98 per cent of these items are General Fund obligations fixed by law.

Improvements in Accounting Methods

Since the enactment of the retail sales tax in 1933, the State has been counting as cash and including as part of its assets, money which was not, in fact, received until after the close of its fiscal year. This money would not be available to pay any bills due at that time and the practice is not applied with respect to other State taxes.

From the viewpoint of consistency the accounting for all sources of revenue should be identical. In the interests of better financial reporting, the State should count as income only the cash actually received in the Treasury during each fiscal year, leaving to the subsequent period any revenue in the hands of its taxpayers but not as yet carried in the State's accounts. This practice is fully applied beginning with the present budget by reporting sales and use tax receipts upon a cash basis.

Another change relates to the accounting of State revenue. In the past, receipts from the retail sales and use taxes, the alcoholic beverage taxes, and the personal income tax have been treated as revenue for special funds, with the expenditures for administration of these levies being accounted as special fund costs. Only the net receipts after payment of administrative charges have been considered General Fund revenues. In the case of all other principal general levies, receipts have been treated as General Fund resources, with administrative charges being met through appropriations from the General Fund. As a result of this varying treatment as between different sources of revenue, there has been no clear-cut distinction between General Fund operations and those of the various special funds. This situation is remedied in the present budget. This change will not affect any limitations existing in present laws with respect to the amounts which may be expended in the collection of these taxes.

Estimated Revenues

California's State Government is at present passing through a period of unprecedented high revenue income. The tremendous stimulant of war expenditures has produced a volume of tax income which surpasses anything that might have been expected solely on the basis of previous experience. By its very nature, this flow of revenue into the State Treasury can not be long continued at its present level. As wartime excesses give way to restrictions, and the productive power of the Nation is fully concentrated upon the material of war, a contraction in several important sources of State revenue will be inevitable. It is therefore highly important that the State's financial outlook be judged not so much in the light of what has happened in the last two years, as by what is probable for the coming two years.

Although the swift developments of war and the far-reaching impact of wartime activity upon normal civilian life make it extremely difficult to forecast the State's revenue for the 1943-1945 biennium with a high degree of accuracy or assurance, it now appears that receipts from existing revenue sources during the biennium will total \$597,000,000. As compared with the \$676,000,000 actual and estimated total for the current two-year period, this represents a reduction of \$79,000,000. It is, however, substantially more than has been recorded in any biennium except the one now in progress.

General Fund receipts during the 1943-1945 biennium from existing taxes are projected at \$468,000,000, as compared with \$497,000,000 actual and estimated for

the current two-year period. In view of the dislocations within the State's economic structure as a result of the war, this \$29,000,000 reduction in General Fund revenue may appear surprisingly moderate. The resources of the General Fund are broad and varied and will reflect the emergency conditions in different ways and in varying degrees. For example, although sales tax revenue will decrease as a result of restrictions upon civilian consumption, it is expected that the losses at this point will be offset to some degree by gains in the yield of such levies on income as the bank and corporation franchise tax and the personal income tax.

Special fund revenue, conversely, rests for the most part upon charges incident to the ownership and operations of motor vehicles. Because production of motor vehicles for civilian use has been discontinued, while operation will be restricted under gasoline rationing, it is likely that motor vehicle tax revenue will fall off sharply in the coming biennium. In total, special fund receipts are estimated at \$129,000,000 for 1943-1945, a decrease of \$49,600,000 from the total estimated in the current period.

General Fund Financial Condition

With revenues of \$468,000,000 estimated for the 1943-1945 biennium, and expenditures recommended or required under existing law in the amount of \$330,000,000, current operations of the State General Fund are well within balance. The excess of anticipated revenue over prospective disbursements in the coming period is \$138,000,000. It should be noted that this projected operating surplus is based upon expenditures contemplated in this budget and estimated revenue from taxes now in force, without modification. Tax reduction or increased expenditures would, of course, reduce this figure.

In addition to the surplus arising out of operations in the coming biennium, the State will carry forward a \$90,000,000 General Fund surplus as a result of excess income during the 1941-1943 biennium. In total, therefore, the anticipated General Fund surplus on June 30, 1945, is \$228,000,000. This situation is of such importance in the fiscal management of the State, and represents such a vast change from the conditions which have prevailed during the past 12 years, a further analysis of the total is in order. Briefly, this may be summarized as follows:

General Fund <i>Deficit</i> June 30, 1941	\$66,000,000 00
Revenue, 1941-1943	\$497,000,000 00
Expenditures, 1941-1943	341,000,000 00
Operating <i>Surplus</i> , 1941-1943 Biennium.....	156,000,000 00
General Fund <i>Surplus</i> , June 30, 1943, Estimated.....	90,000,000 00
Revenue, 1943-1945, Estimated	\$468,000,000 00
Expenditures, 1943-1945, Estimated	330,000,000 00
Operating <i>Surplus</i> , 1943-1945 Biennium.....	138,000,000 00
General Fund <i>Surplus</i> , June 30, 1945, Estimated	228,000,000 00

The General Fund Surplus

A surplus of \$228,000,000 in the State General Fund is a matter of serious concern. It constitutes a sacred trust for those who have the power to spend, for it has been collected from all the people and should be expended or preserved only for uses which will redound to the benefit of all.

In the consideration of this sum, we will be wise if we consider it the foam cast up by intense war activity and not the natural product of our normal tax system. It is generated by an activity which can be cut off as quickly as it started.

In times such as these it is not safe to trifle with fundamentals. This reasoning should, in my opinion, be applied both to expenditures and taxation. Unless we are extremely careful in our expenditures at this particular time of surplus, we will be fixing standards of expenditure which will be difficult to change as time progresses. We must remember that when the first reaction comes we will not only have to take care of new needs but also the false standards fixed during this period of apparent prosperity. We should also be careful in our treatment of the tax structure, particularly its base, for when both revenue and obligations shift, we will need all the experience we have gained during both the good years and the bad to carry on the progressive government demanded by our people.

The present surplus—that which will accrue by June 30, 1943—is admittedly the product of unusual circumstances. A part of the total is, in fact, borrowed from the future. It arose, in part, through the rush of our citizens to purchase today what they knew would not be available for purchase tomorrow. The sales tax thus generated is already in the State Treasury and there will be a reaction evidenced by decreased tax collections in coming months.

A part of the present and prospective surplus arises through the postponement of building construction at State institutions and at other agencies where facilities are needed. This cessation and delay of building is but another product of the war. When we eliminated capital outlay from the present State budget, it was not done as a matter of desired policy. It was done only as a matter of war requirement and with full recognition of the responsibility of fitting such construction into the postwar program.

It is my hope that the Legislature will take such action as is required to insure the use of portions of this surplus for needed institutional construction during the postwar period. In this connection it may also be found advisable to survey the possibility of saving the State large rental fees resulting from the leasing of properties in several cities.

Another part of the anticipated surplus, especially that in prospect as a result of operations in the 1943-1945 biennium, is the product of reductions in State payments to local governments for the maintenance of schools and support of social welfare programs. These by-products of war activity will vanish at the end of the current conflict and expenditures required by law for these purposes will again increase at least to previous levels.

War Catastrophe Reserve

There is another way in which I believe a huge sum of surplus money could be put to protective use at this time. This State has been designated as a potential combat area. Within the State are great war plants—necessary and vital to the success of the war. These plants are serving an indispensable purpose. They are, however, lures for attack from our enemies. The State is concerned with the lives and safety of its people and the protection of their property. Every governmental unit in the State has formally established an agency to protect and defend our life and property. Thousands of volunteer workers now are trained and ready for any eventuality. Should an attack or invasion occur, the State Government must be ready. It is, therefore, my recommendation that a "War Catastrophe Reserve" of \$25,000,000 be set aside at the disposal of the War Council to be used, only in case of an actual bombing or invasion, for the relief of suffering among the peoples of this State.

It is my earnest hope that no part of this amount will be needed for the purpose to which I am requesting that it be dedicated. Should it not be required for this desperate use, it could later be released to contribute to the financing of postwar programs.

Tax Reduction

It is fortunate that the present and prospective financial condition of State Government is such as to allow both the creation of adequate resources and tax reduction. I have, as you know, appointed a Citizens Advisory Committee to investigate and recommend upon the possibility of reducing State taxes. This body is actively at work, and will collaborate with your committees. When its recommendations are received, I shall communicate with you further upon the matter of tax reductions. The committee expects to report by March 15th.

It shall be my purpose and the purpose of all departments of State Government to extend you every assistance possible in your task for analyzing this budget and our State fiscal problems.

Respectfully submitted,

EARL WARREN, Governor of California

January 30, 1943

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

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

Assembly Bill No. 1600: By Mr. Wollenberg—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1601: By Messrs. Debs, Call, Dills, Clayton A., Brown, McMillan, and Middough—An act to amend Sections 4.52, 4.923, 4.930, 4.942, and 4.950 of the School Code and to amend Sections 5453, 7303, 7307, 7203 and 7226 of the Education Code, relating to the support of public junior colleges, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Universities and Colleges.

Assembly Bill No. 1602: By Messrs. Stream and Burns—An act to add Section 2 to an act entitled "An act to provide for the establishment and maintenance of a College of Veterinary Medicine in the University of California, and to make an appropriation therefor," approved July 9, 1941, relative to the period of time during which the moneys thereby appropriated are available for expenditure.

Referred to Committee on Universities and Colleges.

Assembly Bill No. 1603: By Mr. Wollenberg—An act to amend Sections 2350, 2351, 2353, and 2357 of the Welfare and Institutions Code, and to add Sections 2353.1, 2353.2, and 2354.1 thereto, relative to agreements for the care of aged persons, providing for regulation and supervision of organizations and persons entering into such agreements by the State Department of Social Welfare, and providing for the issuance of writs of attachment in actions for the enforcement thereof.

Referred to Committee on Social Welfare.

Assembly Bill No. 1604: By Mr. Erwin—An act to amend Section 258 of the Vehicle Code, relating to chauffeurs.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1605: By Messrs. Dilworth, Debs, and Watson—An act to add Sections 7393.5, 7400.5 and 7442.5 to the Business and Professions Code, relating to schools of cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 1606: By Mr. Brown—An act making an appropriation to the Department of Agriculture for the purpose of establishing, equipping, and operating a poultry disease diagnostic and testing laboratory in Stanislaus County.

Referred to Committee on Ways and Means.

Assembly Bill No. 1607: By Mr. Burkhalter—An act to amend Sections 3, 4, 5, and 10 of The Personal Income Tax Act, and Sections 17052, 17951, 17952, 18401, 18402, and 18405 of the Revenue and Taxation Code, relating to rates of and exemptions from the personal income tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1608: By Mr. Burkhalter—An act to amend Section 6359 of the Revenue and Taxation Code, relating to the sales and use taxes and to exemptions therefrom.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1609: By Mr. Brown—An act to amend Section 1161 of the Civil Code, relating to the recordation of instruments
Referred to Committee on Judiciary.

Assembly Bill No. 1610: By Messrs. Johnson, Wollenberg, and Maloney—An act creating the State Economy Commission to promote economy in the State Government, and making an appropriation for its support.
Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1611: By Mr. Bashore—An act to add Sections 125, 126 and 127 to the Welfare and Institutions Code and to repeal Chapter 878 of the Statutes of 1941, relating to the distribution of commodities and other personal property free or by means of stamps.
Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1612: By Messrs. Brown and Clarke—An act to amend Section 312 of the Agricultural Code, relating to meat inspection.
Referred to Committee on Agriculture.

Assembly Bill No. 1613: By Mr. Desmond—An act to amend Section 408 of the Political Code, relating to the Secretary of State.
Referred to Committee on Judiciary.

Assembly Bill No. 1614: By Mr. Sawalshch—An act to declare valid and legal the establishment and organization of housing authorities, and all bonds, notes, agreements and undertakings of such housing authorities, and all proceedings, acts and things heretofore undertaken or done with reference thereto.
Referred to Committee on Municipal and County Government.

Assembly Bill No. 1615: By Mr. Dilworth—An act to amend Section 2186 of the Welfare and Institutions Code, and to add Section 2223 5 thereto, relating to aid to the aged.
Referred to Committee on Social Welfare.

Assembly Bill No. 1616: By Mr. Dilworth—An act to amend Section 10601.5 of the Elections Code, relating to candidates for judicial office.
Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1617: By Mr. Howser—An act to amend Section 2181 of the Welfare and Institutions Code, relating to aid to the aged and liability of relatives to reimburse.
Referred to Committee on Social Welfare.

Assembly Bill No. 1618: By Mr. Howser—An act to amend Section 202 of the Welfare and Institutions Code, relating to payment by a responsible county or county of residence for hospital care rendered to an indigent person by another county.
Referred to Committee on Social Welfare.

Assembly Bill No. 1619: By Messrs. Watson, Knight, T. Fenton; and Stream—An act adding Section 1352.5 to the Labor Code, relating to the extension of hours of labor for women in seasonal occupations during the period of economic emergency due to shortage of labor and the need for increased production during time of war.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1620: By Messrs. Kraft and Potter—An act to amend Sections 4000, 4001, 4002, 4005, 4008, 4039, 4251, 4256 of, and to add Section 4010.5 to the Business and Professions Code, relating to practice of pharmacy.

Referred to Committee on Public Health.

Assembly Bill No. 1621: By Mr. Sam L. Collins—An act to amend Sections 736 and 736a of the Political Code, relating to the salaries of Justices of the Supreme Court and the district courts of appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 1622: By Mr. Sam L. Collins—An act making an appropriation to pay the claim of Frank Steefel against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1623: By Mr. Sam L. Collins—An act making an appropriation to the State Park Commission, for the acquisition of land in Orange County as part of the State Park System

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1624: By Mr. Stream—An act to amend Section 70 of and to add Sections 70.1 and 70.2 to the Streets and Highways Code, relating to the California Highway Commission and providing for the organization thereof.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1625: By Mr. Dickey—An act to amend Section 403 of the Business and Professions Code, relating to buildings of the Department of Professional and Vocational Standards

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1626: By Mr. Dickey—An act to amend Section 4013 of the Business and Professions Code, relating to the California State Board of Pharmacy.

Referred to Committee on Public Health.

Assembly Bill No. 1627: By Mr. Dickey—An act to amend Section 114 of the Business and Professions Code, relating to the renewal of licenses by boards or commissions of the Department of Professional and Vocational Standards.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1628: By Mr. Dickey—An act to add Section 108.5 to the Business and Professions Code, relating to fees and expenses of witnesses.

Referred to Committee on Judiciary.

Assembly Bill No. 1629: By Mr. Dickey—An act to provide for the regulation and licensing of tournaments, competition and exhibitions of the Spanish Basque game known variously as Jai-Alai, Hi-Li, or Pelota, played in conjunction with Contrat-Basque or pari-mutuel wagering; prescribing the powers and duties of the California Horse Racing Board for the regulation, licensing and supervision of such tournaments, competitions, and exhibitions; providing penalties for violation of the provisions hereof; and making an appropriation for the support of the California Horse Racing Board for administration of the terms hereof and appropriating the balance of moneys derived hereunder, after appropriation for the support of the California Horse Racing Board, to the junior colleges of the State of California for instruction in aeronautics.

Referred to Committee on Public Morals.

Assembly Bill No. 1630: By Mr. Dickey—An act to amend Section 10651 of the Health and Safety Code, relating to fees of local registrars of vital statistics.

Referred to Committee on Public Health.

Assembly Bill No. 1631: By Messrs. Wollenberg and Thurman—An act to amend Section 1 of an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts," approved July 1, 1937, relating to retirement of judges.

Referred to Committee on Judiciary.

Assembly Bill No. 1632: By Mr. Denny—An act to add Section 818.1 to the Agricultural Code, relating to potatoes for seed purposes.

Referred to Committee on Agriculture.

Assembly Bill No. 1633: By Mr. Allen—An act to add Sections 195.5 and 1623.5 to Streets and Highways Code, relating to the expenditure of money allocated to counties, cities, and cities and counties.

Referred to Committee on Roads and Highways

Assembly Bill No. 1634: By Mr. Allen—An act to add Chapter 9 comprising Section 1140 to Part 3 of Division 2 of the Labor Code, relating to the right to work.

Referred to Committee on Labor and Capital

Assembly Bill No. 1635: By Mr. Debs—An act to amend Sections 5.126 and 5.341 and to add a new section to be numbered 5.345, to repeal Sections 5.260, 5.261, 5.262, 5.263, 5.264, 5.270, 5.271, 5.272, 5.273, 5.274, 5.275, 5.276, 5.277, 5.278, 5.279, 5.280, and 5.343 of the School Code, relating to credentials and certificates.

Referred to Committee on Education.

Assembly Bill No. 1636: By Mr. Hawkins—An act to add Section 925 to the Labor Code, relating to public employees and collective bargaining.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1637: By Mr. Hawkins—An act to amend Section 4652 of the Labor Code, relating to workmen's compensation, including disability payments

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1638: By Mr. Hawkins—An act to add Section 1225 to the Labor Code, relating to the Industrial Accident Commission

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1639: By Mr. Hawkins—An act to add Section 7.1 to the Unemployment Insurance Act, relating to inclusion of employments thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1640: By Mr. Hawkins—An act to amend Section 3358.5 of the Labor Code, relating to employees.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1641: By Mr. Dickey—An act to add Section 732 to Chapter 5 of Title 1 of Part 2 of the Penal Code, relating to the suppression of riots.

Referred to Committee on Judiciary

Assembly Bill No. 1642: By Mr. Dickey—An act to amend Section 587 of the Penal Code, relating to crimes against property.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1643: By Mr. Dickey—An act to amend Section 1 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, relating to deadly weapons.

Referred to Committee on Judiciary.

Assembly Bill No. 1644: By Mr. Dickey—An act to amend Section 404 of the Penal Code, relating to crimes against the public peace.

Referred to Committee on Judiciary.

Assembly Bill No. 1645: By Mr. Dickey—An act to add Section 447 to Chapter 1 of Title 13 of Part 1 of the Penal Code, relating to crimes against property.

Referred to Committee on Judiciary.

Assembly Bill No. 1646: By Mr. Dickey—An act to amend Section 369g of the Penal Code, relating to crimes against the public health and safety.

Referred to Committee on Judiciary.

Assembly Bill No. 1647: By Mr. Doyle—An act to add Chapter 6, comprising Sections 59.6 to 59.22, inclusive, to Division 1, of the Fish and Game Code, relating to fish management areas.

Referred to Committee on Fish and Game.

Assembly Bill No. 1648: By Messrs. Maloney and Berry—An act to amend Section 2671.5 of the Elections Code, relating to declarations of candidacy.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1649: By Messrs. Middough and Thomas—An act to amend Section 799 of the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

Assembly Bill No. 1650: By Messrs. Hastain, Bashore, and Lowrey—An act to add Chapter 4 of Part 2 of Division 1 to the School Code, to add Chapter 7 to Division 8 of the Education Code, and to add Section 1312 to the Labor Code, relating to employment of minor pupils.

Referred to Committee on Education.

Assembly Bill No. 1651: By Mr. Leonard—An act to add Section 93.5 to the Agricultural Code, relating to the supervision of agricultural fairs receiving apportionments of State money.

Referred to Committee on Agriculture.

Assembly Bill No. 1652: By Messrs. Gaffney and Berry—An act to amend Section 7301 of the Business and Professions Code, relating to the State Board of Cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 1653: By Mr. Dilworth—An act to amend Section 1321 of the Fish and Game Code, relating to animals injuring property and the taking of such animals.

Referred to Committee on Fish and Game.

Assembly Constitutional Amendment No. 25: By Mr. Johnson—Proposed amendment to Article IV of the Constitution, relative to salaries or other compensation for personal services of persons performing a

similar or like personal service jointly for the Federal and State Governments, agencies or subdivisions thereof, and providing penalties for violation thereof.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 26: By Mr. Guthrie—Proposed amendment to Article XIII of the Constitution, adding thereto a new section to be numbered 1.1, relative to property taxation and exemptions.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 32: By Mr. Waters—Relative to the publication of an up-to-date Annotated Edition of the Constitution of California, the Constitution of the United States, and other documents.

Referred to Committee on Rules and House Functions.

Assembly Concurrent Resolution No. 33: By Mr. Hollibaugh—Relative to establishment of a memorial to the veterans of the United States who participated in the campaigns of the Union Army in the Civil War.

Referred to Committee on Military Affairs.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 48—An act to amend Section 6.37 of, and to add Section 6.38 to, the School Code, and to add Sections 18058 and 18059 to the Education Code, relating to the letting of contracts, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 48?

Amendment No. 1

On page 1 of the printed bill, strike out lines 13 to 17, inclusive, and insert

“This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted.”

Amendment No. 2

On page 2 of the printed bill, strike out lines 7 to 10, inclusive, and insert

“This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted.”

Amendment No. 3

On page 2 of the printed bill, strike out lines 23 to 26, inclusive, and insert

“This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first

occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendment No. 4

On page 2 of the printed bill, strike out lines 44 to 47, inclusive, and insert "This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 48 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Howser, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Thomas, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—53

NOES—None.

Bill ordered enrolled.

Consideration of Senate Amendments

Assembly Bill No. 162—An act to amend Section 259 of the Vehicle Code, relating to school bus drivers, declaring the urgency of this act, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 162?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend Section 259 of", and insert "add Section 259.1 to".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out all of lines 1 to 9, inclusive, and insert

"SECTION 1. Section 259.1 is added to the Vehicle Code, to read:

259.1. Age limit for driving school bus during war emergency. It is unlawful for any person under the age of 17 years to drive a school bus, transporting pupils to or from school.

This section shall remain in effect until the ninety-first day after the final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect, it shall supersede Section 259 of this code; but Section 259 is not repealed by this section and after this section is no longer effective, Section 259 shall have the same force as though this section had not been enacted."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 162 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered enrolled.

CONSIDERATION OF HOUSE RESOLUTION NO. 71

House Resolution No. 71

WHEREAS, Many of the men, women, and children of our State are unselfishly devoting many hours, often at great inconvenience to themselves, to aiding in the war effort; and

WHEREAS, Their efforts have been directed to many different forms of service, such as selling war bonds, performing work for the Red Cross, many different types of civilian defense work, and helping in numerous other endeavors; and

WHEREAS, The Assembly desires to give some tangible evidence of its appreciation of such patriotism and sacrifice; now, therefore, be it

Resolved by the Assembly of the State of California, That a certificate of merit, in substantially the following form:

CERTIFICATE OF MERIT

In recognition of unselfish service in behalf of his country, the State Assembly during the Fifty-fifth Session hereby awards this certificate of merit to-----

(Name)

Speaker, CHARLES W. LYON
Assemblyman -----

be awarded by the Assembly to such persons who are deserving of them and who may be recommended therefor by a Member of the Assembly; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to have such forms printed for that purpose.

Resolution read.

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

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Lowrey—1.

APPOINTMENT OF JOINT INTERIM COMMITTEE

Pursuant to the provisions of Senate Concurrent Resolution No. 17, the Speaker announced the appointment of Messrs. Armstrong, Collins, Sam L., and Anderson, as such Joint Interim Committee to Investigate the Water Situation at Needles and Vicinity.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 266—An act to amend the title and Sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district, or flood control district," approved April 23, 1913, as amended, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipality, or other public or municipal corporation or public district, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Des-

mond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Robertson, Rosenthal, Sargent, Smith, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Robertson, Sargent, Smith, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

MOTION FOR ADDITIONAL COPIES OF BUDGET BILL

Mr. Sam L. Collins moved that each Member of the Assembly be supplied with four copies of the proposed Budget Bill; that each accredited newspaper representative be supplied with one copy; and that other newspaper representatives be supplied with one copy each upon request.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 78

House Resolution No. 78

Resolved, That the Committee on Legislative Organization is hereby authorized to carry on the work of the Subcommittee on Post-War Planning of the Committee on Economic Security created pursuant to the provisions of House Resolution No. 186, Fifty-fourth Session, and to follow the recommendations of the said committee in regard to the organization of a research foundation to act in the aid of the legislative function, and be it further

Resolved, That the Committee on Legislative Organization during the recess and thereafter shall perform the duties prescribed in House Resolution No. 22 of the Fifty-fifth Session; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of ten dollars (\$10) per day for accommodations and meals. The sum of five hundred dollars (\$500) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee and its members, and for any other charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 358—An act to add Section 10202 to the Health and Safety Code, relating to certified copies of birth certificates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Desmond, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Price, Robertson, Rosenthal, Sargent, Thompson, Thorp, Thuman, Waters, Weber, Werdell, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—Carlson—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER. Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 81
Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 81

House Resolution No. 81

Relating to creation of an Assembly Committee on Governmental Efficiency and Economy, defining its powers and duties and making an appropriation for its expenses.

WHEREAS, Hundreds of changes in the organization and administration of the State Government are proposed at each session of the Legislature. The complicated machinery of State Government erected to serve the citizens of this State, can function only under law. New circumstances constantly arise which previous statutes did not contemplate. It is necessary for the Legislature to study these circumstances carefully, with a view to revising and amending the law relating thereto, in order that the most efficient, economical, and equitable administration of the laws may be fostered.

During the interim between sessions it is desirable to ascertain and collate the facts upon which legislation may be based. The Legislature can best function as a fact-finding agency through legislative committees, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on Governmental Efficiency and Economy, which committee shall study and investigate, accurately and in detail, the organization, functions, and administration of the State Government and of any department, agency, or subdivision thereof and of the governments of the cities and counties of this State, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the State and local governments and the agencies and subdivisions thereof.

The committee shall consist of 15 Members of the Assembly appointed by the Speaker of the Assembly, and the Speaker as an ex officio member. Vacancies on the committee shall be filled by appointment by the Speaker.

Upon the appointment of its members the committee may organize, appoint a secretary, and employ such clerical and technical assistants and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein.

The committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records, of every kind and description, and to take all necessary means to compel the attend-

ance of witnesses and to procure testimony. The members of the committee may each administer oaths, and all of the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it.

The committee may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter, defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The committee may hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee. The committee may also meet in executive session. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-sixth Legislature. The committee may report to any session of this Legislature or to the Regular Session of the Fifty-sixth Legislature, on or before March 15, 1945.

Every department, commission, board, agency, officer, and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee upon request, any and all assistance and information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0 05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of ten dollars (\$10) per day for accommodations and meals.

The sum of ten thousand dollars (\$10,000) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee hereby created and its members, and for any other charges, expenses or claims it may incur under this resolution to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Carlson—1.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 49—An act to amend Sections 2 and 3 of the Sabotage Prevention Act, relating to punishments, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 15—An act creating the Salary Emergency Fund, and making an appropriation to said fund for the purpose of providing salary and wage increases for State employees and providing that this act take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 15:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 28, 1943

*To the Honorable Members of the Assembly
Sacramento, California*

GENTLEMEN: Provision for emergency increase of compensation paid to State employees will expire February 1, 1943, and I am of the opinion that legislation should now be enacted to continue in effect provision for such emergency increased compensation.

I have not had an opportunity to arrive at a conclusion of what the exact amount of the increase should be, but the subject matter of Senate Bill No. 15 should be considered by the Legislature to prevent an immediate reduction of salaries which would be unfair to the State employees and might result in an abnormal loss of personnel.

I, therefore, recommend consideration of Senate Bill No. 15 as necessary for the immediate preservation of the public peace, health, or safety, and as an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not wait until the final enactment of the Budget Bill

Respectfully submitted.

EARL WARREN, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney

Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 147—An act to amend Section 5.876 of the School Code and to amend Section 14536 of the Education Code, relating to the employment of persons retired under the State Teachers Retirement Act and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Dickey, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 98—An act to amend Section 2009 of the Code of Civil Procedure, relating to the use of affidavits in a proceeding to establish the fact of birth, death or marriage, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Knight,

John B., Leonard, Lyons, Maloney, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—60.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B., Leonard, Lyons, Maloney, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 80—An act to amend Sections 10600, 10602, 10603, 10604, and 10607 of the Health and Safety Code, relating to proceedings to establish records of birth, death or marriage, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 30, 1943

*Honorable Charles W. Lyon, Speaker of the Assembly
State Capitol, Sacramento, California*

DEAR SPEAKER LYON: I am appointing a committee for the purposes of studying the pension problem during the interim, with the expectation that it will, for the benefit of the Legislature during the second half of the session, be able to report on the pension problem in a way that will enable us to solve some of the vexatious problems confronting us and enable us to move forward on a sound pension plan.

Will you, in accordance with our previous conversation, please undertake to see that one Republican and one Democrat is selected from each house of the Legislature to serve on the committee.

Sincerely yours,

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 151—An act to amend Section 13 of the Personal Income Tax Act and Section 18431 of the Revenue and Taxation Code, relating to filing returns, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B., Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—61.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B., Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 152—An act to add Section 51 to the Personal Income Tax Act and Section 170535 to the Revenue and Taxation Code, relating to personal income taxes, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Howser, Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Howser, Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 354

And reports the same correctly engrossed

PELLETIER, Chairman

Above reported bill ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 354—An act to amend Section 1183 of, and to add Section 1184a to, the Civil Code, relating to the proof or acknowledgment of instruments.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Cull, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Masson, McMillan, Muddough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Masson, McMillan, Muddough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1396

Mr. Waters asked for, and was granted, unanimous consent to have Assembly Bill No. 1396 withdrawn from the Committee on Public Utilities, Manufacturing, and Corporations, and re-referred to the Committee on Revenue and Taxation.

WITHDRAWAL OF SENATE BILLS NOS. 309 AND 310 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Gannon asked for, and was granted, unanimous consent to withdraw Senate Bills Nos. 309 and 310 from the Committee on Civil Service and State Departments, for consideration, at this time.

CONSIDERATION OF SENATE BILL NO. 309

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Crowley:

Resolved, That Senate Bill No. 309 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weidel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 309—An act to amend Section 862 of the State Civil Service Act, relating to oaths to be taken by persons in the State civil service, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Senate Bill No. 309—An act to amend Section 862 of the State Civil Service Act, relating to oaths to be taken by persons in the State civil service, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weidel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain,

Hawkins, Heringer, Hollibaugh, Johnson, Kilpatrick, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr Gannon asked for, and was granted, unanimous consent to take up Senate Bill No. 310, at this time.

CONSIDERATION OF SENATE BILL NO. 310

Resolution to Suspend Constitutional Provision

The following resolution was offered :

By Mr Crowley :

Resolved. That Senate Bill No. 310 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Cull, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heringer, Hollibaugh, Johnson, Kilpatrick, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—69.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 310—An act to add Section 150.5 to, and to amend Sections 150, 151, and 190 of, the State Civil Service Act, relating to the payment of compensation earned and the computation of vacation and sick leave privileges, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Senate Bill No. 310—An act to add Section 150.5 to, and to amend Sections 150, 151, and 190 of, the State Civil Service Act, relating to the payment of compensation earned and the computation of vacation and sick leave privileges, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Cull, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain,

Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 17, at this time.

CONSIDERATION OF SENATE BILL NO. 17

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Crowley:

Resolved, That Senate Bill No. 17 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 17—An act to add Section 78a to the State Employees' Retirement Act, relating to retirement of members of the State Employees' Retirement System, and providing for retention in

State service, upon conditions specified therein, of persons who have attained the age of compulsory retirement, to take effect immediately.

Bill read second time.

Senate Bill No. 17—An act to add Section 78a to the State Employees' Retirement Act, relating to retirement of members of the State Employees' Retirement System, and providing for retention in State service, upon conditions specified therein, of persons who have attained the age of compulsory retirement, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Diekey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Diekey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 91-A

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Cascade Towel Supply	Towel service.....	\$23 98
Carthers Sign Co.	Lettering doors on 4th floor	89 00
H. S. Crocker Co., Inc.	Supplies	6 59
Department of Finance.	Pro rate cost of telephone service	2 06

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 91-A, at this time, without reference to committee:

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickev, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

By Mr. Sam L. Collins:

House Resolution No. 92

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant in favor of the respective person for the said respective amount, and the Treasurer is hereby directed to pay the same; said compensation to be upon a seven-day week basis:

Commencing Friday, January 29, 1943

	<i>Per day</i>
Louis Desmond, Page -----	\$3 00

Request for Unanimous Consent

Mr Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 92, at this time, without reference to committee:

Resolution read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickev, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Howser, Johnson, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

By Messrs. Knight, John B. and Maloney:

House Resolution No. 93

Relative to an Assembly Interim Committee on Insurance

WHEREAS, It is imperative that all pertinent facts bearing upon the subjects of (i) employment and unemployment conditions in California, (ii) the administration, application, operation and effects of the Unemployment Insurance Act, (iii) activities and operations of the Department of Employment, including the State Employment Service, (iv) the relationships between the Department of Employment and the Federal Security Agency, including the Social Security Board and the Bureau of Employment Security, (v) the collection and disposal of revenues collected in California under the Federal Unemployment Tax Act, (vi) the requirements and conditions imposed upon the governmental agencies of this State by the agencies of the Federal Government under the Federal Social Security Act and the Federal Unemployment Tax Act with respect to unemployment insurance, and (vii) the application of workmen's compensation or some other system of insurance to civilian defense workers, should be found, assembled and analyzed to the end that the Legislature of California may be enabled to act advisedly and judiciously in the premises for the best interests of California in the consideration and enactment of legislation; and

WHEREAS, The facts can best and most expeditiously be ascertained and analyzed through an interim committee charged with the study of every phase of the foregoing subjects: now, therefore, be it

Resolved by the Assembly of the State of California, That an interim committee to be known as the Assembly Interim Committee on Insurance, is hereby created, to consist of seven Members of the Assembly appointed by the Rules Committee thereof. The committee shall investigate, study, and analyze, accurately and in detail, each and every phase of the foregoing subjects for the purposes of considering and enacting legislation

The committee hereby created is hereby authorized to act during sessions of this Legislature and after final adjournment thereof, but in no event beyond the convening of the Fifty-sixth Legislature, and such committee may make reports to the regular or any special session of this Legislature and to the regular session of the Fifty-sixth Legislature.

The committee shall have and exercise the duty and power:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any wise bearing upon or relating to unemployment and workmen's compensation insurance;

(7) To meet at any and all times prior to final adjournment of this session of the Legislature, whether the Senate or Assembly be actually then sitting or not, and at any and all places within the State, in the performance of its duties and in carrying out the objects and purposes of this resolution;

(8) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and procure testimony;

(9) To report its findings and recommendations to the Senate and Assembly and to the people from time to time and at any time; and

(10) To cooperate so far as the judgment of the committee dictates with any Federal agency; and

(11) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and all of the provisions of Article 8, Chapter 2, Title 1, Part 3 of the Political Code, relating to the attendance and examination of witnesses before the Legislature and committees thereof, apply to the committee hereby created; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly or other officers designated by him, are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.054) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day (no expenses or mileage shall be payable during the session of the Legislature except that this

shall not prevent the payment of expenses or mileage during the constitutional recess), and be it further

Resolved, That the sum of one thousand five hundred dollars (\$1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be paid from the Contingent Fund of the Assembly and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER Your Committee on Rules and House Functions, to which was referred:

Senate Concurrent Resolution No. 23

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend and be adopted, as amended.

SAM L COLLINS, Chairman

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 23

Senate Concurrent Resolution No. 23—Relative to opinions of the Legislative Counsel Bureau concerning legislation.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 1 of the resolution, after line 10, insert the following:
"On page 14, line 13, of the printed Senate Concurrent Resolution No. 4, being the Joint Rules of the Senate and Assembly, in the last paragraph of Rule 35, strike out "eight dollars (\$8)", and insert "ten dollars (\$10)"."

Amendment read.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—71

NOES—None.

Request for Unanimous Consent

Mr. Sam L Collins asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 23, as amended, at this time.

Consideration of Senate Concurrent Resolution No. 23, as Amended

Senate Concurrent Resolution No. 23

Relative to opinions of the Legislative Counsel Bureau concerning legislation

Resolved by the Senate of the State of California, the Assembly thereof concurring, That a new rule, to be numbered 37, is hereby added to the Joint Rules of the Senate and Assembly, to read as follows:

37. Whenever the Legislative Counsel issues, to a person other than the author, an opinion as to the constitutionality, operation or effect of a pending bill, constitutional amendment, resolution or other legislative measure, he is hereby authorized and instructed to deliver a copy of the opinion to the author of such measure.

On page 14, line 13, of the printed Senate Concurrent Resolution No. 4, being the Joint Rules of the Senate and Assembly, in the last paragraph of Rule 35, strike out "eight dollars (\$8)", and insert "ten dollars (\$10)".

Resolution read, as amended.

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

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gaunon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

RECESS

At 12.40 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2.30 p.m.

REASSEMBLED

At 2.30 p.m. the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Thurman asked for, and was granted, unanimous consent to temporarily suspend the Rules for the purpose of withdrawing Assembly Bill No. 367 from the Committee on Governmental Efficiency and Economy at this time.

Motion to Withdraw Assembly Bill No. 367 From Committee

Mr. Thurman moved that Assembly Bill No. 367 be withdrawn from the Committee on Governmental Efficiency and Economy for the purpose of amendment

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

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berrv, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gaunon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Request for Unanimous Consent

Mr. Thurman asked for, and was granted, unanimous consent to take up Assembly Bill No. 367, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 367

Assembly Bill No. 367—An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. Thurman moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 20 and 21, of the printed bill, as amended, strike out "acquisition of property for".

Amendment No. 2

On page 2, line 9, of the printed bill, as amended, after "therefor", insert ", in accordance with State law,".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Messrs. Collins, Sam L., and Lyon:

House Resolution No. 94

WHEREAS, On January 26, 1943, the Members of the Legislature of the State of California were entertained at dinner by the Sacramento Chamber of Commerce; and

WHEREAS, The excellence of the dinner and entertainment, presided over by an able and genial toastmaster, gave to the Members of this Assembly the utmost enjoyment and pleasure; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly does hereby thank the Sacramento Chamber of Commerce and the members thereof for the warm hospitality extended, and the Members of this Assembly hereby express their individual appreciation of the excellent and generous dinner and entertainment provided for them by the Sacramento Chamber of Commerce; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably engrossed copy of this resolution to the Sacramento Chamber of Commerce.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 94, at this time, without reference to committee.

Resolution read and adopted.

REPORTS OF STANDING COMMITTEES**Committee on Rules and House Functions**

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 74

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 74

House Resolution No. 74—Relating to petroleum committee created by House Resolution No. 56.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions

Amendment No. 1

After line 4 of the typewritten resolution, following "No. 56", insert as the first *Resolved* clause the following:

Resolved, That the membership of the Committee on State-Federal Cooperation in the discovery, production, transportation, refining and use of petroleum oil and its products is hereby increased so as to consist of the Speaker and six Members of the

Assembly and the Speaker is hereby directed to appoint an additional member to said committee; said member to be the Chairman of the Committee on Conservation, Natural Resources, and Planning; and be it further"

Amendment read and adopted.

Request for Unanimous Consent

Mr. Howser asked for, and was granted, unanimous consent to take up House Resolution No. 74, as amended, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 74, AS AMENDED

House Resolution No. 74

Relating to the Committee on State-Federal Cooperation in the discovery, production, transportation, refining, and use of petroleum oil and its products, created by House Resolution No. 56.

Resolved, That the membership of the Committee on State-Federal Cooperation in the discovery, production, transportation, refining, and use of petroleum oil and its products is hereby increased so as to consist of the Speaker and six Members of the Assembly and the Speaker is hereby directed to appoint an additional member to said committee; said member to be the Chairman of the Committee on Conservation, Natural Resources, and Planning; and be it further

Resolved by the Assembly of the State of California, That the members of said committee created by said House Resolution No. 56 as supplemented hereby shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their service upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their service on the committee or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of five hundred dollars (\$500) or so much thereof as may be necessary be hereby made available from the Contingent Fund of the Assembly for the expenses or claims that may be incurred by said committee, to be paid from the Contingent Fund of the Assembly and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasury.

Resolution read, as amended.

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

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Dills, Clayton A. Dilworth, Dovie, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Muddough, Miller, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 569—An act to add Section 2710.2 to the Penal Code, relating to the California Institution for Men Working Revolving Fund.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 569:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 30, 1943

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

ASSEMBLY BILL No. 569

"An act to add Section 2710 2 to the Penal Code, relating to the California Institution for Men Working Revolving Fund, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 569 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Holtbaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, O'Day, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Holtbaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, O'Day, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 2 58 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 4 30 p.m.

REASSEMBLED

At 4.30 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Speaker Pro Tempore Presiding

At 4.55 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

RESOLUTIONS

The following resolution was offered:

By Mr. Call:

House Resolution No. 95

Relative to creating an Interim Committee to Investigate Commercial Fishing

WHEREAS, The commercial fishing industry of the State of California is of major importance in providing food essential for the military and civilian establishments during the war period; and

WHEREAS, The quotas assigned to the California fisheries by the Federal agencies in charge of the production of food for war purposes have made it necessary that the fisheries be permitted to be operated to the fullest extent compatible with the principles of conservation; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly committee consisting of three members appointed by the Speaker of the Assembly, which committee shall investigate all matters relating to the commercial fishing industry of California and the production of fish and fish products in this State; and be it further

Resolved, That such committee and each of the members thereof is hereby authorized to administer oaths and all of the provisions of Article 8 of Chapter 2 of Title 1 of Part 3 of the Political Code, and all of the provisions of the Joint Rules of the Legislature, and of the Assembly shall apply to the committee appointed under this resolution; and be it further

Resolved, That such committee shall report its conclusions to the Assembly not later than final adjournment of the Fifty-fifth Session of the Legislature; and be it further

Resolved, That such committee is authorized to do all things necessary to make a full and complete investigation of the commercial fishing industry with regard to the need of fish for food because of the war emergency; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of five hundred dollars (\$500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions

**WITHDRAWAL OF SENATE BILL NO. 150 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Robertson asked for, and was granted, unanimous consent to withdraw Senate Bill No. 150 from the Committee on Revenue and Taxation, for consideration, at this time

CONSIDERATION OF SENATE BILL NO. 150

Senate Bill No. 150—An act providing for substitution of fiduciaries during wartime, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr Robertson:

Resolved, That Senate Bill No. 150 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

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

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Howser, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 150—An act providing for substitution of fiduciaries during wartime, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Howser, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Howser, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None

Bill ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Joint Resolution No. 28: By Messrs. King and Lowrey—Relative to destruction of crops by ducks.

Request for Unanimous Consent

Mr. King asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 28, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 28

Assembly Joint Resolution No. 23—Relative to destruction of crops by ducks.

Resolution read.

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

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dickes, Dills, Clayton A., Dilworth, Dunn, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, King, Kraft, Lowrey, Lyons Maloney, Masson, McCollister, McMillan, Middough, O'Day, Pelletier, Price, Robertson, Sargent, Sawalusch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—59

NOES—None.

Resolution ordered transmitted to the Senate.

APPOINTMENT OF MEMBERS TO GOVERNOR'S COMMITTEE

In response to a request from Governor Earl Warren, the Speaker announced the appointment of Messrs. Call and Kilpatrick to serve as Members from the Assembly on the Governor's committee, for the purpose of studying the pension problem in California.

MOTION TO PRINT IN JOURNAL

Upon motion of Mr. Weber, the following report was ordered printed in the Journal:

**Report of the President of the University of California and His Committee
to the Subcommittee on Post War Planning, December 30, 1942**

The committee recommends that steps be initiated by the University to establish a research foundation to be known as the California Foundation. This foundation shall be an independent corporation.

Purpose—The purpose and scope of the California Foundation shall be the selection and financial support of investigations which look toward the economic, social, educational, and cultural development of the State of California in an orderly and appropriate manner.

Material Support: It is suggested that for the material support of such a foundation funds be sought from citizens of California who are interested in the welfare of the State and who have the means to contribute. A nucleus of large gifts should first be secured. Thereafter through publicity and other persuasion it is suggested that we interest as many citizens as possible to contribute as their means may permit. Other sources of income may be considered, public as well as private, provided such contributions are made to the foundation without restriction for its purposes.

Governing Body: It is suggested that a board of trustees of 21 persons with substantial terms not running concurrently be entrusted with the government and management of the California Foundation. It is further suggested that on such a board there be representation of all the great research agencies in the State. The initial members of the board shall be appointed by a committee consisting of the President of the University of California, the President of Stanford University, the Chairman of the Executive Council of the California Institute of Technology, and the President of the University of Southern California. The board of trustees shall determine upon its own officers and committees and upon the method of its perpetuation.

Committee on Projects—The selection and approval of proposals submitted to the foundation for investigation, as well as the initiation of new research projects, shall be vested in a Committee on Projects appointed each year by the board of trustees. This committee shall consist of seven qualified persons.

ROBERT G. SPROUL
President of the University of California

RECESS

At 5.17 p.m., on motion of Mr. Thurman, the Assembly recessed until 5.20 p.m. to hear from former Speaker of the Assembly, Hon. Gordon H. Garland.

REASSEMBLED

At 5.20 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

COMMUNICATIONS

The following communications were received, read, and ordered printed in the Journal:

By the Speaker:

COUNTY OF LOS ANGELES, OFFICE OF THE DISTRICT ATTORNEY

LOS ANGELES, January 26, 1943

*The Hon. Charles W. Lyon
Speaker of the Assembly
Sacramento, California*

MY DEAR CHARLES. As you have been advised from reading the papers and also from your constant contact and intimate knowledge of Los Angeles County affairs, there appears to have grown up in the Los Angeles city police department alleged practices of police brutality. Of late, however, these alleged practices have reached the point where a man arrested less than a block from the police department was fatally injured between the time of his arrest and the time he reached his eventual destination in Lincoln Heights jail.

In this particular case, according to the preponderance of evidence, the man was arrested on a drunk charge and arrived at the police station in a physically sound condition but came out less than 24 hours later so badly battered that, according to medical testimony, he died as a result of his treatment during that time.

This case presented possibilities of a crime having been committed in Los Angeles County; hence, my office took the responsibility of investigating the death of this person, known as Stanley H. Beebe. For several weeks I have had my staff of investigators go over with a fine-tooth comb all possible avenues of approach to collect evidence and statements, all of which we presented to the coroner's jury of Los Angeles County at a several-day hearing before this jury. The jury returned a verdict to the effect that "The decedent had received an abdominal injury inflicted by persons unknown, with homicidal intent, while in the custody of the Los Angeles police department."

Up to this time, however, as prosecutor for this county, I can not see my way clear to present this matter to the Los Angeles County grand jury for the purpose of obtaining an indictment because there are still serious deficiencies in the matter of evidence. I have reached the point where I believe that the realistic approach to this problem of alleged brutality should come from an investigation on the part of a duly appointed and authorized legislative committee. My reasons for this are as follows:

As you know, the City of Los Angeles is a chartered city, and under provisions of the charter, the personnel of the police department can only be disciplined by members of their own organization. A question has been raised as to whether even the chief of police or other executives or the mayor of Los Angeles, the chief executive of the city, has the right to remove or suspend or reprimand any police officer until a board of other officers chosen by the man under suspicion has passed on the merits of the case.

At this juncture may I add parenthetically that an Assembly committee hearing such as I have indicated might recommend a change in the charter structure of the city or the statutory structure of the State.

The Los Angeles police department is comprised of several thousand people with various duties and tasks. Our failure to obtain necessary evidence is obviously due to the refusal of a few police officers to reveal certain information which they must have, but which they are afraid to use in this inquiry. It is not fair to the several thousand honest, industrious and worthy officers in the service of the Los Angeles police department to labor under the onus of the aspersions that have been cast by the investigation in my office and by the coroner's jury and by the statements of the press. The police department as a whole is a splendid organization, and the failure to bring out the proper evidence as to the alleged practice of police brutality must be a reflection on these various good officers.

If the Assembly should deem it fit and proper by resolution to appoint such a committee, you have my promise to assign a very capable deputy from my office to assist the committee in every way in the presentation of evidence that we have so far accumulated in the hope that the guilty individuals may be exposed and prosecuted.

With every best wish, believe me to remain

Cordially yours,

JOHN F. DOCKWEILER, District Attorney

LOS ANGELES, CALIFORNIA, January 26, 1943

*The Hon. Charles W. Lyon, Speaker of the Assembly
Sacramento, California*

My office conducting investigation of alleged police brutalities one of which resulted in death of Stanley H. Beebe. Have spent several weeks securing evidence and statements. Last week completed coroner's jury hearing. Verdict was as follows: "Decedent has received an abdominal injury inflicted by persons unknown, with homicidal intent, while in the custody of the Los Angeles police department." Have reached impasse. All men in police department having contact with Beebe deny any knowledge of beating. For the sake of the police department and for the public good and to clear up the statutory and charter provisions, deem it advisable to suggest that an Assembly committee be appointed to investigate such alleged police brutality cases. Letter follows.

JOHN F. DOCKWEILER, District Attorney

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 73

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and be adopted, as amended.

SAM L COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 73

House Resolution No. 73

Relative to the investigation of the administration enforcement of the criminal laws

WHEREAS, The orderly and efficient administration and enforcement of the criminal laws of the State is essential to the orderly processes of government for the protection of the fundamental rights of the citizenry; and

WHEREAS, The attention of this house has been forcibly drawn to the lack of such administration and enforcement in the City of Los Angeles by the following telegram addressed to the Honorable Charles W. Lyon, Speaker of the Assembly, by the Honorable John F. Dockweiler, District Attorney of Los Angeles County, which reads as follows, to wit:

My office conducting investigation of alleged police brutalities one of which resulted in death of Stanley H. Beebe. Have spent several weeks securing evidence and statements. Last week completed coroner's jury hearing. Verdict was as follows: "Decedent has received an abdominal injury inflicted by persons unknown, with homicidal intent, while in the custody of the Los Angeles police department." Have reached impasse. All men in police department having contact with Beebe deny any knowledge of beating. For the sake of the police department and for the public good and to clear up the statutory and charter provisions, deem it advisable to suggest that an Assembly committee be appointed to investigate such alleged police brutality cases. Letter follows.

now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created a committee to be known as the Assembly Committee on Criminal Laws, to consist of three members appointed from the membership of the Rules Committee by the Speaker of the Assembly, which committee shall investigate, study, ascertain, collate, and appraise accurately and in detail all facts pertinent to the administration and enforcement of the criminal laws of the State and, in connection therewith, all facts pertinent to the conduct, operation and maintenance of city, county, and State jails, prisons, correctional institutions, and places of detention, the conduct, character, and personnel staffing, maintaining and operating such places, including but not limited to the treatment and care of persons in the custody of municipal law enforcement officers and the extent to which the rights of such persons are observed, protected and defended or violated and otherwise disregarded in any manner whatsoever by such municipal law enforcement officers; all for the purpose of recommending such changes and proposing such legislation as may appear to be necessary in order to provide for the efficient and orderly administration and enforcement of the criminal laws and for the proper protection and safeguarding of the rights of persons accused of crime; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State, shall furnish the committee, and any subcommittee it may create, upon request, any and all assistance, information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the committee shall have all the powers and privileges conferred upon an Investigating Committee by Rule 35 of the Joint Rules of the Senate and Assembly as the same now exist or may hereafter from time to time be amended; and be it further

Resolved, That the committee may hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee; and be it further

Resolved, That the committee is authorized to act during the sessions of the Fifty-fifth Regular Session of the Legislature, including any recess thereof but in no event beyond the final adjournment of the Fifty-fifth Legislature; and be it further

Resolved, That upon the appointment of its members the committee may organize and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out to the full force and effect the powers granted and duties imposed by this resolution; and be it further

Resolved, That the committee may create subcommittees from its membership, assign to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee, limited by the express terms of the resolution or resolutions of the committee defining the powers and duties of the subcommittee which power may be withdrawn or terminated at any time by the committee; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.054) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of one thousand five hundred dollars (\$1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution to be paid after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

Strike out all of House Resolution No. 73, and insert in lieu thereof

Resolved by the Assembly of the State of California, That the interim committee created by House Resolution No. 81 be instructed to consider the following:

The committee shall also consider, study, ascertain, collate and appraise accurately and in detail all facts pertinent to the administration and enforcement of the criminal laws of the State and, in connection therewith, all facts pertinent to the conduct, operation, and maintenance of city, county, and State jails, prisons, correctional institutions, and places of detention, the conduct of personnel staffing, maintaining, and operating such places, including but not limited to the treatment and care of persons in the custody of municipal law enforcement officers and the extent to which the rights of such persons are observed, protected, and defended or violated and otherwise disregarded in any manner whatsoever by such municipal law enforcement officers; all for the purpose of recommending such changes and proposing such legislation as may appear to be necessary in order to provide for the efficient and orderly administration and enforcement of the criminal laws and for the proper protection and safeguarding of the rights of persons accused of crime.

For the purposes of this resolution the committee shall have all the powers and privileges conferred upon an investigating committee by Rule 35 of the Joint Rules of the Senate and Assembly, as the same now exist or hereafter from time to time be amended."

Amendment read and adopted.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up House Resolution No. 73, as amended, at this time.

**Consideration of House Resolution No. 73, as Amended
House Resolution No. 73**

Resolved by the Assembly of the State of California, That the interim committee created by House Resolution No. 81 be instructed to consider the following:

The committee shall also consider, study, ascertain, collate and appraise accurately and in detail all facts pertinent to the administration and enforcement of the criminal laws of the State and, in connection therewith, all facts pertinent to the conduct, operation, and maintenance of city, county, and State jails, prisons, correctional institutions, and places of detention, the conduct of personnel staffing, maintaining, and operating such places, including but not limited to the treatment and care of persons in the custody of municipal law enforcement officers and the extent to which the rights of such persons are observed, protected, and defended or violated and otherwise disregarded in any manner whatsoever by such municipal law enforcement officers; all for the purpose of recommending such changes and proposing such legislation as may appear to be necessary in order to provide for the efficient and orderly administration and enforcement of the criminal laws and for the proper protection and safeguarding of the rights of persons accused of crime.

For the purposes of this resolution the committee shall have all the powers and privileges conferred upon an investigating committee by Rule 35 of the Joint Rules of the Senate and Assembly, as the same now exist or hereafter from time to time be amended.

Resolution read, as amended.

Demand for Previous Question

Messrs. Robertson, Knight, John B., Rosenthal, Dunn, and Howser demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 73.

Roll Call Demanded

Messrs. Doyle, Carlson, and Johnson demanded a roll call.

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

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Debs, Dilworth, Doyle, Evans, Field, Gannon, Guthrie, Haggerty, Hawkins, Kilpatrick, King, Knight, John B., Kraft, Leonard, Maloney, Massion, McMillan, Miller, O'Day, Pelletier, Potter, Rosenthal, Sheridan, Stream, Thorp, Thurman, Watson, Weber, and Mr. Speaker—42.

NOES—Carlson, Clarke, Crichton, Denny, Desmond, Dunn, Erwin, Heisinger, Hollibaugh, Howser, Johnson, Lowrey, Lyons, McCollister, Middough, Price, Robertson, Sargent, Smith, Thomas, Thompson, Werdel, and Wollenberg—22.

Explanations of Vote

We voted against the resolution to investigate the alleged brutality of Los Angeles police officers for the reason that we do not believe that such matters are within the governmental functions of the Legislature. These matters should be prosecuted by the law enforcement officers of the county and by the Attorney General of the State as provided by law.

**EARL D. DESMOND
GEO. A. CLARKE
PAUL DENNY
S. L. HEISINGER**

Any investigation of the subject matter of this resolution should be carried on by the Attorney General under his powers as chief law officer of the State (California Constitution, Article V, Section 21) if the law is not being adequately enforced in Los Angeles County, as suggested by the district attorney of that county.

Any person examined before a Legislative Committee would be granted immunity from criminal prosecution on any subject inquired into, by reason of the provisions of Section 304 of the Political Code. That would make it possible for guilty parties to gain immunity. It would offer dangerous obstacles to prosecution of guilty persons.

For these reasons I voted against the resolution, notwithstanding any strong personal feelings against police brutality.

LORNE D. MIDDOUGH

We voted against the investigation of the Stanley Beebe case by the Assembly Governmental Efficiency and Economy Committee because it does not fall within the scope of this committee, but with the Attorney General who should step in when local law enforcement fails and has the necessary investigators and legal staff.

WILLIS SARGENT
JONATHAN J. HOLLIBAUGH

Motion to Print in Journal

Mr. Middough moved that the remarks by Mr. Johnson, relative to House Resolution No. 73, be printed in the Journal.

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

AYES—Carlson, Heisinger, Hollibaugh, Howser, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Potter, Rosenthal, Sargent, Smith, Thomas, Thompson, Thurman, Werdel, and Mr. Speaker—20.

NOES—Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Clarke, Collins, George D. Collins, Sam L., Crichton, Crowley, Debs, Denny, Dilworth, Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Johnson, Kilpatrick, King, Knight, John B., Kraft, Massion, Miller, O'Day, Pelletier, Sheridan, Stream, Thorp, Watson, Weber, and Wollenberg—39.

[On January 31, 1943, above action was rescinded, and record ordered expunged, whereby the motion to print remarks in Journal was lost.]

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 30, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 367

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 367—An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans,

Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kупatriek, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 93

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 93

House Resolution No. 93—Relative to the Assembly Interim Committee on Insurance.

Resolution read.

Motion to Amend

Mr. John B. Knight moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the typewritten resolution, insert "Insurance and Labor Codes" after "Act,".

Amendment No. 2

On page 2, line 6, of the typewritten resolution, strike out "7", and insert "5".

Amendments read and adopted.

Request for Unanimous Consent

Mr. John B. Knight asked for, and was granted, unanimous consent to take up House Resolution No. 93, as amended, at this time.

Consideration of House Resolution No. 93, as Amended

House Resolution No. 93

Relative to an Assembly Interim Committee on Insurance

WHEREAS, It is imperative that all pertinent facts bearing upon the subjects of (i) employment and unemployment conditions in California, (ii) the administration, application, operation and effects of the Unemployment Insurance Act, Insurance and Labor Codes, (iii) activities and operations of the Department of Employment, including the State Employment Service, (iv) the relationships between the Department of Employment and the Federal Security Agency, including the Social Security Board and the Bureau of Employment Security, (v) the collection and disposal of revenues collected in California under the Federal Unemployment Tax Act, (vi) the requirements and conditions imposed upon the governmental agencies of this State by the agencies of the Federal Government under the Federal Social Security Act and the Federal Unemployment Tax Act with respect to unemployment insurance, and (vii) the application of workmen's compensation or some other system of insurance to civilian defense workers, should be found, assembled and analyzed to the end that the Legislature of California may be enabled to act advisedly and judiciously in the premises for the best interests of California in the consideration and enactment of legislation, and

WHEREAS, The facts can best and most expeditiously be ascertained and analyzed through an Interim Committee charged with the study of every phase of the foregoing subjects; now, therefore, be it

Resolved by the Assembly of the State of California, That an Interim Committee, to be known as the Assembly Interim Committee on Insurance, is hereby created,

to consist of five Members of the Assembly appointed by the Rules Committee thereof. The committee shall investigate, study and analyze, accurately and in detail, each and every phase of the foregoing subjects for the purposes of considering and enacting legislation.

The committee hereby created is hereby authorized to act during sessions of this Legislature and after final adjournment thereof, but in no event beyond the convening of the Fifty-sixth Legislature, and such committee may make reports to the regular or any special session of this Legislature and to the Regular Session of the Fifty-sixth Legislature.

The committee shall have and exercise the duty and power

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any wise bearing upon or relating to unemployment and workmen's compensation insurance;

(7) To meet at any and all times prior to final adjournment of this session of the Legislature, whether the Senate or Assembly be actually then sitting or not, and at any and all places within the State, in the performance of its duties and in carrying out the objects and purposes of this resolution;

(8) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and procure testimony;

(9) To report its findings and recommendations to the Senate and Assembly and to the people from time to time and at any time; and

(10) To cooperate so far as the judgment of the committee dictates with any Federal agency; and

(11) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved. That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and all of the provisions of Article 8, Chapter 2, Title 1, Part 3 of the Political Code, relating to the attendance and examination of witnesses before the Legislature and committees thereof, apply to the committee hereby created; and be it further

Resolved. That the Sergeant-at-Arms of the Assembly or other officers designated by him, are hereby directed to serve any and all subpoenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved. That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved. That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day (no expenses or mileage shall be payable during the session of the Legislature except that this shall not prevent the payment of expenses or mileage during the constitutional recess); and be it further

Resolved. That the sum of one thousand five hundred dollars (\$1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the

Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the Contingent Fund of the Assembly and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

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

AYES—Anderson, Bashore, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Dunn, Elwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McColhster, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—Collins, George D.—1.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Middough asked for, and was granted, unanimous consent that the record be expunged, and the action rescinded whereby the motion to print remarks of Mr. Johnson in the Journal, was this day defeated.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 89

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 89

House Resolution No. 89

WHEREAS, The Interim Committee to study the location and availability of camps and camp sites which might be used for juvenile delinquents and the cost of equipping and operating them was created by House Resolution No. 249, Fifty-fourth Session; and

WHEREAS, It is the desire of the Assembly to continue said committee in existence in so far as possible as a committee of the Assembly at this Fifty-fifth Session of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee to study, investigate, and report to the Legislature, within 15 days after the termination of the constitutional recess, the location and availability of camps and camp sites which might be used for juvenile delinquents and the cost of equipping and operating them is hereby created to consist of those Members of the Assembly who were appointed to the committee created by said House Resolution No. 249 of the Fifty-fourth Session and who are Members of the Assembly at this Fifty-fifth Session of the Legislature; and be it further

Resolved, That there is hereby made available from the Contingent Fund of the Assembly the sum of five hundred dollars (\$500), which said sum shall be available for disbursement by the committee created by this resolution, and, be it further

Resolved, That the committee created by this resolution may meet during any session of the Legislature or during any recess thereof and all of the provisions of said House Resolution No. 249 of the Fifty-fourth Session applicable to the committee thereby created shall apply to the committee created by this resolution the same as if said provisions were set out at length and incorporated herein; and be it further

Resolved, That the committee created by this resolution shall have and exercise no powers under this resolution after 15 days after the termination of the constitutional recess.

Resolution read

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

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McColhster, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

MOTION TO PRINT POEM IN JOURNAL

Upon motion of Mr. Gaffney, the following poem, written by Dick Desmond, was ordered printed in the Journal:

In the hush of the evening hour
 When the work in the field is done,
 The men from their jobs returning,
 Are met on the road by just one.
 It is he who works until morning,
 Who wages the battle with time,
 Who works from dusk until dawning
 Until down from the tractor he'll climb
 There are three points of light in the darkness,
 One piercing the dust at his rear,
 The roar of his motor e'er with him
 The grinding of metal he'll hear.
 At midnight he pauses for something,
 For something to eat and to drink,
 With only the stars for companions
 And, thus, left alone he can think
 This indeed is a beautiful hour
 The closest man miles away,
 Now he knows of God and His power;
 He feels the urge to pray.
 But again to his tractor he hastens,
 And into the seat he crawls
 Again he steps on the starter,
 And a roar into the silence falls
 On—On alone in the darkness,
 On—On alone in the night,
 Eyes glued to the furrow to guide him,
 Illumined by one beam of light.
 Finally over the mountains,
 A single bright star appears,
 Gladly he gazes upon it,
 For he knows that daylight nears
 The gray, cold dawn is beginning,
 Streaks of light filter the sky,
 He edges close to his motor for warmth,
 For the coldest hour of morning is nigh.
 Into the East there comes color,
 The sun is beginning to rise,
 More beautiful even than sunset,
 Is the sight which now meets his eyes.
 Red rays of light piercing skyward,
 A red orb floats into view,
 Black shadows turn from hobgoblins
 Into trees of magnificent hue
 Then the tractor is turned toward home,
 He pulls the plow from the ground,
 He drives to the camp for refueling,
 And shuts off the motor and sound
 He climbs down all dusty and greasy,
 His body weary but still at ease,
 He greets the men just done breakfast,
 And helps them his tractor to grease.

He goes to eat and to sleep then
 After homeward his way he wends,
 To dream while others labor
 Of farmers' work that never ends

DICK DESMOND
 November 2, 1942

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

Assembly Concurrent Resolution No. 26

Assembly Concurrent Resolution No. 27

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 26

Assembly Concurrent Resolution No. 27

And reports the same correctly engrossed.

PELLETIER, Chairman

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 26

Assembly Concurrent Resolution No. 26—Relative to Reports of the 1942, 1943 and 1944 Annual Conventions of the Military Order of the Purple Heart.

Resolution read.

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

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Mason, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 27

Assembly Concurrent Resolution No. 27—Relative to reports of the Annual Conventions or Encampments of the Veterans of Foreign Wars of the Department of California.

Resolution read

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

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Mason, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 307

Assembly Bill No. 352

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By MARGARET DOUVILLE, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 290

Assembly Bill No. 384

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

Above bills ordered to unfinished business file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 307—An act to add Chapter 3 to Part 3 of Division 6 of the School Code and to add Chapter 11 to Division 9 of the Education Code relating to child care centers, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 307?

Amendment No. 1

On page 2 of the printed bill, between lines 37 and 39, insert

"6.785-5. Children shall be accommodated at such child centers only during the hours in which the person or persons having custody of such children are at work or unable to care for such children for any reason connected with such work"

Amendment No. 2

On page 5 of the printed bill, between lines 32 and 34, insert

"19606.5. Children shall be accommodated at such child centers only during the hours in which the person or persons having custody of such children are at work or unable to care for such children for any reason connected with such work"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 307 by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered enrolled.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 352—An act creating a special fund in the State Treasury for the deposit of restitutions received by the State from former recipients of relief under the provisions of the "California Unemployment Relief Act of 1935," making a transfer of funds to this fund,

making an appropriation to the State Controller for continued collection of restitutions, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 352?

Amendment No. 1

On page 1, line 16, of the printed bill, as amended, strike out line 16, and insert "sum of twenty-six thousand five hundred dollars (\$26,500)".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 1, 2, 3, 4, and 5, and insert "until June 30, 1943, to be used for the auditing and the".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 352 by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered enrolled.

Assembly Bill No. 290—An act to add Section 214 to the Revenue and Taxation Code, relating to the exemption from taxation of merchandise arrested by war conditions from actually continuing to move in interstate or foreign commerce, declaring the urgency thereof, and providing that this act take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 290?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on January 28, 1943, after "moving", strike out "or", and insert "and".

Amendment No. 2

On page 1, line 7, of the printed bill, as amended in the Senate on January 28, 1943, after "shall", strike out "while so moving".

Amendment No. 3

On page 1, line 19, of the printed bill, as amended in the Senate on January 28, 1943, after the period, following "state", insert "Nothing herein contained shall be construed to authorize or require the refund of any taxes heretofore paid."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 290 by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Howser, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered enrolled.

Assembly Bill No. 384—An act to add Section 395 to the School Code and to add Section 8161 to the Education Code, relating to the

maintenance of schools and classes, declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 384?

Amendment No. 1

On page 1 of the printed bill, strike out line 3; and, in line 4, strike out "war with any foreign power, the", and insert "395 The".

Amendment No. 2

On page 1, lines 5 and 6, of the printed bill, strike out ", and notwithstanding any law to the contrary,".

Amendment No. 3

On page 1, line 11, of the printed bill, insert

"This section shall remain in effect until the ninety-first day after the final adjournment of the Fifty-sixth Regular Session of the Legislature, or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect, it shall supersede any existing provisions of law which are in conflict with it, but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendment No. 4

On page 1 of the printed bill, strike out all of line 14; and, in line 15, strike out "war with any foreign power, the", and insert "8161. The".

Amendment No. 5

On page 1, lines 16 and 17, of the printed bill, strike out ", and notwithstanding any law to the contrary,".

Amendment No. 6

On page 1, line 22, of the printed bill, insert

"This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature, or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect, it shall supersede any existing provisions of law which are in conflict with it, but such provisions are not repealed by this section, and after this section is no longer effective shall have the same force as though this section had not been enacted."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 384 by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Howser, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 30, 1943

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

Assembly Concurrent Resolution No. 21

Assembly Concurrent Resolution No. 31

J. A. BEEK, Secretary of the Senate

By MARGARET DOUVILLE, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 770

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 770—An act to increase production by providing for exemptions from various requirements relating to employment and working conditions of female employees essential to the war effort, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 770?

Amendment No. 1

On page 3, line 37, of the printed bill, after the first "at" insert "or for".

Amendment No. 2

On page 3 of the printed bill, strike out lines 50, 51, and 52; and lines 1, 2, 3, and 4, on page 4; and insert "as herein provided. Such State department shall within 15 days after filing of the employer's application recommend the issuance or denial of such a permit. If it recommends the issuance of such a permit, it shall incorporate the terms and conditions upon which it is recommended that the permit be issued. After receipt of the recommendation from the State department concerned, the Governor, within five days after he receives such recommendation from the State department, at his discretion shall either issue or deny the permit requested. If the permit is denied it shall thereafter be illegal to employ females in excess of the existing statutory limits. If a permit is issued, the Governor shall include the terms and conditions within the permit."

Amendment No. 3

On page 4 of the printed bill, strike out lines 11 and 12, and insert "or modify any permit. Upon proof".

Amendment No. 4

On page 4, line 14, of the printed bill, after "violated", strike out "wilfully such department", and insert "the department which recommended the issuance of said permit".

Amendment No. 5

On page 4, line 23, of the printed bill, after "pay", insert "or working conditions".

Amendment No. 6

On page 4, line 24, of the printed bill, strike out "by the Industrial Welfare Commission", and insert "pursuant to law by any State department".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 770 by the following vote:

AYES—Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Hoysner, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64

NOES—Bashore and O'Day—2

Bill ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, JANUARY 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

Senate Bill No. 80

Senate Bill No. 147

Senate Concurrent Resolution No. 17

J. A. BEEK, Secretary of the Senate

SENATE CHAMBER, SACRAMENTO, January 30, 1943

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

Assembly Bill No 319
 Assembly Bill No 320
 Assembly Bill No. 341
 Assembly Bill No 368

Assembly Bill No 504
 Assembly Bill No 895
 Assembly Bill No. 321
 Assembly Bill No 322

J. A. BEEK, Secretary of the Senate
 By MARGARET DOUVILLE, Assistant Secretary

Above bills ordered enrolled.

RECESS

At 6.55 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 9 p.m.

REASSEMBLED

At 9 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 30, 1943

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

Senate Bill No. 411
 Senate Bill No. 419
 Senate Bill No. 473

J. A. BEEK, Secretary of the Senate
 By MARGARET DOUVILLE, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 411—An act to amend Section 19626 5 of the Business and Professions Code, relating to the disposition of moneys in the Fair and Exposition Fund, making an appropriation, to take effect immediately.

Request for Unanimous Consent

Mr. Leonard asked for, and was granted, unanimous consent to take up Senate Bill No. 411, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NO. 411

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Leonard:

Resolved, That Senate Bill No. 411 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Anderson, Bashore, Beck, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Masson, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, and Weybret—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 411:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 27, 1943

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

SENATE BILL NO. 411

"An act to amend Section 19626.5 of the Business and Professions Code, relating to the disposition of moneys in the Fair and Exposition Fund, making an appropriation, to take effect immediately."

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 411 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor of California

Senate Bill No. 411—An act to amend Section 19626.5 of the Business and Professions Code, relating to the disposition of moneys in the Fair and Exposition Fund, making an appropriation, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, and Weybret—56.

NOES—None.

Senate Bill No. 411—An act to amend Section 19626.5 of the Business and Professions Code, relating to the disposition of moneys in the Fair and Exposition Fund, making an appropriation, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Howser, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, and Weybret—56.

NOES—None.

Bill ordered transmitted to the Senate.

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 473—An act to amend Section 3519 of the Political Code, relative to the issuance of patents by the State.

Request for Unanimous Consent

Mr. Call asked for, and was granted, unanimous consent to take up Senate Bill No. 473, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NO. 473

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Call:

Resolved, That Senate Bill No. 473 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house, is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Howser, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Massion, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, and Weybret—54.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 473—An act to amend Section 3519 of the Political Code, relative to the issuance of patents by the State.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, and Weybret—62.

NOES—None.

Senate Bill No. 473—An act to amend Section 3519 of the Political Code, relative to the issuance of patents by the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney,

Massion, McCollister, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargeant, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, and Weybret—62.
 NOES—None.

Bill ordered transmitted to the Senate.

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 419—An act to authorize the Department of Finance to sell and dispose of certain parcels of real estate, belonging to the State of California, and described herein, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 587—An act to make an appropriation for construction, improvements and equipment of the California Maritime Academy, declaring the urgency of this act, to take effect immediately;
 And reports that the same has been correctly enrolled, and presented to the Governor on the thirtieth day of January, 1943, at 6 p.m.

PELLETIER, Chairman

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred

Senate Concurrent Resolution No. 21
 Has had the same under consideration, and reports the same back with the recommendation Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 30, 1943

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

Assembly Bill No. 354
 Assembly Bill No. 572
 Assembly Bill No. 1009

J. A. BEEK, Secretary of the Senate
 By MARGARET DOUVILLE, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 30, 1943

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

Assembly Concurrent Resolution No. 26
 Assembly Concurrent Resolution No. 27
 Assembly Joint Resolution No. 27

J. A. BEEK, Secretary of the Senate
 By MARGARET DOUVILLE, Assistant Secretary

Above resolutions ordered enrolled.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 21

Senate Concurrent Resolution No. 21—Amending and Supplementing Joint Rule 36 and Senate Concurrent Resolution No. 4, relative to the Legislative Budget Committee.

Resolution read.

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

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Howser, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Weybret—56.

NAYS—None.

Resolution ordered transmitted to the Senate.

Hon. Harrison W. Call Presiding

At 9.40 p. m., Hon. Harrison W. Call, Member of the Assembly from the Twenty-seventh District, presiding.

REPORTS OF STANDING COMMITTEES**Committee on Rules and House Functions**

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER. Your Committee on Rules and House Functions, to which was referred:

Assembly Bill No. 490

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

SAM L. COLLINS, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No. 10

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By MARGARET DOUVILLE, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 10—An act to add Chapter 8.5 (comprising Sections 10615 to 10622 inclusive) to Division 9 of the Health and Safety Code, relating to the registration of previously unregistered births, marriages and deaths, declaring the urgency hereof, to take effect immediately.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 10?

Amendment No. 1

On page 2, line 6, of the printed bill, as amended, after "application", insert "and the affidavits mentioned in Section 10615"

Amendment No. 2

On page 2, line 10, of the printed bill, as amended, after "birth", insert "The application shall be filed in duplicate. The State Registrar shall immediately mail the duplicate application to the district attorney of the county in which the birth is alleged to have occurred."

Amendment No. 3

On page 2 of the printed bill, as amended, between lines 37 and 38, insert "Affidavits filed in accordance with provisions (a), (b) and (c) shall be accompanied by at least one piece of documentary evidence showing place and date of birth as outlined in provision (d) of this section, provided, however, that if a child has not yet reached its fifth birthday, the affidavit by the attendant or one parent is sufficient."

Amendment No. 4

On page 3 of the printed bill, as amended, strike out lines 9 to 17, inclusive.

Amendment No. 5

On page 3, lines 20 and 21, of the printed bill, as amended, strike out "the application, if no objection has been made by the district attorney," and insert "acknowledgment of receipt of the duplicate application by the district attorney,"

Amendment No. 6

On page 3, line 37, of the printed bill, as amended, strike out ", local registrar or county recorder", and insert "or local registrar"

Amendment No. 7

On page 3 line 40, of the printed bill, as amended, strike out "or county recorder".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 10 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Dobs, Denny, Desmond, Dickey, Dills, Clayton A. Dilworth, Doyle, Dunn, Ewin, Evans, Field, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lyons, Massion, McColister, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weybriet, and Mr. Speaker—56
 NAYS—None.

Bill ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)**SECOND READING OF ASSEMBLY BILLS**

Assembly Bill No. 490—An act to provide for the compilation, publication, and distribution by the Secretary of State of a roster of public officials of California and to make an appropriation therefor.

Bill read second time, and ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 30, 1943

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

Assembly Joint Resolution No. 23

Assembly Joint Resolution No. 26

Assembly Concurrent Resolution No. 29

J. A. BEEK, Secretary of the Senate

By MARGARET DOUVILLE, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 23

J. A. BEEK, Secretary of the Senate
By MARGARET DOUVILLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 30, 1943

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

Assembly Bill No. 577
Assembly Bill No. 367

J. A. BEEK, Secretary of the Senate
By MARGARET DOUVILLE, Assistant Secretary

Above bills ordered enrolled.

APPOINTMENT OF INTERIM COMMITTEE ON INSURANCE

Pursuant to the provisions of House Resolution No. 93, the Speaker announced the appointment of Messrs. Knight, John B., Miller, Mid-dough, Maloney, and Crichton, as such interim Committee on Insurance.

Hon. Frank J. Waters Presiding

At 10 p.m., Hon. Frank J. Waters, member of the Assembly from the Fifty-eighth District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 490

And reports the same correctly engrossed.

PELLETIER, Chairman

On motion of Mr. Burns, the above bill was ordered re-referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 755

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By MARGARET DOUVILLE, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 755—An act to add Sections 8 2 and 13.1 to The Personal Income Tax Act and Sections 17356 and 18434 to the Revenue and Taxation Code, relating to the personal income tax, deductions

therefrom and returns made therefor, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 755?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, after "thereof," insert "or".

Amendment No. 2

On page 1, line 13, of the printed bill, as amended, after "Marine", insert a comma.

Amendment No. 3

On page 2, line 9, of the printed bill, as amended, strike out "the Merchant Marine", and insert "or the Merchant Marine".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 755 by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Erwin, Field, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered enrolled.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

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

Assembly Bill No. 1654: By Messrs. Rosenthal, Kellems, Doyle, McMillan, Burkhalter, and Robertson—An act to amend Sections 4, 5 and 11 of the California Air Navigation Act, relating to aircraft.

Referred to Committee on Military Affairs.

Assembly Bill No. 1655: By Messrs. Rosenthal and Dills, Clayton A.—An act to add Section 10202 to the Health and Safety Code, relating to birth certificates.

Referred to Committee on Social Welfare

Assembly Bill No. 1656: By Mr. Thomas—An act to amend Section 860 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1657: By Mr. McMillan—An act to add Section 90 to the Code of Civil Procedure, relating to night courts in cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 1658: By Mr. Dickey—An act to add Sections 3208.6 and 3608 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1659: By Mr. Massion—An act to amend Section 21224 of the Business and Professions Code, relating to licensing of sellers of prophylactics.

Referred to Committee on Public Health.

Assembly Bill No. 1660: By Mr. Wollenberg—An act to add Section 6.5 to the Corporation Income Tax Act of 1937, relating to gross income and the intention of the Legislature

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1661: By Mr. Sheridan—An act to add Section 885 to Article 11 of Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to appeals.

Referred to Committee on Judiciary.

Assembly Bill No. 1662: By Mr. Leonard—An act to amend Sections 4041.13 and 4048 of the Political Code, relating to bids and prices on supplies, printing and advertising.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1663: By Mr. Howser—An act to amend Section 685 of the Code of Civil Procedure, relating to judgments.

Referred to Committee on Judiciary.

Assembly Bill No. 1664: By Messrs. Desmond and Thorp—An act to regulate the operation of dams in the State.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1665: By Mr. Maloney—An act to add Section 6363 to the Revenue and Taxation Code, relating to exemptions from the sales tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1666: By Messrs. Debs and Johnson—An act to add Section 4.926 of the School Code and to add Section 7306 to the Education Code, relating to the average daily attendance of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1667: By Mr. Allen—An act relating to the relief of obligors under contracts with public utilities providing for deposits for the purpose of obtaining extensions of transmission lines and other facilities, declaring the adjustments thereof, and providing that this act shall take effect immediately.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 1668: By Mr. Carlson—An act to amend Section 1524 of the Penal Code, relating to search warrants.

Referred to Committee on Judiciary.

Assembly Bill No. 1669: By Mr. Carlson—An act to amend Section 38 of the Penal Code, relating to offenses against the sovereignty of the State.

Referred to Committee on Judiciary.

Assembly Bill No. 1670: By Mr. Carlson—An act to add Section 853 to Chapter 5a of Title 3 of Part 2 of the Penal Code, relating to fresh pursuit.

Referred to Committee on Judiciary

Assembly Bill No. 1671: By Mr. Carlson—An act to amend Section 697 of the Penal Code, relating to the intervention of officers of justice.

Referred to Committee on Judiciary.

Assembly Bill No. 1672: By Messrs Field, Maloney, Call, Beck, Johnson, Lyon, Rosenthal, Desmond, Stream, Werdel, Hollibaugh, Mid-dough, Allen, Anderson, Carey, Waters, and Sargent—An act to provide aid to counties, cities and counties, cities and districts for civilian defense purposes; to establish a board to administer such aid; to pre-scribe the duties and powers of such board; to make an appropriation for such purposes; and to declare the urgency thereof, to take effect immediately.

Referred to Committee on Military Affairs

Assembly Bill No. 1673: By Mr. Evans—An act to amend Section 1487 of the Penal Code, relating to writ of habeas corpus.

Referred to Committee on Judiciary

Assembly Bill No. 1674: By Mr. Evans—An act to repeal an act entitled "An act declaring all buildings and places nuisances, wherein or upon which any spirituous, vinous, malt or other alcoholic liquor is unlawfully sold, served or given away, or which are used for the purpose of unlawfully selling, serving or giving away such liquors, and providing for the abatement of such nuisances," approved April 28, 1915, relating to abatement of nuisances in the unlawful sale, gift or serving of intoxicating liquors.

Referred to Committee on Public Morals.

Assembly Bill No. 1675: By Mr. Burkhalter—An act to add Section 511 to the Streets and Highways Code, to include an additional route or portion of a route in the State Highway System.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1676: By Messrs. Burkhalter and Beck—An act making an appropriation for the cost of repair and restoration of property damaged or destroyed by storms and floods and for the cost of prevention of further damage and destruction; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1677: By Mrs. Niehouse, and Messrs Kraft, Stream, Kilpatrick, Dilworth, Debs, Allen, and Erwin—An act to amend Section 1622 of the Welfare and Institutions Code, relating to inspection services licensing agencies for child care and home finding, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Bill No. 1678: By Mrs Niehouse, and Messrs. Kraft, Stream, Kilpatrick, Dilworth, Debs, Allen, and Erwin—An act to amend Section 2302 of the Welfare and Institutions Code, relating to the inspection services licensing agencies for the care of the aged, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Bill No. 1679: By Mr. Call—An act to add Sections 380.3 and 1000.1 to the Political Code, relating to specific term appointments made by the Governor, and requiring the confirmation thereof by the Senate.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1680: By Mr. Call—An act to add Section 48.5 to the Fish and Game Code, relating to the burning over of brush covered land.

Referred to Committee on Fish and Game.

Assembly Bill No. 1681: By Mr. Call—An act to add Sections 35.1, 35.2, 35.3 and 35.4 to the Fish and Game Code, relating to the powers of the commission to authorize the holding of field trials on game birds or game animals and to issue permits therefor.

Referred to Committee on Fish and Game.

Assembly Bill No. 1682: By Mr. Call—An act to amend Section 1287 of the Fish and Game Code, relating to the training of hunting dogs on native game animals.

Referred to Committee on Fish and Game.

Assembly Bill No. 1683: By Mr. Call—An act to add Section 1171.1 to the Fish and Game Code, relating to the training of hunting dogs on native game birds.

Referred to Committee on Fish and Game.

Assembly Bill No. 1684: By Mr. Call—An act to amend Sections 717.5 and 868. of the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 1685: By Mr. Call—An act to amend Section 841 of the Fish and Game Code, relating to nets and lines.

Referred to Committee on Fish and Game.

Assembly Bill No. 1686: By Mr. Call—An act to add Section 747 to the Fish and Game Code, relating to flatfish.

Referred to Committee on Fish and Game.

Assembly Bill No. 1687: By Mr. Call—An act to amend Sections 956 and 957 of the Fish and Game Code, relating to drag nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1688: By Mr. Call—An act to amend Sections 611.6, 612, and 617 of the Fish and Game Code, relating to bag limits.

Referred to Committee on Fish and Game.

Assembly Bill No. 1689: By Mr. Call—An act to amend Sections 794, 795, 796, 799, 800, 801 and 802, and to add Section 799.1 to the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

Assembly Bill No. 1690: By Mr. Call—An act to amend Sections 657, 658 and 660 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1691: By Mr. Call—An act to abolish certain positions in the State Government.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1692: By Mr. Call—An act to amend Sections 50, 51, 54, and 55 of the Fish and Game Code, relating to game management areas.

Referred to Committee on Fish and Game.

Assembly Bill No. 1693: By Mr. Call—An act to amend Section 23 of the Fish and Game Code, relating to the duty of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Assembly Bill No. 1694: By Mr. Call—An act to amend Section 461 of the Fish and Game Code, relating to prizes and other inducements as a reward for taking fish and game.

Referred to Committee on Fish and Game.

Assembly Bill No. 1695: By Mr. Call—An act to add Section 255 to the Fish and Game Code, relating to game refuges.

Referred to Committee on Fish and Game.

Assembly Bill No. 1696: By Mr. Call—An act to amend Section 626 and to repeal Section 627 of the Fish and Game Code, relating to sale of trout.

Referred to Committee on Fish and Game.

Assembly Bill No. 1697: By Mr. Call—An act to add Section 995.3 to the Fish and Game Code, relating to fish traps.

Referred to Committee on Fish and Game.

Assembly Bill No. 1698: By Mr. Dunn—An act to amend Sections 5901, 5911, 5930, 5931, and 5939 of the Elections Code, relating to absentee voting by a member of the armed forces of the United States or any auxiliary branch thereof.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1699: By Mr. Dunn—An act to amend Section 152.5 of the State Civil Service Act, relating to leaves of absence to employees who enter war industries

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1700: By Mr. Dunn—An act to provide for leaves of absence for civil service employees of any city, county, city and county or other political subdivision who enters war industries or other civilian war work.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1701: By Mr. Smith—An act to amend Section 4 of the "Municipal Water District Act of 1911," relating to elections therein.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1702: By Mr. Sawallisch—An act to add Section 106.5 to the Vehicle Code, relating to personnel of the Department of Motor Vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1703: By Mr. Sawallisch—An act to amend Section 668 of the Fish and Game Code, relating to salmon, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

Assembly Bill No. 1704: By Mr. Waters—An act to amend Section 12251 of the Revenue and Taxation Code, relating to insurance taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1705: By Messrs. Sawallisch, McCollister, Maloney, Call, and Wollenberg—An act to amend Section 105 of the Vehicle Code, relating to the office of director.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1706: By Mr. Sheridan—An act to amend Section 7 of the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1707: By Mr. Sheridan—An act to repeal Sections 736 and 737 of the Insurance Code, relating to expense of examining insurers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1708: By Mr. Thomas—An act to amend Section 736 of the Fish and Game Code, relating to tuna.

Referred to Committee on Fish and Game.

Assembly Bill No. 1709: By Mr. Thomas—An act to amend Section 9653 of the Revenue and Taxation Code, relating to exemptions from the transportation license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1710: By Mr. Lyon—An act to amend Section 1203 6 of the Fish and Game Code, relating to pheasants.

Referred to Committee on Fish and Game.

Assembly Bill No. 1711: By Mr. Kellems—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments or reassessments for the payment of such refunding bonds, to enforce the liens of such assessments or reassessments, to provide for proceedings to test the validity of such refunding and reassessment, to provide for contributions of public funds to assist in such refunding, and to provide for the use of Federal Bankruptcy Courts therein, and to provide for the exercise of the police power and the power of eminent domain for the acquisition and cancellation of obligations of districts held by persons not consenting to the refunding proceedings and for the acquisition of any security of such obligations consisting of real property situated in the State of California or any rights therein.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1712: By Mr. Kellems—An act to amend Sections 752, 757, 763 and 771 of the Code of Civil Procedure, relating to partition of real and personal property.

Referred to Committee on Judiciary.

Assembly Bill No. 1713: By Mr. Kellems—An act providing that a municipal airport owned by one municipality, but lying partly in another political subdivision shall not be taxed by the other political subdivision.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1714: By Mr. Kellems—An act to amend Section 8 of The Personal Income Tax Act and Section 17305 of the Revenue and Taxation Code, relating to deductions

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1715: By Mr. Kellems—An act to amend Section 7 of The Corporation Income Tax Act of 1937, relating to deductions from gross income.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1716: By Mr. John B. Knight—An act to amend Section 7 of the Unemployment Insurance Act, relating to excluded employments under said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1717: By Mr. Robertson—An act to provide facilities to discover children with impaired sense of hearing, and making an appropriation therefor.

Referred to Committee on Social Welfare

Assembly Bill No. 1718: By Mr. Stream—An act to amend Section 29 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition

or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897 as amended, relating to property of irrigation districts, and declaring the urgency thereof.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1719: By Messrs Kraft and Stream—An act to amend Section 9 of the Municipal Court Act of 1925, relating to compensation of officers.

Referred to Committee on Judiciary.

Assembly Bill No. 1720: By Mr Call—An act to amend Section 1151 of the Fish and Game Code, relating to the use of artificial lights in taking game birds, mammals or fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 1721: By Mr. Call—An act to amend Section 20 of the Fish and Game Code, relating to the powers of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Assembly Bill No. 1722: By Mr. Call—An act to amend Section 1385 of the Fish and Game Code, relating to sale of live birds for re-stocking or for use in licensed field trials.

Referred to Committee on Fish and Game.

Assembly Bill No. 1723: By Mr. Call—An act to amend Section 126 of the Vehicle Code, relating to the Department of Motor Vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1724: By Mr. Call—An act to amend Section 124 of the Vehicle Code.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1725: By Mr. Call—An act to amend Section 359b of the Political Code.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1726: By Mr. Call—An act to amend Section 128 of the Vehicle Code, relating to the powers and duties of director.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1727: By Mr. Call—An act to amend Sections 694 and 695 of the Fish and Game Code, relating to striped bass.

Referred to Committee on Fish and Game.

Assembly Bill No. 1728: By Messrs. Gaffney and Collins, George D.—An act creating the Salary Increase Fund, and making an appropriation to said fund and providing salary and wage increases for State employees and providing that this act shall take effect immediately

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1729: By Mr. Debs—An act to add Section 367f to the Penal Code, relating to physician examining person accused of intoxication.

Referred to Committee on Judiciary.

Assembly Bill No. 1730: By Mr. Kilpatrick—An act to amend Section 3304 of the Welfare and Institutions Code, relating to the Los Angeles Industrial Workshop for the Blind, making an appropriation and declaring the urgency thereof.

Referred to Committee on Social Welfare.

Assembly Bill No. 1731: By Messrs. Desmond, Call, Evans, and Wollenberg—An act making an appropriation to pay the claim of Neill M. Toohy against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1732: By Mr. Hawkins—An act to prohibit the inclusion of questions relative to race or religion in application blanks or forms.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1733: By Messrs. Hawkins and McMillan—An act making an appropriation for child care centers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1734: By Messrs. Brown, Werdel, Guthrie, Crichton, and Sheridan—An act to add to Chapter 1, Division 7 of the Military and Veterans Code Article 10.5, comprising Sections 1592 to 1595, relating to civilian defense.

Referred to Committee on Military Affairs.

Assembly Bill No. 1735: By Mr. Howser—An act to amend Section 22 of the Municipal Court Act of 1925, relating to salaries of officers.

Referred to Committee on Judiciary.

Assembly Bill No. 1736: By Mr. George D. Collins—An act to amend Sections 2604 and 2617 of the Elections Code, relating to the nomination of candidates.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1737: By Mr. Sam L. Collins—An act relating to leases of property used in marketing commodities which are subject to rationing by the laws, rules and regulations of the Federal Government, providing the procedure for adjustment of the terms of such leases, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1738: By Mr. Evans—An act to amend Section 330 of the Penal Code, relating to gaming.

Referred to Committee on Public Morals.

Assembly Bill No. 1739: By Mr. Denny—An act to add Chapter 7 to Division 4 of the Water Code, relating to pumping water from wells for sale or use on other property.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1740: By Mr. Watson—An act relating to and providing for the levy and collection of a tax upon sales of tangible personal property and making provision for the administration thereof and prescribing penalties for violations of its provisions.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1741: By Mr. O'Day—An act to amend Section 273 of the Code of Civil Procedure, relating to court reporters.

Referred to Committee on Judiciary.

Assembly Bill No. 1742: By Messrs. Kraft, Massion, Middough, Howser, Denny, and Lowrey—An act to add Section 16903.5 to the Business and Professions Code, relating to unfair competition and fair trade.

Referred to Committee on Judiciary.

Assembly Bill No. 1743: By Mr. Lowrey—An act to add Section 201.5 to the Revenue and Taxation Code, relating to real property taxes and possessory interests.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1744: By Mr. Kilpatrick—An act to provide for the preparation, printing, and distribution of the National anthems and patriotic songs of the Allied Nations and of the United States, and making an appropriation therefor.

Referred to Committee on Education.

Assembly Bill No. 1745: By Mr. Bashore—An act to add Sections 2151.1 and 2151.2 to the Revenue and Taxation Code, relating to the determination of rates of real property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1746: By Messrs. Lowrey, Denny, McCollister, Heisinger, Guthrie, Clarke, and Thorp—An act to add Sections 3660.1, 3660.2, 3660.3, 3660.4, and 3660.5 to the Revenue and Taxation Code, relating to the apportionment of revenues received by the State from tax-deeded lands to the taxing agency having a lien on or other interest in said land, prescribing the duties of the State Controller in connection therewith, and establishing a system and procedure in relation to tax-deeded lands.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1747: By Messrs. Gaffney, O'Day, Berry, Brady, Collins, George D., and Haggerty—An act to add Section 44.2 to the Vehicle Code, relating to authorized emergency vehicles, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1748: By Mr. Waters—An act to amend Section 6833 of the Public Resources Code, relating to unit drilling plans.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1749: By Messrs. Bennett and Kilpatrick—An act defining the duties and liabilities of emergency defense workers.

Referred to Committee on Military Affairs.

Assembly Bill No. 1750: By Messrs. Bennett and Kilpatrick—An act making an appropriation to defray the expense of supplies and equipment for volunteer civilian defense workers.

Referred to Committee on Military Affairs.

Assembly Bill No. 1751: By Mr. Desmond—An act to amend Section 160 of, and to add Sections 555 and 154 to, the County Employees Retirement Act of 1937, relating to retirement.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1752: By Mr. Miller—An act to amend Sections 8507 and 8513 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Public Health.

Assembly Bill No. 1753: By Mr. Dilworth—An act to amend Section 4243 of the Political Code, relating to compensation for public services in counties of the fourteenth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1754: By Mr. Dilworth—An act to repeal Article 6 of Chapter 2, Title 1, Part 3, of the Political Code, and to add a new Article 6, Chapter 2, Title 1, Part 2, comprising Sections 270 to 275, inclusive, relating to persons promoting or opposing legislative measures.

Referred to Committee on Rules and House Functions.

Assembly Bill No. 1755: By Mr. Dilworth—An act relating to State officers and the appointment thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1756: By Messrs. Desmond and Allen—An act making an appropriation to pay the claim of Peter Hansen against the State of California.

Referred to Committee on Ways and Means.

Assembly Concurrent Resolution No. 34: By Messrs. Desmond and Burns—Relative to the security of the aged and the blind.

Referred to Committee on Rules and House Functions.

Assembly Bill No. 1757: By Mr. O'Day—An act making an appropriation to the California Code Commission for the codification of the Unemployment Insurance Act.

Referred to Committee on Judiciary.

Assembly Bill No. 1758: By Mr. Smith—An act to amend Probate Code Section 1081, concerning the hearing and determination of petitions to determine heirship by adding thereto provisions concerning payment of fees and expenses, order of proof, and effect of decisions therein.

Referred to Committee on Judiciary

Assembly Bill No. 1759: By Mr. Sawallisch—An act to amend Section 1 of the Judges' Retirement Act, and to amend Sections 2, 4 and 4.5 of the Judges' Retirement Fund Act, relating to retirement of judges.

Referred to Committee on Judiciary.

Assembly Bill No. 1760: By Mr. Maloney—An act to add Section 19538.5 to the Business and Professions Code, relating to horse racing, providing for the allocation of racing days, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Morals.

Assembly Bill No. 1761: By Mr. Howser—An act to add Section 36c to the Alcoholic Beverage Control Act, relating to the destruction and use of emptied distilled spirits bottles.

Referred to Committee on Public Morals.

Assembly Bill No. 1762: By Mr. McCollister—An act authorizing the investment of surplus funds of any bridge and highway district, incorporated under the act of May 25, 1923, of the State of California, in bonds and other obligations for the payment of which the faith and credit of the United States of America are pledged and legalizing all such investments heretofore made, and authorizing such bridge and highway districts to use such surplus funds for the refunding or partial refunding of any existing bonded indebtedness of bridge and highway districts.

Referred to Committee on Roads and Highways.

Assembly Joint Resolution No. 29: By Messrs. Dilworth and Clarke—Relative to memorializing the President and Congress to amend the Fourteenth Amendment of the Constitution of the United States so as to provide that native born first-generation descendants of alien Japanese parents shall not become citizens of the United States automatically by reason of their birth.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 27: By Mr. Carlson—Proposed amendment to Article IV of the Constitution, amending Section 2 thereof, relative to the introduction of bills by members of the Legislature.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 28: By Messrs. Kilpatrick and Rosenthal—Proposed amendment adding Article XVIa to the Constitution, relative to pensions

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 29: By Mr. Kilpatrick—Proposed amendment to Article XIII, Section 10½, of the Constitution, and adding Section 1e to Article XIII of the Constitution, relating to exemption of property from taxation.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 30: By Mr. Kilpatrick—Proposed amendment to the Constitution, by adding Article XXVII, relating to a tax on chain farming.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 31: By Mr. Crowley—Proposed amendment adding Article XXV of the Constitution, relative to alcoholic beverage control.

Referred to Committee on Constitutional Amendments.

Speaker Presiding

At 10.45 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

APPOINTMENT OF INTERIM COMMITTEE ON GOVERNMENTAL EFFICIENCY AND ECONOMY

Pursuant to the provisions of House Resolution No. 81, the Speaker announced the appointment of Messrs. Field, Chairman; Bashore, Collins, Sam L. Crowley, Dickey, Doyle, Evans, Gannon, Guthrie, Leonard, Potter, Sawallisch, Waters, Sheridan, and Watson, as members of the Interim Committee on Governmental Efficiency and Economy.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Dean S. Leshner.

On request of Mr. Bashore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Ernest O. Voigt of Los Angeles, former Assemblyman.

On request of Messrs. Guthrie and John B. Knight, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Estelle Gordon Seale of Tulare.

On request of Mr. Kraft, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. August Muller of Long Island, New York.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Jack Miller of Chicago, Stanley G. Miller, U. S. Air Corps, and Miss Dolly Morgan of San Francisco.

On request of Mr. Sam L. Collins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Fred Desch of Sacramento.

On request of Mr. Debs, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Ted Craig, former Speaker of the Assembly, of Brea.

On request of Mr. Howser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mattie Ryan of Chicago.

ADJOURNMENT

At 10.48 p m , on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m , Sunday, January 31, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SECOND LEGISLATIVE DAY

TWENTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Sunday, January 31, 1943

The Assembly met at 10 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohmmus at the desk.**ROLL CALL**

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

Allen, Anderson, Armstrong, Bushore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Buens, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—76

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kireher:

Living and loving God, our Father, Thou hast in Thy wisdom created all things, to know Thee is life and to serve Thee is freedom. We turn to Thee as the one unfailing source of strength and comfort. May our hearts be filled with Thy love, our lips with helpful and comforting words, our hands with kind, unselfish deeds that we may ever be watchful for Thine appearing. We ask it in Thy precious Name.

AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Kellems, on motion of Mr. Doyle.

Mrs. Niehouse, on motion of Mr. Doyle.

Mr. T. Fenton Knight, on motion of Mr. John B. Knight.

EXPLANATION OF ABSENCE

Upon request of the Speaker, Mr. Ralph C. Dills was excused for the legislative day in performance of duties for the State.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1763: By Mr. Waters—An act to amend Section 459 of the Vehicle Code, relating to powers of local authorities

Referred to Committee on Municipal and County Government

Assembly Bill No. 1764: By Mr. Waters—An act to amend Sections 12621, 12622, 12623, 12976, 12977, 12978, 13101, 13102, 13103, 13104, 13105, 13106, 13107, 13108, 13109, 13110, 13111, 13112, and 13113 of the Revenue and Taxation Code, relating to insurance taxation.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1765: By Messrs. Collins, George D., O'Day, Gaffney, Rosenthal, and Thomas—An act to add a new article numbered 6a, consisting of Sections 446 to 451, both inclusive, to Chapter 3 of Title 1 of Part 3 of the Political Code, relating to the duties of the Auditor General, and providing for the auditing and management of the fiscal and business affairs of the State

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1766: By Messrs. Collins, George D., O'Day, Gaffney, Rosenthal, and Thomas—An act to repeal Article 6, consisting of Sections 433, 433.6, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 443 1, 444, 444 5, and 445 of Chapter 3 of Title 1 of Part 3 of the Political Code, and to add a new article numbered Article 6 to Chapter 3 of Title 1 of Part 3 of the Political Code, and to repeal Sections 658 and 679 of said code, relating to the Auditor General and the transfer of certain duties heretofore exercised by the State Controller and the Department of Finance to the Auditor General and providing for the auditing and management of the fiscal and business affairs of the State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1767: By Messrs. Collins, George D., O'Day, Gaffney, Rosenthal, and Thomas—An act to add Article 2ff, comprising Sections 365.1 to 365 3, inclusive, to Chapter 3 of Title 1 of Part 3 of the Political Code, relating to a Department of Audit, and prescribing its powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1768: By Messrs. Collins, George D., O'Day, Gaffney, Rosenthal, and Thomas—An act to add two new articles to Chapter 3 of Title 1 of Part 3 of the Political Code, one to be numbered Article 2 5, embracing Sections 360 to 360i, both inclusive, and creating a Department of Revenue, and one to be numbered Article 2 8, embracing Sections 360j to 360m, both inclusive, and creating a Board of Tax Appeals, all relating to State revenue and taxes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1769: By Messrs. Collins, George D., O'Day, Rosenthal, Gaffney, and Thomas—An act to enact a Fiscal Code, relating to State revenue, taxes, moneys and property, and the collection, acquisition, disposition, administration, supervision, management, control and use thereof, and budgeting, auditing, accounting and reporting with respect thereto.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1770: By Messrs. Collins, George D., O'Day, Rosenthal, and Thomas—An act to add a new article to Chapter 3 of Title 1 of Part 3 of the Political Code to be numbered 2c, embracing Sections 362 to 362L, both inclusive, relating to the Department of Alcoholic Beverage Control and the licensing, regulation and control of the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1771: By Mr. Leonard—An act to amend Section 87 of the Agricultural Code, relating to agricultural societies.

Referred to Committee on Agriculture.

Assembly Bill No. 1772: By Mr. Leonard—An act making an appropriation from the State Park Maintenance and Acquisition Fund to the State Park Commission to salvage and move cottages at Seacliff State Park, Santa Cruz County.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1773: By Mr. Burns—An act to provide for the acquisition and maintenance of a State Forest in Del Norte County and making an appropriation.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1774: By Messrs. Desmond, Hawkins, Bashore, Maloney, Crichton, Weber, Wollenberg, Dills, Clayton A., and Debs—An act to amend Sections 3, 4, 12, 15.1, 15.2, 15.3, 15.4, and 15.5 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, to amend and renumber Sections 8, 23, 24, 24.5, and 25 thereof to be Sections 24.4, 23.1, 24.1, 8, and 28 respectively, and to add Sections 2.1, 21.3, 21.6, 23.2, 23.3, 23.4, 23.5, 23.6, 23.7, 24.2, 24.3, 25.1, 25.2, 25.3, 25.4, 25.5, 25.6, 25.7, 25.8, 25.9, 26, 26.1, and 27 thereto, all relating to credit unions, specifying the powers and duties thereof, providing procedures for merger and for dissolution thereof, transferring the supervision thereof and the administration of the act from the Commissioner of Corporations to a new Credit Union Commission established hereby, providing for the appointment, establishment, powers and duties of said commission, and making an appropriation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1775: By Mr. Hawkins—An act relating to a Commission on Race Relations and making an appropriation for the purposes of this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1776: By Mr. Call—An act to add Section 2013 to the Welfare and Institutions Code, relating to the filing of statements by persons or organizations promoting old-age pensions.

Referred to Committee on Social Welfare.

Assembly Bill No. 1777: By Mr. Anderson—An act to add Section 5418.5 to the Health and Safety Code, relating to sewerage.

Referred to Committee on Public Health.

Assembly Bill No. 1778: By Mr. Howser—An act to add Section 6362 to the Revenue and Taxation Code, relating to exemption from the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1779: By Mr. Robertson—An act to add Division 2B, Chapter 1, comprising Sections 296 to 296.8, inclusive, to the Probate Code, providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law relating thereto.

Referred to Committee on Judiciary.

Assembly Bill No. 1780: By Mr. Robertson—An act to amend Section 1963 of the Code of Civil Procedure, relating to disputable presumptions.

Referred to Committee on Judiciary.

Assembly Bill No. 1781: By Mr. Robertson—An act to repeal Sections 1180, 1181, 1182, 1183, 1184, 1185, 1187, 1188, 1189, 1190, 1192, 1193 and 1194 of the Civil Code and to add Article 2.5, comprising Sections 1174 to 1179.5, inclusive, to Chapter 4, Title 4, Part 4, Division 2, of the Civil Code, relating to acknowledgments of written instruments and to make uniform the law with relation thereto.

Referred to Committee on Judiciary.

Assembly Bill No. 1782: By Mr. Robertson—An act to repeal Division 9, comprising Sections 10000 to 10679, inclusive, of the Health and Safety Code, to add Division 9, comprising Sections 9939 to 9978, inclusive, thereto, and to repeal Sections 73 and 74 of the Civil Code, all relating to vital statistics and to make uniform the law with reference thereto.

Referred to Committee on Judiciary.

Assembly Bill No. 1783: By Mr. Robertson—An act to amend Sections 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1668, and 1669 of the Probate Code, to repeal Sections 1664 and 1665 thereof, and to add Sections 1650.5, 1651.5, 1661.5, 1662.5, and 1665 thereto, relating to the guardianship of incompetent veterans and other incompetent and minor beneficiaries of the Veterans Administration, providing for commitment to the Veterans

Administration or other agency of the United States of persons eligible for care or treatment, and to make uniform the law with reference thereto

Referred to Committee on Judiciary.

Assembly Bill No. 1784: By Mr. Robertson—An act to amend Section 2 of an act entitled "An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses," approved May 14, 1927, relating to the Commission on Uniform State Laws.

Referred to Committee on Judiciary.

Assembly Bill No. 1785: By Mr. Robertson—An act relating to district courts of appeal, creating an additional district court of appeal known as the District Court of Appeal for the Fifth Appellate District, redividing the State into appellate districts, providing for the maintenance and operation of said court, making an appropriation therefor, and amending Section 758b of the Political Code relative to the District Court of Appeal for the Second Appellate District.

Referred to Committee on Judiciary.

Assembly Bill No. 1786: By Mr. Doyle—An act to add Sections 2035 and 26015 to the Welfare and Institutions Code, relating to county assistance to indigent persons.

Referred to Committee on Social Welfare

Assembly Bill No. 1787: By Mr. Kraft—An act amending Section 4135 of the Business and Professions Code, relating to licentiates in pharmacy.

Referred to Committee on Public Health.

Assembly Bill No. 1788: By Mr. Kraft—An act to add Section 6365 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1789: By Mr. Kraft—An act to amend Section 4233 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fourth class

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1790: By Mr. Kraft—An act to amend Sections 6007, 6009, 6051, and 6201 of the Revenue and Taxation Code, relating to the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1791: By Mr. Sam L. Collins—An act to amend Section 54 of the Alcoholic Beverage Control Act, relating to licenses

Referred to Committee on Public Morals

Assembly Bill No. 1792: By Mr. Burkhalter—An act relating to the relief of gold mining operators permitting postponement of sales under certain chattel mortgage, mortgages, deeds of trust, or contracts of purchase on gold mines and gold mining machinery and equipment, or

postponement of forfeitures and terminations under gold mining contracts, regulating appointment of receivers in certain cases; extending the time in which purchase price may be paid, declaring the urgency hereof, and providing that it shall take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 1793: By Mr. Burkhalter—An act prescribing the terms upon which licenses may be issued to astrologers, creating a State Board of Astrological Examiners and declaring its powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1794: By Messrs. Lowrey and King—An act to add Section 724.5 to the Fish and Game Code, relating to catfish.

Referred to Committee on Fish and Game.

Assembly Bill No. 1795: By Mr. Sargent—An act to add Section 16 $\frac{3}{4}$ to the Los Angeles County Flood Control Act, relating to district liability.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1796: By Mr. Watson—An act to amend Sections 1, 2 and 3 of, and add Section 7 5 to, an act entitled "An act to create the office of public defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the office of the public defender.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1797: By Mr. Heisinger—An act to amend Section 1293 of the Fish and Game Code, relating to crop destruction.

Referred to Committee on Fish and Game.

Assembly Bill No. 1798: By Messrs. Stream and Heisinger—An act to increase production and further the war effort by providing for the temporary suspension or modification of any provisions of law in this State which interfere or tend to interfere with such production and retard or tend to retard the war effort.

Referred to Committee on Agriculture.

Assembly Bill No. 1799: By Mr. Lowrey—An act to add Section 1290.5 to the Fish and Game Code, relating to deer skins.

Referred to Committee on Fish and Game.

Assembly Bill No. 1800: By Mr. Thurman—An act to provide for the establishment of a Forest Products Laboratory and Pilot Plant in the University of California, and to make an appropriation therefor.

Referred to Committee on Universities and Colleges.

Assembly Bill No. 1801: By Mr. O'Day—An act to amend Section 107 of the Penal Code, relating to escape

Referred to Committee on Crime and Correction.

Assembly Bill No. 1802: By Mr. O'Day—An act to repeal Section 45.9 of the Unemployment Insurance Act, relating to judgments and liens thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1803: By Mr. O'Day—An act to amend Sections 132, 5901 and 5931 of the Elections Code, relating to absentee registration and voting of members of the armed forces of the United States, or any auxiliary branch thereof.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1804: By Mr. O'Day—An act to amend Sections 293 and 296 of the Elections Code, relating to the cancellation of registration.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1805: By Mr. O'Day—An act to exempt warehouses and warehousemen from all regulations as public utilities

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 1806: By Mr. Field—An act to amend Section 4312 of the Political Code, relating to the location and office hours of county officers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1807: By Mr. Allen—An act to add Chapter 4, comprising Sections 570 to 574, inclusive, to Part 2 of Division 2 of the Military and Veterans Code, relating to the California Military Cadet Corps, and making an appropriation.

Referred to Committee on Military Affairs.

Assembly Bill No. 1808: By Mr. Desmond—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 1809: By Mr. Desmond—An act to amend Section 2020 of the Welfare and Institutions Code, relating to the amount of aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 1810: By Mr. Desmond—An act to amend Section 736.15 of the Agricultural Code, relating to local control boards for marketing areas for fluid milk and cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1811: By Mr. Desmond—An act making an appropriation for the remodeling and improvement of the State Capitol.

Referred to Committee on Ways and Means.

Assembly Bill No. 1812: By Mr. George D. Collins—An act to add Section 2353.2 to the Labor Code, relating to sanitary conditions in factories and places of employment.

Referred to Committee on Public Health.

Assembly Bill No. 1813: By Mr. George D. Collins—An act to amend Section 2352 of the Labor Code, relating to sanitary conditions in places of employment.

Referred to Committee on Public Health.

Assembly Bill No. 1814: By Mr. John B. Knight—An act to add Section 1186.5 to the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary.

Assembly Bill No. 1815: By Mr. George D. Collins—An act to add Section 2350.1 to the Labor Code, relating to sanitary conditions in factories and other places of employment.

Referred to Committee on Public Health.

Assembly Bill No. 1816: By Mr. George D. Collins—An act to amend Section 2353 of the Labor Code, relating to sanitary conditions in factories and other places of employment.

Referred to Committee on Public Health.

Assembly Bill No. 1817: By Mr. George D. Collins—An act to add Section 2353.4 to the Labor Code, relating to sanitary conditions in places of employment.

Referred to Committee on Public Health.

Assembly Bill No. 1818: By Mr. George D. Collins—An act to amend Section 2350 of the Labor Code, relating to sanitary conditions in factories and other places of employment.

Referred to Committee on Public Health.

Assembly Bill No. 1819: By Mr. George D. Collins—An act to amend Section 2351 of the Labor Code, relating to sanitary conditions in factories and other places of employment.

Referred to Committee on Public Health.

Assembly Bill No. 1820: By Mr. George D. Collins—An act to amend Section 1510 of the Military and Veterans Code, relating to the California State War Council.

Referred to Committee on Military Affairs.

Assembly Bill No. 1821: By Messrs. Collins, George D., O'Day, and Dunn—An act to add Sections 542.2 and 542.3 to the Political Code, relating to charges for State printing and providing for furnishing public documents to libraries and schools without charge, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1822: By Mr. George D. Collins—An act to add Section 2353.3 to the Labor Code, relating to sanitary conditions in factories and other places of employment.

Referred to Committee on Public Health.

Assembly Bill No. 1823: By Mr. Thurman—An act to amend Section 4074 of the Political Code, relating to the presentation of claims.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1824: By Mr. Lyon—An act to amend Sections 26825 and 26826 of the Health and Safety Code, relating to foods and drugs.

Referred to Committee on Public Health.

Assembly Bill No. 1825: By Mr. Lyon—An act to add Section 2.5 to the Inheritance Tax Act of 1935, relating to inheritance taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1826: By Mr. O'Day—An act to amend Section 259 of the Probate Code, relating to the right of aliens to take property by succession or testamentary disposition.

Referred to Committee on Judiciary.

Assembly Bill No. 1827: By Mr. O'Day—An act to amend Section 1200 of the Probate Code, relating to notices in probate proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 1828: By Mr. Sheridan—An act to amend Section 996 of the Political Code, relating to vacancies in office.

Referred to Committee on Judiciary.

Assembly Bill No. 1829: By Mr. Sheridan—An act to amend Section 422 of the Probate Code, relating to the administration of estates.

Referred to Committee on Judiciary.

Assembly Bill No. 1830: By Messrs. Dills, Clayton A., and Gannon—An act to amend Sections 1, 3, and 5 of an act entitled "An act providing for the protection of unborn children and the public health by requiring examinations of pregnant or recently delivered women for syphilis," approved May 9, 1939, relating to the public health.

Referred to Committee on Public Health.

Assembly Bill No. 1831: By Mr. Clayton A. Dills—An act to amend Section 4601 of the Labor Code, relating to the medical or chiropractic treatment of injured employees.

Referred to Committee on Public Health.

Assembly Bill No. 1832: By Mr. Clayton A. Dills—An act to add Chapter 5.7 to Division 2 of the Business and Professions Code, consisting of Sections 2501 to 2512, inclusive, relating to graduate physicians.

Referred to Committee on Public Health.

Assembly Bill No. 1833: By Mr. Clayton A. Dills—An act to add Section 2790 to the Business and Professions Code, relating to training graduate nurses.

Referred to Committee on Public Health.

Assembly Bill No. 1834: By Mr. Hawkins—An act to add Section 831 to the State Civil Service Act, relating to oral examinations.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1835: By Mr. Hawkins—An act to amend Section 112 of the State Civil Service Act, relating to certifications.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1836: By Mr. Stream—An act to amend Section 2222 of the Welfare and Institutions Code, relating to old age assistance.

Referred to Committee on Social Welfare.

Assembly Bill No. 1837: By Mr. Hawkins—An act to amend Sections 3070 and 3078 of the Labor Code, relating to an Apprenticeship Council.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1838: By Mr. Stream—An act to repeal Section 408 of the Revenue and Taxation Code, relating to public documents.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1839: By Mr. Hawkins—An act to amend Section 1720 of the Labor Code, relating to public works.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 1840: By Mr. Hawkins—An act to amend Section 83 of the Labor Code, relating to labor statistics.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1841: By Messrs. Dills, Clayton A., and Gannon—An act to amend Sections 79.01, 79.02, 79.03, 79.05, and 79.08, to the Civil Code, relating to the public health.

Referred to Committee on Public Health.

Assembly Bill No. 1842: By Mr. Desmond—An act to add Section 6.737 to the School Code and to add Section 19311 to the Education Code, relating to cafeterias.

Referred to Committee on Education.

Assembly Bill No. 1843: By Mr. Potter—An act to amend Section 1181 of the Civil Code, relating to proof or acknowledgment of instruments.

Referred to Committee on Judiciary.

Assembly Bill No. 1844: By Mr. Potter—An act to amend Sections 422 and 423 of the Probate Code, relating to appointment of administrators.

Referred to Committee on Judiciary.

Assembly Bill No. 1845: By Mr. Potter—An act to amend Sections 17 and 20 of the Personal Property Brokers Act, approved April 16, 1909, as amended and revised by Chapters 952 and 1044 of the Statutes of 1939, relating to rates of interest on loans.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1846: By Mr. Potter—An act to amend Sections 17 and 20 of the Personal Property Brokers Act, approved April 16, 1909, as amended and as revised by Chapters 952 and 1044 of the Statutes of 1939, relating to rates of interest on loans.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1847: By Mr. Potter—An act to repeal and add Section 4101.5 of the Revenue and Taxation Code, relating to property taxation, and the redemption of property, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1848: By Mr. Denny—An act to add Sections 2306, 2448, and 4724 to the School Code, relating to changes in boundaries of school districts.

Referred to Committee on Education.

Assembly Bill No. 1849: By Mr. Gannon—An act to add Sections 520, 521, 522, 523, 524, 525 and 526 to the Military and Veterans Code, relating to high school cadets.

Referred to Committee on Military Affairs.

Assembly Bill No. 1850: By Mr. Hastain—An act to add Chapter 8.5, comprising Section 1150, to the Labor Code, relating to transfer of membership in labor organizations.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1851: By Mr. Hastain—An act to add Section 6385 to the Revenue and Taxation Code, relating to exemptions from the sales tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1852: By Mr. Hastain—An act to add Chapter 5.5, comprising Section 1108, to the Labor Code, relating to discrimination in employment.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1853: By Mr. Hastain—An act to provide for the limiting of service areas by the Railroad Commission between public utilities and irrigation districts engaged in the sale of electric power, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 1854: By Mr. Hastain—An act to provide for the limiting of service areas by the California Districts Securities Commission between public utilities and irrigation districts engaged in the sale of electric power, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 1855: By Mr. Hastain—An act to amend Section 21654 of the Water Code, relating to irrigation district elections.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1856: By Mr. Hastain—An act to amend Sections 32a, 32b, 32c, 32d, and 32e of the California Irrigation District Act, relating to the issuance of warrants, bonds, funding and refunding bonds and the refunding of bonds and warrants

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1857: By Mr. Maloney—An act to amend Section 6 of the Municipal Court Act of 1925, relating to attaches.

Referred to Committee on Judiciary.

Assembly Bill No. 1858: By Mr. Maloney—An act to add Sections 410.3 to the Vehicle Code, relating to financial responsibility.

Referred to Committee on Motor Vehicles

Assembly Bill No. 1859: By Mr. Sargent—An act to amend Section 11 of the Municipal Court Act of 1925, relating to cities of the two and three-fourths class.

Referred to Committee on Judiciary.

Assembly Bill No. 1860: By Mr. Sargent—An act to add a new article to the School Code to be numbered Article 5 of Chapter 2 of Part 4 of Division 3 of the School Code, embracing School Code Sections 3.625 to 3.636, inclusive, and to add six new sections to the School Code to be numbered Sections 4.1-1, 4.20-1, 4.795-1, 4.874-2 and 4.886-2, relating to the education of mentally handicapped children

Referred to Committee on Education.

Assembly Bill No. 1861: By Mr. Maloney—An act relating to the reinstatement of employees who leave their positions to serve in the Merchant Marine.

Referred to Committee on Military Affairs

Assembly Bill No. 1862: By Mr. Maloney—An act to amend Sections 3d and 38d of, and to add Section 28b to, the State Employees' Retirement Act, relating to authorizing the inclusion of any bridge and highway district in such Retirement System.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1863: By Mr. Weber—An act to add Sections 307, 307.1, 307.2, 307.3, 307.4, and 307.5 to the Political Code, to create a Legislative Committee on Post-War Economic and Social Planning and define its powers and duties, including the conduct of studies and investigations in aid of prospective legislation and the making of recommendations to the Legislature in respect thereto, and to make an appropriation therefor.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1864: By Mr. McMillan—An act to add Sections 3.523, 3.524, and 3.525 to the School Code, relating to the regulation of vocational training schools.

Referred to Committee on Education

Assembly Bill No. 1865: By Mrs. Niehouse—An act to amend the title and Section 1 of an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts," approved July 1, 1937, relating to retirement of judges.

Referred to Committee on Judiciary.

Assembly Bill No. 1866: By Mr. Robertson—An act relating to public officers, deputies, assistants, and employees, and their return to public service.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1867: By Mr. Thompson—An act to add Section 372.5 to the Vehicle Code, relating to fees.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1868: By Mr. Allen—An act to prohibit persons under the age of 16 years of age from entering penny arcades.

Referred to Committee on Public Morals.

Assembly Bill No. 1869: By Mr. Allen—An act to add Section 337f to Chapter 10, Title 9, Part 1 of the Penal Code, relating to penny arcades.

Referred to Committee on Public Morals.

Assembly Bill No. 1870: By Mr. Weber—An act to repeal an act entitled "An act providing for State Planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof," approved June 14, 1935.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1871: By Mr. Call—An act to amend Section 1157 of the Fish and Game Code, relating to closing of areas to hunting.

Referred to Committee on Fish and Game.

Assembly Bill No. 1872: By Mr. Call—An act to repeal Section 1420 of the Fish and Game Code, relating to the construction of the terms "commission" and "Fish and Game Commission" in said code.

Referred to Committee on Fish and Game.

Assembly Bill No. 1873: By Mr. Call—An act to repeal and add Section 631 of the Fish and Game Code, relating to notice of closing streams to fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1874: By Mr. Call—An act to amend Sections 629 and 630 of the Fish and Game Code, relating to closing areas to fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1875: By Mr. Call—An act to amend Section 504 of the Public Resources Code, relating to the Department of Natural Resources and removing the Division of Fish and Game therefrom.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1876: By Mr. Call—An act to amend Section 10 of the Fish and Game Code, relating to the Division of Fish and Game.

Referred to Committee on Fish and Game.

Assembly Bill No. 1877: By Mr. Call—An act relating to the powers and liabilities of fiduciaries.

Referred to Committee on Judiciary.

Assembly Bill No. 1878: By Mr. Gaffney—An act to add Section 579.5 to the Agricultural Code, relating to the sale and manufacture of oleomargarine colored in imitation of butter.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1879: By Mr. Gaffney—An act to suspend for the duration of the war all provisions for licensing and licensees imposed upon the business of retailing food products.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1880: By Mr. O'Day—An act to amend Section 13111 of the Health and Safety Code, and to add Article 3.5, comprising Sections 13625 to 13628, inclusive, to Chapter 3, Part 2, Division 12 thereof, relating to spotting, sponging and pressing establishments.

Referred to Committee on Public Health.

Assembly Bill No. 1881: By Mr. Dilworth—An act to amend Section 202 of the State Civil Service Act, relating to the State civil service.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1882: By Mr. Gaffney—An act to add Sections 3211.2, 3211.4, 3211.6, 3211.7, 3211.8, and 3352.5 to, and Chapter 10, comprising Sections 4301 to 4439, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 7, comprising Sections 1570 to 1573, inclusive, to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to civilian defense workers, including the limiting of the liability of the State of California, counties, cities, and civilian defense organizations for injuries arising out of and occurring in the course of activities as a civilian defense worker, authorizing the State Council of Defense to certify civilian defense organizations and to make rules and regulations for the classifying and registering of civilian defense workers,

providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1883: By Mr. Weber—An act creating a Commission on Post-War Economic and Social Planning, defining its powers and duties, and making an appropriation therefor.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1884: By Mr. Rosenthal—An act to amend Section 702 of the Welfare and Institutions Code, relating to offenses against the welfare of minors.

Referred to Committee on Judiciary.

Assembly Bill No. 1885: By Mr. Rosenthal—An act to create the California Commission on Child Legislation, consisting of Members of the Legislature, members of the Executive Branch of the Government and the public at large to study and investigate the necessity for legislative changes in the Juvenile Court Law and in the other laws of this State relating to children.

Referred to Committee on Judiciary.

Assembly Bill No. 1886: By Mr. Stream—An act to add Section 1032.1 to the Military and Veterans Code, relating to the Band of the Veterans' Home of California and making an appropriation therefor.

Referred to Committee on Military Affairs.

Assembly Bill No. 1887: By Mr. Robertson—An act to repeal Article 4, comprising Sections 2.1430 to 2.1436, inclusive, of Chapter 2 of Part 4 of Division 2 of the School Code, and to add Article 4, comprising Sections 2.1430 to 2.1434, inclusive, to Chapter 2 of Part 4 of Division 2 of the School Code, relating to the State Curriculum Commission and the selection of textbooks.

Referred to Committee on Education.

Assembly Bill No. 1888: By Mr. Sargent—An act to add Article 12 to Chapter 1 of Division 7 of the Military and Veterans Code, relating to emergency war legislation and administrative regulation.

Referred to Committee on Military Affairs.

Assembly Bill No. 1889: By Mrs. Niehouse—An act to add Section 755.7 to the Vehicle Code, relating to violations of the code by persons under the influence of intoxicating liquor, and the admissibility of evidence in connection therewith.

Referred to Committee on Judiciary.

Assembly Bill No. 1890: By Mr. Allen—An act to require the closing of penny arcades within certain hours.

Referred to Committee on Public Morals.

Assembly Bill No. 1891: By Mrs. Niehouse—An act to add Section 755 7 to the Vehicle Code, relating to violations of the code by persons under the influence of intoxicating liquor, and the admissibility of evidence in connection therewith.

Referred to Committee on Judiciary.

Assembly Bill No. 1892: By Mr. Kraft—An act to amend Section 6013 of the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1893: By Mr. Sheridan—An act to amend Sections 1016, 1021, 1022, 1023, 1024, and 1025 of the Penal Code, relating to indictments, informations and complaints.

Referred to Committee on Judiciary.

Assembly Bill No. 1894: By Mr. Gannon—An act to add Section 57.6 to the State Civil Service Act, relating to the position of Associate Forestry Engineer.

Referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1895: By Mr. Sheridan—An act to amend Section 1429 of the Penal Code, relating to pleas in the justices', police, and municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1896: By Mr. Sheridan—An act to add Section 1429a to the Penal Code, relating to criminal proceedings commenced in municipal, justices', and police courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1897: By Mr. Sheridan—An act to add Section 6722 to the Welfare and Institutions Code, and to repeal Section 6664 thereof, relating to State institutions, including the inmates thereof and persons committed thereto.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1898: By Mr. Johnson—An act to amend Section 487 of the Penal Code, relating to grand theft.

Referred to Committee on Judiciary.

Assembly Bill No. 1899: By Mrs. Niehouse—An act to amend Section 501 of the Vehicle Code, relating to driving under the influence of liquor.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1900: By Mr. Weber—An act establishing a Legislative Research Bureau and making an appropriation therefor.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1901: By Mr. Weber—An act establishing a Legislative Research Bureau and making an appropriation therefor.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1902: By Mr. Weber—An act to amend Section 4214 of the Political Code, relating to county surveyors.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1903: By Mr. Weber—An act to amend Section 8805 of the Business and Professions Code relating to the annual license fees of land surveyors, and providing that this act shall take effect immediately.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1904: By Mr. Weber—An act to amend Section 6799 of the Business and Professions Code, relating to fees under the Civil Engineers' Act, and providing that this act shall take effect immediately.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1905: By Mr. Weber—An act to amend Section 9603 of the Revenue and Taxation Code, relating to the Transportation Tax Act, including the definition "operator."

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 1906: By Mr. Johnson—An act to add Section 4104 to the School Code and to add Section 5806 to the Education Code, relating to the Vocational Rehabilitation Fund.

Referred to Committee on Education.

Assembly Bill No. 1907: By Mr. Johnson—An act to add Section 5.798-1 to the School Code and to add Section 14122.5 to the Education Code, relating to eligible lists and temporary appointments, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1908: By Mr. Johnson—An act to amend Section 395.2 of the Military and Veterans Code, relating to military leave of non-certificated school employees.

Referred to Committee on Education.

Assembly Bill No. 1909: By Mr. Johnson—An act to add Section 6.814 to the School Code, relating to the maintenance classes outside the boundaries of the district.

Referred to Committee on Education.

Assembly Bill No. 1910: By Mr. Johnson—An act to add Section 59.2 to the Unemployment Insurance Act, relating to "intermittent construction employment" thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1911: By Mr. Johnson—An act to add Section 59.1 to the Unemployment Insurance Act, relating to “intermittent construction employment” thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1912: By Mr. Johnson—An act to add Section 4664 to the Labor Code, relating to award of compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1913: By Mr. Johnson—An act to amend Section 72 of the Labor Code, relating to the Industrial Welfare Commission.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1914: By Mr. Johnson—An act to repeal Sections 1060 and 1061 of, and to add Sections 1060, 1060.1, 1060.2, 1060.3, 1060.4, 1060.5, 1060.6, 1060.7, 1060.8, 1060.9, 1060.10, 1060.11, 1060.12, 1060.13, 1060.14 and 1062b to, the Code of Civil Procedure, relating to declaratory relief.

Referred to Committee on Judiciary.

Assembly Bill No. 1915: By Mr. Johnson—An act to add Section 1066 to the Code of Civil Procedure, relating to the judicial review of administrative determinations.

Referred to Committee on Judiciary.

Assembly Bill No. 1916: By Mr. Johnson—An act to add Section 1065 to the Code of Civil Procedure, relating to the judicial review of administrative determinations.

Referred to Committee on Judiciary.

Assembly Bill No. 1917: By Mr. Johnson—An act relating to review of decisions of administrative boards, commissions and officers, providing for a thorough study and report thereon and the formulation of a comprehensive and detailed plan in respect thereto and defining the powers and duties of the Judicial Council in relation thereto.

Referred to Committee on Judiciary.

Assembly Bill No. 1918: By Mr. Johnson—An act to add Section 53.5 to the Code of Civil Procedure, relating to review of the record on appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 1919: By Mr. Johnson—An act to add Section 6060.5 to the Business and Professions Code, relating to admission to the practice of law.

Referred to Committee on Judiciary.

Assembly Bill No. 1920: By Mr. Johnson—An act to add an article heading for Article 1, and Article 2, comprising Sections 955 and 956, to Chapter 1 of Title 2 of Part 3 of Division 2 of, and Section 3333.5

to, the Civil Code, to amend Section 1880 of the Code of Civil Procedure, and to amend Section 573 of the Probate Code, relating to survival of personal injury actions.

Referred to Committee on Judiciary.

Assembly Bill No. 1921: By Mr. Johnson—An act to add Sections 955 and 3333.5 to the Civil Code, and to amend Sections 573 and 707 of the Probate Code, relating to survival of personal injury actions

Referred to Committee on Judiciary.

Assembly Bill No. 1922: By Mr. Johnson—An act to add Sections 955 and 3333.5 to the Civil Code, and to amend Sections 573 and 707 of the Probate Code, relating to survival of personal injury actions

Referred to Committee on Judiciary.

Assembly Bill No. 1923: By Mr. Johnson—An act to amend Section 644 of the Penal Code, relating to habitual criminals.

Referred to Committee on Judiciary.

Assembly Bill No. 1924: By Mr. Johnson—An act to add Sections 3047a, 3047b and 3048a to the Penal Code, relating to habitual criminals.

Referred to Committee on Judiciary.

Assembly Bill No. 1925: By Mr. Johnson—An act to amend Section 261 of the Penal Code, relating to crimes and punishment.

Referred to Committee on Judiciary.

Assembly Bill No. 1926: By Mr. Johnson—An act to add Section 659.5 to the Political Code, relating to the provision of a safe and suitable place for State archives.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1927: By Mr. Johnson—An act to amend Sections 376 and 377 of the Code of Civil Procedure, all relating to actions for wrongful injury and death.

Referred to Committee on Judiciary.

Assembly Bill No. 1928: By Mr. Call—An act to amend Section 2246 of the Business and Professions Code, Sections 1205, 1212, 1214, 26251, 26252, 26271, and 26272 of the Health and Safety Code, Sections 4602 and 4605 of the Labor Code, and Section 1.124 of the School Code, and to add Section 3209.5 to the Labor Code, relating to chiropodists.

Referred to Committee on Public Health.

Assembly Joint Resolution No. 30: By Mr. O'Day—Relative to an increase of pay for employees of the Department of Employment.

Referred to Committee on Civil Service and State Departments.

Assembly Concurrent Resolution No. 35: By Mr. Desmond—Relative to the appointment of a committee to secure changes in the Federal Social Security Law in respect to old-age assistance.

Referred to Committee on Social Welfare.

Assembly Constitutional Amendment No. 32: By Mr. Sheridan—
Proposed amendment to Article VI of the Constitution, relative to
judicial officers.

Referred to Committee on Constitutional Amendments.

COMMITTEE FROM THE SENATE

Senators Crittenden, Gordon, and Slater appeared before the bar of the Assembly and informed them that the Senate was now ready to adjourn.

APPOINTMENT OF INTERIM COMMITTEE ON JUVENILE DELINQUENCY

Pursuant to the provisions of House Resolution No. 89, the Speaker announced the appointment of Messrs. O'Day, Hawkins, Gaffney, Mid-dough, and Weber, as such interim Committee on Juvenile Delinquency.

COMMUNICATIONS

By Speaker Lyon:

The following communication was received, read, and, on motion of Mr. Price, ordered printed in the Journal:

ONTARIO, CALIFORNIA, January 28, 1943

*The Presiding Officer, California Assembly
Sacramento, California*

MY DEAR SIR: Yesterday our local newspaper carried an item to the effect that the California Legislature is considering a bill to increase the present 48-hour week to 70 hours. As women workers the undersigned vigorously protest such an extension in the legal work week.

A work week more than 48 hours long would be altogether too much for women physically, and there are many employers who would require the maximum hours of work. Many women workers are now carrying a full-time home responsibility in addition to their 48-hour work week.

If more workers are required than seem to be available, may we suggest the registration and conscription of all women, because many women who are able to work are still carrying only their home responsibilities.

Most sincerely yours,

EMPLOYEES OF NEWBERRY STORE, ONTARIO

JUCY CAMACHO	WANNIFA HARVEY
MARIE VILLARFAL	WANDA GULLIHAN
RUTH HAYS	LOPRANT AMESTOY
MEJRA ROUND	FRANKIE LANGSTON
MRS. L. M. IPSFEN, 124 East 5th	IVA C. SHRUM
MRS. R. C. JOHNSON	ARNETTIE WEST
MARY ELLA GRAY	ARDATH PIERSON

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 352—An act creating a special fund in the State Treasury for the deposit of restitutions received by the State from former recipients of relief under the provisions of the "California Unemployment Relief Act of 1935," making a transfer of funds to this fund, making an appropriation to the State Controller for continued collection of restitutions, to take effect immediately.

And reports that the same has been correctly enrolled, and presented to the Governor on the thirty-first day of January, 1943, at 10 a. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 22—Relative to memorializing the President and the Congress of the United States to amend the Federal Social Security Act in respect to earnings and other income of recipients of old-age assistance.

Assembly Joint Resolution No. 24—Relative to the growing shortage of motor truck transportation.

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of January, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 203—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 29 of, and to add a new section to be numbered 18.1 to, The Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Assembly Bill No. 351—An act to amend Section 8 of The Personal Income Tax Act and Section 17306 of the Revenue and Taxation Code, relating to war losses, declaring the urgency thereof and providing that this act take effect immediately.

Assembly Bill No. 412—An act to add Section 1760.5 to the Welfare and Institutions Code, relating to the Youth Correction Authority, authorizing the Authority to require persons committed thereto to perform work on certain public projects, and to make contracts in relation thereto, and making an appropriation, to take effect immediately.

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of January, 1943, at 11 a.m.

PELLETIER, Chairman

RESOLUTIONS

The following resolution was offered:

By Mr. O'Day:

House Resolution No. 96

Amendment to House Resolution No. 89

Resolved by the Assembly of the State of California, That House Resolution No. 89 be amended by striking out the period at the end thereof, and adding thereto a comma, and "and be it further

Resolved, That the members of the committee hereby created and continued shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day."

Request for Unanimous Consent

Mr. O'Day asked for, and was granted, unanimous consent to take up House Resolution No. 96, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Howser, Johnson, Kilpatrick, King, Knight, John B, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMullan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—76.

NOES—None.

APPOINTMENT OF SPECIAL COMMITTEE

Pursuant to the provisions of Section 332.2 of the Political Code, 1939; the Speaker announced the appointment of Messrs. Call, Hastain, Johnson, Thorp, and Massion, as a Special Committee from the Assembly on Interstate Cooperation.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 97

WHEREAS, This Assembly has learned with sorrow of the passing of the Honorable John Francis Dockweiler, District Attorney of Los Angeles County, and former Member, for three consecutive terms, of the House of Representatives from the Sixteenth Congressional District; and

WHEREAS, John Francis Dockweiler distinguished himself throughout his career for independent thinking and statesmanlike ability, and truly served his county, State and Nation well; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourns this day, it adjourn out of respect for the late John Francis Dockweiler; and be it further

Resolved, That the Chief Clerk of the Assembly send appropriately engrossed copies of this resolution to the members of the bereaved family.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 97, at this time, without reference to committee or file.

Resolution read and adopted.

Appointment of Select Committee

The Speaker announced the appointment of Messrs. Debs, Evans, Waters, Howser, and Field, as a Select Committee to represent the Assembly at the funeral services of John Francis Dockweiler in Los Angeles and to purchase an appropriate floral piece for the services.

RESOLUTIONS

The following resolutions were offered:

By Mr. Middough:

House Resolution No. 98

WHEREAS, There have recently been heavy storms along the California coastline, and

WHEREAS, The storms have occasioned damage to recreation beaches owned or maintained by the State; and

WHEREAS, It is to the interest of the people of the State that a report be made to the Legislature, as to the extent of damages and recommendations be made in regard to repair of the damage, and prevention of further damage; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Fact-Finding Committee on Storm Damage to State Beaches, which shall investigate, ascertain, collate and appraise all facts concerning storm damage occasioned to State beaches by the recent storms, and report its findings and make recommendations based upon its findings to the Assembly; and be it further

Resolved, That the committee shall consist of three Members of the Assembly appointed by the Speaker thereof; and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have: (i) all the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) except when inconsistent with this resolution, all the powers conferred upon committees by the Rules of the Assembly, as they are enacted and

amended from time to time and such rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full. The powers specified in such rules may be exercised by the committee after the final adjournment of this session; (11) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary or such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in anywise bearing upon or relating to the subject of this resolution;

(7) To meet at any and all places in this State, in public or executive session,

(8) To act during this session of the Legislature, including any recess hereof, and after final adjournment hereof, until the commencement of the Fifty-sixth Legislature;

(9) To file a report with the Legislature during any session of the Fifty-fifth Legislature and with the Legislature during the regular session of the Fifty-sixth Legislature;

(10) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and

(11) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly, the Sergeant-at-Arms of the Senate, or other officers designated by either of them are hereby directed to serve any and all subpoenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivisions, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.054) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars (\$8) per day; and be it further

Resolved, That the sum of one thousand dollars (\$1,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be disbursed according to law, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Call:

House Resolution No. 99

Relating to the creation of a Legislative committee, to be assisted by leaders in labor, agriculture, business, and industry, to make a thorough study of economic conditions in the State of California, and to formulate a Legislative program designed to protect this State from the economic and social effect of those depressions which ordinarily follow a period of artificial prosperity created by defense spending and the participation of other nations in war

WHEREAS, This State and the Nation as a whole are now experiencing a period of rapidly expanding business activity with corresponding increases in employment due to the National Defense Program and the purchase in this country of the materials of war by belligerent nations; and

WHEREAS, The maladjustment of economic conditions and the severe business depression with its consequent unemployment which followed the cessation of hostilities in the last World War provides a grim reminder of the necessity for the formulation of long-range plans which will cushion the economic shock of the termination of the present war and the spending of billions of dollars for National defense; and

WHEREAS, History has demonstrated that it is the laborer and his family and the farmer and his family who first feel the effects of business recession, and if employment and business activity are to be maintained at the highest possible level after the defense program ends, plans must be made to:

(a) Absorb defense industry workers in peacetime enterprises and to that end the development of new industries and new uses for agricultural products must be stimulated and encouraged; and

(b) Develop new markets for the products of California industries and farms; and

(c) Provide adequate vocational training for the youth of today in peacetime pursuits; and

(d) Provide permanent housing and educational facilities to accommodate the population shifts caused by the migration of workers to those industrial centers where defense industries are located; and

(e) Provide for a constructive program of industrial and agricultural development which will assure the gainful employment of all able-bodied persons; and

(f) Provide an economical and efficient, yet adequate program for the care of all needy persons including the physically handicapped; and

(g) Make adequate provision for the aged in order that workers may be assured of security for themselves and their families in old age; now, therefore, be it

Resolved by the Assembly of the State of California. That a committee, designated "The Legislative Committee on Economic Security," consisting of 15 members of the Assembly appointed by the Speaker of the Assembly, is hereby created, which committee shall, and it is hereby authorized to, gather, assemble, study and analyze all facts relating to any and every phase of the matters specified in this resolution and of the economic and social conditions in the State of California, both as those conditions exist during periods of intense activity in agriculture, business and industry and as those conditions exist in periods of severe business depressions, all with a view to formulating a plan and preparing and submitting such legislative measures as will enable the State to bring about and assure the least possible maladjustment of economic and social conditions following the cessation of defense activities after the present European War, to which end the committee shall, except when inconsistent with this resolution, have and exercise all the powers, duties, and privileges conferred upon committees by Rule No. 35 of the Joint Rules of the Senate and Assembly for the Fifty-fifth Session (and the provisions of said Rule 35 as they exist on the adoption of this resolution are, to the extent not inconsistent with this resolution, hereby incorporated herein and made a part hereof as though set forth in full in this resolution), and shall also have and exercise the duty and power:

(1) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(2) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(3) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, and enforcement of any and all laws in anywise bearing upon or relating to the subject of this resolution;

(4) To act during this session of the Legislature, including any recess hereof, and after final adjournment hereof, and to report its findings and recommendations to the Assembly and to the people from time to time and at any time and to make its final report to the Assembly at the Fifty-sixth Session of the Legislature on or before March 15, 1945; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.055) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars (\$8) per day; and be it further

Resolved, That the sum of fifteen thousand dollars (\$15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the Contingent Fund of the Assembly and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer, and be it further

Resolved, That an Advisory Committee to the Legislative Committee is hereby created, to consist of _____ nonlegislator members, appointed by the Speaker of the Assembly, the appointees to include industrial, military, naval, aeronautical, transportation, employment, vocational training and scientific experts, and representatives of labor and of agriculture to advise, aid, and counsel the Legislative Committee in the studies conducted by the latter in carrying out the purposes of this resolution, the Advisory Committee to have and exercise such powers and duties as shall be defined from time to time by the Legislative Committee, within the scope of the powers and duties committed to the latter by this resolution.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Sam L. Collins:

House Resolution No. 100

Resolved, That the Chief Clerk be and he is hereby authorized to receipt for any warrants for members, officers, or attaches of the Assembly during the constitutional recess.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 100, at this time, without reference to committee.

Resolution read and adopted.

APPOINTMENT OF COMMITTEE ON LEGISLATIVE ORGANIZATION

In accordance with the provisions of House Resolution No. 22, the Speaker announced the appointment of Messrs. Weber, Doyle, and Lyon as the Special Committee on Legislative Organization.

RECESS

At 11.50 a.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 11.55 a.m.

REASSEMBLED

At 11.55 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding

RESOLUTIONS

The following resolutions were offered :

By Mr. Dilworth :

House Resolution No. 101

Resolved, That a Committee of Three be appointed by the Speaker to wait upon the Senate and inform that body that the Assembly is ready for the constitutional recess, and ask if the Senate has any further communication to make to the Assembly.

Request for Unanimous Consent

Mr. Dilworth asked for, and was granted, unanimous consent to take up House Resolution No. 101, at this time, without reference to committee or file.

Resolution read and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 101, the Speaker announced the appointment of Messrs. Dilworth, Hastain and Desmond, as a Select Committee to wait upon the Senate and inform them that the Assembly is now ready to adjourn for the constitutional recess.

By Mr. Denny :

House Resolution No. 102

Resolved, That the Speaker appoint a Committee of Five to wait upon the Governor and inform him that the Assembly is ready to adjourn for the constitutional recess.

Request for Unanimous Consent

Mr. Denny asked for, and was granted, unanimous consent to take up House Resolution 102 at this time, without reference to committee or file.

Resolution read and adopted

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 102, the Speaker announced the appointment of Messrs. Denny, Doyle, Weber, Gannon, and Hastain, as a Select Committee to wait upon the Governor and advise him that the Assembly is now ready to adjourn for the constitutional recess.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 31, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted :

Assembly Joint Resolution No. 14

J. A. BEEK, Secretary of the Senate

By MARGARET DOUVILLE, Assistant Secretary

Above resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined :

Assembly Bill No. 202—An act to amend Sections 4, 4a, 6, 8, 9, 11, 13, 14, 16, 17, 20, 21, 24, 25, 25.1, 27, 28, 29, 30, 32 and 35 of, and to add a new section to be numbered 24.1 to, the Bank and Corporation Franchise Tax Act, relating to

bank and corporation taxes, and to provide that this act shall take effect immediately; And reports that the same has been correctly enrolled, and presented to the Governor on the thirty-first day of January, 1943, at 1 p m.

PELLETIER, Chairman

MOTION TO PRINT IN JOURNAL

The following poem was received and, on motion of Mr. Sam L. Collins, ordered printed in the Journal.

I went out to work in the fields today,
While others from school went home to play;
And I began to think, what with war and all,
Why these others couldn't into work fall.

So I thought and I thought, as it seemed for ages;
Till it suddenly dawned that they wanted high wages.
But high wages are something a farmer can't pay,
Because ceilings are placed on his products today.

Now, the people won't work for four bits an hour,
And their disposition to farmers is exceedingly sour.
So the farmers are leaving their crops in the ground,
Because men to pick them can't even be found.

Fields lie barren, cattle are slain,
Machinery lies useless, rusted by rain
Crops unharvested rot on the ground,
And one sees waste all around.

Next year, perhaps, some people may starve,
Because farmers could raise no meat to carve.
And war workers and grafters will see to their sadness,
That no food is the result of their money madness.

For they will see that the strength of their Country is food,
And will no more from the farmer his helpers exclude.
They will work and will work 'til the end of the day,
And will work for no more than the farmer can pay.

DICK DESMOND

December, 1942.

REPORTS OF SPECIAL COMMITTEES

The Select Committee appointed to wait upon His Excellency, the Governor, appeared before the bar of the Assembly, and reported that they had communicated with the Governor, and that he had no further communication to make to the Assembly.

The Select Committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out, and that the Senate had concluded its labors and was ready to adjourn.

APPROVAL OF JOURNALS

Upon motion of Mr. Sam L. Collins, the Journals of Monday, January 25, 1943; Tuesday, January 26, 1943; Wednesday, January 27, 1943; Thursday, January 28, 1943; Friday, January 29, 1943; Saturday, January 30, 1943, and Sunday, January 31, 1943, were approved as corrected by the Minute Clerk.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Speaker Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Elizabeth

O'Day, the infant daughter of Assemblyman and Mrs. Edward O'Day of San Francisco

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Edward J. Olsen of Klamath Falls, and Mrs. Alice S. Hamilton of Portland, Oregon

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private Robert McDonald and Private Lorne Keating of McClellan Field.

On request of Los Angeles County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Frederick M. Roberts of Los Angeles, former Assemblyman.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Corporal Kuesel of Little Falls, Minnesota, and Corporal and Mrs. Thomas Lerake of Montezuma, Iowa.

ADJOURNMENT FOR CONSTITUTIONAL RECESS

At 12 m. Sunday, January 31, 1943, in accordance with the provisions of Assembly Concurrent Resolution No. 29, Hon. Charles W. Lyon, Speaker of the Assembly, announced that the time for the adjournment for the constitutional recess of the Fifty-fifth Session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned until 11 a. m., Monday, March 8, 1943, out of respect to the memory of the late Hon. John Francis Dockweiler.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-THIRD LEGISLATIVE DAY
SIXTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, March 8, 1943

At 11 o'clock a.m., pursuant to the requirements of Section 2, Article IV of the Constitution of the State of California, and to the provisions of Assembly Concurrent Resolution No. 29, the Assembly was called to order.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawalisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Almighty and Eternal God, the same yesterday, today and forever, we seek above all else Thy guidance for the duties of this legislative session which now convenes.

Direct us that we may build upon the same foundations which have made our country strong, public morality and private righteousness

Create in us clean hearts and renew right spirits within us.

O God, our help in ages past,
Our hope for time to come,
Our shelter from the stormy blast,
And our eternal home.
Under the shadow of Thy throne
Still may we dwell secure,
Sufficient is Thine arm alone,
And our defense is sure.

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Thorp.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Crowley, on motion of Mr. Burns.
 Mr. Robertson, on motion of Mr. Evans.
 Mr. Kellems, on motion of Mr. Doyle.
 Mr. Watson, on motion of Mr. T. Fenton Knight.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

MOTION TO PRINT SPEECH IN JOURNAL

Mr. Maloney moved that the following speech by Hon. Charles W. Lyon be ordered printed in the Journal:

Mr. Doyle seconded the motion.

Motion carried.

Speech by Hon. Charles W. Lyon

We reconvene today as a wartime Legislature. Our purpose should be the enactment of laws for the protection of the lives and property of the people of the State of California.

The efforts of the Legislature, the governments of the cities and counties of the State should be directed to the winning of the war and the reduction of taxes and the curtailment of local and State expenditures wherever possible, in order to permit the people of this great Commonwealth to respond to the necessary expenditures of the Federal Government.

There are certain legislative matters which, in the light of present-day conditions, demand our attention.

I feel that we should cooperate with the military forces in every way. The splendid work of defending our lives and property, particularly in California, by the Army and Navy authorities should, and I know will, receive 100 per cent cooperation from this Legislature and from the people of the State of California.

Defense measures, aid to our senior citizens, departmental needs, the Budget, and the reduction of California State taxes, as nearly as possible in the same proportion as Federal taxes are increased, should be the primary concern of this Legislature.

One of the greatest evils of legislative procedure is the practice of delaying action until the closing days and hours of the legislative session. This practice is vicious in two principal directions, as it not only jeopardizes the enactment of essential laws, many of which are discarded in the last minute rush to reach adjournment, but it likewise results, all too often, in the adoption of measures which are neither necessary nor desirable.

While I have spoken of the desire to limit our present legislative scope to those matters dealing directly with the war and our fullest cooperation with the National Government in bringing the present conflict to a speedy and successful conclusion, we should not be unmindful of the problems the peace will present to us. Many small businesses have suffered and are likely to be further threatened as the war progresses. Equally important is the problem of the survival of the small enterprise. I quote from Donald Nelson, Chairman of the War Production Board: "If we are to win the peace as well as the war, the principle of independent enterprise—small business—must not only survive but also become a stronger, more effective force in our economic life. Our Nation, built upon the firm foundation of free enterprise, must not sacrifice that cornerstone of our Democracy."

The Speaker will lend his best efforts to facilitate the work of all committees and to aid all members to obtain prompt and adequate consideration of their proposals and it shall be my endeavor to make this session as short a one as possible, consistent with the enactment of good legislation.

More than a thousand bills less than the previous session have been introduced. The Budget, for the first time in the history of our State, has been reduced—and to the extent of nearly \$100,000,000. The people of California expect a substantial reduction of their tax burden, and I commend to you the consideration of these subjects during this, the final portion of the Fifty-fifth Session.

APPOINTMENT OF STANDING COMMITTEE MEMBERS

The Speaker announced the appointment of the following members to the standing committees made vacant by the resignation of Mr. Fred N. Howser:

- Committee on State-Federal Cooperation in Petroleum—Mr. Middough.
- Committee on Conservation, Natural Resources, and Planning—Mr. Dunn.
- Committee on Finance and Insurance—Mr. Stream.

COMMITTEE FROM THE SENATE

Senators Salsman, Tenney, and DeLap appeared before the bar of the Assembly, and informed the Assembly, that, pursuant to the provisions of Assembly Concurrent Resolution No. 29, the Senate had reconvened, and was ready to proceed with the business of the State with all officers heretofore elected present.

COMMUNICATIONS

By Speaker Lyon:

A communication from Miss Lulu Mignon Murphy relative to impeachment was received, and ordered referred to the Committee on Judiciary.

Also:

The following communication was received, and ordered printed in the Journal:

S. F. No. 27

Res. 2

Concurrent Resolution Memorializing the President and the Congress of the United States to Preserve Inviolable the State Rights as Provided in the Constitution

WHEREAS, We are engaged in a great World War fighting for the preservation of democratic principles, our form of government and the American way of life, and WHEREAS, These issues, now on trial, have caused the American people to reexamine the basic concepts of our form of government to reaffirm their loyalty and devotion to our Federal type as established by our fathers; and

WHEREAS, The Federal form of government was created to insure a positive division of powers, conferring upon the National specified enumerated powers and reserving to the States all others; and

WHEREAS, Under this form we have enjoyed unexcelled progress, the full realization of life, liberty and pursuit of happiness and the enviable position of being the peer of all nations; and

WHEREAS, It has ever been our cherished policy to keep government as close to the people as possible in order to effect desired economies, more direct participation and more rigid control of problems, sectional and local in character; and

WHEREAS, There are apparent dangerous tendencies on the part of the National Government to increase its powers at the expense of the States, reducing State rights and centralizing authority in Washington, definitely reserved to the States and their subdivisions; now, therefore be it

Resolved, By the Senate of the State of Minnesota, the House of Representatives concurring, That we deplore this tendency and view with alarm any and all encroachment upon our State rights granted under the Constitution, and that we strongly urge the executive and legislative branches of our National Government to be diligent in adhering to the rights and powers as expressed and defined in the Supreme Law of the Land; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States, to the presiding officers of the Senate and the House of Representatives of the Congress of the United States, to each presiding officer of all State legislative bodies now in session and to each Member of the Minnesota Delegation in Congress

EDWARD J. THYE
President of the Senate
LAWRENCE M. HALL
Speaker of the House of Representatives

Passed the Senate the twenty-first day of January, 1943.

H. Y. TORBEY
Secretary of the Senate

Passed the House of Representatives the twenty-seventh day of January, 1943.

HARRY L ALLEN
Chief Clerk, House of Representatives

Filed, January 29, 1943 · MIKE HOLM, Secretary of State.

[SEAL]

Also :

The following communication was received, read, and ordered printed in the Journal :

SAN FRANCISCO TYEE CLUB,
490 POST STREET, SAN FRANCISCO, CALIFORNIA, March 1, 1943

*Mr. Charles W. Lyon, 604 N. Oakhurst Drive,
Beverly Hills, California*

DEAR SIR: The San Francisco Tyee Club, with a 355 membership, held a special meeting at the Fraternity Club, Palace Hotel, on February 23, 1943.

After due deliberation a resolution was unanimously adopted against the passage of Assembly Bill No. 1374 which would permit the commercial fishing of striped bass.

The club members also unanimously voiced that in the event the sacrificing of our fish and wild life was necessary to win the war, they would support any measure to accomplish this end.

In the case of Assembly Bill No 1374, the striped bass has been wrapped in an American Flag by selfish interests for personal gains and not for any patriotic reason.

The 450,000 California sportsmen and their families are appealing to you as sponsors of this bill, to withdraw same as they are of the opinion that you have been misinformed on this subject.

Yours very truly,

ROBERT LORENTZ, M. D.
Chairman, Conservation Committee

Also :

A communication from Ruth Darby and five others, petitioning passage of Senate Bills Nos. 617 and 698, was received, and ordered filed with the Secretary of State.

Also :

A resolution from California Republican Assembly, relative to term of office of officers of State Central Committee was received, and ordered filed with the Secretary of State.

Also :

A communication from George W. Hurley of Bakersfield, relative to need for rubber without resorting to the use of agricultural land, with pamphlets attached, was received, and ordered filed with the Secretary of State.

Also :

A communication from William H. McCulloch, Speaker, House of Representatives, State of Ohio, relative to agricultural production, was received, and ordered referred to Committee on Agriculture.

Also :

A communication from R. A. They and M. M. They, relative to Senate Bills Nos. 617 and 698, was received, and ordered filed with the Secretary of State.

Also :

A communication from Mr. and Mrs. F. A. Rombeau, relative to Senate Bills Nos. 617 and 698, was received, and ordered filed with the Secretary of State.

Also:

A communication from L. W. Blackburn of Altadena, relative to Assembly Bill No. 1076, was received, and referred to Mr. Doyle.

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

THE WHITE HOUSE, WASHINGTON, February 8, 1943

*Honorable Arthur A. Ohnimus, Chief Clerk, California State Legislature
Assembly Chamber, Sacramento, California*

MY DEAR MR. OHNIMUS. Please accept my thanks for your kindness in sending to me a copy of House Resolution No. 77 adopted by the Assembly of the State of California. I shall be greatly obliged if you will tell the Members of the Assembly how deeply grateful I am for the loyal attitude manifested by them

Very sincerely yours,

FRANKLIN D. ROOSEVELT

By Speaker Lyon:

The following communication was received, read, and on motion of Mr. Burns, ordered printed in the Journal:

CENTRAL LABOR COUNCIL OF HUMBOLDT COUNTY
EUREKA, CALIFORNIA, February 24, 1943

*Speaker of the Assembly, California State Legislature
State Capitol, Sacramento, California*

DEAR SIR: We are inclosing a resolution which was recently adopted by the Central Labor Council of Humboldt County.

We request that you give this resolution every consideration possible in view of the food shortages that our Nation is now being confronted with

Sincerely yours,

CENTRAL LABOR COUNCIL OF HUMBOLDT COUNTY
ALBIN J. GRUIN, Secretary

RESOLUTION IN REGARD TO EXTENDING THE COMMERCIAL SALMON SEASON

WHEREAS, The production of greater quantities of food for the armed forces, for domestic consumption and for lend-lease purposes is a very important factor in winning the war; and

WHEREAS, The production of salmon becomes increasingly important in view of meat shortages; and

WHEREAS, The salmon fishing fleet has lost a large part of its man power to the Army and Navy and to the shipyards; and

WHEREAS, Experience shows that the best salmon begin to run along the Northern California Coast about the time the commercial salmon season is closed at present by California law; therefore, be it

Resolved, That the Central Labor Council of Humboldt County petition the California Assembly and Senate to revise the present law governing the salmon season so that the salmon season in Fish and Game Districts 6 and 7 corresponds with the season in Southern Oregon (that is, that no legal closing date be set on the season, but allow the season to be regulated entirely by the forces of nature). Or, if such a change is not possible, that at least the commercial salmon season closing date be set at October 31st, so that the best runs of salmon may be used in the present emergency.

Adopted February 22, 1943.

CENTRAL LABOR COUNCIL OF HUMBOLDT CO
ALBIN J. GRUIN, Secretary

Above communication ordered referred to Committee on Fish and Game

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal

THE SECRETARY OF THE NAVY
WASHINGTON, February 27, 1943

*Arthur Ohnimus, Esquire, Chief Clerk,
California Legislature, State House, Sacramento, California*

DEAR MR. OHNIMUS: Thank you for your letter inclosing Assembly Joint Resolution No. 14 as adopted by the Legislature of the State of California on January 31, 1943.

The Navy has been under the urgent necessity of obtaining the maximum possible production to meet immediate and vital needs. To this end the procurement practice with reference to small production units has been to expand the use of their facilities to the greatest practicable extent. This policy has been and will continue to be followed in recognition of the very great advantages that result both in speed and volume of production.

In order that you may be more fully informed concerning the specific steps taken by the Navy Department to distribute Naval contracts more widely, there is inclosed a condensed report of these activities.

I have further directed that the San Francisco field representative of the Office of Procurement and Material, Commander John J. Haviside, U. S. N. R., call on you and discuss with you any points concerning California smaller war plants which you may wish to bring to his attention.

Sincerely yours,

FRANK KNOX

(Inclosure)

Addendum, "Navy Cooperation With Smaller War Plants" ordered filed with the Secretary of State.

Also:

The following communication was received, read, and ordered printed in the Journal:

DEPARTMENT OF AGRICULTURE
WASHINGTON, February 15, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California*

DEAR MR. OHNIMUS: This will acknowledge your letter of January 30th addressed to Secretary Wickard together with the joint resolution adopted by the Assembly and by the Senate regarding placing grapes and raisins on the essential list of farm products.

The list of essential farm products was recently revised and approved by both the department and Selective Service of the War Manpower Commission. This revised list now includes the production of grapes for all purposes, including raisins.

In order to guide local Selective Service boards in reaching determinations regarding the deferment of necessary men in agriculture, certain standards of production have been established under a plan known as the War Units Plan. Under this plan, it is recommended that any person who is responsible through his own efforts for the production of at least 16 war units of essential farm products should be eligible for deferment. Seven-tenths of one acre of grapes equal one war unit. In other words, any individual who is personally responsible for the production of at least 11.2 acres of grapes should be eligible for deferment.

We trust this action satisfactorily answers the joint resolution of the California Legislature.

Sincerely yours,

M. CLIFFORD TOWNSEND, Director
Food Production Administration

Also:

The following communication was received, read, and, on motion of Mr. Carey, ordered printed in the Journal:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., February 22, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California*

DEAR MR. OHNIMUS: Please permit me to acknowledge receipt of your letter February 17th, and of the Assembly Joint Resolution No. 10. This resolution is of particular interest to me inasmuch as I have insisted to the Meat Branch of the Office of Price Administration that recognition of increased population must be made in order to insure equitable distribution of the available food supply.

With all good wishes, I am

Sincerely yours,

JOHN H. TOLAN
Member of Congress

Also :

The following communication was received, read, and, on motion of Mr. Maloney, ordered printed in the Journal.

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., February 22, 1943

*Mr Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California*

DEAR MR OHNIMUS: This will acknowledge your communication of February 17th, with inclosed copy of Assembly Joint Resolution No 10—Relative to the allocation and distribution of food and farm labor.

This important matter is at the present time receiving the attention of the entire California Delegation, and we will continue in our efforts to obtain proper allocation and distribution in accordance with our needs.

Very sincerely yours,

RICHARD J. WELCH, M. C.

Also :

The following communication was received, read, and ordered printed in the Journal :

SACRAMENTO, CALIFORNIA, February 6, 1943

*Arthur A. Ohnimus, Chief Clerk, Assembly of the State of California
State Capitol, Sacramento, California*

DEAR MR OHNIMUS: I have your letter of January 16, 1943, inclosing a copy of Assembly Concurrent Resolution No. 15, now Chapter 17 of the Statutes of 1943, relating to the State Council of Defense.

In accordance with your request, the substance of this resolution was brought to the attention of the State Personnel Board at its meeting January 20, 1943, and the secretary of the board was instructed to inform the Assembly that the State Personnel Board would take every action necessary to comply with the thought expressed in the resolution.

Be assured that the board has and will lend every cooperation to whatever action may be taken in relation to the reorganization of the California State Council of Defense.

Very truly yours,

JOHN J. HAMLIN
MEMBER, State Personnel Board

Also :

The following communication was received, read, and ordered printed in the Journal :

WAR DEPARTMENT
HEADQUARTERS, SERVICES OF SUPPLY
WASHINGTON, D. C., February 20, 1943

*Honorable Arthur A. Ohnimus, Assembly Chamber
State Capitol, Sacramento, California*

DEAR MR. OHNIMUS: The Secretary of War has directed that I reply on his behalf to your letter of February 3, 1943, inclosing a copy of Assembly Joint Resolution No. 14, adopted by the Legislature of the State of California on January 31, 1943, memorializing the Secretary of War to distribute military contracts more widely by purchasing in smaller quantities and awarding a proportionate share of such contracts to small business enterprises.

Since the beginning of the National emergency, the distribution of a fair share of War Department contracts to smaller business enterprises has been the subject of serious consideration in the department. During the ensuing period, with our purchases representing a larger and larger share of the National economy, this consideration has been continuously intensified. Since the establishment of the Smaller War Plants Division of the War Production Board and the creation of the Smaller War Plants Corporation by the Small Business Act (Public No. 603, Seventy-seventh Congress, June, 1942) we have been working actively with these bodies to perfect the organization and procedure necessary to make available to the small business of the country an appropriate share of War Department purchases. Included among the steps that have been taken in this direction are the lengthening, where possible, of the time for bidding on contracts, to avoid the disadvantage which a short time limitation has sometimes imposed on small firms; the allocation of a portion of each procurement for placement with qualified small firms designated by War Production Board field officers; and the review in advance with the Smaller War Plants Division of the War Production Board of the articles which the Army contemplates buying in

the future, to permit the necessary advance planning for placement of a fair share of this business with small firms.

The Members of the California Legislature will of course understand that in wartime considerations of speed of delivery, proper quality and adequate quantity must be paramount in the Army purchasing policy. You may be sure, however, the War Department is bending every effort to ensure the placement of a proper part of its purchasing with small business.

Sincerely yours,

LUCIUS D. CLAY,

Major General, General Staff Corps, Assistant Chief of Staff for Material

Also:

A communication from Robert C. Thomas, executive secretary of California State Employees Association, relative to appreciation for use of Assembly Chamber received, and ordered filed with the Secretary of State.

Also:

A communication from John J. Hamlyn, member of State Personnel Board, relative to receipt of letter of congratulations from the Assembly, was received, and ordered filed with the Secretary of State.

Also:

The following communication was received, read, and ordered printed in the Journal:

DEPARTMENT OF PUBLIC WORKS

SACRAMENTO, February 11, 1943

*Honorable Members of the Assembly
California State Legislature
Sacramento, California*

GENTLEMEN: Pursuant to House Resolution No. 282, adopted during the Fifty-fourth Legislative Session, there is transmitted herewith a report relative to a proposed extension of North Figueroa Street in the City of Los Angeles through the San Rafael Hills, from Colorado Street to Foothill Boulevard near La Canada.

Respectfully submitted,

C. H. PURCELL

Director of Public Works

GORDON H. GARLAND, Chairman
California Highway Commission

Inclosure.

Above report ordered filed with the Secretary of State.

By Speaker Lyon:

A resolution from the California Republican Assembly relative to amending the Constitution to allow the Governor additional time after his inauguration in which to submit his Budget was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from Major Alvin E. Hewitt of the War Department, relative to Assembly Joint Resolution No. 14, memorializing the Secretary of War to distribute contracts to small business enterprises, was received, and ordered filed with the Secretary of State.

Also:

A communication from Coleman Woodbury, Assistant Administrator of the National Housing Agency, acknowledging receipt of Assembly Joint Resolution No. 20 relative to FHA building quotas for Vallejo area and OPA investigators to examine rents and food prices therein, was received, and ordered filed with the Secretary of State.

Also:

The following communication was received, and ordered printed in the Journal:

DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, February 16, 1943

*Hon. Arthur A. Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento, California*

SUBJECT: Filing of State Engineer reports pursuant to Ch. 1, Stats. 1940, Second Extra Session, as amended.

DEAR SIR: Handed you herewith for filing is the following report of the State Engineer:

A-129 County of San Bernardino, File No. S Bd. 40-1 City of Colton
This report is on an application filed under authority of said Chapter 1, Statutes of 1940, as amended, and is transmitted to you pursuant to the requirements of Section 1 thereof.

Very truly yours,

EDWARD HYATT, State Engineer
By A. D. EDMONSTON, Deputy State Engineer

Inclosure.

Above report ordered filed with the Secretary of State.

Also:

The following communication was received, read, and, on motion of Mr. Dunn, ordered printed in the Journal:

UNITED STATES SENATE COMMITTEE ON FOREIGN RELATIONS
February 5, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California*

MY DEAR MR. OHNIMUS: This will acknowledge receipt of your note of January 28th, inclosing Assembly Joint Resolutions Nos. 9 and 12—the former referring to observation and celebration of the birth of Thomas Jefferson, and the latter to the classification of the grape and raisin industry as "essential."

I have read both resolutions with sympathetic interest and thank you for sending them to me.

With reference to the status of the grape and raisin industry, I recently had this matter up with the Department of Agriculture and quote the following excerpts from the response I received:

"There is, I think, some misunderstanding of the significance of the list of 'essential' crops. The Department of Agriculture recommended to the Selective Service a revised list of essential farm products and war unit conversion factors which would be used by the local Selective Service Boards in determining deferments from military service. This revised list specifically includes grapes with small fruits and berries. The Department of Agriculture has no complete list of commodities which would receive preferential treatment with regard to labor, transportation and containers. We hope that this revised list will be accepted for use by the Selective Service Board. Grapes have been classed with small fruits and berries, seven-tenths of an acre of which equal one war unit. Tree, deciduous and citrus fruits require one acre to equal one war unit."

Thanking you for sending me copies of the resolutions, I am

Sincerely yours,

HIRAM W. JOHNSON

By Speaker Lyon:

A communication from the Legislature of the State of Texas, relative to production of oil, was presented and referred to Mr. Ralph C. Dills.

Also:

A communication from Mrs. Stella Dall, relative to Senate Bills Nos. 617 and 698, was received, and ordered filed with the Secretary of State

MOTION TO PRINT ACKNOWLEDGMENT IN JOURNAL

Mr. Maloney requested that acknowledgment of a letter from the wife of Colin Kelly be printed in the Journal. The letter was in appreciation for the resolution adopted by the Assembly in which the sorrow

of the members was expressed in the death of her husband, Captain Colin Kelly, who died in defense of his Country.

RESOLUTIONS

The following resolutions were offered:

By Mr. Crichton:

House Resolution No. 103

Resolved, That the Speaker appoint a Select Committee of Three to notify the Senate that the Assembly has reconvened pursuant to Assembly Concurrent Resolution No. 29, and is ready to proceed with the business of the State with all officers heretofore elected present, to wit:

Speaker—Hon Charles W. Lyon
Speaker pro tempore—Thomas A. Maloney
Chief Clerk—Arthur A. Ohmhus
Minute Clerk—C. William Queale
Chaplain—Rev Clarence Albert Kircher
Sergeant-at-Arms—Wilkie Ogg

Request for Unanimous Consent

Mr Crichton asked for, and was granted, unanimous consent to take up House Resolution No. 103, at this time, without reference to committee.

Resolution read and adopted.

Appointment of Select Committee

In accordance with the provisions of House Resolution No. 103, the Speaker appointed Messrs. Crichton, Thompson, and Kraft as such Select Committee.

By Mr. Allen:

House Resolution No. 104

Resolved, That a Select Committee of Five be appointed by the Speaker to wait upon the Governor and inform him that the Assembly has reconvened after the constitutional recess, and awaits any communication that he may wish to make to it.

Request for Unanimous Consent

Mr. Allen asked for, and was granted, unanimous consent to take up House Resolution No. 104, at this time, without reference to committee.

Resolution read and adopted.

Appointment of Select Committee

In accordance with the provisions of House Resolution No. 104, the Speaker appointed Messrs. Allen, Haggerty, Burns, Price, and Thurman, as such Select Committee.

House Resolution No. 105

By Mr. Berry:

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed and ordered to draw his warrants on the proper fund in favor of the following Members of the Assembly for the amount set opposite their

respective names, and the State Treasurer is hereby directed and ordered to pay the same :

District	Name	Address	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Michael J Burns	Eureka, Humboldt County	312		312	624	\$31 20
2	Paul Denny	Etna, Siskiyou County	295		332	664	33 20
3	Lloyd W Lowrey	Itumsey, Yolo County	23	36	59	118	5 80
4	Albert M King	Oroville, Butte County	86		86	172	8 60
5	Ernest C Crowley	Fairfield, Solano County	40		40	80	4 00
6	Allen G Thurman	Colfax, Placer County	37	17	54	108	5 40
7	Richard H McColister	Mill Valley, Marin County	105	8	113	226	11 30
8	Chester F. Gannon	Sacramento, Sacramento County					
9	Earl D Desmond	Sacramento, Sacramento County					
10	Harold F Sawallisch	Richmond, Contra Costa County	62	23	84	168	8 40
11	Charles M Weber	Stockton, San Joaquin County	48		48	96	4 80
12	James E Thorp	Lockeford, San Joaquin County	48	3	45	90	4 50
13	Francis Dunn, Jr	Oakland, Alameda County	84		84	168	8 40
14	Randal F Dickey	Alameda, Alameda County	84	5	89	178	8 90
15	Bernard A Sheridan	Oakland, Alameda County	84		84	168	8 40
16	Arthur W Carlson	Piedmont, Alameda County	84		84	168	8 40
17	Edward J Carey	Emeryville, Alameda County	84		82	164	8 20
18	Gardiner Johnson	Berkeley, Alameda County	84	1	83	166	8 30
19	Bernard W Brady	San Francisco, San Francisco County	90		90	180	9 00
20	Thomas A Maloney	San Francisco, San Francisco County	90		90	180	9 00
21	Albert C Wollenberg	San Francisco, San Francisco County	90		90	180	9 00
22	George D Collins, Jr	San Francisco, San Francisco County	90		90	180	9 00
23	William Clifton Berry	San Francisco, San Francisco County	90		90	180	9 00
24	Edward F O'Day	San Francisco, San Francisco County	90		90	180	9 00
25	Gerald P Haggerty	San Francisco, San Francisco County	90		90	180	9 00
26	Edward M Gaffney	San Francisco, San Francisco County	90		90	180	9 00
27	Harrison W. Cail	Redwood City, San Mateo County	119		119	238	11 90
28	Raup Miller	Palo Alto, Santa Clara County	128	18	146	292	14 60
29	John F Thompson	San Jose, Santa Clara County	128		128	256	12 80
30	Ralph M Brown	Modesto, Stanislaus County	77		77	154	7 70
31	George A Clarke	Le Grand, Merced County	114	15	129	258	12 90
32	Jacob M Leonard	Hollister, San Benito County	173		173	346	17 30
33	Fred Weybret	Soledad, Monterey County	208	34	242	484	24 20
34	J G Crichton	Fresno, Fresno County	169		169	338	16 90
35	S L Heisinger	Fresno, Fresno County	169		174	348	17 40
36	C L Guthrie	Porterville, Tulare County	206	28	234	468	23 40
37	Alfred W Robertson	Santa Barbara, Santa Barbara County	460		460	920	46 00
38	Walter J Fourt	Ventura, Ventura County	490		490	980	49 00
39	Thomas Harold Werdol	Bakersfield, Kern County	278		278	556	27 80
40	William H Rosenthal	Los Angeles, Los Angeles County	447		447	894	44 70
41	Julian Beck	San Fernando, Los Angeles County	447	21	426	852	42 60
42	Everett G Burkhalter	North Hollywood, Los Angeles County	447		447	894	44 70
43	C Don Field	Glendale, Los Angeles County	447	10	437	874	43 70
44	John B Pelletier	Los Angeles, Los Angeles County	447		447	894	44 70
45	Thomas J Doyle	Los Angeles, Los Angeles County	447		447	894	44 70
46	Glenn M Anderson	Hawthorne, Los Angeles County	447	12	459	918	45 90
47	Willis Sargent	Pasadena, Los Angeles County	447	13	460	920	46 00
48	T Fenton Knight	La Canada, Los Angeles County	447	16	463	926	46 30
49	Lee T Bashore	Glendora, Los Angeles County	447	26	473	946	47 30
50	Thomas M Erwin	El Monte, Los Angeles County	447	14	461	922	46 10
51	Elwyn S Bennett	Los Angeles, Los Angeles County	447		447	894	44 70
52	Jonathan J Holibaugh	Huntington Park, Los Angeles County	447	6	453	906	45 30
53	Lethrop Smith	San Gabriel, Los Angeles County	447	9	456	912	45 60
54	John B Knight	Eagle Rock, Los Angeles County	447		447	894	44 70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447		447	894	44 70
56	Ernest E Debs	Los Angeles, Los Angeles County	447		447	894	44 70
57	Franklin J Potter	Hollywood, Los Angeles County	447		447	894	44 70
58	Frank J Waters	Los Angeles, Los Angeles County	447		447	894	44 70
59	Charles W Lyon	Beverly Hills, Los Angeles County	447	8	455	910	45 50
60	Jesse Randolph Kellens	Los Angeles, Los Angeles County	447		447	894	44 70
61	Lester A McMillan	Los Angeles, Los Angeles County	447		447	894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447		447	894	44 70
63	Don A Allen	Los Angeles, Los Angeles County	447		447	894	44 70
64	John C Lyons	Los Angeles, Los Angeles County	447		447	894	44 70
65	John W Evans	Los Angeles, Los Angeles County	447		447	894	44 70
66	Jack Massion	Los Angeles, Los Angeles County	447		447	894	44 70
67	Clayton A Dills	Gardenia, Los Angeles County	447	11	458	916	45 80
68	Vincent Thomas	San Pedro, Los Angeles County	447	23	470	940	47 00

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
69	Ralph C Dills	Compton, Los Angeles County	447	18	--	465	930	\$46 50
70	Lorne D Middough	Long Beach, Los Angeles County	447	23	--	469	938	46 90
72	R Fred Price	Ontario, San Bernardino County	508	--	23	485	970	48 50
73	Douglas P Armstrong	Redlands, San Bernardino County	508	9	--	517	1,034	51 70
74	Clyde A Watson	Orange, Orange County	481	--	--	481	962	48 10
75	Sam L Collins	Fullerton, Orange County	481	--	11	470	940	47 00
76	Nelson S. Dilworth	Hemet, Riverside County	512	34	--	546	1,092	54 60
77	Harvey E Hastain	Brawley, Imperial County	661	--	15	646	1,292	64 60
78	Frederick H Kraft	San Diego, San Diego County	573	--	--	573	1,146	57 30
79	Kathryn T Niehouse	San Diego, San Diego County	573	--	--	573	1,146	57 30
80	Charles W Stream	Chula Vista, San Diego County	573	10	--	583	1,166	58 30

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Arthur A Ohmmus	San Francisco, San Francisco County	--	--	--	--	--	--
C William Queale	Fullerton, Orange County	481	--	11	470	940	\$94 00
Wilkie Ogg	Sacramento, Sacramento County	--	--	--	--	--	--

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Sam L. Collins:

House Resolution No. 106

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of one thousand nine hundred seventy-five dollars (\$1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding one thousand nine hundred seventy-five dollars (\$1,975) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars (\$25).

Request for Unanimous Consent

Mr Sam L Collins asked for, and was granted, unanimous consent to take up House Resolution No. 106, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Call, Carey, Clarke, Collins, Sam L., Dels, Denny, Desmond, Dickev, Dills, Clayton A, Dills, Ralph C, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Smith, Stream, Thomas, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

By Mr. Sam L. Collins:

House Resolution No. 107

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnumus, Chief Clerk, and the State Treasurer is hereby directed to pay the same for the sum of one hundred fifty dollars (\$150), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office.

Request for Unanimous Consent

Mr Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No 107, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Clarke, Collins, Sam L. Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hastam, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

By Mr. Sam L. Collins:

House Resolution No. 108

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same.

Hotel Senator Flower Shop (Mrs. Newsome)	\$10 30
Bureau of Purchases (Supplies)	702 58
The Broadway Florist (Spray for Mr. Dockweiler)	20 60
H. S. Crocker Company (Supplies)	13 67
Department of Finance (Work on voting machine, lights, and clock —November)	108 44
Department of Finance (Work on voting machine, lights, and clock —December)	231 61
Department of Finance (Pro-rate cost of telephone service 1-26-43 to 2-25-43)	92 42
Department of Finance (Work on voting machine, lights, and clock—January)	39 48
Department of Finance (Pro-rate cost of telephone service 12-26-43 to 1-26-43)	2 03

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Sargent and Knight, T. Fenton:

House Resolution No. 109

Relating to adjournment in respect to memory of Edgar W. Camp

WHEREAS, The Members of the Assembly have learned with deep sorrow of the death of Edgar W. Camp, a Member of the Assembly of the Thirty-fifth Session of the Legislature, and for many years an attorney for the Santa Fe Railway and a lecturer at the University of Southern California; and

WHEREAS, The Members of the Assembly wish to offer their deep and heartfelt sympathy to the members of his family in their loss; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly this day adjourns, it do so out of respect to the memory of Edgar W. Camp; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to Mrs. L. B. Nourse of Bakersfield, daughter, and to C. L. Camp of Berkeley, son, of Edgar W. Camp.

Request for Unanimous Consent

Mr. Sargent asked for, and was granted, unanimous consent to take up House Resolution No. 109, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs. Maloney and Field :

House Resolution No. 110

Relative to the preparation of the Legislative Digest by Fred B. Wood, Legislative Counsel, and his staff

WHEREAS, There were introduced during the January portion of this session approximately 3,000 legislative measures of varying complexity and touching upon the daily activities and the persons and properties of all the citizens of this State; and

WHEREAS, It is essential to the proper consideration of such measures by the Legislature and by the members of the public that there be available accurate and concise digests of such measures; and

WHEREAS, The task of preparing the Legislative Digest has been made increasingly difficult because a large proportion of the experienced members of the staff of the Legislative Counsel are now serving in the armed forces of the United States, despite which handicap the Legislative Digest has been made available to the members of the Legislature and to the public, and is in full accordance with the traditionally high standards maintained by the Legislative Counsel; now, therefore, be it

Resolved by the Assembly of the State of California, That it commends Fred B. Wood, Legislative Counsel, and his staff for completing the preparation of the Legislative Digest with promptitude and skill; and be it further

Resolved, That this Assembly hereby expresses its appreciation for the unflinching spirit of cooperation and courtesy with which Fred B. Wood and his staff have continued to discharge their functions for the Legislature.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 110, at this time, without reference to committee

Resolution read and adopted.

By Messrs. Collins, Sam L., and Lyon

House Resolution No. 111

Relating to the efficiency and cooperation of Mr. George H. Moore, State Printer, and Mr. Ewing Haas and Mr. C. Arthur Tisdell in charge of the Legislative Bill Room and their employees in making available the printed bills, the Semi-Final History and the Legislative Digest to the members during the constitutional recess

WHEREAS, The purpose of the constitutional recess is primarily for study of proposed and pending legislation; and

WHEREAS, It is essential that the legislative bills, Digest and History be printed in sufficient time to give the members and the public full opportunity to study proposed legislation; and

WHEREAS, Through the fine cooperation of Mr. George H. Moore, State Printer; Mr. Ewing Haas, and Mr. C. Arthur Tisdell, in charge of the Legislative Bill Room, and the officers of both houses of the Legislature and their respective staffs, and in spite of shortage of help and materials caused by war conditions, the printed bills, Semi-Final History and the Legislative Digest were made available with promptness and dispatch, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly extend its appreciation to Mr. George H. Moore and the entire Printing Office, to Mr. Ewing Haas, and Mr. C. Arthur Tisdell and their force in the Bill Room, and to the officers of both houses of the Legislature and their staff for their valuable contribution to the legislative process.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 111, at this time, without reference to committee.

Resolution read and adopted.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

The following resolution was offered :

Assembly Concurrent Resolution No. 36: By Mr. Charles W. Lyon, Member and Speaker of the Assembly, on behalf and at the request of His Excellency Earl Warren, Governor of the State of California; Frederick F. Houser, Lieutenant Governor of California; Senator Jerrold L. Seawell, President pro tempore of the Senate; Thomas A. Maloney, Speaker pro tempore of the Assembly, and all Members of the Legislature of the State of California—Relative to the death of Joseph Timmons.

Request for Unanimous Consent

Mr. Thurman asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 36, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

Communication Read

Mr. Thurman, in moving the adoption of the resolution, read the following telegram from Carl Greenberg, representative of the Los Angeles Examiner :

LOS ANGELES, CALIFORNIA, March 6, 1943

*Charles W. Lyon, Speaker, Assembly Chamber, Capitol
Sacramento, California*

Joseph Timmons born January 1, 1870, on farm near Oakland, Illinois, came to California, 1891, with parents, Andrew Jackson Timmons and Lydia Utz Timmons, and brothers and sisters.

Stanford graduate, 1897, and went to work as reporter for San Francisco Examiner. Enlisted as volunteer, Seventh California Infantry, 1898. Returned to San Francisco Examiner after mustered out. In 1908 took job on Los Angeles Examiner.

Covered trial of McNamara Brothers for Times dynamiting, Clarence Darrow on jury bribery for the Mexican Border troubles.

After Villa raid in 1916, spent six months on border covering trouble. Upon entrance of United States in World War in 1917, went with first draft contingent to Camp Lewis writing for paper. Went to France for Los Angeles and San Francisco Examiners as correspondent with western troops. Saw nearly all major participation American troops, including going through Meuse-Argonne offensive.

Early 1919 returned here, and in Autumn to Japan and China for Hearst papers, interviewing Premier Hara, Count Uchida, Dr. Sun Yat-sen, leader of Chinese revolution that overthrew empire.

Timmons went into Shantung Province, held by Japs, and was first correspondent any nationality to show Japs digging in to make Shantung definitely Jap territory. Was among first writers from Oriental field who disclosed intent of Japan to establish herself strongly in mainland Asia so that she would be able to move on to demands of "racial equality" including right of free emigration her nationals to California.

In 1920, Timmons to Honolulu—wrote series articles showing menacing situation there. Articles used by Victor McClatchy to show Congress need to extend Chinese Exclusion Act to include Japs and this act was passed.

Shortly Boulder Dam fight started, and until 1920 Timmons spent much time on project—covering Congress. Los Angeles Examiner unified all Southland behind project. Secretary Interior Ray Lyman Wilbur publicly said dam would not have been constructed if not for Timmons.

As political editor and correspondent, covered scores political campaigns here, and Legislature at Sacramento. Joe leaves brother Charles, Kernville Postmaster; and three sisters: Misses Flora and Clara Timmons, 150 South Commonwealth, Los Angeles, with whom he made his home; and Mrs. Frank Daugherty of Euclino.

GREENBERG

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 36

Assembly Concurrent Resolution No. 36—Relative to the death of Joseph Timmons.

Resolution read, and adopted unanimously by a rising vote of the Assembly.

Resolution ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Concurrent Resolution No. 37: By Messrs. Dills, Ralph C., Lyon, Maloney, and Dills, Clayton A.—Relative to inviting Madame Chiang Kai-shek to address the California Legislature.

Request for Unanimous Consent

Mr. Ralph C. Dills asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 37, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 37

Assembly Concurrent Resolution No. 37—Relative to inviting Madame Chiang Kai-shek to address the California Legislature.

Resolution read and adopted.

Resolution ordered transmitted to the Senate.

MOTION TO PRINT REPORT IN JOURNAL

Mr. Ralph C. Dills moved that the following Report of the Committee on State-Federal Cooperation in the Discovery, Transportation, Refining, and Use of Petroleum be printed in the Journal:

Motion carried.

**Report of the Committee on State-Federal Cooperation in the Discovery,
Production, Transportation, Refining, and Use of Petroleum**

To the Speaker and Honorable Members of the Assembly of the State of California
Your Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum herewith submits its report
Your committee met on February 15, 1943, at Los Angeles, California. After organization and discussion the following resolution was adopted:

WHEREAS, California is one of the principal oil-producing States of the Union, and the present productive capacity of California's oil fields is being severely taxed to supply the existing demands of our armed forces and essential civilian activities; and

WHEREAS, It is clear that the demands of both our armed forces and civilian activities are increasing and will continue to increase; and

WHEREAS, It is common knowledge that the cost of labor and materials has greatly increased in the past 18 months, during which time there has been no increase in the prices of crude oil paid to producers; and

WHEREAS, It is essential to the promotion of increased production and the discovery of new oil reserves that substantial increases be had in the prices of crude oil and for allied products; now, therefore, be it

Resolved by this committee, That the Office of Price Administration and the Honorable Prentiss Brown, director thereof, be and they are hereby urged to forthwith recognize the need for the encouragement of further and greater production of crude oil and new discoveries thereof through increases in prices paid to the producers of crude oil, and that they forthwith direct a reasonable, substantial increase in prices for all crude oil produced in California and the products of crude oil, in order to avoid a serious and critical shortage in the available supplies of such products; and be it further

Resolved. That copies of this resolution be sent to the Petroleum Administrator for War and to all Members of Congress from California and that they be urged to use their best efforts to bring about reasonable, substantial increases in the prices of crude oil in California and the products derived therefrom

Pursuant to the terms thereof, copies were transmitted to the Petroleum Administrator for War and to all Members of Congress of the United States from California.

Your committee is pleased to report that on motion of Congressman Thomas Rolph, of San Francisco, the resolution was ordered printed in the Congressional Record on page 2-507, on February 23, 1943.

Acknowledgments of receipt of said resolution have been received, with assurances of complete cooperation, from the following Congressmen: Leroy Johnson, Ed V. Izac, Harry L. Englebright, Richard J. Welch, Norris Poulson, John Z. Anderson, Thomas Rolph, John M. Costello, Bertrand W. Gearhart, Harry R. Sheppard, Albert E. Carter, and from senior United States Senator Hiram W. Johnson and United States Senator Sheridan Downey.

A communication was also received from Ralph K. Davies, Deputy Petroleum Administrator, acknowledging receipt of a letter from your committee addressed to Mr. Harold L. Ickes, Petroleum Administrator for War, which is as follows:

Your letter of February 17th to Mr. Harold L. Ickes, Petroleum Administrator for War, and the attached resolution of the Interim Legislative Committee on State-Federal Cooperation in Petroleum have been referred to me for reply.

At the present time this office is engaged in a study of the costs of producing crude oil. Upon completion of this study, appropriate recommendations will be made to the Office of Price Administration.

Your consideration in referring this matter to our attention is appreciated.
Sincerely yours,

RALPH J. DAVIES
Deputy Petroleum Administrator

Your committee will conduct further hearings with relation to the purposes for which it was formed and will subsequently report to your honorable body.

RALPH C. DILLS, Chairman

MOTION TO PRINT INTERIM COMMITTEE REPORT IN JOURNAL

Mr. Sam L. Collins moved that the following Report of the Interim Committee to Inquire Into the Administration and Enforcement of Criminal Laws be printed in the Journal:

Mr. Call seconded the motion.

Motion carried.

Report of Interim Committee to Inquire Into the Administration and Enforcement of Criminal Laws

Pursuant to House Resolution No. 81, and the adoption of the resolution authorizing the Interim Committee created by said resolution to inquire into the administration and enforcement of criminal laws; your committee submits the following findings and recommendations:

Chess Players	(1) That a defendant by the name of STANLEY BEEBE entered the central jail of the City of Los Angeles at the approximate hour of 7 o'clock p.m. on December 19, 1942. The uncontradicted testimony disclosed that Mr. Beebe was in perfect health save and except for the fact of a condition of intoxication. The degree of intoxication is in doubt. The fact is certain that at the moment of Mr. Beebe's entry into said jail, he picked up a dial phone and dialed his home number, and his wife, Mrs. Beebe, answered. The conversation was rational and intelligible. After this episode, the conflict of testimony creates an uncertainty as to the exact whereabouts of Mr. Beebe until the hour of 1 29 a m. of December 20, 1942, the time of the departure of Mr. Beebe in the police wagon for the Lincoln Heights Jail. From that hour until 6 a m. the same morning, Mr. Beebe's presence was not noted. At 6 a m., or thereabouts, Mr. Beebe talked with Mrs. Beebe through the screen at the Lincoln Heights Jail, at which time she observed his swollen and distorted features. From then until his release several hours later, the testimony shows that Mr. Beebe was in a battered and bruised condition. This condition was, or should have been, apparent to all. His departure and arrival at his home and his condition at said time is established by reliable and wholly disinterested parties. From this
Test of Mrs Beebe	
Cab Driver	

uncontroverted physical fact, and the testimony of the doctors at the coroner's inquest, your committee finds that Mr. Beebe received injuries while in the custody of the Los Angeles police from which injuries Mr. Beebe died.

Officer
Kucera

(2) That during the time Mr. Beebe was confined to his bed over one week, an officer called at the request of Mrs. Beebe. He observed the physical condition of Mr. Beebe and commented on the gravity of his injuries. This officer made his report to his superior officer, reporting the physical condition of Mr. Beebe and the charge that his injuries were inflicted by the police while in their custody.

Capt
Irwin

This notice and the subsequent requests for action by Mrs. Beebe brought no response from the police department.

From this established fact, your committee finds that the police department could have easily established that the police were or were not responsible for the injuries, and could have conclusively shown that the allegations were true or false had they chosen to have taken the accused before Mr. Beebe while he remained conscious. This they did not do. The reason must be obvious.

(3) The evidence established that a police board of inquiry had been appointed for the purpose of inquiring into the death of Mr. Beebe and the cause thereof.

As a result of this inquiry, six officers have been suspended, five accused of perjury arising out of their testimony at the coroner's inquest and one charged with manslaughter. If the allegation of manslaughter refers to the kicking administered to Mr. Beebe, which kicking caused his death, certainly this charge is the lightest that could be considered in view of the evidence.

Your committee feels that the charge of perjury will in nowise aid the district attorney in the prosecution of this case, but rather will hinder and handicap him in the proof. The fact that it required almost two months to make any recommendation and then to make a recommendation of this sort proves conclusively to your committee that the provisions of the charter hereinafter set forth are an aid to no one other than the accused police, and instead of being an aid in the furtherance of justice it thwarts this purpose and every other known orderly procedure provided for the protection of the innocent and the prosecution of the guilty.

File of
Attorney
Irving
Walker

Your committee's attention was directed to scores of cases where complaint was made to the proper officials regarding beatings received by complainants at the hands of the police. In many instances these complainants obtained judgment against the officers administering the beating, but practically without exception the officers have gone unpunished, no hearings having been held in accordance with the charter provisions.

Your committee wishes to call attention to the following provisions of the CITY CHARTER OF LOS ANGELES:

Sec 202 (1) The right of an officer or employee of the Police Department to hold his office or position and to the compensation attached to such office or position is hereby declared to be a substantial property right. . . . No officer or employee of the Police Department shall be suspended, removed, deprived of his office or position . . . except . . . after a full, fair and impartial hearing before the Board of Rights . . .

(6) The Board of Rights shall be constituted of three (3) officers of the rank of Captain or higher . . . , the officer or employee shall draw six (6) cards from a box containing the names of all of the officers who are qualified to sit upon such board (. . .), and shall select any three (3) of the six (6) names thus drawn to constitute the Board of Rights to hear and decide upon the charges against him, rejecting the three (3) not selected by replacing them in the box. The three (3) thus selected shall constitute the Board of Rights to hear and decide the matter.

(12) At such hearing the accused shall have the right to appear in person and by counsel or representative, or both, . . . The accused shall have the right and privilege to select and name any officer of the department of any rank not higher than the rank of lieutenant (who is not otherwise disqualified by reason of prejudice or being a party to the action in any capacity) to act as his defense representative at such hearing. The Chief of Police must immediately assign the officer so selected and named to act as such representative, and it is hereby made the duty of such officer to use every legal means available and exercise the best efforts of which he is capable to defend the accused at such hearing. All testimony at such hearing shall be . . . reported by a stenographer and . . . the accused shall be

entitled to a certified copy of such transcript without charge or payment of fee.

(16) At any time within three (3) years after any case of removal as hereinabove provided, the officer or employee so removed may file his request with the Chief of Police to be reheard or to be heard on the cause of his removal, . . . the Chief of Police must . . . cause a Board of Rights to be constituted in the manner hereinabove provided for the purpose of hearing and deciding the matter. The said Board of Rights shall proceed as hereinabove prescribed, and shall at the conclusion of the hearing render and certify its findings (independent of any previous findings by any other Board of Rights, or any other court, board or other tribunal, or any investigation or report of or discretion exercised by the Chief of Police in such cases where no hearing was had before a Board of Rights), based upon the evidence adduced before it at such hearing and not otherwise, and shall make and certify its decision and order in writing, and shall deliver a copy thereof to the Chief of Police. (Underlining added.)

It is the opinion of your committee that these provisions of the charter be entirely deleted, since all the officers have the rights conferred upon civil service employees and in addition have this added means of perpetuating themselves in office.

The people should be permitted to vote as provided by law upon proposed changes or amendments. Upon submitting to the electorate the form of amendment or provision, it is then for the people to determine the choice. With the substitute or the amendment, your committee is not concerned, excepting that all the evidence submitted has conclusively shown that this provision definitely permits justice to be circumvented and the guilty to go unpunished.

Your committee further finds that the inalienable rights of citizens are suspended by the police. The police rule that the accused is not entitled to bail or release from custody until such time as the police themselves so decide, it being established that they now have decided by present rule and regulation that after an incarceration of five hours these rights may be asserted.

The right to the aid of counsel at all stages of the proceedings likewise are suspended under the same rules and regulations as promulgated by the police department.

Your committee desires to call attention of the Legislature, and the people of Los Angeles in particular, to the fact that the alleged brutality referred to in this report was not confined to the Beebe case. Your committee established by sober, reliable, and disinterested persons that brutal and inhumane treatment was accorded other prisoners on the night of December 19, 1942, and from this and other testimony your committee finds that this manner of treatment is not unusual, but appears to be the prescribed course of conduct. Your committee was not delegated the task of solving the Beebe case by disclosing who was responsible for his injuries, but rather to ascertain whether or not the rights of persons accused had been abridged. This, your committee did, in no uncertain manner. In addition thereto, the district attorney of Los Angeles County graciously announced that your committee had been of material aid in securing indictments.

Your committee further finds that police reports, prepared primarily for police departmental use, are considered by the judges of the municipal court upon a plea of guilty before sentence is pronounced. The report is frequently incorrect and may contain untrue and highly prejudicial matters that are intentionally or thoughtlessly incorporated therein. This offers opportunity for deliberate or negligent distortion of facts and usually contains extraneous matter based upon suspicion and hearsay obviously prejudicial to the defendant, no part of which report is made under oath.

There is a further recommendation of your committee which we feel of the utmost importance in order to prevent the occurrence of deaths within the jail from injuries received before or while in custody, and that is the presence at all times of a licensed and practicing physician and surgeon to administer immediately aid needed by those sustaining injuries.

Your committee further recommends as one of the conditions to the hiring of any person as a policeman or police officer, that such person be required to post, at his own expense, a bond in the penal sum of \$1,000, before assuming his duties, the condition of the bond to be the payment by such policeman or police officer of any amount or judgment recovered by a plaintiff against him for injuries received from such police officer arising out of any misconduct or mistreatment at the hands of such police

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officer; and provided that in event any such judgment should remain unsatisfied for the period of 60 days from the date of the entry thereof, such officer would, upon the expiration of said 60-day period, become automatically disqualified from holding his position or any position as policeman, police officer, or law enforcement officer in the State of California.

IN CONCLUSION, your committee desires to express its appreciation for the cooperation of Fred N. Howser, the present district attorney of Los Angeles County, and his staff.

We take particular pride in pointing out to the Assembly and to the citizens of Los Angeles that in thus fulfilling the last official wish and act of the late District Attorney John F. Dockweiler, we believe his judgment has been proven sound in this particular respect, in thus forcefully calling to the attention of the electorate of Los Angeles and to the Assembly the acts of which he complained and the possible remedy therefor. This problem was so acute and of such moment as to prompt him to make this unusual request. The great and immediate need for a remedy should be apparent to all. The character of the remedy to be afforded, we leave to the democratic process. To the people of Los Angeles County we intrust its fate.

Date: March 8, 1943.

SAM L. COLLINS, Chairman
 RANDAL F. DICKEY, Member
 HAROLD F. SAWALLISCH, Member
 CHESTER F. GANNON, Member
 BERNARD A. SHERIDAN, Member

C. DON FIELD

Chairman of the General Committee on Governmental
 Efficiency and Economy

MOTION TO PRINT LETTER IN JOURNAL

Mr. Kilpatrick moved that the following letter be printed in the Journal:

Motion carried.

DAIRY AND FOOD DEPARTMENT
 CITY OF ABERDEEN, SOUTH DAKOTA, February 27, 1943

*Chairman Sam L. Collins
 Fullerton, California*

DEAR SIR I wrote you on February 24th calling your attention to letters that I had previously written John C. Dockweiler, District Attorney, a copy of which I inclosed. I also have written two letters in rather complete detail to the Los Angeles Examiner. Inasmuch as there was an error in the address of my former letter, I am again writing covering the content of my former letter.

I lost my son, Ward Leland Buttz, 41 years old, married, with two minor children, in August, 1941. He had been in Los Angeles but three days, was arrested for being drunk and although in full possession of his faculties and evidence of the officers making the arrest that he was not intoxicated but uncooperative, inasmuch as he insisted on driving his car to his rooms. He was booked at 12.10 and at 3.25 was removed from his cell with a fractured skull. Two fractures, one on top of the right side and one over the left ear indicating that he was beaten, the police theory was that he fell from a bunk.

This occurred in Hollywood Jail on Thursday night or Friday morning, August 28, 1941. He died August 30th, at 9.30 p.m. He was not taken to the hospital until some time after 7 o'clock in the morning, lying in the jail at No. 110 adjacent to the Los Angeles General Hospital although removed from Hollywood at 3.35 a.m. with a diagnosis of fractured skull and hemorrhage. Notations on the police record and in the Emergency Hospital adjacent the Hollywood, together with the delay in reaching medical attention indicated to me that he had been roughly handled.

I have many notations and data, collected at that time, which I would be glad to submit if you care to look into the matter, and I have many friends in Los Angeles to whom I could refer you as to my responsibility.

This young man was the past Exalted Ruler of the Elks, a member of the Masonic Fraternity, a World War Veteran, Vice President of our Country Club, and past President of the State Golf Association.

Will you kindly advise me if you receive this letter

Very truly yours,

W. L. BUTTZ

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 48—An act to amend Section 637 of, and to add Section 368 to, the School Code, and to add Sections 18058 and 18059 to the Education Code, relating to the letting of contracts, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 162—An act to add Section 2591 to the Vehicle Code, relating to school bus drivers, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 290—An act to add Section 214 to the Revenue and Taxation Code, relating to the exemption from taxation of merchandise arrested by war conditions from actually continuing to move in interstate or foreign commerce, declaring the urgency thereof and providing that this act take effect immediately; And reports that the same have been correctly enrolled, and presented to the Governor on the first day of February, 1943, at 1 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 307—An act to add Chapter 3 to Part 3 of Division 6 of the School Code and to add Chapter 11 to Division 9 of the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 319—An act to add Article 4 to Chapter 2, Division 5 of the Welfare and Institutions Code, to amend and renumber Section 3305 and to repeal Section 3261, relating to the revolving funds of the manufacturing departments of the Industrial Home for the Adult Blind, the San Diego Workshop and the Los Angeles Workshop for the Adult Blind, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 320—An act to amend Section 3259 of the Welfare and Institutions Code, relating to the Industrial Home for the Adult Blind Revolving Fund, making an appropriation, and declaring the urgency thereof; And reports that the same have been correctly enrolled, and presented to the Governor on the first day of February, 1943, at 1 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 321—An act to amend Section 3304 of the Welfare and Institutions Code, relating to the Los Angeles Industrial Workshop for the Blind, making an appropriation and declaring the urgency thereof;

Assembly Bill No. 341—An act to add Section 21839 to the Welfare and Institutions Code, relating to aid to the aged, and declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 354—An act to amend Section 1183 of, and to add Section 11835 to, the Civil Code, relating to the proof or acknowledgment of instruments and the administering of oaths or affirmations, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of February, 1943, at 1 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined

Assembly Bill No. 368—An act to amend Section 185 of, and to add Section 1865 to, the Streets and Highways Code, relating to expenditures for highway purposes, declaring the urgency thereof, and providing this act shall take effect immediately;

Assembly Bill No. 384—An act to add Section 395 to the School Code and to add Section 8161 to the Education Code, relating to the maintenance of schools and classes, declaring the urgency thereof, to take effect immediately.

Assembly Bill No. 504—An act to add Division 45, comprising Sections 6100 to 6149, inclusive, to the Labor Code, relating to benefits payable to employees of the State of California and their dependents directly or through the medium of insurance, on account of injuries arising out of and occurring in the course of their employment, which injuries or resulting death are not compensable under the provisions of Division 4 of the Labor Code, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of February, 1943, at 1 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 895—An act making an appropriation in augmentation of the Emergency Fund specified in Item 216 of the Budget Act of 1941, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the first day of February, 1943, at 1 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 21—Relative to the reports of the annual conventions of the Disabled American Veterans of the World War of the Department of California, and the Department Encampment of the Grand Army of the Republic; And reports that the same has been correctly enrolled, and presented to the Governor on the first day of February, 1943, at 1 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1009—An act to authorize public agencies to withhold amounts from salaries and wages, paid by public agencies and to comply with provisions of Internal Revenue Laws of the United States, declaring the urgency of this act, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the first day of February, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 14—Relative to small business enterprises

Assembly Joint Resolution No. 23—Relative to memorializing Congress to enact Senate Bill 450 regarding compensation to civilians;

Assembly Joint Resolution No. 26—Relative to the Pharmacy Corps Bill; And reports that the same have been correctly enrolled, and presented to the Governor on the first day of February, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 27—Relative to memorializing Congress in relation to retaining the administration of California fishery production in the United States Department of Agriculture;

And reports that the same has been correctly enrolled, and presented to the Governor on the first day of February, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 26—Relative to Reports of the 1942, 1943 and 1944 Annual Conventions of the Military Order of the Purple Heart;

Assembly Concurrent Resolution No. 27—Relative to Reports of the Annual Conventions or Encampments of the Veterans of Foreign Wars of the Department of California;

Assembly Concurrent Resolution No. 29—Relative to adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after such recess and fixing the date for said adjournment and said reassembling; And reports that the same have been correctly enrolled, and presented to the Governor on the first day of February, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 31—Relative to commending Joseph C. Beard, Captain of State Police;

And reports that the same has been correctly enrolled, and presented to the Governor on the first day of February, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, February 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 10—An act to add Chapter 55 (comprising Sections 10615 to 10622 inclusive) to Division 9 of the Health and Safety Code, relating to the registration of previously unregistered births, declaring the urgency hereof, to take effect immediately;

Assembly Bill No. 577—An act making an appropriation to meet a deficiency in the appropriation for support of the Division of Corporations, Department of Investment, State of California, for the Ninety-fourth Fiscal Year, to take effect immediately;

Assembly Bill No. 755—An act to add Sections 82 and 13.1 to The Personal Income Tax Act and Sections 17356 and 18434 to the Revenue and Taxation Code, relating to the personal income tax, deductions therefrom and returns made therefor, declaring the urgency thereof, to take effect immediately;
And reports that the same have been correctly enrolled, and presented to the Governor on the first day of February, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 322—An act to amend Section 33045 of the Welfare and Institutions Code, relating to the San Diego Industrial Workshop for the Blind, making an appropriation and declaring the urgency thereof,
And reports that the same has been correctly enrolled, and presented to the Governor on the first day of February, 1943, at 5 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 367—An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately;

Assembly Bill No. 572—An act to amend Sections 2701, 2702 and 2780 of, and to add Sections 2715 and 2729 to, the Penal Code, relating to prisons, the employment of prisoners and the sale of prison-made products, and declaring the urgency thereof and that this act shall go into immediate effect;

Assembly Bill No. 770—An act to increase production by providing for exemptions from various requirements, relating to employment and working conditions of female employees essential to the war effort, declaring the urgency thereof, to take effect immediately,
And reports that the same have been correctly enrolled, and presented to the Governor on the first day of February, 1943, at 5 p.m.

PELLETIER, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 8, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No. 36

Assembly Concurrent Resolution No. 37

J. A. BEEK, Secretary of the Senate

Above resolutions ordered enrolled.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 8, 1943

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of the State of California, you are hereby notified that on the twelfth day of February, 1943, at 4:07 o'clock p.m., Assembly Bill No. 290 was returned without my signature, and together with a statement of my objections thereto, was delivered to Arthur A. Ohmmus, Chief Clerk of the Assembly. A copy of the statement mentioned is attached hereto

Respectfully submitted.

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, February 12, 1943

*To the Honorable Members of the Assembly
State of California, Sacramento, California*

GREETINGS I am returning herewith, without my signature, Assembly Bill No. 290, entitled: "An act to add Section 214 to the Revenue and Taxation Code, relating to the exemption from taxation of merchandise arrested by war conditions from actually continuing to move in interstate or foreign commerce, declaring the urgency thereof and providing that this act take effect immediately."

My objections to this bill are as follows:

It grants a special and preferential exemption and would shift the burden of public protection of the property affected while in the State to other taxpayers. Meanwhile other property, lying idle and depreciating in value due to war conditions, would have to pay its share of public expense.

The inherent unfairness of so shifting the burden and the tendency of this kind of legislation to impair the whole tax structure of the State greatly outweigh in importance the need for relief to owners of property exempted from taxation by this bill. If this exemption is granted, other taxpayers will make similar claims for relief and the gates will be opened for other exemptions.

Furthermore, no practical standard is set up to enable the assessors of the State, charged with the responsibility of levying and collecting such taxes, to determine what property is properly within the provisions of the act. No provision is made for payment of taxes even though the intent to move the property in interstate or foreign commerce is abandoned and the property is thereafter sold.

The assessors of the State, through their association, object to the act as being bad tax policy and inequitable.

The Attorney General has also questioned the sufficiency of the urgency clause. The resulting uncertainty in the effective date of the act might result in expensive litigation to the counties.

Respectfully submitted.

EARL WARREN, Governor

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1542
BY UNANIMOUS CONSENT**

Mr. Desmond asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1542 from the Committee on Universities and Colleges, and have it re-referred to the Committee on Ways and Means.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Chester M. Woodruff of Hollywood.

On request of Messrs. Field and Price, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. James Buchanan and Miss Ruth Buchanan of Glendale.

On request of Mr. T. Fenton Knight, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. George Fishburn, of La Cañada, daughter of ex-Governor Wiltard P. Hall of Missouri.

On request of Messrs. Lyon and Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Frank Sebastian of Sacramento.

ADJOURNMENT

At 12.46 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, March 9, 1943, out of respect to the memory of the late Hon. Edgar W. Camp and the late Joseph Timmons.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FOURTH LEGISLATIVE DAY

SIXTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, March 9, 1943

The Assembly met at 10 a m

Hon. Charles W. Lyon, Speaker of the Assembly presiding.

Chief Clerk Arthur A. Ohmimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Biady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggett, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawalisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher.

God of all power and might, Maker and Ruler of men; we commend our Nation to the guidance of Thy wisdom. Strengthen the sense of duty in our political life and grant to those who lead us clear vision and understanding.
Make us increasingly worthy of being called a Christian nation that we may fulfill our high destiny among the nations of the world.

"O God, hear Thou the Nation's prayer,
We lift our cause to Thee;
We wage the holy war of Christ;
We fight to make men free.

Give us to build our cities pure,
Salvation throned above;
To shelter lowly homes from ill,
And tune our mills with love.

May visions call and faith inflame,
And banish lust and greed;
Make Thou America to be
A land of soulful deed."

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Crichton.

MOTION TO EXCUSE MEMBER FOR BALANCE OF LEGISLATIVE WEEK

Mr. Evans moved that Mr. Robertson be excused for the balance of the legislative week.

Motion carried.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

Assembly Bill No. 568—An act to add Section 2710.3 to the Penal Code, relating to the Prison Camp Revolving Fund, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 570—An act to add Section 2710.1 to the Penal Code, relating to the Folsom Working Revolving Fund, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C., March 4, 1943

In reply refer to: S24:FEM

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature Assembly, Sacramento, California*

DEAR MR. OHNIMUS: This will acknowledge your letter of February 3d, inclosing a copy of Assembly Joint Resolution No. 20.

Let me assure you that immediate instructions are being sent to the regional office in San Francisco so that sufficient personnel will be available to assure full compliance with the Maximum Rent Regulations in the Vallejo Defense-Rental Area. You are aware, of course, that there are budgetary limitations to the number of personnel available in any given defense-rental area.

It would be of interest to note that though there may be individual exceptions, a recent survey of rents in Vallejo by the Bureau of Labor Statistics indicates that there is over-all compliance with the regulations which were issued by this office.

Sincerely yours,

PRENTISS M. BROWN, Administrator

By Mr. Dunn:

The following communication was received, read, and ordered printed in the Journal:

Pensioners in the War Effort

A prolific source of casual labor, vitally needed in the war effort, is being entirely overlooked. Thousands of old age pension recipients who could, in the aggregate, contribute heavily, are precluded from taking any part.

Many of them are entirely capable of aiding in the harvest of crops. Many could rent rooms or apartments to relieve housing shortages. All need to supplement their pensions with additional funds to meet sharply rising living costs.

The Livermore Chamber of Commerce believes that pensioners should be included in the war program. It suggests that for the duration of the emergency, pensioners should be permitted to engage in necessary activities related to the war, without suffering any involvement of their status as pensioners.

The following resolution has been adopted by the Livermore Chamber. It is offered for your consideration with the request that, if it should be deemed to have merit, you will take whatever action is possible to accomplish the objective:

WHEREAS, Many sections of the State of California, including Livermore, face an acute shortage of agricultural labor which will impede the harvesting of essential crops; and

WHEREAS, Many sections of California, including Livermore, are involved in a critical housing shortage, resulting directly from the war, and

WHEREAS, Thousands of persons now receiving old-age pensions are capable of working, either full-time or part-time, in the harvest fields; and

WHEREAS, Many others would be able to provide housing accommodations in their homes for persons engaged in war activities; and

WHEREAS, Present regulations prohibit pensioners from engaging in any activity for remuneration, without deduction of earnings from pension payments or involvement of their status as pension recipients, thereby preventing such persons from assisting in the war effort; and

WHEREAS, Such regulations although undoubtedly necessary and proper during normal times, are today seriously interfering with the war effort; now, therefore, be it

Resolved by the Livermore Chamber of Commerce, That all officials and agencies of the United States Government and the State of California having jurisdiction, are urged to act immediately to change existing regulations so that pensioners residing in localities where agricultural labor and housing shortages exist, will be permitted, for the duration of the emergency, to participate in whatever casual and emergency activities are necessary to relieve war conditions without deduction of earnings from pension payments and without involvement of their status as pensioners; be it further

Resolved, That copies of this resolution be transmitted to all Federal and State officials and agencies having jurisdiction, and that attention of all other chambers of commerce be called to this matter, with request that they contribute their efforts toward securing the necessary changes in regulations

Livermore, California, March 5, 1943

LIVERMORE CHAMBER OF COMMERCE

DAVID B. HOPE, Secretary
171 South J St., Livermore

REQUEST FOR UNANIMOUS CONSENT TO EXCUSE MEMBER

Mr. Kilpatrick asked for, and was granted, unanimous consent to be excused for nine legislative days, as follows: March 11th, 12th, 13th, 19th, 20th, 26th, 27th and April 2d and 3d

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred

House Resolution No. 105

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 105

House Resolution No. 105

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed and ordered to draw his warrants on the proper fund in favor of the following Members of the Assembly for the amount set opposite their

respective names, and the State Treasurer is hereby directed and ordered to pay the same.

District	Name	Address	Distance from county seat, less	Distance from county seat, more	Distance from county seat	Mileage, one way	Total mileage	Amount at 5 cents per mile
1	Michael J Burns	Eureka, Humboldt County	312	--	312	624	\$31 20	
2	Paul Denny	Etna, Siskiyou County	295	--	392	664	33 20	
3	Lloyd W Lowrey	Rumsey, Yolo County	23	36	59	118	5 90	
4	Albert M King	Oroville, Butte County	86	--	86	172	8 60	
5	Ernest C Crowley	Fairfield, Solano County	40	--	40	80	4 00	
6	Allen G Thurman	Colfax, Placer County	37	17	54	108	5 40	
7	Richard H McCollister	Mill Valley, Marin County	105	8	113	226	11 30	
8	Chester F Gannon	Sacramento, Sacramento County	--	--	--	--	--	
9	Earl D Desmond	Sacramento, Sacramento County	--	--	--	--	--	
10	Harold F Sawallisch	Richmond, Contra Costa County	62	22	84	168	8 40	
11	Charles M Weber	Stockton, San Joaquin County	48	--	48	96	4 80	
12	James E Thorp	Lockeford, San Joaquin County	48	3	45	90	4 50	
13	Francis Dunn, Jr	Oakland, Alameda County	84	--	84	168	8 40	
14	Randal F Diekey	Alameda, Alameda County	84	5	89	178	8 90	
15	Bernard A Sheridan	Oakland, Alameda County	84	--	84	168	8 40	
16	Arthur W Carlson	Piedmont, Alameda County	84	--	84	168	8 40	
17	Edward J Carey	Emeryville, Alameda County	84	2	82	164	8 20	
18	Gardiner Johnson	Berkeley, Alameda County	84	1	83	166	8 30	
19	Bernard R Brady	San Francisco, San Francisco County	90	--	90	180	9 00	
20	Thomas A Maloney	San Francisco, San Francisco County	90	--	90	180	9 00	
21	Albert C Wollenberg	San Francisco, San Francisco County	90	--	90	180	9 00	
22	George D Collins, Jr	San Francisco, San Francisco County	90	--	90	180	9 00	
23	William Clifton Berry	San Francisco, San Francisco County	90	--	90	180	9 00	
24	Edward F O'Day	San Francisco, San Francisco County	90	--	90	180	9 00	
25	Gerald P Haggerty	San Francisco, San Francisco County	90	--	90	180	9 00	
26	Edward M Gaffney	San Francisco, San Francisco County	90	--	90	180	9 00	
27	Harrison W Call	Redwood City, San Mateo County	119	--	119	238	11 90	
28	Ramp Miller	Palo Alto, Santa Clara County	128	18	146	292	14 60	
29	John F Thompson	San Jose, Santa Clara County	128	--	128	256	12 80	
30	Ralph M Brown	Modesto, Stanislaus County	77	--	77	154	7 70	
31	George A Clarke	Le Grand, Merced County	114	15	129	258	12 90	
32	Isaac M Leonard	Hollister, San Benito County	173	--	173	346	17 30	
33	Fred Webber	Soledad, Monterey County	208	34	242	484	24 20	
34	I G Crichton	Fresno, Fresno County	169	--	169	338	16 90	
35	S L Heisinger	Fresno, Fresno County	169	--	174	348	17 40	
36	C L Guthrie	Porterville, Tulare County	206	28	234	468	23 40	
37	Alfred W Robertson	Santa Barbara, Santa Barbara County	460	--	460	920	46 00	
38	Walter I Fourn	Ventura, Ventura County	490	--	490	980	49 00	
39	Thomas Harold Werdell	Bakersfield, Kern County	278	--	278	556	27 80	
40	William H Rosenthal	Los Angeles, Los Angeles County	447	--	447	894	44 70	
41	Julian Beck	San Fernando, Los Angeles County	447	21	426	852	42 60	
42	Everett G Burkhalter	North Hollywood, Los Angeles County	447	--	447	894	44 70	
43	C Don Field	Glendale, Los Angeles County	447	10	437	874	43 70	
44	John B Pelletier	Los Angeles, Los Angeles County	447	--	447	894	44 70	
45	Thomas J Dwyer	Los Angeles, Los Angeles County	447	--	447	894	44 70	
46	Glenn M Anderson	Hawthorne, Los Angeles County	447	12	459	918	45 90	
47	Willis Sargent	Pasadena, Los Angeles County	447	13	460	920	46 00	
48	T Fenton Knight	La Canada, Los Angeles County	447	16	463	926	46 30	
49	Lee T Bashore	Glendora, Los Angeles County	447	26	473	946	47 30	
50	Thomas M Erwin	El Monte, Los Angeles County	447	14	461	922	46 10	
51	Elwyn S Bennett	Los Angeles, Los Angeles County	447	--	447	894	44 70	
52	Jonathan I Hollibaugh	Huntington Park, Los Angeles County	447	6	453	906	45 30	
53	Lothrop Smith	San Gabriel, Los Angeles County	447	9	456	912	45 60	
54	John B Knight	Eagle Rock, Los Angeles County	447	--	447	894	44 70	
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	447	894	44 70	
56	Ernest E Debs	Los Angeles, Los Angeles County	447	--	447	894	44 70	
57	Franklin J Potter	Hollywood, Los Angeles County	447	--	447	894	44 70	
58	Frank J Waters	Los Angeles, Los Angeles County	447	--	447	894	44 70	
59	Charles W Lvon	Beverly Hills, Los Angeles County	447	8	455	910	45 50	
60	Jesse Randolph Kellems	Los Angeles, Los Angeles County	447	--	447	894	44 70	
61	Lester A McMillan	Los Angeles, Los Angeles County	447	--	447	894	44 70	
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447	--	447	894	44 70	
63	Don A Allen	Los Angeles, Los Angeles County	447	--	447	894	44 70	
64	John C Lyons	Los Angeles, Los Angeles County	447	--	447	894	44 70	
65	John W Evans	Los Angeles, Los Angeles County	447	--	447	894	44 70	
66	Jack Massion	Los Angeles, Los Angeles County	447	--	447	894	44 70	
67	Clayton A Dills	Gardena, Los Angeles County	447	11	458	916	45 80	
68	Vincent Thomas	San Pedro, Los Angeles County	447	23	470	940	47 00	
69	Ralph C Dills	Compton, Los Angeles County	447	18	465	930	46 50	

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
70	Lorne D Middough	Long Beach, Los Angeles County	447	22	--	469	938	\$46 90
72	R Fred Price	Ontario, San Bernardino County	508	--	23	485	970	48 50
73	Douglas P Armstrong	Redlands, San Bernardino County	508	2	--	517	1,034	51 70
74	Clyde A Watson	Orange, Orange County	481	--	--	481	962	48 10
75	Sam L Collins	Fullerton, Orange County	481	--	11	470	940	47 00
76	Nelson S Dilworth	Hemet, Riverside County	512	34	--	546	1,092	54 60
77	Harvey E Hastain	Brawley, Imperial County	661	--	15	646	1,292	64 60
78	Frederick H Kraft	San Diego, San Diego County	573	--	--	573	1,146	57 30
79	Kathryn T Niehouse	San Diego, San Diego County	573	--	--	573	1,146	57 30
80	Charles W Stream	Chula Vista, San Diego County	573	10	--	583	1,166	58 30

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Arthur A Ohnimus	San Francisco, San Francisco County	--	--	--	--	--	--
C William Queale	Fullerton, Orange County	481	--	11	470	940	\$94 00
Wilkie Ogg	Sacramento, Sacramento County	--	--	--	--	--	--

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collius, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellemes, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Thompson, Thorp, Thurman, Waters, Watson, Werdell, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None

MOTION TO PRINT EDITORIAL IN JOURNAL

Mr. Ralph C. Dills moved that the following editorial from the San Francisco Examiner of March 4th be printed in the Journal:

Motion carried.

Scandal!—Bureaucratic Rule Brings Food Shortage

The food shortage in the United States resulting from bureaucratic mishandling of the farm manpower problem, is rapidly assuming the proportions of a national disaster.

Mr. Louis Bromfield, famous author and New Deal Democrat, emphasized the extent and imminence of this disaster in a recent Town Hall address in New York City.

"The American people," said Mr. Bromfield, "will one way or another be fighting for butter, pork, beef, dairy products, eggs and many other commodities."

"There are already many metropolitan and industrial areas where, for days and even weeks, few of these things are even available today. The situation will grow worse rather than better . . ."

"I think it fair to say that nothing practical whatever has been done to help the farmer to produce more . . . This scandal, and by next autumn it will be one of the greatest scandals in American history, affects the whole future history of ourselves and of the world."

"Its repercussions will destroy the future of the Democratic Party for years, the future of liberalism, even the future possibility of a decent peace."

"And throughout the world, millions of people will sicken and die and generations of children will grow up stunted and sickly because a frivolous and incompetent bureaucracy, in the richest country in the world, did not do its job."

Mr. Bromfield does not speak with excessive alarm about this ominous situation, as many other informed authorities attest.

The war food goal for America has been set 8 per cent above 1942 production, and 30 per cent above normal production.

But the Senate Appropriations Committee has just received the stunning report from 85 per cent of the nearly 3,000 county farm agents of the country that farm food production this year will be from 10 to 31 per cent LESS than last year.

Mr. Guy Kinsley, regional food rationing representative of the Office of Price Administration, told the Hatfield Committee of the California Legislature:

"There is no such thing as a civilian meat quota. The armed forces and lend-lease are going to get whatever meat they need, and what is left will be the civilian quota.

"Regardless of what the population basis is, civilians will be lucky to get one pound of meat a week in the future. Whoever figures there will be two and one-half pounds available for each civilian is crazy."

Why does the United States, which has abundant and virtually inexhaustible food resources, confront such a disaster?

Why is the American nation producing less food when it should be producing more?

Farmers know the answers to these questions.

Hundreds of thousands of skilled farmers have been inducted into the armed forces, or have been attracted by higher wages to war industries, in utter disregard of the fact that agriculture itself is the most vital and essential of all industries.

Farm machinery is virtually unobtainable.

Acreage is reduced. Planting is curtailed. Care and cultivation are neglected. Harvesting is impossible in many cases.

And in the livestock and dairying industries, lack of skilled farm help has caused the wasteful decimation of herds and thus a shortage of dairy products and an exhaustion of meat.

Somebody is crazy all right, but it is not the civilian who is supposed to feel "lucky to get one pound of meat a week in the future."

It is the bureaucratic czars of America who are crazy.

Civilian economy will collapse with insufficient food, and war production will collapse, and the armed forces will suffer and even the idealistic lend-lease commitments will ultimately be unfulfilled.

Bureaucracy has had many failures. It has in fact had few if any successes. But of all its failures, its reduction of both civilian and armed Americans toward starvation levels is the most unnecessary and stupid, the most unpatric and criminal.

MOTION TO PRINT REMARKS IN JOURNAL

Mr. Dickey moved that the following remarks by Mr. Ralph C. Dills before the Assembly be reduced to writing and printed in the Journal, and that copies of the Journal be sent to Members of the California Delegation in Congress and to the Office of Price Administration in Washington:

Motion carried.

Remarks by Assemblyman Ralph C. Dills

MR SPEAKER: In requesting that the San Francisco Examiner's editorial, "Food Shortage Created by Bureaucratic Rule," be reprinted in the Assembly Journal, I do so with the hope that it will play some part in bringing order out of the chaos that is Washington today.

These know-nothing bureaucrats, these swivel-chair saboteurs, are doing as much to disrupt our war effort as if they were actually in the pay of a foreign enemy.

From the fighting fronts comes back the cry for production and more production. The American people, the workers in the factories and on the farm are doing their utmost to meet the demands of our fighting forces.

Willingly we join with our military, knowing that by working together we are combining to save our Country and its democratic ideals.

That is—we are trying to!

But, in Washington, instead of implementing our natural desires for cooperation in the battle of production, we find an endless array of petty officials, men with little or no knowledge, to say nothing of their lack of practical experience, issuing countless edicts whose only purpose, it appears in the cold light of practicality, is to slow up, if not stifle completely, all action on the home front.

The farmers of our State—the producers of our foods from the field, the dairy men, stockmen, the tillers of our great fields and orchards—are as much a part of the Nation's war effort as are the men in uniform.

The farmers, like our fighters, must be given every cooperation—every possible assistance and not legalistic impediments, not bureaucratic bottlenecks, not insane edicts, to promote this production to the fullest.

When an individual slows up production or damages the machinery of production in a defense plant he is indicted for sabotage and prosecuted at once.

Today, however, we have government officials who are slowing up or arbitrarily preventing the production of food in California.

Without regard for our varied climatic conditions, our diversified crops, of the almost limitless potentialities of our great agricultural industry, they have held up needed farm machinery, prevented the planting of crops, dissipated our animal feed supplies, and forced the slaughter of some of our State's finest dairy herds.

Such action is nothing short of criminal.

At a time when the farmers are straining every muscle, every nerve, to meet higher production goals, they are hamstrung with arbitrary and unreasonable regulations under which planting and harvesting of vital food crops can not be accomplished.

This Examiner editorial, I believe, best expresses the plight of our Nation. It takes courage in times such as these with Government in every industry, where none of us are beyond the reach of some bureau which may take "disciplinary" action should we express our honest convictions.

Yet, let me say, it appears that only a revolt—a verbal shaking of the bureaucratic Washington by the victims—will awaken President Roosevelt and his Cabinet to the awful situation they have allowed to be created.

A marked copy of the Assembly Journal containing this editorial should be sent to President Roosevelt, the members of his Cabinet, the OPA Administrator and every Member of Congress.

The time for action is now!

Food, like tanks and planes, must be produced

It can be produced, it will be produced—but bureaucratic meddling, bureaucratic bungling must stop NOW!

MOTION TO PRINT EDITORIAL IN JOURNAL

Mr. Kellems moved that the following editorial from the San Francisco Examiner of March 9th be printed in the Journal:

Motion carried.

His Own Medicine—Whipping Post for Wife Beaters

For generations, the State of Maryland has been singularly free from cases of the cowardly, base and often atrocious crime of wife beating.

Maryland long ago discovered the way to deter and cure these sluggers.

They are simply turned over to the sheriff, who legally and publicly administers to them a whipping.

In California, we have no such law.

We either fine the offender, sentence him to a few days in jail, simply reprimand or put him under peace bond.

How well this system works can best be judged by the constant increase, in number and brutality, of cases where wives and children have been subjected to inhuman beatings.

That is why Assemblyman Doyle's bill, providing for a public whipping post in California, expressly for the punishment by flogging of heavy-handed bullies and husbands, should be promptly passed.

The measure is now before the Crime and Correction Committee, which should approve it and place it before the house.

The sad truth is that no amount of reasoning, no jail sentence or fine, seems adequate to reform an habitual wife beater.

But a little of his own medicine, heartily applied, does seem to work wonders.

An abuser of women and children, after all, is essentially a coward.

No manly man, no decent man, ever vents his anger on the weak and the helpless.

His attitude is primarily concerned with his own hide and so the official whip often prevents maltreatment of wives and children.

The prospect or the remembrance of the lash is an admirable deterrent to a coward.

Let our State give us the whipping post for wife beaters.

It will work here as well as in Maryland.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 786, BY UNANIMOUS CONSENT

Mr. Leonard asked for, and was granted, unanimous consent that Assembly Bill No. 786 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Agriculture

RESOLUTIONS

The following resolutions were offered:

By the Committee on Rules and House Functions:

House Resolution No. 112

MR. SPEAKER Your Committee on Rules and House Functions respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth, with the compensation set opposite their respective names payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts and the Treasurer is hereby directed to pay the same:

<i>Commencing Monday, March 8, 1943:</i>	<i>Per day</i>
Chief Clerk, Arthur A. Ohnimus.....	\$15 00
First Assistant Clerk, Harold Lewright.....	11 00
Sergeant-at-Arms, Wilkie Ogg.....	11 00
Minute Clerk, C. William Queale.....	11 00
Chaplain, Rev. Clarence Albert Kircher.....	5 00
History Clerk, Mildred Watson.....	8 00
Assistant History Clerk, Dorothy Sims.....	7 00
File Clerk, Velma Dunlap.....	8 00
Engrossing-Enrolling Clerk, Charles W. Robbins.....	8 00
Assistant Engrossing-Enrolling Clerk, Marion Hendricks.....	7 00
Journal Clerk, Albert Day.....	8 00
Chief Stenographer, Juanita L. Dependener.....	8 00
Secretary to Speaker, Kay Johnson.....	8 00
Secretary to Chief Clerk, Dolly Smith.....	8 00
Secretary to Judiciary, Elsie Morebeck.....	8 00
Secretary to Ways and Means, Vera Fowler.....	8 00
Secretary to Rules and House Functions, Clare F. Luhman.....	8 00
Assistant Minute Clerk, Lillian Slater.....	7 00
Assistant Minute Clerk.....	7 00
Assistant Clerk, Jack Rossi.....	8 00
Assistant Clerk, Cleve Taylor.....	8 00
Bookkeeper to Sergeant-at-Arms, Ed Nathan.....	7 00
Assistant Sergeant-at-Arms:	
Mike Connolly.....	6 00
Mrs. Lena Heisinger.....	6 00
James Doyle.....	6 00
E. E. Gehring.....	6 00
Morris Martin.....	6 00
J. W. Dotts.....	6 00
W. J. Greene.....	6 00
Jess Patterson.....	6 00
Joe Maloney.....	6 00
George Ash.....	6 00
Paul Hunter.....	6 00
Pete Actis.....	6 00
A. J. Haynes.....	6 00
Noll Thomas Goursolle, Jr.....	6 00
Chief Page, Allen Shelley.....	4 00
Pages:	
Jack Finch.....	3 00
Marvin Simmons.....	3 00
Stanley Mattox.....	3 00
William Collard.....	3 00
Charles V. Irwin.....	3 00
Postmistress, Lillian Larkin.....	6 00
Stenographers:	
Ruth Frazier Crotta.....	5 00
Mary Bryant.....	5 00
Myrtle Bashore.....	5 00
Fay Martin.....	5 00

And be it further

Resolved, That the compensation of the above named attaches shall be on a 7-day per week basis.

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 112. at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weidel, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None.

By Mr. Evans:

House Resolution No. 113

WHEREAS, Jess W. Patterson has won the admiration and appreciation of this Assembly as its Assistant Sergeant-at-Arms; and

WHEREAS, He is now confined by illness in the Sutter Hospital; and

WHEREAS, His absence from the Chamber of the Assembly is deeply regretted by all the members thereof; now, therefore, be it

Resolved by the Assembly of the State of California, That all the Members of the Assembly wish Jess W. Patterson a speedy recovery so that he may be back with us in the shortest possible time.

Request for Unanimous Consent

Mr. Evans asked for, and was granted, unanimous consent to take up House Resolution No. 113. at this time, without reference to committee.

Resolution read and adopted.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Arthur K. Beckley of Berkeley.

ADJOURNMENT

At 10.32 a m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a. m., Wednesday, March 10, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FIFTH LEGISLATIVE DAY

SIXTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, March 10, 1943

The Assembly met at 10 a.m.

Hon Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Creighton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Neihouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Wevbret, Wollenberg, and Mr. Speaker—74

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

God of Our Fathers, who didst lead Thine ancient people through desert wanderings into the promised land, and who didst guide our Pilgrim sires across the stormy seas to lay here the foundations of this great Republic, we implore Thy blessing and guidance as we seek our place among the nations of the earth.

We bless Thee for the inspired souls of all ages, who saw afar this shining City of God and by faith followed their vision. May we worthily follow in their train. We seek Thy blessing this day upon our President, our Governor, all who are chosen to the responsibilities of government and protection for our defenders.

"O beautiful for pilgrim feet,
Whose stern impassioned stress
A thoroughfare for freedom beat
Across the wilderness!

America! America!
God mend thine every flaw,
Confirm thy soul in self-control,
Thy liberty in law!"

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Debs.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Watson, on motion of Mr. T. Fenton Knight.

Mr. Allen, on motion of Mr. Evans.

COMMUNICATIONS

By Speaker Lyon:

The following communication was received, read, and ordered printed in the Journal:

SAN FRANCISCO, CALIFORNIA, March 9, 1943

Hon Charles W. Lyon

Speaker of the Assembly, Sacramento, California

I cordially invite you and, through you, the Members of the Assembly and their respective wives to be present in our Civic Auditorium on Saturday evening, March 20th, on the occasion of the official welcome to Madame Chiang Kai-shek. The program will commence at 8:30. However, no seats will be held after 8 o'clock. Kindly advise me as soon as possible as to number who will be present in order that I may make necessary seating arrangements.

ANGELO J. ROSSI, Mayor

ANNOUNCEMENT BY THE SPEAKER

The Speaker directed the Sergeant-at-Arms to ascertain which members would attend the official welcome to Madame Chiang Kai-shek in San Francisco, March 20th, and announced that after this information is obtained, the Speaker will cause to be conveyed to Mayor Rossi of San Francisco the number of reservations desired by the members.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 9, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1326

J. A. BEEK, Secretary of the Senate

Above bill ordered enrolled.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. McCollister:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1943

MR. SPEAKER: In accordance with provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to repeal Chapter 3 of Part 2 of Division 2 of the Military and Veterans Code and Sections 8, 9, 10, 11 and 12 of the California Guard Act of 1942 and to add Chapter 4 to Part 2 of Division 2 of the Military and Veterans Code, relating to the California State Guard, providing for the pay, privileges, allowances and rights of the California State Guard, for the organization and administration of the California State Guard.

Respectfully submitted.

RICHARD H. MCCOLLISTER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. McCollister:

An act to repeal Chapter 3 of Part 2 of Division 2 of the Military and Veterans Code and Sections 8, 9, 10, 11 and 12 of the California Guard Act of 1942 and to add Chapter 4 to Part 2 of Division 2 of the Military and Veterans Code, relating to the California State Guard, providing for the pay, privileges, allowances and rights of the California State Guard, for the organization and administration of the California State Guard.

PELLETIER, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. McCollister moved a call of the Assembly.

Motion carried. Time, 10.09 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO PRINT COMMITTEE REPORT IN JOURNAL

Mr. McCollister moved that the following report of the Committee to Investigate Military Affairs be printed in the Journal:

Motion carried.

Report of Committee to Investigate Military Affairs

March 10, 1943

MR. SPEAKER: Pursuant to House Resolution No. 47, your Special Committee on Military Affairs respectfully submits the following report containing its testimony, conclusions, and recommendations for the consideration of all Members of the Legislature.

Meetings

The committee met in executive sessions in Sacramento, Los Angeles, and San Francisco. A total of 52 witnesses were subpoenaed, all of whom testified under oath. Those interviewed were, by occupation, enlisted men and officers of the State Guard, officers of the State Militia, and leading citizens whose opinions are to be respected.

In addition, members of the committee visited and inspected State Guard camps, offices, and installations.

This report contains only a small portion of our discoveries, sufficient, we believe, to establish the deficiencies that exist.

Testimony

The committee subpoenaed and reviewed numerous records of audits and accounts dealing in property and finance. Testimony was presented to the effect that property given over to the State Guard from the State Relief Administration was not inventoried and the exact disposition and location of approximately \$1,000,000 worth of these properties is unknown to persons responsible to The Adjutant General.

The committee found 334 automobiles in the possession of the State Guard and further found that officers could not account for the use or location of the automobiles in their charge. A great deal of private use has been made of the mobile State property, and private persons were permitted to lease their automobiles to the Guard in addition to the overwhelming number of vehicles already in its possession. Reports from local motor pools were intended to show the use and location of mobile equipment, but the inefficiency of those in charge prevented a full record from ever being compiled.

Testimony, accompanied by official records, was given the committee showing that the side arms and revolvers issued to various individuals within the Guard are now unaccountable. Many such revolvers are missing, and it appears to be an impossible task to accomplish their recovery.

The committee further found that in many instances untrained and unqualified persons were permitted to buy food and staples for feeding the enlisted personnel, all of which resulted in the expenditure of State funds for misrepresented quality, odd and unusable quantities, and most important of all, duplicate payment of

invoices. Testimony from the officers charged with keeping records of mess funds showed that no system of accounting exists within the Guard that would prevent the misapplication of funds.

Testimony was given at length showing duplicate payment of wages approximating \$25,000. This occurred soon after the passage of Senate Bill No. 36 in 1942. While a portion of these duplicate salary payments have been recovered, it will be impossible to recapture the amounts in full since many persons to whom the money was paid have now left the Guard for places unknown.

In one instance, enlisted men were obliged to feed themselves as best they could and were later to be paid the allowable subsistence money provided by the Legislature. When the warrants for this subsistence arrived, the checks bore a rubber stamp with a place for the payee to sign, which he was instructed to do, indorsing this money back to his regiment. Some men refused to sign, and testimony came before our committee to the effect that other persons indorsed the checks in a fraudulent manner. The total amount involved in this instance approximated \$1,200, and the final disposition of this money found its way to the purchase of a \$1,000 war bond in the name of a commanding officer. Many of the rightful benefactors of this investment have or will leave the Guard without receiving their share.

Promotions

The question was asked of every witness likely to be in a position of experience "Were incompetent men promoted and commissioned within the Guard at the expense of other well qualified candidates?" Without exception, the answers were in the affirmative, and many witnesses proceeded to discuss instances of promotion for political favor that had not been the object of the original question. The underlying cause of this situation came through the fact that many former employees of the State Relief Administration were carried over into the State Guard. In order to pay these people a salary similar to that which they had been receiving, it was necessary that they be given military ranks such as Captain, Major, Colonel.

One instance of a commission of Captain being granted to an alien was presented to the committee. Several instances of misrepresentation regarding the previous military experience of commissioned officers was also willingly discussed by witnesses. Typical of this situation is the following case of an officer from the southern area. The committee gathered evidence of a police record and a felony for which this officer had been convicted. We also secured documents in his own handwriting, in which he alleged a college and West Point education. When this officer came before the committee, he wore the insignia of a Major and was suitably decorated with three rows of combat service award ribbons. We discovered he was listed in the telephone book as a Colonel, though upon questioning it was admitted his actual rank was that of Captain. Further questioning of this witness developed the fact that he had been a Private in the United States Army, and had not been to college or to West Point, nor had he received the combat awards his own statements declared.

It is not to be concluded that our State Guard is without competent personnel, for there are many enlisted men and officers serving this Commonwealth with true patriotism, efficiency, and ability. The intermingling of unqualified officers has, however, been a discouraging factor to the good personnel.

Examinations

A great deal of testimony came before the committee to the effect that no attempt to eliminate unfit or diseased recruits was made. Active venereal disease cases were admitted to the Guard service upon the insistence of officers anxious to fill the ranks of their own command. In one case, medical examinations were made by a dentist. The free hospitalization given men in the Guard was an incentive for enlistment, and the State has borne an expense along this line that should have been eliminated. Drunkenness is in no sense uncommon among officers and/or enlisted men, and considerable testimony covering instances of this nature is in the transcript of our hearings.

Disregard for Senate Bill No. 36

Throughout the change of command in The Adjutant General's Office, a thorough mixup in systems and orders resulted. No sincere effort to live by the wording of Senate Bill No. 36 was made, and a staff of 40 officers, not authorized by the bill were found on the pay roll in January of this year. A school near Chino was established for training purposes, and while the idea is commendable, the expenditures connected therewith contributed to the fact that the Guard has exceeded its budget. While our State Guard still has money, the commitments against the remaining funds are such that an additional appropriation of \$1,800,000 is now necessary if we are to maintain the Guard for the balance of this fiscal year.

The number of persons on active service has never been in excess of the authorized 7,000 for the reason that sufficient manpower has not been available. By comparison, California has maintained a Guard many times greater than all other 47

States put together. Reports as of this date indicate a working active force of 4,000 men still remaining on the California State pay roll, although the rate of desertions has averaged 20 per cent, or one out of five men per month.

Actual Guarding

The committee caused a full map of the State to be prepared, showing by pin-heads the exact location of our Guard forces, their deployment, and the number and names of properties being guarded. From this information we were able to get a full picture of our intended operations. From witness after witness, however, the committee heard testimony to the effect that *no real good was being accomplished* and that our forces were poorly trained and entirely inadequate. The most reliable estimate of the number of men required to do a good job was 20,000, and even this is believed to be conservative. For example, there are approximately 400 men on duty guarding gas wells at Rio Vista, but the commanding officer could not guarantee that destruction of the installations could not be accomplished in spite of the regiment on duty under his command. Of the 54 wells in the location, only one-third are under guard. Therefore, about 1,000 men should be on this project. The Golden Gate Bridge should have 10 times the number now allocated, and so forth. The real cause for this condition is that sufficient able-bodied manpower is not available within the State, and that the magnitude of the task undertaken is actually so great as to be judged impossible.

No efficiency exists, and our units are not organized in a full military manner. The morale of our Guard has suffered tremendously for many, many reasons and the feeling that they are not on a par with the United States Army predominates.

In this connection, it is believed that the attitude of the United States Army is as follows: *The State Guard or other units may do whatever guarding deemed necessary, BUT should any installation become a military objective its protection will be immediately undertaken by the Regular Army.* It would thus be open for serious debate, or at least appear, that our efforts and expenditures for a State Guard have been exaggerated and are not as necessary as originally believed.

Militia

There exists a state of jealousy between the active State Guard, the State Guard Reserve, and the "Minute Man" Militia. The reputation of these three branches of citizen soldiery has all been under question by the public at one time or another. The committee is pleased to report, however, that a fine sense of enthusiasm and patriotism exists throughout the Militia. Testimony was received at length, substantiating the contention that an immense reservoir of willing man power exists through service in the Reserve Militia. Companies of this sort have been formed in nearly every farming community, in our larger cities, and in most counties. Their status, however, is entirely political, since they were created only upon a directive from former Governor Olson. Testimony was brought before the committee in the form of pleas and earnest requests that the remnants of this organization be recognized and encouraged. The important and basic point involved is that we are faced with a Federal draft of all able-bodied men, and that, obviously, the potential material that could otherwise fill an active State Guard will not be available. There does remain, however, a virtually unlimited number of able men who are married, in business, in defense plants, or otherwise exempt from the draft whose essential occupations will prevent them from engaging in active State Guard service. These men can, will, and desire to be of some patriotic service.

This committee is, therefore, of the opinion that a large Militia, serving in a reserve capacity, is available and should be immediately organized as the basis for California's State military forces.

Recommendations

(1) Based on the information contained above, the committee recommends that the present State Guard be completely abolished in its entirety, and that all statutes and acts under which it was created be repealed.

(2) Considering the testimony brought before this committee that the account books of the Guard have not been balanced for the last preceding three months, and considering the known laxity in the handling of funds and properties during the past year, the committee recommends that an appropriation of \$10,000 be made for the purpose of employing an independent auditor, who shall audit both finances and properties of the existing State Guard and report back again to this Legislature.

(3) Considering the experience of other States and the fact that an excellent reservoir of man power suitable for service in a Militia exists within the State of California, this committee recommends passage of a new bill creating a new California State Guard in lieu of the existing Guard organization.

(4) With the realization that one failing of the past Guard organization has been the lack of a clear definition of its objectives and duties, the committee proposed the following definition: That the new State Guard be organized to guard against sabotage, in the manner of a police force, such public installations as may be deemed necessary by the military authorities; and that, in addition thereto, it

may guard private installations if and when the necessary active manpower within the Guard is available.

(5) Considering the difficulties of organization at variance with other military units, and with full recognition of the difficulties experienced by the California State Guard under Senate Bill No. 36, the committee recommends that all future organization within the newly created California State Guard be in accordance with the tables of the United States Army.

(6) With acknowledgment to the size of this State, the committee recommends that two full regiments of modified Infantry be permitted active duty, with pay, at all times. These regiments, on Army tables, will approximate 1,200 men each. However, without provisions for available manpower, such as might be provided through cooperation with the Federal Selective Service System, such active personnel need not be maintained.

(7) The committee recommends that the duties of the active regiments be to serve the Governor according to constitutional manner, and, when not so serving the Governor, that they be assigned to various guarding posts. In addition hereto, it will be the regular duty of the active regiments to function as a Training Corps for the schooling and inspecting of such reserve units as may be organized.

(8) As a supplementary force, the committee recommends the organization of an unlimited number of regiments and companies of Guardsmen to serve on the reserve basis. Any kind of unit, such as Cavalry, Communications, Quartermaster, Medical, etc., as may be desired by The Adjutant General of this State, may be maintained on reserve. These forces shall remain on reserve unless and until a Proclamation declaring a state of emergency, insurrection, or invasion is issued by the Governor.

(9) The committee recommends that the personnel of the reserve units be not required to serve beyond the limits of the county in which they reside and/or are organized, unless upon being called to active duty under the Governor's Proclamation they elect to serve elsewhere.

(10) For the purpose of keeping records and making periodical inspections, the committee recommends that, in addition to the active regiment, two additional commissioned officers and three noncommissioned officers be activated per 1,000 reserve men.

(11) The committee recommends that enlistment in the Guard shall be open to all male citizens between the ages of 18 and 64, and shall also be open to any alien of the United Nations who has obtained his first papers of citizenship. Enlistment, or the acceptance of a commission, should be for the duration of the present war. In order to avoid absenteeism and to assure the public that reliable reserve units exist in their communities, desertion from service should be a punishable offense.

(12) The committee recommends that active and reserve units of the Guard meet and drill in the already established armories and/or public school buildings, and that all enlisted men be paid a drill fee of \$1 per night. It is to be recognized that the payment of a drill fee entails considerable extra work, together with a moderate amount of money, but the necessity for such a drill fee was confirmed by every witness testifying before the committee.

(13) As noted in previous paragraphs of this report, the State of California has been put to considerable expense in maintaining hospitals within the State Guard. The staff of officers, nurses, and enlisted men, including cooks, etc., is a much more expensive procedure than will be necessary when only one regiment of active guard is on duty. The committee, therefore, recommends the abandonment of the State Guard hospitals now maintained, and that hospitalization in the future be accomplished in county hospitals and/or private institutions.

(14) With regard to equipment, the committee has concluded that the State should supply suitable arms and ammunition to be stored for the use of all members of the Guard. Unless available through United States Army issue, we further recommend that the entire personnel of the Guard be obliged to purchase their own uniforms.

(15) In order to provide for schooling and the training of reserve members of the Guard, the committee recommends that the Camp Hopkins School in Southern California, which can accommodate approximately 400 persons, be reopened as a training center.

(16) We further recommend that a system of competitive examinations be established through which members of the reserve may compete for selection as active trainees, and that, for two-week periods, such trainees be sent to the training center for instruction, and that full pay and allowances be given these trainees for these periods.

(17) There are, at the present time, in excess of 300 women on various duties with the State Guard, and this committee wishes to recommend that these persons be relieved of their military status, and that, in the future, such stenographic and clerical help as may be required within the Guard and in The Adjutant General's Office be obtained from the Personnel Board under civil service ratings.

(18) The committee also recommends that the active regiments of the State Guard, under direction of The Adjutant General, proceed with the disposition of the excess properties now in possession of the existing Guard, and that these items be sold, stored, or given over to other State institutions.

(19) Considerable information establishing the cost of an active Guard was brought before the committee, leading to the conclusion that a man may be maintained, including his overhead, at a cost of \$6 per day. The committee therefore recommends an appropriation for the next biennium which is based on this factor and which should not exceed \$7,500,000, including all fees, supplies, and miscellaneous items.

(20) While not a subject expressly assigned to this committee we wish further to recommend and endorse the bills now before this Legislature creating compulsory military training in high schools. Testimony was received from Assemblyman Don Allen in support of an appropriation for a California Cadet Corps. We believe the principles of such a corps for students and minors below the age of 18 are commendable, and that pre-military practice will be of value to the prospective draftee, but believe that such military training should be a part of and accomplished by our public schools. In this connection, the administration of military training in schools should be under the administration of The Adjutant General, and assisted by his active forces.

Remarks

All members of this committee wish to express their appreciation to Adjutant General Ray Hays for his directives which assisted the committee in obtaining data from his office, and to further commend him for his splendid cooperation.

We wish further to point out as accomplishments credited to your committee that some 50 officers in the California State Guard have already been retired to inactive duty as no longer necessary. Also, the practice of leasing private automobiles has been stopped. And, further, the men now within the State Guard are being fed by rations purchased from the United States Army, thus eliminating the uncertainty found in private buying of food commodities. Many cases of surplus foods will be turned over for the use of other institutions.

We believe most sincerely that the adoption of the recommendations contained in this report will give the State of California the very best kind of secondary protection, and that under this plan the available manpower within the State may be best utilized, organized, trained, and made ready for emergency public service.

Respectfully submitted.

RICHARD H. McCOLLISTER, Chairman
WALTER J. FOUNT, Member
CHESTER F. GANNON, Member
FRANK J. WATERS, Member

Dated at Sacramento, California, March 10, 1943

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE BILL

At 10.35 a.m., on motion of Mr. McCollister, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill granted to Mr. McCollister, by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—70

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 1929: By Mr. McCollister—An act to repeal Chapter 3 of Part 2 of Division 2 of the Military and Veterans Code and Sections 8, 9, 10, 11 and 12 of the California Guard Act of 1942 and to add Chapter 4 to Part 2 of Division 2 of the Military and Veterans Code, relating to the California State Guard, providing for the pay, privileges, allowances and rights of the California State

Guard, for the organization and administration of the California State Guard to permit the efficient operation thereof consistent with such privileges, allowances and rights, permitting school districts to make school busses available for use by the California State Guard, making an appropriation for the operation, maintenance and organization of the California State Guard and providing for the expenditure thereof, declaring the urgency of this act, and providing that it shall take effect immediately.

Referred to Committee on Military Affairs

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1120
BY UNANIMOUS CONSENT**

Mr. Wollenberg asked for, and was granted, unanimous consent that Assembly Bill No. 1120 be withdrawn from the Committee on Military Affairs, and be re-referred to the Committee on Ways and Means.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Concurrent Resolution No. 38: By Messrs. Call, Waters, McCollister, Potter, Haggerty, Watson, Stream, Kellems, Field, Gannon, Dills, Ralph C., Johnson, Erwin, and Brown—Relative to the facilities for the care of the dead.

Request for Unanimous Consent

Mr. Call asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 38, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 38

Assembly Concurrent Resolution No. 38—Relative to the facilities for the care of the dead.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

**WITHDRAWAL OF ASSEMBLY BILL NO. 59 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Bashore asked for, and was granted, unanimous consent that Assembly Bill No. 59 be withdrawn from the Committee on Public Health for the purpose of amendment, at this time, and be re-referred to the Committee on Public Health.

CONSIDERATION OF ASSEMBLY BILL NO. 59

Assembly Bill No. 59—An act to amend Sections 13300, 13600, and 13601 of the Health and Safety Code, to add Article 4.5, consisting of Sections 13425 to 13433, inclusive, to Chapter 2 of Part 2, Division 12, thereof, and to add Article 5.5, consisting of Sections 13700 to 13708, inclusive, to Chapter 3 of Part 2, Division 12 thereof, providing for a method of marking articles accepted for cleaning, dyeing, steam cleaning, spotting, sponging, or pressing, to facilitate the identification of such articles by law enforcement agencies.

Bill read second time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "13433", and insert "13432".

Amendment No. 2

In line 5 of the title of the printed bill, strike out "13708", and insert "13707".

Amendment No. 3

On page 2, line 16, of the printed bill, strike out ", steam cleaned, spotted,"; and in line 17, strike out "sponged or pressed." and insert "or steam cleaned".

Amendment No. 4

On page 2, line 20, of the printed bill, strike out "indelible", and insert "marking".

Amendment No. 5

On page 2 of the printed bill, strike out line 46, and insert "or steam cleaning any suits".

Amendment No. 6

On page 3, line 14, of the printed bill, strike out "former"; and in line 15, strike out "owner and the new owner shall each", and insert "new owner shall".

Amendment No. 7

On page 3 of the printed bill, strike out lines 23 to 28, inclusive.

Amendment No. 8

On page 3, line 30, of the printed bill, strike out "13432", and insert "13431".

Amendment No. 9

On page 3 of the printed bill, strike out line 34, and insert "or steam cleaned, but the provisions".

Amendment No. 10

On page 3 of the printed bill, strike out lines 43 and 44, and insert "13432. The State Bureau of Criminal Identification and Investigation may request and shall receive from the State Fire Marshal the names and addresses".

Amendment No. 11

On page 4, line 49, of the printed bill, strike out "steam cleaned, or spotted, sponged or"; and in line 50, strike out "pressed," and insert "or steam cleaned".

Amendment No. 12

On page 5, line 1, of the printed bill, strike out "indelible", and insert "marking".

Amendment No. 13

On page 5 of the printed bill, strike out line 19, and insert "or steam cleaning any suits,".

Amendment No. 14

On page 5, line 37, of the printed bill, strike out "former owner and the".

Amendment No. 15

On page 5, line 38, of the printed bill, strike out "each".

Amendment No. 16

On page 5 of the printed bill, strike out lines 46 to 51, inclusive.

Amendment No. 17

On page 6, line 1, of the printed bill, strike out "13707", and insert "13706".

Amendment No. 18

On page 6 of the printed bill, strike out lines 3 to 6, inclusive, and insert "shop or store, spotting, sponging, or pressing establishment, any agency of any such shop, store, or establishment, instrumentality, private school or college of spotting, sponging, or pressing, or any agency of a clothes cleaning establishment."

Amendment No. 19

On page 6, line 8, of the printed bill, strike out "steam cleaned, spotting, sponged or"; and in line 9, strike out "pressed", and insert "or steam cleaned".

Amendment No. 20

On page 6 of the printed bill, strike out lines 17 and 18, and insert "13707 The State Bureau of Criminal Identification and Investigation may request and shall receive from the State Fire Marshal the names and addresses".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1264

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1264—An act making an appropriation for special contingent expenses of the Governor's office, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In the title of the printed bill, strike out "for special contingent expenses (secret service)", and insert "support"

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 2 to 4, inclusive, and insert "otherwise appropriated, the sum of twenty-two thousand sixty-seven dollars (\$22,067) is hereby appropriated for support of the Governor's office for the Ninety-fourth Fiscal Year, of which not more than twenty thousand nine hundred twenty-nine dollars (\$20,929) may be expended under the provisions of Item 21 of "The Budget Act of 1941" and not more than one thousand one hundred thirty-eight dollars (\$1,138) may be expended under the provisions of Item 22 in "The Budget Act of 1941"."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

RESOLUTIONS

The following resolution was offered:

By Messrs. Middough, Sargent, Lyon, Collins, Sam L. Collins, George D., McCollister, Brady, Allen, Doyle, Waters, Knight, John B., Thomas, Armstrong, Evans, Debs, Lyons, Fourn, Anderson, Desmond, Werdel, Guthrie, Hawkins, Thurman, Hastam, Haggerty, Weber, Gannon, Beck, Thorp, Stream, O'Day, Call, Dills, Ralph C., Maloney, Gaffney, Thompson, Bashore, Erwin, Dills, Clayton A., Clarke, Rosenthal,

McMillan, Brown, Burkhalter, Johnson, Kraft, Knight, T. Fenton, and Mrs. Niehouse:

House Resolution No. 114

Relating to the appointment of Fred N. Howser to the office of District Attorney for Los Angeles County

WHEREAS, Fred N. Howser served as a Member of the Assembly of the State of California as representative from the Seventy-first Assembly District, constituting a portion of Long Beach, Los Angeles County, during the Fifty-fourth Session of the Legislature, and because of the excellence of his service and the esteem in which he was held by his constituents he was elected to serve in the same capacity during the Fifty-fifth Session of the Legislature; and

WHEREAS, Fred N. Howser again served with distinction in the Legislature during the Fifty-fifth Session prior to the constitutional recess and made an enviable record during that short time, thereby further achieving the high regard, esteem and confidence of his conferees; and

WHEREAS, Fred N. Howser was, during the constitutional recess of the Fifty-fifth Session of the Legislature, chosen from a long list of distinguished outstanding citizens and public servants as the appointee to the office of district attorney of Los Angeles County in recognition of his fine character, marked ability and valuable experience; now, therefore, be it

Resolved by the Assembly of the State of California, That Fred N. Howser be heartily congratulated by his former associates in the Legislature upon his appointment to the office of district attorney of Los Angeles County, and that each Member of the Assembly of the State of California does hereby extend to him his or her best wishes for a most successful administration in his new position; and be it further

Resolved, That the absence of Fred N. Howser from the Assembly will be a matter of regret to his many friends and admirers who are deprived of his advice and counsel, his friendly spirit and his fine ability, and only assuaged by the realization that he has been called to more important work; and be it further

Resolved, That Los Angeles County be congratulated upon obtaining the services of an able, outstanding and experienced man such as Fred N. Howser, for the position of district attorney of that county; and be it further

Resolved, That the Chief Clerk of the Assembly forward a copy of this resolution to Fred N. Howser and to the board of supervisors of Los Angeles County.

Request for Unanimous Consent

Mr. Middough asked for, and was granted, unanimous consent to take up House Resolution No. 114, at this time, without reference to committee.

Resolution read and adopted unanimously.

Statement by Mr. Kilpatrick

I regard Fred N. Howser, former Assemblyman and now district attorney of Los Angeles County, an outstanding man of most excellent qualities, and I regret that my name does not appear as a coauthor of the splendid resolution by Mr. Middough

It was an oversight on my part

VERNON KILPATRICK

**WITHDRAWAL OF ASSEMBLY BILL NO. 1607 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Burkhalter asked for, and was granted, unanimous consent that Assembly Bill No. 1607 be withdrawn from the Committee on Revenue and Taxation for purpose of amendment, at this time, and be re-referred to the Committee on Revenue and Taxation

CONSIDERATION OF ASSEMBLY BILL NO. 1607

Assembly Bill No. 1607—An act to amend Sections 3, 4, 5, and 10 of The Personal Income Tax Act, and Sections 17052, 17951, 17952, 18401, 18402, and 18405 of the Revenue and Taxation Code, relating to rates of and exemptions from the personal income tax.

Bill read second time

Motion to Amend

Mr. Burkhalter moved the adoption of the following amendments:

Amendment No. 1

On page 3, lines 13 and 14, of the printed bill, strike out "and not in excess of fifteen thousand dollars (\$15,000)".

Amendment No. 2

On page 3 of the printed bill, strike out lines 16 to 34, inclusive.

Amendment No. 3

On page 5, line 52, and on page 6, line 1, of the printed bill, strike out "and not in excess of fifteen thousand dollars (\$15,000)".

Amendment No. 4

On page 6 of the printed bill, strike out lines 3 to 21, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

COMMUNICATIONS

By Mr. Carlson:

The following communication was received, read, and ordered printed in the Journal:

CARMEL, CALIFORNIA, January 31, 1943

The Honorable Arthur Carlson

DEAR MR. CARLSON: On behalf of my daughter, Micaela Martinez, and myself, I wish to express our very deep appreciation of the tribute paid the memory of Mr. Martinez by the California State Assembly at noon, January 19th.

For this honor extended to Mr. Martinez we are grateful and place it as a wreath upon the imperishable bronze plaque of New York's "World of Tomorrow" on which his name is inscribed for his cultural contribution to our great Country—an award justly earned since he gave the best of the cultural heritage of his native land, Mexico, to his beloved adopted Country. He had devoted himself to a better understanding between Mexico and the United States and his greatest hopes are now realized and carried on by the Pan-American Union of Washington, D. C., which, so magnificently, is furthering friendship and a cultural exchange between us and our southern neighbors.

By this public recognition of Mr. Martinez, California set her seal upon his achievements and his long, fruitful life of half a century as an artist and a teacher in the State. Will you kindly extend to the Members of the Assembly our very grateful thanks.

Very sincerely,

ELSIE W. MARTINEZ

MOTION TO PRINT EDITORIAL IN JOURNAL

Mr. Middough moved that the following editorial from the Long Beach Independent of February 9th be printed in the Journal:

Motion carried.

Forgotten

Can you imagine a person living on \$40 a month these days? Well, that is what we are making our old people do who must live on State old-age pensions.

No labor union speaks up for them, no cost-plus war contracts are available to them, no relatives can take care of them, otherwise they would not have been given a pension.

An old lady, 80 years of age, wrote us a letter asking if we could not influence our Legislature to reduce the sales tax on foods and get a little increase in old folks' pensions to help out in these days of high living costs.

This old lady gave as an example that, for her, honey was an absolute diet essential for the preservation of her life, and yet she now pays 90 cents for honey that she used to buy for 50 cents.

Forty dollars per month is \$480 per year and, according to Government estimates on this amount of money, over 50 per cent goes for food. If you get \$200 a month, only 22 per cent goes for food. In these rising costs, food has gone up 50 per cent or more; therefore, this old lady used to spend \$20 of her \$40 for food and she now must spend \$30 for the same food.

Almost every person we know has more income than they had a year ago, but not these old people who were given a \$40 pension years ago and, apparently, have been forgotten during the money-mad year just past.

There are thousands of these old people in this district, and most of them are much too old to work and very many are ill.

In our opinion, no greater disgrace could face this present session of the Legislature than that they would adjourn without correcting this situation.

Who are these old people? Why are they dependent upon a \$40 pension? And are they deserving? From our knowledge of these people, they are the people who made this Country what it is. They have lived, worked, and sacrificed for this Country for 60 years or more. They have raised children and seen them go off to war. These are the people who worked when wages were low, who developed new lands, and who have contributed more, in a way, than 90 per cent of we younger people ever will contribute.

Most of us are assured now that when we reach that old age social security will take care of us, but we would never settle for \$40 per month.

To say these old people never contributed to social security by having 1 per cent of their pay checks deducted is a ridiculous statement. These old people made this Country possible, they worked for 40 per cent or 50 per cent less than people now demand and surely they should be given as good a break as we expect by our 1 per cent contribution to old age retirement.

It is a terrible thing to grow old, with no dear ones to care for you, and yet if these old people had dear ones who could care for them they would not get that \$40 pension.

With a hundred-million-dollar cash surplus on hand, and an ever-mounting surplus, surely our State can increase these pensions to help take care of the tragedy of ever-increasing costs of living of those who never can work again.

APPOINTMENT OF STANDING COMMITTEE MEMBERS

The Speaker announced the following changes in membership of standing committees:

Committee on Public Morals—Mr Sawallisch, Chairman

Committee on Motor Vehicles—Mr Burns, Chairman; Mr Rosenthal, Vice Chairman

RESOLUTIONS

The following resolutions were offered:

By Mr. Erwin:

House Resolution No. 115

WHEREAS, The Director of Agriculture called and held a public hearing in the Assembly Room of the State Office Building at Los Angeles, California, on Wednesday, January 20, 1943, for the purpose of considering demands from fluid milk producers in the Los Angeles County marketing area for increases in producer prices sufficient to cover increased production costs; and

WHEREAS, There was present at said public hearing Dr. Norman S. Buchanan, Regional Price Executive of the Office of Price Administration for the five western States, who made the following statements, among others, at said hearing:

Our attitude from an operational point of view is this, that a price increase is something that is granted only as a last resort, only when all other means of solving the problem have been tried and found incapable of solving it. Now, then, that position, I think, is already a matter of common knowledge. Certainly Mr. Cecil and Mr. Kuhrt have been in conference with the Dairy Section in the Washington office of OPA, and they understand that our position is the one that I have just described, namely, that a price increase is the last thing and is to be undertaken after other measures have failed.

It appears to us, however, that on the basis of the information now available that is preferable to either raising the price in what appears to us to be a somewhat vain attempt to increase output substantially, or the alternative—and it may be we will have to come to this—some rationing scheme with respect to the consumption of fresh milk products. I don't think there is any one in this room who would welcome the introduction of a rationing program with respect to fresh milk consumption any more than there is any one in this room who feels particularly happy, I suppose, about rationing in a great many other fields.

now, therefore, be it

Resolved by the Assembly of the State of California. That a copy of said statements be transmitted to His Excellency, the Governor of this State, to the Senators

and Representatives in Congress from California, to the Honorable Prentiss Brown, Administrator, Office of Price Administration in Washington, D. C., and to Mr. Harry Camp, Regional Price Administrator, Office of Price Administration in San Francisco

Request for Unanimous Consent

Mr. Erwin asked for, and was granted, unanimous consent to take up House Resolution No. 115, at this time, without reference to committee.

Resolution read.

Roll Call Demanded

Messrs. Desmond, Bashore, and Hawkins demanded a roll call.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

By Mr. Sam L. Collins:

House Resolution No. 116

Resolved. That the following named persons be stricken from the list of Assembly attaches and their names be stricken from the pay roll of the Assembly, to take effect upon the completion of the work on Tuesday, March 9, 1943:

	<i>Per day</i>
Jack Finch, Page-----	\$3 00
Marvin Summons, Page-----	3 00
William Collard, Page-----	3 00

and be it further

Resolved. That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant in favor of the respective person for the said respective amount, and the Treasurer is hereby directed to pay the same; said compensation to be upon a seven-day week basis

	<i>Per day</i>
William Rust, Page-----	\$3 00

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 116, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Potter, Price, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69

NOES—None.

REQUEST TO PRINT 500 COPIES OF SPEECH

Mr. Desmond requested that 500 extra copies of the statement by Mr. Ralph C. Dills, appearing on pages 754 and 755 of the Assembly Journal of March 9th, be printed for distribution.

Request ordered referred to Committee on Rules and House Functions.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 31: By Messrs. Wollenberg and Maloney—Relative to memorializing the President and the Congress of the United States to provide relief from taxation for elderly people whose only income is from investments in securities.

Without reference to committee.

Assembly Joint Resolution No. 32: By Mr. T. Fenton Knight (By request of Committee on Ways and Means)—Relative to auditing the accounts of the Department of Employment.

Request for Unanimous Consent

Mr. T. Fenton Knight asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 32, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 32

Assembly Joint Resolution No. 32—Relative to auditing the accounts of the Department of Employment.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Dav, Pelletier, Potter, Price, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 108

Has had the same under consideration, and reports the same back with the recommendation. Be adopted

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 108

House Resolution No. 108

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms

listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Hotel Senator Flower Shop (Mrs Newsome)-----	\$10 30
Bureau of Purchases (Supplies)-----	702 58
The Broadway Florist (Spray for Mr. Dockweiler)-----	20 60
H. S. Crocker Company (Supplies)-----	13 67
Department of Finance (Work on voting machine, lights, and clock —November) -----	108 44
Department of Finance (Work on voting machine, lights, and clock —December) -----	231 61
Department of Finance (Pro-rate cost of telephone service 1-26-43 to 2-25-43)-----	92 42
Department of Finance (Work on voting machine, lights, and clock —January) -----	39 48
Department of Finance (Pro-rate cost of telephone service 12-26-43 to 1-26-43) -----	2 03

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollbaugh, Johnson, Kellems, Kulpatrik, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1943

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

- Assembly Constitutional Amendment No. 1
- Assembly Constitutional Amendment No. 2
- Assembly Constitutional Amendment No. 18

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT

Mr. Waters asked for, and was granted, unanimous consent to postpone consideration of the Governor's veto of Assembly Bill No. 290, until April 9, 1943.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, March 9, 1943

Mr. Arthur Ohnimus, Chief Clerk of the Assembly

DEAR SIR: The standing committee of the Capitol Correspondents Association has investigated the following applications for accredited press representative and recommends full press privileges be granted:

- Sacramento Bee*—Thomas Arden
- United Press*—Glenn Stackhouse
- Associated Press*—Kirt MacBride

Yours very truly,

WESLEY E. ROBBINS, Secretary

Announcement by the Speaker

There being no objection, the Speaker directed the Chief Clerk to issue press credentials to those recommended by the standing committee of the Capitol Correspondents Association

REPORTS OF STANDING COMMITTEES**Committee on Rules and House Functions**

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1943

Mr. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

A request by Mr. Desmond to have 500 extra copies of the statement by Assemblyman Ralph C. Dills, appearing on pages 754 and 755 of the Assembly Journal of March 9, 1943, printed for distribution;

Has had the same under consideration, and reports the same back with the recommendation: Be granted.

(Signed out)

SAM L. COLLINS, Chairman
BASHORE
BURNS
DESMOND

FIELD
CALL
DICKEY
JOHNSON

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Patrick Joseph McGrath, President of East and West Castro Club of San Francisco.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to R. Lynden, President, Warehouse Union of San Francisco, and J. W. Dillon, Business Representative, Warehouse Union of San Francisco.

Mr. Maloney, in introducing the above guests as officials of the Warehouse Union, Local 6, I. L. M. U., commended the union for its donations of \$40,000 to the Red Cross; \$100,000 to the War Services, and the purchase of war bonds in the amount of \$80,000.

ADJOURNMENT

At 12.32 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, March 11, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SIXTH LEGISLATIVE DAY
SIXTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, March 11, 1943

The Assembly met at 10 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohmhus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Bert, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denuy, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybriet, Wollenberg, and Mr. Speaker—71.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Gracious Father, we acknowledge Thee as the Source of all life, our world as Thy creation, and the universe as the work of Thy fingers.

"The heavens declare the glory of God and the firmament sheweth Thy handiwork. Day unto day uttereth speech and night unto night sheweth knowledge.

"The law of the Lord is perfect, converting the soul; and the testimony of the Lord is sure, making wise the simple.

"Who can understand his errors? Cleanse Thou me from secret faults. Keep back Thy servant also from presumptuous sins; let them not have dominion over me;

"Let the words of my mouth and the meditations of my heart be acceptable in Thy sight, O Lord, my strength and my Redeemer " AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Bashore

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Watson, on motion of Mr. T. Fenton Knight.

Mr. Thorp, on motion of Mr. Clarke

Mr. Desmond, on motion of Mr. Burns

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

CONGRESS OF THE UNITED STATES

HOUSE OF REPRESENTATIVES, WASHINGTON, D. C., March 6, 1943

Mr. Arthur A. Ohnimus, Chief Clerk

California Legislature, Sacramento, California

DEAR MR. OHNIMUS: Your letter of February 17th, inclosing copy of Assembly Joint Resolution No. 10, has been received by me.

I have filed this resolution with the Clerk of the House, with request that it be referred to the Agricultural Committee for consideration.

I want to assure you that I have been using every effort to have immediate relief granted to California in the matter of food and meat. I am a member of the Special Committee appointed by the California Delegation to work on this matter. I have had constant conferences with the departments, and while we have made some headway, we have not accomplished as yet all that must be done if proper relief is to be given. You may be assured of my continued efforts.

With best wishes, I remain

Very sincerely yours,

ALBERT E. CARTER, M. C.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 33: By Messrs. Knight, John B. Crichton, Miller, Hollibaugh, Bashore, Debs, Maloney, Waters, and Middough—Relative to memorializing Congress to enact legislation providing a Federal System of Workmen's Compensation for civilian defense volunteers injured in the course of their duties

Request for Unanimous Consent

Mr. John B. Knight asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 33, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 33

Assembly Joint Resolution No. 33—Relative to memorializing Congress to enact legislation providing a Federal System of Workmen's Compensation for civilian defense volunteers injured in the course of their duties.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith.

Stream, Thompson, Thuman, Waters, Werdel, Weybriet, Wollenberg, and Mr Speaker—57.
Nors—None.

Resolution ordered transmitted to the Senate.

Motion to Telegraph Resolution to Washington

Mr. John B. Knight moved that, upon the adoption of Assembly Joint Resolution No. 33 by the Senate, the Speaker instruct the Chief Clerk to telegraph the contents of the resolution to Washington.

Mr. Heisinger seconded the motion
Motion carried.

MOTION TO GRANT PERMISSION TO USE ASSEMBLY CHAMBER

Mr. Bashore moved that the request of the Committee on Agriculture for use of the Assembly Chamber on Wednesday, March 17th, at 8 p.m., for a joint meeting of the Committees on Agriculture of the Senate and Assembly be granted.

Mr. Heisinger seconded the motion.
Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1326—An act making an appropriation for the contingent expenses of the Assembly, to take effect immediately;
And reports that the same has been correctly enrolled, and presented to the Governor on the tenth day of March, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Constitutional Amendment No. 1
Assembly Constitutional Amendment No. 2
Assembly Constitutional Amendment No. 38

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 36—Relative to the death of Joseph Timmons;

Assembly Concurrent Resolution No. 37—Relative to inviting Madame Chiang Kai-shek to address the California Legislature;
And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of March, 1943, at 3 p.m.

PELLETIER, Chairman

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1943

MR. SPEAKER Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 21
Assembly Bill No. 385
Assembly Bill No. 525

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1943

MR. SPEAKER. Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1081

Has had the same under consideration, and reports the same back with amendments with the recommendation—Amend, and re-refer to the committee

CARLSON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1081—An act to amend Section 3714 of the Political Code, relating to annual financial estimates of counties

Bill read second time.

Motion to Amend

Mr. Carlson moved the adoption of the following amendments:

Amendment No. 1

On page 2, lines 19 and 20, of the printed bill, strike out "Board of Equalization", and insert "State Controller".

Amendment No. 2

On page 5, line 17, of the printed bill, strike out "State Board of Equalization", and insert "State Controller".

Amendment No. 3

On page 6, lines 44 and 45, of the printed bill, strike out "both Board of Equalization and".

Amendment No. 4

On page 9, line 19, of the printed bill, strike out "Board of Equalization", and insert "Controller".

Amendments read and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1943

MR. SPEAKER. Your Committee on Ways and Means, to which was referred.

Assembly Bill No. 1120

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Wollenberg:

Resolved, That Assembly Bill No. 1120 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Dills, Clayton A. Dilworth, Doyle, Dunn, Erwin, Fount, Gaffney, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, John B. Knight, T. Fenton, Kraft, Leonard, Lowiey, Lyons,

Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Smith, Stream, Thomas, Thompson, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—62
 NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 1120

Assembly Bill No. 1120—An act making an appropriation for the operation, maintenance, and organization of the State Guard, to take effect immediately.

Bill read second time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1120:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
 SACRAMENTO March 10, 1943

*To the Honorable Members of the Assembly
 Sacramento, California*

GREETINGS:

ASSEMBLY BILL No. 1120

"An act making an appropriation for the operation, maintenance, and organization of the State Guard, to take effect immediately", in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill. I therefore recommend consideration of Assembly Bill No. 1120 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted

EARL WARREN, Governor of California

Assembly Bill No. 1120—An act making an appropriation for the operation, maintenance, and organization of the State Guard, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heringer, Hollibaugh, Johnson, Kellem, King, Knight, John B. Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Smith, Stream, Thomas, Thompson, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—62
 NOES—None

The roll was called, and the bill passed by the following vote.

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heringer, Hollibaugh, Johnson, Kellem, King, Knight, John B. Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Smith, Stream, Thomas, Thompson, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.
 NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By Mr. Price:

The following communication was received, read, and ordered printed in the Journal:

March 3, 1943

*Mr. R. Fred Price, Assemblyman Seventy-second District
Ontario, California*

DEAR FRED: A day or two ago Mr. D. M. Tyler, Mr. Gordon Nicholson, and I talked briefly with you on the problems facing the citrus industry, by reason of the farm labor shortage. In order that you, as our Assemblyman, may better help us in the solution of the problem facing the industry, there are given below some facts and suggestions.

The O. K. Exchange District produces more than 5,000,000 field boxes of citrus fruits annually. These fruits must be harvested before the canned juices for the Army and Lend-Lease may be processed, and before fresh fruit for civilian consumption may be packed. To date about 15 per cent of the navel crop is harvested. To avoid heavy spoilage loss, the remainder should be off the trees in 60 days from now, but lemon picking schedules are from four to eight weeks behind normal pickings in the various houses in the district.

The urgent and immediate need for a large number of agricultural laborers is obvious. Some time ago, to obtain this labor, the industry turned to Mexico for men, and under the direction of the Farm Security Administration, Mexican Nationals were imported. In January this district received a portion of its quota, but since then no Mexican Nationals have been delivered. An importation was promised February 1st by F. S. A. However, this importation was diverted to other noncitrus areas. The F. S. A. again promised delivery on February 15th to 18th, February 25th to 27th, and March 1st and 2d. As far as can be learned, no deliveries have been made to any agricultural area.

Upon definite representation by F. S. A. that imported labor would be delivered, many citrus associations have gone through the steps necessary for the reception of this labor. Contracts have been signed, bonds have been posted, housing and feeding facilities have been made available, commissary contracts have been signed—all at a very considerable cost.

The press reports that recruiting of Mexican Nationals has stopped because of departmental changes within the Mexican Government. By negotiation, the F. S. A. claims to have corrected the difficulties in recruiting which arose from these departmental changes. However, inquiry develops that no Mexican Nationals whatsoever have entrained since February 1st. Our Congress last week refused to appropriate funds for the continuance of F. S. A., indicating that F. S. A.'s activity will be heavily curtailed, if not stopped, as far as the recruiting of labor is concerned.

Mexican Nationals are necessary to harvest the citrus crop; if they are not made available the consuming public will be deprived of this essential food and the armed forces of the canned juices ordered by the Government. These juices, as ordered by the Government, require 20 per cent of orange shipment and approximately 40 per cent of lemon production. Our State should recognize this break-down of the set-up for the importation of these Nationals, and should also take appropriate steps either to expedite the importation of labor or undertake the importation itself.

For your consideration, we offer the following possible programs as solutions:

(1) The State to urge Congress that labor recruiting be resumed in Mexico at once.

(2) The State to create an agency or use an already established agency to make labor importations with the authority of the Federal Government.

(3) The State Agricultural Committee to survey the possibilities of reallocation of those Mexican Nationals now here on the basis of seasonal crop demands.

Our citrus district is, of course, not alone in its pressing need for farm labor, and undoubtedly your colleagues in the Assembly representing other citrus producing areas have had similar requests from their constituents. If a grouping of these Assemblymen could be made, and their appearance arranged before the State Agricultural Committee, adding, perhaps, an audience with Governor Warren, we feel that without question a solution of the problem could be made.

Sincerely yours,

WARREN H. WASS

Request to Submit Communication for Consideration by Committee

Mr. Bashore requested that the above communication, presented by Mr. Price, be referred to Mr. Hastain for presentation before the Joint Committees on Agriculture on Wednesday, March 17, 1943.

Request granted.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 1 $\frac{1}{4}$ of Article XIII, relating to exemptions of property on account of military service.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton, Kraft, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 1

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 1 $\frac{1}{4}$ of Article XIII, relating to exemptions of property on account of military service.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its Fifty-fifth Session commencing on the fourth day of January, 1943, two-thirds of all members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that Section 1 $\frac{1}{4}$ of Article XIII of the Constitution of this State be amended to read as follows:

SEC. 1 $\frac{1}{4}$. The property to the amount of one thousand dollars (\$1,000) of every resident of this State who is serving in the Army, Navy, Marine Corps or Revenue Marine Service of the United States in time of war, or who has so served and received an honorable discharge therefrom, or who after such service of the United States in time of war has continued in such service, or who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions, or lacking such amount of property in his own name, so much of the property of the wife of any such person as shall be necessary to equal said amount; and the property to the amount of one thousand dollars (\$1,000) of the widow resident in this State, or if there be no such widow, of the widowed mother resident in this State, of every person who has so served and has died either during his term of service or after receiving an honorable discharge from said service, or who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions, and the property to the amount of one thousand dollars (\$1,000) of pensioned widows, fathers, and mothers, resident in this State, of soldiers, sailors and marines who served in the Army, Navy or Marine Corps or Revenue Marine Service of the United States shall be exempt from taxation; provided, this exemption shall be made under the provisions of this act of the property of the value of five thousand dollars (\$5,000) or more, or where the wife of such soldier or sailor owns property of the value of five thousand dollars (\$5,000) or more. No exemption shall be made under the provisions of this act of the property of a person who is not legal resident of the State; provided, however, all real property owned by the Ladies of the Grand Army of the Republic and all property owned by the California Soldiers Widows Home Association shall be exempt from taxation.

Speaker Pro Tempore Presiding

At 10.35 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Assembly Constitutional Amendment No. 2—A resolution proposing to the people of the State of California to amend Section 23 of Article IV of the Constitution of said State, relating to the compensation of Members of the Legislature.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Debs, Denny, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Evans, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Hensinger, Hollibaugh, Johnson, Kellems, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weidel, Weybret, Wollenberg and Mr. Speaker—59

NOES—Bashore, and Erwin—2

Resolution ordered transmitted to the Senate

Assembly Constitutional Amendment No. 2

A resolution proposing to the people of the State of California to amend Section 23 of Article IV of the Constitution of said State, relating to the compensation of Members of the Legislature

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California, at its Fifty-fifth Regular Session, commencing on the fourth day of January, 1943, two-thirds of all the members elected to each of the two houses of the said Legislature voting in favor thereof, hereby proposes to the people of the State of California that Section 23 of Article IV of the Constitution of said State be amended to read as follows:

Sec. 23 The Members of the Legislature shall receive for their services the sum of one hundred dollars (\$100) each for each month of the term for which they are elected, to be paid monthly in the even-numbered years and to be paid during the regular legislative session in the odd-numbered years at such times as may be provided by law, ten dollars (\$10) each per day for expenses during sessions and recesses of not longer than three days, and mileage to be fixed by law, all paid out of the State Treasury, such mileage not to exceed five cents (\$.05) per mile

REQUEST FOR UNANIMOUS CONSENT

Mr. Wollenberg asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 31, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 31

Assembly Joint Resolution No. 31—Relative to memorializing the President and the Congress of the United States to provide relief from taxation for elderly people whose only income is from investments in securities

Resolution read.

Motion to Refer

Mr. Evans moved that Assembly Joint Resolution No. 31 be withdrawn from the file, and referred to the Committee on Rules and House Functions.

Mr. Wollenberg seconded the motion

Motion carried.

Assembly Joint Resolution No. 31 ordered referred to Committee on Rules and House Functions

Speaker Presiding

At 11.35 a.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

RESOLUTIONS

The following resolution was offered:

By Messrs. Johnson, O'Day, Wollenberg, Allen, Potter, Maloney, Sargent, and Knight, T. Fenton:

House Resolution No. 117

WHEREAS, The problems of juvenile delinquency, crime prevention and control, and supervision, custody, and treatment of offenders are of major importance to the people of the State; and

WHEREAS, The Youth Correction Authority was established by the Legislature in 1941 as a partial and empirical means toward the solution of these problems; and

WHEREAS, Sufficient time has elapsed since the organization of the Authority for the definition of its objectives, the determination of appropriate means to the achievement of those objectives, and the exercise of its functions, so that an evaluation can now be made of the adequacy of the laws under which it is organized, the validity of the program adopted, and the integration of the Authority in the penal and correctional systems of the State; and

WHEREAS, Many bills have been introduced and are now pending before the Legislature relating to the jurisdiction, powers, and duties of the Youth Correction Authority on which the Legislature can take appropriate action only after investigation, study, and the most careful consideration of the problems involved, the effectiveness of the existing laws, the achievements of the Authority under those laws, and the probable effect of the continued functioning of the Authority under the existing laws and under the laws proposed to be enacted; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created a committee to be known as "The Assembly Fact-Finding Committee on Correctional Problems," to consist of five Members of the Assembly appointed by the Speaker, which committee is authorized and directed.

(1) To investigate, study, and make recommendations to the Assembly concerning the penal and correctional problems of the State;

(2) To consider, evaluate, and appraise the Youth Correction Authority Act for the purpose of determining whether it should be continued in effect without change, amended, or repealed;

(3) If it is determined that the Youth Correction Authority Act should be continued in effect, to determine the proper jurisdiction, operation, and functions of the Youth Correction Authority, and the nature and extent of activities to be undertaken or continued by the Authority; to consider the advisability of modifying the present statutory provisions governing the selection and salaries of members of the Authority and all other salary and administrative expenditures; to consider the powers of the Authority in respect to the establishment and operation of institutions, agencies, and facilities, and the use by the Authority of existing institutions and facilities not under the exclusive control of the Authority; and to consider the advisability of modification of the provisions governing the termination of the jurisdiction of the Authority over the persons committed to it.

(4) If it is determined that the Youth Correction Authority Act should be continued in effect, to determine the amount of funds necessary for the support of the Authority and the carrying on of those activities and functions which are determined to be proper; to determine whether those funds should be provided in the Budget Bill or in a special appropriation bill; and if a special appropriation bill is recommended, to consider and make recommendations concerning the inclusion of restrictions in such bill in respect to expenditures and the types of projects for which the sums appropriated may be expended.

(5) To investigate and consider the integration of the Youth Correction Authority in the penal and correctional system of the State, and the relationship of the Authority to other State penal and correctional agencies and authorities.

(6) To investigate, consider, and make recommendations concerning the establishment of a State Department of Corrections to have authority over all criminal offenders and over all penal, correctional, and reformatory institutions.

The committee shall have and exercise the duty and power:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee;

(6) To meet both during this session of the Legislature and after final adjournment;

(7) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and procure testimony.

(8) To report its findings and recommendations to the Assembly and to the people from time to time and at any time, and

(9) To cooperate so far as the judgment of the committee dictates with any Federal agency; and

(10) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and all of the provisions of Article 8, Chapter 2, Title 1, Part 3 of the Political Code, relating to the attendance and examination of witnesses before the Legislature and committees thereof, and the Rules of the Assembly and the Joint Rules of the Senate and Assembly as they now are or may be hereafter amended, shall apply to the committee hereby created; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly and other officers designated by him are hereby directed to serve any and all subpoenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.051) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of twenty-five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

• Request for Unanimous Consent

Mr Johnson asked for unanimous consent to take up House Resolution No. 117, at this time, without reference to committee.

Mr Bashore withheld unanimous consent.

House Resolution No 117 ordered referred to Committee on Rules and House Functions

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1035, BY UNANIMOUS CONSENT

Mr Potter asked for, and was granted, unanimous consent to have Assembly Bill No 1035 withdrawn from the Committee on Motor Vehicles, and re-referred to the Committee on Municipal and County Government

MOTION TO RECESS TO HEAR FROM CZECHOSLOVAK CONSUL

Mr Maloney moved that the Assembly recess at 11 a.m., on Wednesday, March 17th, to hear from Bohuš Beneš, Czechoslovak Consul.

Motion carried.

RESOLUTIONS

The following resolution was offered:

By the Committee on Rules and House Functions:

House Resolution No. 118

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth, with the compensation set opposite their respective names payable weekly, on a seven-day per week basis, and the Controller is

hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing Monday, March 8, 1943.

Assistant Sergeant-at-Arms:	Per day
Mrs. Ernest Crowley -----	\$6 00
Mrs. Mabel A. Miller-----	5 00

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 118, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawalisch, Thomas, Thompson, Thurman, Waters, Weber, Wehret, Wollenberg, and Mr. Speaker—59.

NOES—None

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced that he would request that the Assembly recess at 10 15 a.m. on Friday, March 12th, in order that the members might hear from Ivan Jacobson, representative of the Norwegian Government.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Allen and Gannon:

House Resolution No. 119

Relative to inviting Captain Eddie Rickenbacker to address the houses of the Legislature of the State of California.

WHEREAS, The career of Captain Eddie Rickenbacker as an outstanding aviator and patriotic American has won him admiration throughout our Country; and

WHEREAS, The Members of the Legislature of the State of California would particularly welcome the opportunity of hearing an address by Captain Rickenbacker; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly is hereby requested to invite Captain Eddie Rickenbacker to speak before the houses of the California Legislature at such time as will be convenient to Captain Rickenbacker; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby requested to transmit a copy of this resolution to Captain Eddie Rickenbacker.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Thompson and Lowrey:

House Resolution No. 120

WHEREAS, Agriculture constitutes one of the principal industries in the State of California and is an important element in the war effort; and

WHEREAS, It is essential that agricultural production be allowed to exercise its functions to its fullest capacity; now, therefore, be it

Resolved by the Assembly of the State of California, That there be appointed by the Speaker of the Assembly a committee composed of members thereof, each representing one or more of the principal agricultural industries of California; and be it further

Resolved, That the said committee be sent to the Capitol of the United States for the purpose of presenting the problems facing agriculture to the Congressmen representing this State, to the Secretary of Agriculture, and, if necessary, to the President of the United States; that it shall explain to such persons that before the agricultural industry in the State of California will be able to reach its capacity in the production of foodstuffs to meet the demands of the Army, Navy, and civilian population of these United States and those necessary for lend-lease, the following demands must be satisfied:

(1) That adequate prices for agricultural commodities should be provided for in order to meet the exorbitant costs of production in order that adequate food supplies may be provided for the people of California and our armed forces;

(2) That regulations with respect to food that must be supplied foreign labor should be made less stringent;

(3) That the agricultural industry be allowed to purchase more farm equipment for its operations;

(4) That consideration should be given to the fact that agriculture in California should be regulated on a large unit basis rather than as small self-contained family units;

(5) That present regulations and administrative control be relaxed to permit an increase in production so that further agricultural operations may continue; and be it further

Resolved, That the money necessary for the traveling and other expenses of said committee are hereby made available out of the Contingent Fund of the Assembly, and that claims for such traveling and other expenses shall be allowed and paid in the manner provided in the Joint Rules for similar expenditures of members of joint committees

Resolution read, and referred to Committee on Rules and House Functions

By Messrs Maloney, O'Day, Gaffney, Haggerty, Collins, George D., Berry, Brady, Burns, Desmond, and Carey.

House Resolution No. 121

WHEREAS, For many years the Legislature of the State of California has recessed each year on March 17th, for a period of two hours to pay tribute to St. Patrick, the Patron Saint of Ireland; and

WHEREAS, In following the precedent established by the Legislature in previous sessions, entertainment, and literary exercises in keeping with this most sacred day was provided to the members; now, therefore, be it

Resolved, That the Assembly of the State of California, on March 17, 1943, recess from the hours of 11 a. m. until 2 p. m. for the purpose of holding a St. Patrick's Day Celebration and that the sum of \$100 be set aside to defray the expenses of said celebration; and be it further

Resolved, That a committee of five Members of the Assembly be appointed by the Speaker of the Assembly to make proper arrangements for such celebration

Resolution read, and referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 32

Assembly Bill No. 621

Assembly Bill No 201

Assembly Bill No 596

Assembly Bill No. 217

Assembly Bill No. 1309

Assembly Bill No. 455

Assembly Bill No. 1530

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WERDEL, Vice Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 248	Assembly Bill No. 562
Assembly Bill No. 254	Assembly Bill No. 806
Assembly Bill No. 255	Assembly Bill No. 807

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WERDEL, Vice Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 451
Assembly Bill No. 470

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WERDEL, Vice Chairman

Above reported bills ordered to second reading.

MOTION TO EXCUSE MEMBER FOR BALANCE OF WEEK

Mr. McCollister moved that Mr. Call be excused for the balance of the legislative week while on official business for the State.

Motion carried.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, March 10, 1943

To the Assembly of the State of California

GREETINGS: As mentioned in an earlier message to your honorable body, there has been in progress, under the direction of The Adjutant General, a detailed study of the State Guard problem in California.

This study is now complete and I am today transmitting the conclusions which I have drawn from the facts thus developed.

Based upon the report of Adjutant General Ray W. Hays concerning both the present organization and the effectiveness of the State Guard, I have arrived at the conclusion that I must recommend that the active force of the State Guard be abolished unless the Federal Government grants deferment to its personnel and enables it to acquire adequate weapons, transportation, and means of communication.

Such action would, in my opinion, have to be followed by the restoration of the Guard to the status of the National Guard prior to its induction into Federal service—that is to say, that the State Guard should be recruited on the basis of community organization with State supervised training and be available when called into service by the Governor for the protection of their own communities in times of greatest emergency.

The State Guard at the present time is not and can not be made effective for the protection of our State against organized sabotage or other disorders likely to arise in modern warfare.

The reasons for this conclusion are several:

1. The Federal Government can not equip the Guard with proper weapons and equipment for such service and the State is not permitted to do so itself.
2. Heretofore it has been said that men over 38 years of age would be available for Guard service. The Selective Service has just ruled that all men between 38 and 45 years of age in nonessential occupations must be reclassified and made available for induction into regular military service or for essential war industry.
3. The Act of Congress permitting organization of State Guards specifically provides that: No person shall, by reason of his membership in any such unit, be exempted from military service under Federal law.
4. There is and for some time past has been a turnover of 20 per cent per month in State Guard personnel which in itself has made it impossible to maintain an adequately trained body of men.

The Legislature, in January, 1942, authorized an active State Guard of 7,000 men and officers. At that time the membership was 3,015. It has never reached the number authorized by the Legislature. As of February 27, 1943, the active

membership of the Guard was 5,280 enlisted men and 412 officers. Of this number, the appalling total of 696 were absent without leave, 98 were in confinement for military offenses, and an undetermined number were sick in hospitals or quarters. Of the remaining number, 308 were enlisted women.

In the opinion of The Adjutant General, not more than 3,500 Guardsmen are available for duty and of this number a considerable percentage are physically or mentally incapable of performing any type of effective military service. The number of men fit for duty has dropped month by month since August, and it is only a question of a comparatively short time until there will be few if any able-bodied alert men who will be available for active service in the Guard.

It had been my hope that we could have a small, highly trained, mobile active Guard unit which could be moved into any affected area in time of calamity. No one could deny that such a force, in times like these, would be consistent with need but I do not believe under existing conditions that it is possible either to build or to maintain such an organization.

It is obvious that the Federal Government is not in a position to permit deferment to enable the State to build an active State Guard which could perform such a service. All of the other States of the Union have long since recognized this fact because the total number of Guardsmen in all the States combined is only a small percentage of the number now on active duty in California.

I have arrived at my conclusions reluctantly because I know California wishes to do her full part in the protection of life and property in this combat area. However, I can not be satisfied with a mere gesture of security which is all the continuance of an active State Guard under present conditions would constitute. Neither General Hays nor I are willing to be responsible for the effectiveness of an organization which can not in the very nature of affairs be efficient.

If and when demobilization of the active State Guard is launched, I would suggest that it be accomplished in an orderly way over a period of months, during which period adequate means of protection could otherwise be developed. While this is going on, should the Federal Government alter its position on deferments and priorities for the Guard, I would suggest that the State remain in a position to recruit, organize, and equip a force of such size and number as you may determine to be required. If demobilization is completed, State property can be protected by The Adjutant General through the use of civilian Guardsmen.

The enthusiasm shown and the service rendered by the State Guard prior to December 7, 1941, as well as that of the military companies in the Militia since that date, convinces me that there is a great reservoir of the finest manpower in the State which we can draw into a new Guard program. By permitting Guardsmen to engage in their normal occupations and by limiting their active service to times of great emergency and to the communities in which they reside and are organized, I believe we can develop an outstanding military organization. Such an organization could, in my opinion, be geared into and become an integral part of our civilian defense program which will be inaugurated under the War Powers Act which you approved in your January session.

Respectfully,

EARL WARREN, Governor

ANNOUNCEMENT OF COMMITTEE HEARING

Mr. McCollister announced that Assembly Bill No. 1929, effecting the legislation referred to in the Governor's message, would be heard by the Committee on Military Affairs on Tuesday, March 16th.

RECESS

On motion of Mr. Sam L. Collins the Assembly recessed at 12.10 p.m., to hear from Mrs. Dora Shaw Heffner, State Director of Institutions.

REASSEMBLED

At 12.13 p.m. the Assembly reconvened

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohmimus at the desk.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Pilot Officers,

Royal Air Force, Anthony Dawson, Yorkshire, and A. C. Mickey Fer, Essex, England.

On request of Messrs. Erwin and Dills, Ralph C, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. George De Vries of Norwalk.

On request of Mr. Debs, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Victoria Carpenter Evans of San Francisco.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John Folan of San Francisco.

ADJOURNMENT

At 12.14 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Friday, March 12, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SEVENTH LEGISLATIVE DAY
SIXTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, March 12, 1943

The Assembly met at 10 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names :

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Stream, Thomas, Thompson, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher :

Heavenly Father, let the hour-glass of Thy Spirit measure our characters in terms of purity of heart, deeds of loving kindness, devotion to high and holy tasks, and the depths of love to all true goodness and beauty.

Be Thou our shining Beacon on the pathway of truth and righteousness so that these virtues may gleam like jewels and Thy eternal light blot out all darkness and selfishness among mankind.

“The hues of Heaven are mirrored in Thy stream ;
O teach me so to live that hope sublime,
From Heaven reflected, on my path may beam !
Thy ceaseless current runs to reach the sea ;
Teach me in wisdom to redeem the time,
Still hastening onward to Eternity.”

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Sam L. Collins.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Call, on motion of Mr. McCollister.
 Mr. Kellems, on motion of Mr. Doyle.
 Mr. Desmond, on motion of Mr. Burns.
 Mr. Smith, on motion of Mr. Erwin.
 Mr. Sheridan, on motion of Mr. Johnson.
 Mr. Thorp, on motion of Mr. Weybret.
 Mr. Clarke, on motion of Mr. Weybret.
 Mr. Werdel, on motion of Mr. Wollenberg.
 Mr. Watson, on motion of Mr. Maloney.
 Mr. O'Day, on motion of Mr. Maloney.
 Mr. Thurman, on motion of Mr. Leonard.
 Mr. Dilworth, on motion of Mr. Hastain.

COMMUNICATIONS

By the Chief Clerk:

The following communications were received, read, and ordered printed in the Journal:

CONSULATE-GENERAL OF THE REPUBLIC OF CHINA
 551 MONTGOMERY STREET, SAN FRANCISCO, U. S. A., March 11, 1943
Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Assembly Chamber
State Capitol, Sacramento, California

DEAR SIR: In thanking you for your letter of the tenth instant inclosing a copy of "Assembly Concurrent Resolution No. 37," adopted in Assembly March 8, 1943, which was the means of inviting Madame Chiang Kai-shek "to address the Legislature of the State of California, in joint meeting assembled, at such time as she may select," it affords me pleasure to state that a copy of your letter, the "Assembly Concurrent Resolution No. 37" and your letter addressed to Madame Chiang Kai-shek care of this Consulate-General have been forwarded to Madame Chiang's Secretary General to be presented to Her Excellency.

Yours very sincerely,

C. T. FENG, Consul-General of China

By the Sergeant-at-Arms:

SAN FRANCISCO, CALIFORNIA, March 11, 1943
Wilkie Ogg, Sergeant-at-Arms
State Capitol, Sacramento, California

Last official information definitely states Madame Chiang Kai-shek will arrive San Francisco Thursday, March 25th. Public address to which mayor has invited Members of Legislature, Saturday evening, March 27th, 8.30 p.m., Civic Auditorium. Reserve tickets at a premium. Please advise soon as possible number we may expect for Saturday evening address.

ANGELO J. ROSSI
 By ENEAS J. KANE, Secretary

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 21—An act to amend Section 8322 of the Streets and Highways Code, relating to the vacation of city streets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 385—An act to amend the title and Sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled “An act providing for the creation of county treasurers’ cash difference funds and overage funds in the counties of the State,” approved April 23, 1941, relating to county officers’ cash difference funds and overage funds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 525—An act to amend the title of, and Section 1 of an act entitled “An act providing for the creation of revolving funds in the counties of the State,” approved May 9, 1923, as amended, relating to revolving funds in the counties and townships of the State.

Bill read second time, and ordered engrossed

Assembly Bill No. 1081—An act to amend Section 3714 of the Political Code, relating to annual financial estimates of counties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 32—An act to amend Sections 595 and 1054 of the Code of Civil Procedure, relating to extensions of time and continuances

Bill read second time, and ordered engrossed

Assembly Bill No. 201—An act to add Sections 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, and 1661 to Article 3 of Chapter 1 of Part 6 of Division 2 of the Labor Code, relating to artists’ managers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 217—An act to add Section 189.5 to the Code of Civil Procedure, relating to vouchers filed in court proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 455—An act to amend Section 3024 of the Penal Code, relating to minimum sentences of imprisonment.

Bill read second time, and ordered engrossed

Assembly Bill No. 621—An act to amend Sections 241 and 242 of the Code of Civil Procedure, relating to the composition and constitution of grand juries

Bill read second time, and ordered engrossed

Assembly Bill No. 596—An act to amend Section 6720 of, and to add Section 6726.5 to, the Welfare and Institutions Code, relating to the duty and power of the sheriff to arrest escaped and paroled patients and inmates of State hospitals and institutions and deliver them to persons authorized by the Department of Institutions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1309—An act to amend Section 261 of the Code of Civil Procedure, relating to salaries of court commissioners

Bill read second time, and ordered engrossed.

Assembly Bill No. 1530—An act to add Section 387 to the Political Code, relating to the acquisition of exclusive jurisdiction over lands in the State of California by the United States.

Bill read second time, and ordered engrossed.

Assembly Bill No. 248—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "an act entitled "An act authoriz-"; and strike out lines 2, 3, 4, 5, and 6 thereof; and in line 7, strike out "selection of jurors therein," approved May 23," and insert "the Municipal Court Act of".

Amendment No. 2

On page 1, line 22, of the printed bill, strike out "twenty-five dollars (\$325)", and insert "fifty dollars (\$350)".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 254—An act to amend Sections 7a and 7c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 7a and 7c of an act entitled "An act", and insert "Section 7c of".

Amendment No. 2

In the title of the printed bill, strike out lines 2, 3, 4, 5, 6, and 7 thereof; and in line 8, strike out "May 23," and insert "the Municipal Court Act of".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 21, inclusive; and on page 2, strike out lines 1 to 16, inclusive.

Amendment No. 4

On page 2, line 17, of the printed bill, strike out "Sec. 2.", and insert "Section 1."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 255—An act to amend Section 6301 of the Business and Professions Code, relating to boards of trustees of law libraries.
Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 21, and insert "A board of law library trustees is constituted as".

Amendment No. 2

On page 1, line 24, of the printed bill, strike out "shall be", and insert "is".

Amendment No. 3

On page 1, line 26, of the printed bill, strike out "such", and insert "the".

Amendment No. 4

On page 2, line 4, of the printed bill, strike out "shall be", and insert "is".

Amendment No. 5

On page 2 of the printed bill, strike out line 5, and insert "officio a trustee, but the board of supervisors may appoint".

Amendment No. 6

On page 2 of the printed bill, strike out lines 7 and 8, and insert "of said chairman."

Amendment No. 7

On page 2, line 10, of the printed bill, strike out "shall be", and insert "are".

Amendment No. 8

On page 2 of the printed bill, strike out lines 12 and 13, and insert "any county in which a municipal court has not been established, or of six members in any county where such a court has been".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 562—An act to amend Section 17818 of the Health and Safety Code, relating to apartment houses and hotels.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 14, inclusive, and insert "17818. A janitor, housekeeper, or other responsible person shall reside upon the premises and shall have charge of every apartment house in which there are 16 or more apartments, and of every hotel in which there are 12 or more guest rooms, in the event that the owner of any such apartment house or hotel does not reside upon said premises. If the owner does not reside upon the premises of any apartment house in which there are more than 4 but less than 16 apartments, a notice stating his name and address, or the name and address of his agent in charge of the apartment house, shall be posted in a conspicuous place on the premises."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 806—An act to amend Section 300 of the Labor Code, relating to the assignment of wages.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, strike out all of line 45, and insert "or for charitable, educational, patriotic or similar purposes"

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 807—An act to amend Section 690.11 of the Code of Civil Procedure, relating to the exemption of the earnings of judgment debtors for their personal services from execution or attachment.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 18, of the printed bill, after "charitable", insert ", educational".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 451—An act to amend Section 817 of the Penal Code, relating to the definition of peace officers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out the first "and".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 470—An act to amend Sections 1217, 3600, 3602, 3603 and 3605 of the Penal Code, relating to the death penalty.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In the title of the printed bill, strike out "3603 and 3605", and insert "and 3603".

Amendment No. 2

On page 2 of the printed bill, strike out all of lines 8 to 21, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

COMMUNICATIONS

By Speaker Lyon:

The following communication was received, read, and ordered printed in the Journal:

1943 GRAND JURY, COUNTY OF LOS ANGELES
LOS ANGELES, CALIFORNIA, March 10, 1943

Mr. Charles W. Lyon, Assemblyman, 59th District, Sacramento, California

DEAR SIR: As the result of action by the 1943 Grand Jury of Los Angeles County, we herewith inclose a copy of report of the special committee of the grand jury upon the proposed amendments to the Alien Land Law now pending before the Legislature. Said report was adopted by said grand jury on March 3, 1943, as follows:

That the report of the Special Committee of the 1943 Grand Jury of Los Angeles County on the amendments to the Alien Land Law now pending in the State Legislature be received, placed on file, and that said report be and the same is hereby approved; that the secretary of said grand jury be directed to send a copy of said report to the Chairman of the Judiciary Committee of the Senate and to the Chairman of the Judiciary Committee of the Assembly and also to each Member of the Legislature from Los Angeles County, together with a letter to be signed by the foreman and the secretary of said grand jury stating that said body can not recommend the enactment of said amendments as the same are now constituted and proposed.

Respectfully submitted.

LOS ANGELES COUNTY GRAND JURY

By CHARLES G. SWORD, Foreman

By ELEANOR R. WEMBRIDGE, Secretary

Report of Special Committee of the 1943 Grand Jury of Los Angeles County ordered filed with the Secretary of State.

RECESS

At 10.25 a.m., on motion of Mr. Sam L. Collins, the Assembly recessed to hear from Mr. Ivan Jacobson, representative of the Norwegian Government.

REASSEMBLED

At 10.31 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 11, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 25

J. A. BEEK, Secretary of the Senate

Above bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1607

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 59

Assembly Bill No. 1264

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Assembly Bill No. 1623

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-fer to the committee.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Assembly Bill No. 402

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 376

Assembly Bill No. 338

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 622

Assembly Bill No. 624

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1615

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-fer to the committee.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 142

Assembly Bill No. 96

Assembly Bill No. 163

Assembly Bill No. 246

Assembly Bill No. 60

Assembly Bill No. 835

Assembly Bill No. 685

Assembly Bill No. 208

Assembly Bill No. 1131

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Acting Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred

Assembly Bill No. 555

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Acting Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 810

Assembly Bill No. 1281

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WOLLENBERG, Acting Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred.

Assembly Bill No. 98

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

WOLLENBERG, Acting Chairman

Above reported bill ordered to second reading.

RECESS

At 10.35 a.m., on motion of Mr. Gannon, the Assembly recessed to hear additional remarks from Mr. Ivan Jacobson, representative of the Norwegian Government.

REASSEMBLED

At 10.57 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS**

Assembly Bill No. 1264—An act making an appropriation for support of the Governor's Office, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1264:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 11, 1943

*To the Honorable Members of the Assembly
Sacramento, California*

GREETINGS:

ASSEMBLY BILL No. 1264

"An act making an appropriation for special contingent expenses of the Governor's Office, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 1264 as necessary for the immediate preservation of the public peace, health or safety and as an emergency matter.

Respectfully submitted.

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Stream, Thomas, Thompson, Weber, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Sargent, Stream, Thomas, Thompson, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

APPOINTMENT OF STANDING COMMITTEE MEMBERS

The Speaker announced the following appointments to standing committees vice Hon. Fred N. Howser, resigned:

Committee on Judiciary—Mr. Sam L. Collins.

Committee on Revenue and Taxation—Mr. Hollibaugh.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 117

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 117

House Resolution No. 117

WHEREAS, The problems of juvenile delinquency, crime prevention and control, and supervision, custody, and treatment of offenders are of major importance to the people of the State; and

WHEREAS, The Youth Correction Authority was established by the Legislature in 1941 as a partial and empirical means toward the solution of these problems; and

WHEREAS, Sufficient time has elapsed since the organization of the Authority for the definition of its objectives, the determination of appropriate means to the achievement of those objectives, and the exercise of its functions, so that an evaluation can now be made of the adequacy of the laws under which it is organized, the validity of the program adopted, and the integration of the Authority in the penal and correctional systems of the State; and

WHEREAS, Many bills have been introduced and are now pending before the Legislature relating to the jurisdiction, powers, and duties of the Youth Correction Authority on which the Legislature can take appropriate action only after investigation, study, and the most careful consideration of the problems involved, the effectiveness of the existing laws, the achievements of the Authority under those laws, and the probable effect of the continued functioning of the Authority under the existing laws and under the laws proposed to be enacted; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created a committee to be known as "The Assembly Fact-Finding Committee on Correctional Problems," to consist of five Members of the Assembly appointed by the Speaker, which committee is authorized and directed:

(1) To investigate, study, and make recommendations to the Assembly concerning the penal and correctional problems of the State;

(2) To consider, evaluate, and appraise the Youth Correction Authority Act for the purpose of determining whether it should be continued in effect without change, amended, or repealed;

(3) If it is determined that the Youth Correction Authority Act should be continued in effect, to determine the proper jurisdiction, operation, and functions of the Youth Correction Authority, and the nature and extent of activities to be undertaken or continued by the Authority; to consider the advisability of modifying the present statutory provisions governing the selection and salaries of members of the Authority and all other salary and administrative expenditures; to consider the powers of the Authority in respect to the establishment and operation of institutions, agencies, and facilities, and the use by the Authority of existing institutions and facilities not under the exclusive control of the Authority; and to consider the advisability of modification of the provisions governing the termination of the jurisdiction of the Authority over the persons committed to it;

(4) If it is determined that the Youth Correction Authority Act should be continued in effect, to determine the amount of funds necessary for the support of the Authority and the carrying on of those activities and functions which are determined to be proper; to determine whether those funds should be provided in the Budget Bill or in a special appropriation bill; and if a special appropriation bill is recommended, to consider and make recommendations concerning the inclusion of restrictions in such bill in respect to expenditures and the types of projects for which the sums appropriated may be expended;

(5) To investigate and consider the integration of the Youth Correction Authority in the penal and correctional system of the State, and the relationship of the Authority to other State penal and correctional agencies and authorities;

(6) To investigate, consider, and make recommendations concerning the establishment of a State Department of Corrections to have authority over all criminal offenders and over all penal, correctional, and reformatory institutions.

The committee shall have and exercise the duty and power:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports

to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee;

(6) To meet both during this session of the Legislature and after final adjournment;

(7) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and procure testimony;

(8) To report its findings and recommendations to the Assembly and to the people from time to time and at any time; and

(9) To cooperate so far as the judgment of the committee dictates with any Federal agency; and

(10) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and all of the provisions of Article 8, Chapter 2, Title 1, Part 3 of the Political Code, relating to the attendance and examination of witnesses before the Legislature and committees thereof, and the Rules of the Assembly and the Joint Rules of the Senate and Assembly as they now are or may be hereafter amended, shall apply to the committee hereby created; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly and other officers designated by him are hereby directed to serve any and all subpoenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of twenty-five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 2, line 5, of the typewritten resolution, after "sist of", strike out "five", and insert "seven".

Amendment No. 2

On page 4, paragraph (6), of the typewritten resolution, after "Legislature and", strike out "after final adjournment,"; and insert "submit a report or a series of reports thereto at the earliest possible date, and prior to final adjournment."

Amendments read and adopted.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No 117, as amended, at this time.

Consideration of House Resolution No. 117, as Amended

House Resolution No. 117

WHEREAS, The problems of juvenile delinquency, crime prevention and control, and supervision, custody and treatment of offenders are of major importance to the people of the State; and

WHEREAS, The Youth Correction Authority was established by the Legislature in 1941 as a partial and empirical means toward the solution of these problems; and

WHEREAS, Sufficient time has elapsed since the organization of the Authority for the definition of its objectives, the determination of appropriate means to the achievement of those objectives, and the exercise of its functions, so that an evaluation can now be made of the adequacy of the laws under which it is organized, the validity of the program adopted, and the integration of the Authority in the penal and correctional systems of the State; and

WHEREAS, Many bills have been introduced and are now pending before the Legislature relating to the jurisdiction, powers, and duties of the Youth Correction Authority on which the Legislature can take appropriate action only after investigation, study, and the most careful consideration of the problems involved, the effectiveness of the existing laws, the achievements of the Authority under those laws, and the probable effect of the continued functioning of the Authority under the existing laws and under the laws proposed to be enacted; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created a committee to be known as "The Assembly Fact-Finding Committee on Correctional Problems," to consist of seven Members of the Assembly appointed by the Speaker, which committee is authorized and directed:

(1) To investigate, study, and make recommendations to the Assembly concerning the penal and correctional problems of the State;

(2) To consider, evaluate, and appraise the Youth Correction Authority Act for the purpose of determining whether it should be continued in effect without change, amended, or repealed;

(3) If it is determined that the Youth Correction Authority Act should be continued in effect, to determine the proper jurisdiction, operation, and functions of the Youth Correction Authority, and the nature and extent of activities to be undertaken or continued by the Authority; to consider the advisability of modifying the present statutory provisions governing the selection and salaries of members of the Authority and all other salary and administrative expenditures; to consider the powers of the Authority in respect to the establishment and operation of institutions, agencies, and facilities, and the use by the Authority of existing institutions and facilities not under the exclusive control of the Authority; and to consider the advisability of modification of the provisions governing the termination of the jurisdiction of the Authority over the persons committed to it,

(4) If it is determined that the Youth Correction Authority Act should be continued in effect, to determine the amount of funds necessary for the support of the Authority and the carrying on of those activities and functions which are determined to be proper; to determine whether those funds should be provided in the Budget Bill or in a special appropriation bill; and if a special appropriation bill is recommended, to consider and make recommendations concerning the inclusion of restrictions in such bill in respect to expenditures and the types of projects for which the sums appropriated may be expended;

(5) To investigate and consider the integration of the Youth Correction Authority in the penal and correctional system of the State, and the relationship of the Authority to other State penal and correctional agencies and authorities,

(6) To investigate, consider, and make recommendations concerning the establishment of a State Department of Corrections to have authority over all criminal offenders and over all penal, correctional, and reformatory institutions.

The committee shall have and exercise the duty and power:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports

to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee;

(6) To meet during this session of the Legislature and submit a report or a series of reports thereto at the earliest possible date and prior to final adjournment.

(7) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and procure testimony;

(8) To report its findings and recommendations to the Assembly and to the people from time to time and at any time; and

(9) To cooperate so far as the judgment of the committee dictates with any Federal agency; and

(10) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved. That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and all of the provisions of Article 8, Chapter 2, Title 1, Part 3 of the Political Code, relating to the attendance and examination of witnesses before the Legislature and committees thereof, and the Rules of the Assembly and the Joint Rules of the Senate and Assembly as they now are or may be hereafter amended, shall apply to the committee hereby created; and be it further

Resolved. That the Sergeant-at-Arms of the Assembly and other officers designated by him are hereby directed to serve any and all subpoenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved. That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created, and be it further

Resolved. That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved. That the sum of twenty-five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Dills, Clayton A. Dills, Ralph C. Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hersinger, Hollibaugh, Johnson, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Mason, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Stream, Thomas, Thompson, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Appointment of Special Committee

Pursuant to the provisions of House Resolution No. 117, the Speaker announced the appointment of Messrs. Potter, Chairman; Johnson, O'Day, Knight, T. Fenton; Middough, Burns, and Dickey as such Assembly Fact-Finding Committee on Correctional Problems.

RE-REFERENCE OF ASSEMBLY BILL NO. 59

Mr. Bashore moved that Assembly Bill No. 59 be withdrawn from the file, and re-referred to the Committee on Public Health.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Rules and House Functions**

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

House Resolution No. 119

Assembly Joint Resolution No. 31

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 119**House Resolution No. 119**

Relative to inviting Captain Eddie Rickenbacker to address the houses of the Legislature of the State of California

WHEREAS, The career of Captain Eddie Rickenbacker as an outstanding aviator and patriotic American has won him admiration throughout our Country; and

WHEREAS, The Members of the Legislature of the State of California would particularly welcome the opportunity of hearing an address by Captain Rickenbacker; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly is hereby requested to invite Captain Eddie Rickenbacker to speak before the houses of the California Legislature at such time as will be convenient to Captain Rickenbacker; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby requested to transmit a copy of this resolution to Captain Eddie Rickenbacker.

Resolution read and adopted.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 31

Assembly Joint Resolution No. 31—Relative to memorializing the President and the Congress of the United States to provide relief from taxation for elderly people whose only income is from investments in securities.

Resolution read.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Allen, Armstrong, Burns, Collins, Sam L., Crichton, Crowley, Denny, Doyle, Erwin, Field, Gannon, Guthrie, Haggerty, Hastain, Johnson, Knight, T. Fenton; Leonard, Maloney, McCollister, Miller, Niehouse, Potter, Sawallisch, Thompson, Weybret, Wollenberg, and Mr. Speaker—27.

NOES—Anderson, Bashore, Bennett, Berry, Burkhalter, Collins, George D., Debs, Dills, Clayton A., Dills, Ralph C., Evans, Gaffney, Hawkins, Hollibaugh, King, Kraft, Lowrey, Lyons, Massion, McMillan, Pelletier, Price, Rosenthal, Sargent, Stream, and Thomas—25.

Notice of Motion to Reconsider Assembly Joint Resolution No. 31

Mr. Hawkins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Joint Resolution No. 31 was this day refused adoption.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 1081

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered re-referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 12, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 33

J. A. BEEK, Secretary of the Senate

By HENRY A. HAMMOND, Assistant Secretary

Above resolution ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Messrs. Lyon, Field, Allen, Potter, Evans, Bashore, Johnson, Hastain, and Knight, T. Fenton:

House Resolution No. 122

Relating to the memory of Francis Harrington Partridge

WHEREAS, Francis Harrington Partridge had a notable military career. He applied for officers' training when the United States entered the First World War in April, 1917; received his commission as First Lieutenant; went overseas with the 363d Regiment, 91st Division; while overseas participated in three major battles and received his Captaincy; after the Armistice, was transferred to the Courier Service where assignments took him to every capital in Europe except Petrograd; was honorably discharged from the United States Army on May 31, 1919. He reentered the Army on April 12, 1942; was sworn in as a Major at the West Coast Army Air Force Training Center at Santa Ana, California; was detailed to the Cadet Training Center at Costa Mesa, California; was transferred to the Army Air Force Flying School at Marama, Arizona, where at the time of his death, January 30, 1943, he was Commandant of Cadets; and

WHEREAS, Francis Harrington Partridge had also a notable business career. He was a graduate of the University of California and the Harvard School of Business Administration. After graduation he entered the service of Hays and Hays, Bankers, in Aberdeen, Washington; in 1923, he came to Los Angeles where he was in the business development department of the Citizen's National Trust and Savings Bank, then manager of the Downtown Business Men's Association, manager of the California Stock Exchange, manager of Lankershim Estate, secretary-treasurer of Southern California, Inc., and Legislative Counsel for the Merchants and Manufacturers Association; and

WHEREAS, The Members of the Assembly wish to pay tribute to the memory of Francis Harrington Partridge who served so well in civilian and in military life and to extend the deepest sympathy to his family; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly this day adjourns it does so out of respect to the memory of Francis Harrington Partridge; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitable copy of this resolution to the family.

Request for Unanimous Consent

Mr. Field asked for, and was granted, unanimous consent to take up House Resolution No. 122, at this time, without reference to committee.

Resolution read, and adopted by a rising vote of the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

The following resolution was offered :

Assembly Concurrent Resolution No. 39: By Messrs. McCollister, Maloney, Lyon, Heisinger, Crowley, Burns, and Stream—Relative to the death of the Hon. Charles F. Reindollar.

Request for Unanimous Consent

Mr. McCollister asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 39, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 39

Assembly Concurrent Resolution No. 39—Relative to the death of Hon. Charles F. Reindollar.

Resolution read, and adopted by a rising vote of the Assembly.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mrs. Niehouse, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to C. Arnhalt Smith of San Diego.

On request of Mr. Sam L. Collins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Winifred Blalock of Glendale.

ADJOURNMENT

At 11.56 a.m. , on motion of Mr Sam L. Collins, the Speaker declared the Assembly adjourned until 11 a.m., Monday, March 15, 1943, out of respect to the memory of the late Hon. Francis Harrington Partridge and the late Hon Charles F. Reindollar.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-EIGHTH LEGISLATIVE DAY

SEVENTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, March 15, 1943

The Assembly met at 11 a. m.

Hon Charles W Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names :

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Cull, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Roberson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher.

Almighty God, Sovereign of the Universe, we thank Thee for our Flag which always has been an emblem of liberty, justice, and freedom. As its colors stand for purity, devotion, and sacrifice, we pray for continued inspiration that it may never be dishonored.

May this Flag ever be a symbol of National unity and devotion. Protect and bless its defenders at home and abroad, and help us to be grateful for our citizenship in this great Christian Nation and may there soon come to this weary world the morning of universal peace.

“Lord, while for all mankind we pray,
Of every clime and coast,
O hear us for our native land,
The land we love the most.

Unite us in the sacred love,
Of knowledge, truth and Thee,
And let our hills and valleys shout
The songs of liberty

Lord of All Nations, thus to Thee,
Our Country we commend;
Be Thou her refuge and her trust,
Her everlasting Friend.”

AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Debs.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Thurman, on motion of Mr. Doyle.

Mr. Leonard, on motion of Mr. Weybret.

Mr. Desmond, on motion of Mr. Burns

Mr. Carey, on motion of Mr. Carlson.

Mr. Clarke, on motion of Mr. Thorp.

Mr. Denny, on motion of Mr. Thompson.

MOTION TO EXCUSE MEMBER

Mr. Dickey moved that Mr. Guthrie be excused for the balance of the legislative week because of illness.

Motion carried.

COMMUNICATIONS

By Speaker Lyon:

The following communication was received, read, and ordered printed in the Journal:

UNITED STATES SENATE
COMMITTEE ON FOREIGN RELATIONS, March 8, 1943

*Honorable Charles W. Lyon, Speaker, Assembly
California Legislature, Sacramento, California*

MY DEAR MR. LYON: Pursuant to filing with the Office of Price Administration the resolution adopted by the Interim Legislative Committee on State-Federal Cooperation in Petroleum, I today received acknowledgment from Mr. Prentiss Brown, Administrator, stating that the Petroleum Administrator for War has recommended to Mr. Brown that the maximum prices of heavy crude and fuel oils in California be increased, with the prospect of early action. I am sure you and your committee members will be glad to know this.

Sincerely yours,

HIRAM W. JOHNSON

In reply refer to: 652: WBJ

March 4, 1943

The Honorable Hiram W. Johnson, United States Senate

DEAR SENATOR: Your letter of February 27, 1943, with copy of Resolution adopted by the Interim Legislative Committee of the California Legislature has been received.

For your information, the Petroleum Administrator for War has recommended to me that the maximum prices of heavy crude oil and of fuel oils in California be increased. His recommendation is now under consideration and definite action will be taken shortly.

Yours sincerely,

PRENTISS M. BROWN, Administrator

Above communication referred to the Committee on State-Federal Cooperation in Petroleum.

By the Chief Clerk:

A communication from the California Horse Racing Board, submitting its Fifth Biennial Report, was received, and ordered filed with the Secretary of State.

By Speaker Lyon:

The following communication was received, read, and, on request of Messrs Guthrie, Heisinger, and Crichton, ordered printed in the Journal:

CALIFORNIANA PARLOR NO. 247
NATIVE DAUGHTERS OF THE GOLDEN WEST, March 11, 1943

*Hon. Charles W. Lyon, Speaker of the Assembly
c/o State Legislature, Sacramento, California*

DEAR SIR: The attached copy of resolution was duly adopted by Californiana Parlor No. 247, Native Daughters of the Golden West, at its regular meeting held March 9, 1943.

We trust that you will give this matter consideration, and use your efforts to preserve these fine old redwoods for future generations.

Very sincerely yours,

MAGDALENA M. WILDASIN, Recording Secretary

We believe the State of California should, wherever possible, acquire and preserve for the permanent enjoyment and the benefit of all the people, some of the few remaining tracts of forested land with which a bounteous nature endowed our native State. Be it, therefore,

Resolved, That Californiana Parlor No. 247, Native Daughters of the Golden West, indorse and favor the immediate passage by the California State Legislature of Senate Bill No. 339, which provides for the purchase by the State of what is known as the Mountain Home Tract in Tulare County, containing 63,727 trees, among them one-quarter of all the Sequoia Giganteas now in existence. Also

Resolved, That copies of this resolution be sent our representatives in the Senate and the Assembly of the State Legislature, with requests that they give Senate Bill No. 339 their support.

Above communication referred to the Committee on Conservation, Natural Resources, and Planning.

Also:

A communication from Geo. W. Hurley of Bakersfield, relative to Kern River University, guayule, and calcium carbide was received, and ordered filed with the Secretary of State.

PETITIONS

By Speaker Lyon:

The following petition from Fresno County Farm Bureau was received, and ordered printed in the Journal:

FRESNO COUNTY FARM BUREAU
FRESNO, CALIFORNIA, March 11, 1943

*State Assembly, Speaker of the Assembly
State Capitol, Sacramento, California*

GENTLEMEN: Enclosed is a petition signed by a large group of farmers at Centerville, Fresno County.

The petition is self-explanatory and we urge your honorable body to consider this petition.

Sincerely yours,

FRESNO COUNTY FARM BUREAU
A. J. QUIST, President

WHEREAS, During the month of January, 1943, flood waters in Kings River broke one or more levees located along the stream and in conjunction to the State Highway leading eastward from Centerville; and

WHEREAS, Such flood waters swept over numerous farms destroying live stock and growing crops; and

WHEREAS, The flood waters in many places swept the fertile top soil away thereby greatly depleting the production of crops needed for war activities; and

WHEREAS, In some fields channels were cut, which if not remedied, would ultimately totally destroy the land for agricultural purposes; and

WHEREAS, Such flood destruction is of vital concern to the farmers affected and to all the people in these times of threatened food shortage; and

WHEREAS, The farmers who have already suffered great losses from the flood are not financially able to bring about remedies; therefore, be it

Resolved, That we, the undersigned, earnestly petition the Governor and the Legislature of the State of California, to take such measures, and make such appropriations of money and materials and do such work immediately as will remedy the situation so that the farms may be saved from destruction and that crops may be saved from destruction and that crops may be produced as food for human and animal consumption; and be it further

Resolved, That a copy of this resolution be sent to Governor Earl Warren, to the President of the Senate, to the Speaker of the Assembly and to the Senators and the Assemblymen from Fresno County.

RAY E. PHILLIPS, of Sanger, and 22 Others

Above communication referred to the Committee on Conservation, Natural Resources, and Planning.

COMMUNICATIONS

By Speaker Lyon:

The following communication was received, read, and ordered printed in the Journal:

THE STATE OF IDAHO
OFFICE OF THE SECRETARY OF STATE, BOISE, March 10, 1943

*To the Speaker of the House
California Legislature, Sacramento, California*

DEAR SIR: In conformity with the instructions of the Senate and the House of Representatives I am transmitting herewith a copy of Senate Joint Memorial No. 7, which memorial has been adopted by both houses of the Idaho Legislature.

Very truly yours,

GEORGE H. CURTIS, Secretary of State.

IN THE SENATE
Senate Joint Memorial No. 7
BY STATE AFFAIRS COMMITTEE

A Joint Memorial

Declaring the policy of the State of Idaho to maintain jurisdiction and control over the use of the waters within the State; to protect and preserve rights to the use of water established under the laws of this State or the United States; to promote harmonious relations between the State of Idaho, the United States and other States; and authorizing the Governor to direct the State Reclamation Engineer to take such action as may be necessary in carrying out these policies.

WHEREAS, The State of Idaho has approximately 53,000,000 acres of land, of which approximately 21,000,000 acres are classified as agricultural land, a large portion of which is situate in the southern portion of the State; and

WHEREAS, The value of the lands in the southern portion of Idaho is wholly dependent upon irrigation for the production of valuable agricultural crops; and,

WHEREAS, Approximately 2,300,000 acres of these lands are now under irrigation and ultimately by developing storage reservoirs and conserving the available water supply, approximately 2,000,000 acres additional may be irrigated in Southern Idaho; and,

WHEREAS, The topography of this State is such that many of our streams are interstate in nature, which fact has heretofore given rise to problems of administration regarding such streams, involving other States and the Federal Government, and other problems of administration will doubtless arise with the further agricultural development of this State; now, therefore, be it

Resolved by the Senate and House of Representatives of the State of Idaho now in session. That it is the declared policy of this State to maintain its jurisdiction over, and control of, the use of waters in this State for all beneficial purposes, as provided in the Constitution of Idaho and the Admission Bill by Congress admitting Idaho into the Union of States; also to protect and preserve rights to the use of water established under the laws of this State or of the United States; to protect and preserve such rights against threatened uses outside of the State to the detriment of our citizens within the State; to promote harmonious relations between the State of Idaho, the United States and other States with respect to the beneficial use of such waters and to encourage compacts between Idaho and other States in regard to interstate streams; be it further

Resolved, That in furtherance of these policies the Governor is authorized to direct the State Reclamation Engineer to take such action and perform such duties as may be necessary in carrying these policies into effect; be it further

Resolved, That the Secretary of State of the State of Idaho be directed to send a copy of this resolution to the President of the United States, to the presiding officers of the Senate and the House of Representatives of the Congress of the United States, to each presiding officer of all State Legislative bodies now in session and to each member of the Idaho Delegation in Congress.

Above communication referred to Committee on Conservation, Natural Resources, and Planning.

Also:

A House concurrent resolution, adopted by the Legislature of the State of Texas, relative to a Postwar Planning Commission, was received, and ordered referred to the Committee on Military Affairs.

Also:

The following communication was received, read, and ordered printed in the Journal:

BOARD OF WATER COMMISSIONERS
LONG BEACH, CALIFORNIA, March 11, 1943

Honorable Charles W. Lyon

California State Legislature, Sacramento, California

DEAR ASSEMBLYMAN LYON: The Board of Water Commissioners of the City of Long Beach, California, at the regular meeting held March 4, 1943, passed the following motion:

"Following a discussion of the provisions of Senate Bill No. 58, Commissioner Johnson moved, seconded by Commissioner O'Neil, that the board of water commissioners is utterly opposed to the passage of Senate Bill No. 58 permitting the use of the facilities of The Metropolitan Water District by any city or district which is not a member, and that our Representative in the Assembly, the State Senator from Los Angeles County, and our representative on the board of directors of The Metropolitan Water District be notified of this action and requested to use every endeavor to secure the defeat of the bill

Carried by the following vote:

AYES—Commissioners E. L. Brown, Thos. M. Brown, Johnson, O'Neil and Winstead.

NOES—None.

ABSENT—None.

You are probably aware of the fact that the passage of this bill would be most unfair to those member cities of The Metropolitan Water District who have devoted so much of their time and funds toward the development of this project.

We will appreciate all the assistance you are able to lend toward the defeat of Senate Bill No. 58.

Respectfully yours,

V. E. O'NEIL, Secretary
Board of Water Commissioners

Also:

The following communication was received, read, and ordered printed in the Journal:

LOS ANGELES, CALIFORNIA, March 12, 1943

Hon. Chas. Lyon

Speaker of the Assembly

After weeks of study of California Guard situation by the most competent individuals available, the Los Angeles County Council of the American Legion, con-

sisting of representatives of 192 Legion posts whose membership numbers in excess of 28,000 World War veterans, went on record indorsing in principle the recommendations contained in Senate Bill No. 1071. As Commander of the Los Angeles County Council, may I respectfully request that serious consideration be given by you to recommendations from the representatives of California Guard Officers Association who have been designated by me as my representatives before the Legislature on matters relating to military affairs. Lieutenant Colonel Silliman is directing the activities of this group.

WALTER J SULLIVAN, Commander

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Thomas:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act granting certain tidelands, submerged lands and filled tidelands of the State of California to the City of Avalon, upon certain trusts and conditions.

Respectfully submitted.

VINCENT THOMAS

Request referred to Committee on Legislative Procedure.

By Mr. Evans:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act authorizing any city, county, or city and county to acquire property and to construct, operate and maintain parking facilities in connection with any stadium or coliseum maintained by such city, county, or city and county, and to make such parking facilities available to the use of the public and to make a charge therefor.

Respectfully submitted.

JOHN W. EVANS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Thomas:

An act granting certain tidelands, submerged lands and filled tidelands of the State of California to the City of Avalon, upon certain trusts and conditions

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—62

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

The following bill was introduced, and read the first time:

Assembly Bill No. 1930: By Mr. Thomas—An act granting certain tidelands, submerged lands, and filled tidelands of the State of California to the City of Avalon, upon certain trusts and conditions.

Referred to Committee on Commerce and Navigation.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1943

MR. SPEAKER Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Evans:

An act authorizing any city, county, or city and county to acquire property and to construct, operate and maintain parking facilities in connection with any stadium or coliseum maintained by such city, county, or city and county, and to make such parking facilities available to the use of the public and to make a charge therefor.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berrv, Brown, Burkhalter, Burns, Call, Carlson, Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Guffney, Haggerty, Hawkins, Heisinger, Hollbaugh, Johnson, Kellems, King, Knight, John B. Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Mason, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following bills were introduced, and read the first time:

Assembly Bill No. 1931: By Mr. Evans—An act authorizing any city, county, or city and county to acquire property and to construct, operate and maintain parking facilities in connection with any stadium or coliseum maintained by such city, county, or city and county, and to make such parking facilities available to the use of the public and to make a charge therefor.

Referred to Committee on Municipal and County Government.

Assembly Joint Resolution No. 34: By Messrs. Beck and Bashore—Relative to memorializing the President and Congress to enact legislation to secure to all employees of the Post Office Department an increase in wages commensurate with the increased cost of living and other benefits.

Request for Unanimous Consent

Mr. Beck asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 34, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 34

Assembly Joint Resolution No. 34—Relative to memorializing the President and Congress to enact legislation to secure to all employees of the Post Office Department an increase in wages commensurate with the increased cost of living and other benefits.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Concurrent Resolution No. 40: By Messrs. Bashore and Watson—Relative to the disposition of clothing and yardage by the State Department of Social Welfare.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 40, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 40

Assembly Concurrent Resolution No. 40—Relative to the disposition of clothing and yardage by the State Department of Social Welfare.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

**CHIEF CLERK REQUESTED TO PREPARE LETTER
OF CONGRATULATION**

The Speaker instructed the Chief Clerk to prepare a suitable congratulatory letter to the Hon. Philip Stanton, of Orange County, former Speaker of the Assembly, upon the occasion of his seventy-fifth birthday; the letter to be signed by members of the Orange County Delegation.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Joint Resolution No. 35: By Messrs. Field, Potter, Call, Kellems, Bashore, Lyon, and Middough—Relative to memorializing the Congress of the United States to immediately launch an investigation into the administration of the Federal Rent Control Program in California as requested in House Resolution No. 51 presented by the Hon. Thomas Rolph, Representative of the Fourth California Congressional District.

Request for Unanimous Consent

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 35, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 35

Assembly Joint Resolution No. 35—Relative to memorializing the Congress of the United States to immediately launch an investigation into the administration of the Federal Rent Control Program in California as requested in House Resolution No. 51 presented by the Hon. Thomas Rolph, Representative of the Fourth California Congressional District.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Call, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Field, Fourt, Gafney, Gannon, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS
BY UNANIMOUS CONSENT**

Mr. Wollenberg asked for, and was granted, unanimous consent that Assembly Bills Nos. 578, 579, 580, 581, 661, and 662 be withdrawn from the Committee on Finance and Insurance, and re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined

Assembly Joint Resolution No. 25—Memorializing Congress not to pass reciprocal trade agreements;

And reports that the same has been correctly enrolled, and presented to the Governor on the twelfth day of March, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 21	Assembly Bill No. 525
Assembly Bill No. 32	Assembly Bill No. 596
Assembly Bill No. 201	Assembly Bill No. 621
Assembly Bill No. 217	Assembly Bill No. 1309
Assembly Bill No. 385	Assembly Bill No. 1530
Assembly Bill No. 455	

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 248	Assembly Bill No. 470
Assembly Bill No. 254	Assembly Bill No. 562
Assembly Bill No. 255	Assembly Bill No. 806
Assembly Bill No. 451	Assembly Bill No. 807

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 33—Relative to memorializing Congress to enact legislation providing a Federal System of Workmen's Compensation for civilian defense volunteers injured in the course of their duties;
And reports that the same has been correctly enrolled, and presented to the Governor on the fifteenth day of March, 1943, at 11 a.m.

PELLETIER, Chairman

MOTION TO PRINT REPORT IN JOURNAL

Mr. Heisinger moved that the Report of the Fact-Finding Committee on State Highways, County Highways, and City Streets, as read by Mr. Heisinger, be printed in the Journal.

Mr. Bashore seconded the motion.

Substitute Motion

Mr. Call moved, as a substitute motion, that the report read by Mr. Heisinger be referred to the Committee on Roads and Highways.

Mr. Field seconded the motion.

Demand for Previous Question

Messrs. Dills, Ralph C., Dills, Clayton A., Kilpatrick, Middough, and Debs demanded the previous question.

Demand for previous question sustained.

The question being on the substitute motion by Mr. Call, that the report be referred to the Committee on Roads and Highways.

The roll was called, and the substitute motion lost by the following vote:

AYES—Allen, Armstrong, Burns, Call, Carlson, Collins, George D., Denny, Dills, Ralph C., Doyle, Erwin, Field, Fourt, Gannon, Hastain, Hollibaugh, Johnson, Kellems, McCollister, Miller, Niehouse, Potter, Price, Sargent, Sawallisch, Stream, Thorp, Watson, Weybret, and Wollenberg—29.

NOES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Dunn, Evans, Gaffney, Haggerty, Hawkins, Heisinger,

Kilpatrick, King, Knight, T. Fenton; Lyons, Maloney, McMillan, Middough, Pelletier, Robertson, Rosenthal, Smith, Thomas, Thompson, Waters, and Werdel—32.

The question being on the motion by Mr. Heisinger that the following report be printed in the Journal:

Motion carried.

**Report of Fact-Finding Committee on State Highways, County Highways,
and City Streets**

Mr. Speaker and Members of the Assembly

Pursuant to the paragraph in House Resolution No. 264 of the Session of 1941 which provides; That the Committee on State and County Highways and City Streets is hereby created to study and survey accurately and in detail, all matters hereinbefore referred to and to report its recommendations to the Legislature not later than March 15, 1943.

The committee submits its final report which complements and supplements its preliminary report printed in the Assembly Journal of January 12, 1943. The committee has been handicapped in its recent hearings because our funds reverted to the State treasury at the convening of this session, but the matters were of such importance to the State, to the cities, and to the counties that we expended our own time and money by traveling many hundreds of miles in our own autos to personally observe the highways and also the streets of the cities so that this report could be rendered as fully and as accurately as possible.

San Diego Highways

There is no place in California where the highways have suffered more than in San Diego County. Under war conditions its State, county, and city highway funds have sharply decreased while at the same time traffic has greatly increased. Riverside and other southern counties have highway problems which demand immediate consideration.

Los Angeles Highways

Los Angeles County has outgrown its highway transportation system until the traffic conditions are as acute as any in the Nation. Los Angeles City alone has 22 per cent of the State population, 24 per cent of the daily vehicle mileage travel and 30 per cent of all auto accidents.

The City and the County of Los Angeles have been doing as best they could with present highway funds which are wholly inadequate for present and future needs.

In their plans to provide for future traffic they propose a freeway 40 or 50 miles in length extending from the harbor near the City of Long Beach to connect with the Ridge Route and Coast Highways north of Van Nuys.

This freeway would parallel the Los Angeles River, would provide not less than two or three lanes each way, would have numerous ramps to serve the population in every direction, and would take much of the heavy freight traffic off the business streets of the cities.

Preliminary surveys have been made by local engineers, and the plan appears altogether feasible and absolutely necessary for present conditions, and will be of immense value to future growth and traffic conditions.

The density of population and the congested auto travel in Los Angeles County loudly call for this super highway.

This freeway when completed will, in its service to that community, be comparable to the Bay Bridge in the San Francisco Bay area.

It is the opinion of this committee that this freeway should be a part of the State Highway System when it is finally constructed. However, its cost which might reach \$75,000,000 is of such magnitude that present State highway funds would not justify at this time even the surveying by the State Highway Engineer.

Valley and Coast Highways

Traveling over the valley highways and over Pacheco Pass makes it apparent that such highways should be completed to give proper travel facilities to the heavy freight trucks and to the thousands of tourists who desire to spend some of the summer in the coast counties adjacent to Monterey Bay.

San Francisco Bay Area

The hearing in San Francisco brought to our attention three very urgent propositions.

Their engineers propose an addition to State Highway No. 55 to extend to Van Ness Avenue to connect with the Golden Gate Bridge.

This highway would traverse the heart of the residential section and would help to relieve the traffic congestion in that part of San Francisco.

A proposed freeway and by-pass to extend Highway No. 68 which would enter the city from the south and skirt the bay paralleling the docking region, this freeway would especially assist the commerce and wholesale district and would facilitate heavy truck traffic in and out of the city from the south and northerly over the Golden Gate Bridge. Also the proposed Divisional Highway between the Golden Gate Bridge approach in the Marina District through Divisadero southward connecting with Highway No. 101 to Los Angeles.

Golden Gate Bridge

The other major highway problem presented at the San Francisco hearing is the Golden Gate Bridge and its highway approaches to the north.

Since the purchase by the State of the Carquinez Bridge and the reduction of tolls on it and on the Bay Bridge, there has been a shifting of traffic away from the Golden Gate Bridge to its financial detriment.

Since the Golden Gate Bridge is financed by the Golden Gate Bridge District and as its income is not sufficient to meet its obligations, the people in that district face assessments from time to time unless a remedy is found and put into effect. Such assessments would adversely affect several counties in Northern California as well as San Francisco.

If the State highways leading into the Golden Gate Bridge from the north and near Sausalito were modernized it might avert such assessments.

This committee strongly recommends to the State Highway Director to consider the engineering problems which appear not to be great or very costly and it sincerely trusts that the problem will be solved so that the district should not be assessed to assist this improved State transportation system.

Bay Bridge Approaches

An acute problem concerns the approaches from the south through Oakland and Berkeley to the Bay Bridge.

Some crooked, up-and-down congested street approaches are out of harmony with modern transportation facilities; therefore, approaches comparable and in harmony with this greatest of all bridges should be provided by the State as soon as funds are available.

Northern Counties

All the counties in Northern California with larger populations, especially Sacramento County and those bordering the San Francisco Bay and the Sacramento River, are experiencing similar highway conditions and problems as are revealed in this report.

State Highway Director

Mr Charles H. Purcell, the State Highway Engineer and now our Director of Public Works, had the knowledge, wisdom, and foresight long ago to call to our attention the seriousness of the financial condition of our highway system. This he has done honestly, conscientiously, and fearlessly, but the Legislature turned to him a deaf ear. He has told us of defective bridges, of dangerous grade crossings of needed multiple lanes where lives and property are lost.

It was known to all who were informed that the highway finances under past normal conditions were falling behind construction needs, then, of course, there would actually be disaster should adverse conditions overtake us.

Such adverse conditions are now upon the State, the counties and the cities.

Our finances have declined by the millions and our highways are being pounded by war traffic to such an extent that this committee has observed cracks and breaks in the highways by hundreds and thousands, holes are being made in the pavements with no hope for repairs for lack of funds, and our highway systems which cost us many hundreds of millions are going to wreck for a lack of adequate financing.

The county supervisors have sounded similar warnings but were also unheeded. What shall we do? This committee recommends that the normal financing of our highway system be brought up to provide adequate reconstruction so as to preserve our highway normal conditions.

How can this be done? Certain motor vehicle funds now find their way into the State General Treasury. After redemption of highway bonds all these moneys should be allocated to the State, the counties and the city highway funds.

This would assist in present maintenance, would help provide surveys and rights of way for future construction and reconstruction so as to keep the highway systems up to par, including the super highways as proposed by the several political subdivisions.

Gas Tax

This State should do as the other States have done; namely, have an adequate gas tax to carry the main load of highway upkeep.

Everybody concedes the gas tax is the fairest tax and based upon the use of the roads.

The average gas tax in the Nation is $4\frac{1}{2}$ cents per gallon and in the 10 western States outside of California it is $4\frac{1}{2}$ cents per gallon, and should California increase to 4 cents, it might be sufficient to carry the load.

Oil Company Opposition

However, the big oil companies would oppose such a change as they claim they, through oil and gas, are overtaxed.

It should be pointed out that they do not pay the gas tax, nor is the tax actually on the gas, but rather is placed upon the use of the highways and is measured by the amount of gas consumed by such use.

Postwar Construction

A matter of paramount importance to the highway system and to all the people is to bring construction and reconstruction up to normal requirements beginning immediately following the war.

This must include surveys and acquisition of rights of way at this time and as soon as possible and this should be financed at once.

This committee believes the several highways specified in this report together with some others should be a part of the State Highway System.

The construction and reconstruction of the present State highways together with these proposed additions would cost multiplied millions of dollars.

The State General Treasury is now in a financial condition to safely undertake such a program upon a specific long term plan such as adopted by the Highway Department.

The Legislature, by appropriating the money from the General Fund, which comes from all the people, to buy Federal securities, would thereby assist in hastening the successful conclusion of the war; would, as provided in Assembly Bill No. 174, put the money to work buying materials, thereby creating business after major war activities; would place more manpower in employment per dollar than any other industry; would assist every county and city in their transportation problems; would reduce the local tax burden; and would go far to put the State Highway System in a modern condition while at the same time may help to avert another SRA.

There will be those who would oppose such a program believing that to cut taxes would be more desirable, but taxes measured by ability to pay are not now as high as they were in SRA times. The taxes are also not high as measured by purchases for Governmental functions.

Pharaoh's Dream

It seems that about 4,000 years ago there was a nation in a similar situation as is California today. The king was worried over the conditions until his sleep was disturbed by distressing dreams. He consulted with his leading statesmen, and they, as well as he, could suggest no answer to his dream of the seven lean kine devouring the seven fat kine, yet were still as lean as ever.

Finally young Joseph was brought before him and warned him of the disastrous years which were to follow the prosperous times, and advised him to save and conserve all the nation's resources against the awful years to come. Joseph was placed next to the king in power, and saved the people from starvation.

This incident is a part of the history of the world, and California has had some of those experiences and should we not profit thereby?

It is fortunate that California at this time has brought before her as her leader a man learned and wise, our Governor Earl Warren, who warns us that our present State surplus has been created by war activities, is of a very transitory nature, and may depart as quickly as it came, and should not be dissipated but be used wisely on a Public Works program.

A graph of the financial history of our Nation verifies this conclusion. Therefore, why should the Legislature gamble with our State surplus and remit it to a few selected groups who are most able to pay their taxes? Should not we as good business managers build up this State reserve and spend it wisely to sustain and maintain our State functions and thereby avert disaster when the evil days are upon us? Our State and local highways are our first line of defense in peace as well as in war, and this line of defense should be kept to its highest efficiency.

A billion dollars of products annually reach our markets over these arteries of transportation. These highways are California's richest asset, and with them in decay or ruin the State will lose its greatness. Rather should not the Legislature preserve them, improve them, and perfect them to a point as becomes the great State of California?

Taxes

The people are not now overtaxed in our State as they were in SRA days. Therefore let us secure ourselves against another SRA by providing millions of highway work for the employment of our people after the war.

Need for Better Highways

The numerous bills introduced in each session of the Legislature which would transfer from counties or cities certain highways, indicate that local political subdivisions are not financially able to keep those roads in the condition as demanded by the public. Such bills are introduced with little if any correlation to other roads and the service they may render the people.

It is generally well known that our State, county, and city highways should make a complete highway system. However, the hearings just completed by this committee reveal that there should be more correlation between the governing highway boards for proper highway construction to insure the greatest building economy and the most efficient service to the traveling public.

Planning Committee

We recommend that the Governor appoint not less than two Assemblymen and not less than one Senator to serve at his pleasure as a committee to make a study of the State, county and city highway system for the purpose of correlating into the most efficient system all the highways within the State.

Such committee should confer and cooperate with the State and local highway authorities and consider engineering surveys so as to be able to report to the Governor and to the Legislature its findings and its recommendations, what highways if any should be included in the State Highway System.

The committee should serve without compensation except actual expenses.

This report now being made is definitely opposed to the addition of a single mile to the State Highway System unless and until funds are provided by the Legislature in sufficient amounts to amply do the work proposed.

Respectfully submitted.

By S. L. HEISINGER, Chairman

NEWS RELEASE READ BY SPEAKER

The Speaker read a news release regarding the promotion of George W. Ash, son of the assistant sergeant-at-arms, to Coxswain in the Navy.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

Assembly Bill No. 1623—An act making an appropriation to the State Park Commission, for the acquisition of land in Orange County as part of the State Park System.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "one hundred thousand dollars (\$100,000)", and insert "one hundred and fifteen thousand dollars (\$115,000)".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 402—An act to amend Section 9220 of, and to repeal Article 2, comprising Sections 9370 to 9377, inclusive, of Chapter 5, Division 9, of the Public Resources Code, relating to soil conservation, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 9220", and insert "Sections 9161, 9167 and 9220 and to amend and renumber Sections 9162 and 9163".

Amendment No. 2

In line 2 of the title of said bill, strike out "5", and insert "4".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being inclosed within brackets.

Amendment No. 3

On page 1, line 1, of said bill, strike out "9220 of the Public Resources Code is"; and strike out all of line 2, and insert "9161 of the Public Resources Code is amended to read:

9161. Each director shall take the oath of office [and shall execute an official bond in the sum of two thousand dollars (\$2,000) approved by a judge of the superior court of the principal county.]

SEC. 2. Section 9162 of said code is amended and renumbered to read:

[9162.] 9167.5. The bonds shall be recorded in the office of the county recorder of the principal county and filed with the county clerk of that county.

SEC. 3. Section 9163 of said code is amended and renumbered to read:

[9163.] 9167.6. The bonds shall be in the form prescribed for bonds of county officers and the premiums on the bonds shall be paid by the district.

SEC. 4. Section 9167 of said code is amended to read:

9167. The president and secretary shall each give a bond in the sum of two thousand dollars (\$2,000) for the faithful performance of his duties [in an amount fixed by the directors. The premiums on the bond shall be paid by the district.]

SEC. 5. Section 9220 of said code is amended to read:."

Amendment No. 4

On page 1, line 6, of said bill, strike out "chairman", and insert "president".

Amendment No. 5

On page 1, line 12, of said bill, after "Sec.", strike out "2", and insert "6".

Amendment No. 6

On page 1, line 13, of said bill, strike out "5", and insert "4".

Amendment No. 7

On page 1, line 18, of said bill, strike out "3", and insert "7".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1615—An act to amend Section 2186 of the Welfare and Institutions Code, and to add Section 2223.5 thereto, relating to aid to the aged.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section 2223 5", and insert "Sections 2163 1, 2163 2, and 2223 5".

Amendment No. 2

On page 2 of said bill, after line 11, add:

"SEC. 3. Section 2163 1 is added to said code, to read:

2163.1. For the purposes of this chapter, the interest of an applicant or recipient in an estate as heir, devisee, or legatee shall not be considered property of the appli-

cant or recipient until it has been distributed to him and is available for expenditure or disposition by him; and the interest of a beneficiary of a trust shall not be considered to be property of the beneficiary except to the extent that he has legal or actual control over the trust property.

SEC. 4. Section 2163.2 is added to said code, to read:
2163.2. For the purposes of this chapter, mutual water company stock which is appurtenant to land shall not be considered personal property."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 555—An act to amend Section 7a of the Municipal Court Act of 1925, relating to attaches.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "forty-five dollars (\$345)", and insert "fifty dollars (\$350)".

Amendment No. 2

On page 1, line 12, of said bill, strike out "forty-five dollars (\$345)", and insert "fifty dollars (\$350)".

Amendment No. 3

On page 1, line 14, of said bill, strike out "forty-five dollars (\$345)", and insert "fifty dollars (\$350)".

Amendment No. 4

On page 1, line 18, of said bill, strike out "forty-five dollars (\$345)", and insert "fifty dollars (\$350)".

Amendment No. 5

On page 1, line 20, of said bill, strike out "forty-five" and insert "fifty".

Amendment No. 6

On page 1, line 21, of said bill, strike out "(\$345)", and insert "(\$350)".

Amendment No. 7

On page 1, line 23, of said bill, strike out "forty-five dollars (\$245)", and insert "fifty dollars (\$250)".

Amendment No. 8

On page 1, line 24, of said bill, strike out "dollars (\$220)", and insert "five dollars (\$225)".

Amendment No. 9

On page 1, line 25, strike out "one", and insert "two".

Amendment No. 10

On page 1, line 26, of said bill, strike out "ninety-five dollars (\$195)", and insert "(\$200)".

Amendment No. 11

On page 1 of said bill, strike out line 27, and insert "Eight deputy clerks, one hundred eighty-five dollars".

Amendment No. 12

On page 1, line 28, of said bill, strike out "(\$180)", and insert "(\$185)".

Amendment No. 13

On page 2, line 1, of said bill, strike out "seventy", and insert "seventy-five".

Amendment No. 14

On page 2, line 2, of said bill, strike out "(\$170)", and insert "(\$175)".

Amendment No. 15

On page 2, line 3, of said bill, strike out "fifty", and insert "fifty-five".

Amendment No. 16

On page 2, line 4, of said bill, strike out "(\$150)", and insert "(\$155)".

Amendment No. 17

On page 2, line 5, of said bill, strike out "forty-five", and insert "fifty".

Amendment No. 18

On page 2, line 6, of said bill, strike out "\$145", and insert "\$150".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 810—An act to amend Sections 25 and 78 of the Civil Code and Sections 1433 and 1590 of the Probate Code, relating to minors, and effect of marriage upon minority and guardianship of minors

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, strike out all of line 41; and in line 42, strike out "years".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1281—An act amending Section 2356 of the Civil Code, relating to the revocation of an agent's powers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary

Amendment No. 1

In line 2 of the title of the printed bill, strike out the period, and insert ", declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "such power is termin-", and insert "it is terminated by:".

Amendment No. 3

On page 1 of the printed bill, strike out lines 5, 6, and 7, and insert "(1) its revocation by the principal; (2) his death; or, (3) his incapacity to contract;

Provided, that any bona fide transaction entered into with such agent by any person acting without actual knowledge of such revocation, death or incapacity shall be binding upon the principal, his heirs, devisees, legatees and other successors in interest; and provided, further, that nothing herein contained shall affect the provisions of Section 1216 of this code.

SEC. 2. This amendment is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California, and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Great numbers of the citizens of this State, who have or will enter the military service, have granted or will grant powers of attorney to trusted persons in order that their business and personal affairs may be carried on during their absence for the benefit of themselves and their families. Widespread doubt exists upon the question of whether or not the agents so appointed have any power to act if at the time the person giving the power of attorney should be dead. In a great many cases, it is impossible to determine whether the man in the service is alive or not and as a result the agents appointed by him find it impossible to consummate transactions on behalf of such absent person. The families of many men now in the service are dependent upon the power of the agents appointed by such men to sell property, withdraw funds, cash checks and the like. Widespread difficulty has arisen by the reason of this

fact. For these reasons, this act is declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety and shall go into immediate effect."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 338—An act to add Chapter 7 to Division 4 of the Public Resources Code, relating to the cutting of immature trees for lumber.

Bill read second time, and ordered engrossed.

Assembly Bill No. 622—An act to amend Section 222 of the Welfare and Institutions Code of the State of California, relating to the cancellation of county warrants for the giving of aid if not presented for payment within six months after issuance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 624—An act to amend Section 4095 of the Political Code, relating to the cancellation of county warrants issued for aid where same are not presented for payment within six months after issuance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 163—An act to amend Section 928 of the Penal Code, relating to county grand juries.

Bill read second time, and ordered engrossed.

Assembly Bill No. 142—An act to amend Section 69 of the Civil Code, relating to marriage.

Bill read second time, and ordered engrossed.

Assembly Bill No. 60—An act to amend Section 1161 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read second time, and ordered engrossed.

Assembly Bill No. 685—An act to amend Section 1034 of the Political Code, relating to date of receipt of communications by mail.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1131—An act to repeal Section 905 of the Political Code, relating to oaths of office of the Governor and Lieutenant Governor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 96—An act to amend Section 1263 of the Civil Code of the State of California, relating to homesteads.

Bill read second time, and ordered engrossed.

Assembly Bill No. 246—An act to amend Section 1461a of the Penal Code, relating to procedure in municipal courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 835—An act to amend Section 737d of the Political Code, relating to salary of the judge of the superior court in and for the County of Butte.

Bill read second time, and ordered engrossed.

Assembly Bill No. 208—An act to amend Section 131.5 of the Civil Code, relating to the entry of an interlocutory decree of divorce nunc pro tunc.

Bill read second time, and ordered engrossed.

Assembly Bill No. 98—An act to add Section 66a to the Code of Civil Procedure and to amend Section 737vv of the Political Code, relating to the number of superior court judges and providing for the appointment of an additional superior court judge in and for the County of Solano, and providing for his compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 376—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of districts organized under the California Water District Act.

Bill read second time, and ordered engrossed.

Speaker Pro Tempore Presiding

At 12.35 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

COMMUNICATIONS

By the Chief Clerk:

A communication from the War Production Board, relative to receipt of Assembly Joint Resolution No. 24, in which the Automotive Division of the board asked to have the opportunity to advise the Legislature of the basic policy of the War Production Board in respect to essential replacement parts for use in the repair and maintenance of motor vehicle transportation, was received, and ordered filed with the Secretary of State.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 15, 1943

To the Members of the Assembly of the State of California

GREETINGS: It is my privilege to transmit herewith the Report of the Citizens' Tax Committee which I appointed in January to make a study of the tax and surplus problem confronting our State.

I believe the committee has done an admirable job, and that the practically unanimous agreement of its members, representing a cross section of California taxpayer groups, should carry conviction.

The findings of the committee will be my recommendation to you, and it is my hope that in the report you will find suggestions which will facilitate immediate solution of the problem now confronting you and the citizenry of the State as a whole.

Respectfully,

EARL WARREN, Governor

REPORT OF CITIZENS' TAX COMMITTEE

Submitted to the Honorable Earl Warren, Governor of California,
March 15, 1943

PERSONNEL OF CITIZENS' TAX COMMITTEE

JAMES L. BEEBE, Chairman.....Past President, Los Angeles Chamber
of Commerce

JOHN F. BRADY.....President, California Teachers'
Association

DR. VON T. ELLSWORTH.....Director, Research Department,
California Farm Bureau Federation

OSCAR FUSS.....Legislative Director, California
Council (C.I.O.)

RICHARD GRAVES.....Executive Secretary, League of
California Cities

MRS. E. T. HALE.....President, California Congress of
Parents and Teachers

DR. A. C. HARDISON.....President, California Taxpayers'
Association

PRESTON HOTCHKIS.....President, California State Chamber
of Commerce

MRS. CHARLES A. MACLEAN, JR....President, California League of
Women Voters

THOMAS C. MEAGHER.....General Organizer, Painters'
International (A. F. of L)

ROSCOE L. PATTERSON.....President, California State
Supervisors' Association

LELAND P. REEDER.....Past President, California Real
Estate Association

GEORGE SEHLMEYER.....Master, California State Grange

J. F. SULLIVAN, JR.....Vice President, Crocker First
National Bank of San Francisco

MRS. JOHN STEARNS THAYER.....President, California Federation of
Women's Clubs

RUTH E. MEILANDT, *Secretary*

LETTER OF TRANSMITTAL

March 15, 1943

The Honorable EARL WARREN
Governor of California
Sacramento, California

DEAR GOVERNOR: The committee of citizens of the State of California drafted by you to make recommendations relating to the disposition of the State surplus and to possible tax reductions respectfully submits its report.

At your direction, a stenographic reporter and hearing rooms were provided in State buildings at Sacramento, San Francisco, and Los Angeles. The committee report is printed at State expense. The secretary was drafted and her services donated. Members of the committee and the secretary arranged for their own traveling and other expenses without cost to the State.

Realizing the need for an early report, members of the committee laid aside their usual activities and devoted their time to obtaining and studying the necessary information with the expectation of meeting the time limit set by the chairman.

Hearings were held at Sacramento and San Francisco in the first week of February, in Los Angeles the following week, and in Sacramento the last week in February.

The data presented to the committee were complete and informative. In addition to the facts presented by State officials and representatives of organizations, many suggestions were received by mail or were made at the several hearings. The citizens of California evidenced much interest in the questions before the committee as shown by their letters and suggestions.

The services rendered by the various State departments at your direction were of great assistance. We are particularly indebted to the Department of Finance, the Franchise Tax Commissioner, and the State Controller, and to those staff members who worked with the utmost diligence to secure informative data. Also, we gratefully acknowledge the efficient services of the secretary and the aid given the committee, in checking and verifying data, by the research staff of the California Taxpayers' Association.

This committee is a real cross-section of the people of the State of California. It realizes that its recommendations must stand or fall upon their merits. In its deliberations, it has endeavored to hold the public interest paramount, and to give adequate consideration to the needs of the State and to the burdens of all taxpayers.

This report is agreed to by all members of the committee except

Mr. Oscar Fuss, whose statement dissenting in part, and agreeing in part, follows the committee report.

We are hopeful that the report of the committee may be of some assistance to you and the Legislature in the difficult task of adjusting the finances of the State.

Faithfully yours,

JAMES L. BEEBE, *Chairman of Committee*
Past President, Los Angeles Chamber of
Commerce

JOHN F. BRADY
President, California Teachers' Association

VON T. ELLSWORTH
Director, Research Department, California Farm
Bureau Federation

RICHARD GRAVES
Executive Secretary, League of California Cities

MRS. E. T. HALE
President, California Congress of Parents and
Teachers

A. C. HARDISON
President, California Taxpayers' Association

PRESTON HOTCHKIS
President, California State Chamber of
Commerce

MRS. CHARLES A. MACLEAN, JR.
President, California League of Women Voters

THOMAS C. MEAGHER
General Organizer, Painters' International
(A. F. of L.)

ROSCOE L. PATTERSON
President, California State Supervisors'
Association

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Past President, California Real Estate
Association

GEORGE SEHLMAYER
Master, California State Grange

J. F. SULLIVAN, JR.
Vice President, Crocker First National Bank of
San Francisco

MRS. JOHN STEARNS THAYER
President, California Federation of Women's
Clubs

RUTH E. MEILANDT, *Secretary*

I. SUMMARY OF RECOMMENDATIONS

EARMARKING THE SURPLUS

(1) That sufficient moneys be appropriated to pay and retire in 1943 \$2,277,500 of bonds of "The Funded Debt of 1873" which matured in 1892, and which bear interest at the rate of 6 per cent.

(2) That moneys be appropriated for the ultimate payment of \$12,040,000 principal and \$2,548,249 interest of State bonds coming due in the fiscal years 1945 to 1949, inclusive, and described as follows:

<i>Name of Issue</i>	<i>Interest and Redemption 1945-47 and 1947-49</i>	
	<i>Principal</i>	<i>Interest</i>
Sacramento State Buildings of 1913-----	\$200,000	\$480,000
San Francisco State Buildings of 1913-----	80,000	59,200
State University Buildings of 1915-----	160,000	129,600
State Buildings and University Buildings of 1925 -----	1,000,000	794,688
California State Parks of 1927-----	1,000,000	412,761
Unemployment Relief of 1934-----	9,600,000	672,000
Total -----	\$12,040,000	\$2,548,249

That the appropriation provide:

(a) For the purchase of bonds of the United States in such amounts and maturities as will, when collected, with interest, pay the above-described bonds and interest coupons as they become due;

(b) That the principal and interest of the United States bonds, when collected, be placed in the appropriate interest and sinking funds and used for the payment of the principal and interest of the State bonds hereinabove described.

(3) That \$25,000,000 be appropriated as a war catastrophe reserve or fund to be used at the direction of the Governor and the War Council only in case of an actual invasion of, or attack upon, California, for the immediate and temporary relief, protection, and safeguarding of the health of persons in the area attacked or invaded.

(4) That the amount of \$33,000,000 be appropriated for the construction and reconstruction of State buildings and institutions; that the Director of Finance be requested by the Governor to make a careful survey of building needs of the State, and to submit to the Legislature at the earliest possible date a program of approximately \$33,000,000 of building construction and reconstruction for the reasonably immediate needs of the State; that the new buildings should not be monumental or palatial, but simple and practical; and that the appropriation be made a continuing one so that the funds will not be expended for current

purposes but will be available after the war when the rehabilitation and building program can be commenced.

RECOMMENDED TAX REDUCTIONS

(5) That the Retail Sales Tax and Use Tax Acts be amended to provide that, effective July 1, 1943, and for a period of two years thereafter, the rate of tax be reduced from 3 per cent to $2\frac{1}{2}$ per cent; and that gross receipts from the sale of drugs, medicines, and prescriptions be specifically exempted from the provisions of said acts and from the computation of the amount of taxes levied, assessed or payable under such laws, and that this reduction and these exemptions terminate on June 30, 1945.

(Revenue Reduction, 1943-45 biennium, \$37,017,500.)

(6) That the Personal Income Tax Act be amended to provide:

(a) That for a two-year period, namely the taxable years 1943 and 1944 (in general, the tax to be collected in 1944 and 1945), unless further extended by the Legislature, the personal exemptions be increased for single persons from \$1,000 to \$1,500 and for married persons and heads of families from \$2,500 to \$3,500;

(b) For reducing the maximum tax rate from 15 per cent to 7 per cent;

(c) That for a two-year period, namely for the taxable years 1943 and 1944 (in general, the tax collected in 1944 and 1945), unless extended further by the Legislature, a 25 per cent war credit against the tax (computed at rates as modified by (a) and (b) above) be allowed on all personal income tax returns.

(Revenue Reduction, 1943-45 biennium, \$25,600,000.)

(7) That the Bank and Corporation Franchise Tax Act and the Corporation Income Tax Act be amended to provide that for a two-year period, namely for the taxable years 1944 and 1945 under the Bank and Corporation Franchise Tax and the taxable years 1943 and 1944 under the Corporation Income Tax (in general, the tax collected in 1944 and 1945), unless further extended by the Legislature, a 25 per cent war credit against the tax (computed at present rates) be allowed to all corporations, banks, and financial institutions subject to taxes under these acts.

(Revenue Reduction, 1943-45 biennium, \$17,550,000.)

(8) That the appropriate legislative committee or committees study the method of taxing banks in the State of California for the purpose of eliminating the uncertainties and inequities of the existing law.

(9) That the State of California, for the 1943-45 biennium, assume one-half of the cost now being borne by the counties for aid to the

needy aged. The counties and the State now participate equally in this cost. Under this recommendation, the ratio would be changed to counties one-fourth, and State, three-fourths.

(Additional Cost to State, 1943-45 biennium, approximately \$16,182,000.)

(10) That the whole problem of categorical aids be studied by a special legislative committee with the following objectives, among others:

(a) A readjustment and equalization of the counties' share of the load, but without eliminating the responsibility of the counties to provide some of the funds;

(b) A further coordination and integration of the administration of categorical aids between the county and the State to the end that there may be more efficient and economical operation.

(11) That estimates of revenue be carefully checked from time to time against the actual yields of State taxes and if, by March, 1944, it be apparent that the total yields are substantially above or below the revenues estimated in the budget, that a special session of the Legislature be called to take any steps that may be necessary to readjust the revenue structure to meet the needs of the State of California

II. INTRODUCTION

CREATION OF COMMITTEE AND SCOPE OF WORK

The Governor outlined the work of the committee in the following statement issued at the time public announcement was made of the creation of the committee:

It is tremendously important to all the people of California that the Legislature immediately proceed to gear the fiscal system of the State to the exigencies of war.

In furtherance of this task, it must preserve a balance of approach which can come only through consideration of a wide range of actual information. It must withstand the temptations presented by the existence of a surplus, guard against the folly of lopsided proposals to escape from existing responsibility and evaluate present abnormal conditions in the light of trends and experience.

To assist the Legislature and myself in analyzing the complex problem, I am appointing a committee of 15 public-spirited men and women to launch a study of the entire tax and surplus problem. This Citizens' Committee, representative of 15 state-wide organizations vitally interested in financial and tax matters, will be expected to submit a report and recommendation for legislative consideration at the earliest possible moment.

It is my belief that some tax reduction can be safely effected at this session of the Legislature. The Federal burden of taxation

will grow greater and greater and we must lessen the State tax burden wherever we can.

However, we must give equal consideration to the fact that our present financial position is the product of abnormal times and that there is no guarantee of a continuance of the present yield of income. Yields from property, income, sales, corporation and other State taxes may decrease notably as the war progresses. On the other hand, our postwar needs may climb to unprecedented levels, a likelihood which we can not afford to carelessly ignore in times of surplus.

California's fiscal system must be analyzed carefully. Full consideration must be given to the equity of the State tax structure and the fairness of the distribution of the burden of both winning and paying for the war. Fortunately, we are now at a peak in State income which permits us to meet the initial strains of war cost. Recognizing the transient nature of the conditions which created this favorable revenue balance and the increasing burden of Federal taxes, we must proceed with caution as we formulate our plans for the future.

I am calling upon all agencies of our State Government to extend their full cooperation to the Citizens' Committee and hope California citizenry in general will appreciate the magnitude of the task which its members have undertaken.

Later, the Governor commented further upon the scope of the committee's work in the following letter of January 27th:

The State of California has a substantial surplus. Yields of State taxes for the past year have exceeded expenditures by a considerable margin. Seeing this condition, some groups are demanding reduction of State taxes. Other groups are requesting subventions of State funds for local units of government to reduce local taxes or to provide for additional local expenditures.

Conditions require an examination of the facts, a study of California's fiscal system, and a careful appraisal of the entire situation so that any fiscal policies formulated may be sound.

You have been appointed for that purpose. I expect you to make the necessary study and to present recommendations, backed by significant factual data.

I do not want to limit or to expand the committee's inquiry. The committee should examine the tax structure of the entire California system and such governmental operations, functions, and expenditures as will aid in developing useful facts and the reaching of intelligent judgments.

The time you will have for investigation and deliberation is short. Your task is a difficult one. I appreciate your undertaking it, and I have directed the various agencies of the State of California to furnish you any information or cooperation requested.

Very truly yours,

(Signed)

EARL WARREN, *Governor.*

INTRODUCTORY STATEMENT

The financial structure of the State of California differs considerably from that of local governments, such as cities, counties, and school districts.

These local governments operate on a fiscal year basis, the year beginning on July 1st and ending on June 30th, except for a few charter cities. The budgets are made annually and such revenues as are not received from shared taxes or subventions from the State and Federal Governments are raised by local taxes of which the principal revenue source is the ad valorem tax upon property.

The State operates on a biennial basis, the biennium beginning on July 1st and ending on June 30th in the second year.

Regular sessions of the Legislature are held biennially, beginning in January of the odd-numbered years. At the January session the State budget for the biennium beginning on the next July 1st is presented to the Legislature by the Governor. The appropriations cover a two-year period. The next biennium begins on July 1, 1943, and ends June 30, 1945.

About two-thirds of the State expenditure budget for the 1943-45 biennium will consist of fixed charges and continuing appropriations, about one-half of which are required by the Constitution and the others established by acts of the Legislature. These charges and appropriations continue from biennium to biennium without any additional action by the Legislature.

More than one-half of the State Budget expenditure program consists of funds which are used for the support of local governments, by way of subvention of shared taxes or of general funds. These are virtually all fixed charges. For the current biennium, 1941-43, the actual and estimated amount of General Fund moneys remitted by the State to local governments is \$206,654,022.95, and the balance of \$134,288,527 55 represents expenditures for support of State Government.¹ Subventions from the Federal Government are received by the State in addition to all revenues raised by the State through taxation.

State moneys are carried in a large number of funds which are divided into two general classes:

(1) General Fund, into which general taxes are deposited and out of which the State's general expenses are paid and some subventions are made to local government, and

(2) Special Funds (approximately 55) which consist chiefly of revenues paid in for special services by the persons or groups receiving or benefiting from such services. Examples of these special fund revenues are the fish and game license fees which are used for the propagation of fish and game, and the Motor Vehicle Fuel Tax (gasoline tax) used for highway maintenance and construction. These special funds operate virtually on a cash flow basis. When income shrinks the expenditures financed with these revenues decrease accordingly. When revenues expand, expenditures usually increase and the funds generally do not accumulate large surpluses.

¹ General Budget Summary, Schedule I, p. A3, State of California Budget for the Biennium July 1, 1943, to June 30, 1945

The surplus referred to by the Governor is a General Fund surplus. It is anticipated that by June 30, 1943, the General Fund surplus will amount to approximately \$90,810,000, and that if present taxes are continued at present rates, the surplus by June 30, 1945, the end of the next biennium, will have increased to approximately \$228,312,000.² Throughout this report, the word "surplus" refers only to the General Fund surplus.

The State budget never contains all of the State expenditures for a biennium. In addition to the budget, each biennium special appropriation bills are introduced for purposes not in the budget or for enlarging departmental expenditures as set out in the budget. Legislative action on the budget is by means of a budget bill, and in the course of passage of that bill, the amounts in the Governor's budget may be increased or decreased by the Legislature. The Governor may veto, in whole or in part, any appropriation in the Budget Bill, or in any special appropriation bill.

HISTORICAL BACKGROUND OF TAX SYSTEM

For the first 60 years of Statehood the property tax was the financial mainstay of all California Government—State and local.

A commission was appointed by Governor Pardee in 1905 to examine the State and local tax structure and make recommendations thereon. It filed a report in 1906 which resulted in a constitutional amendment adopted in 1910 recasting the tax system of the State. The basic idea of the amendment was that the State Government, on the one hand, and local governments, on the other, should have mutually exclusive sources of revenue. "The State relinquished the right to levy ad valorem property taxes except in the event of a deficit. Local governments gave up the right to tax utility property. Gross receipts taxes upon the utilities were the special and separate field from which the State was to draw its main support. The gross receipts rates were to be such that utilities paid the same amount in taxes as they would have paid if subject to property taxation."³

"A gasoline tax (special fund only) and a gross receipts tax on motor vehicle carriers were added to the State system in 1923. Certain minor taxes were inaugurated: a fish packer's tax (1917), an agricultural mineral products tax (1923) and a tax on receipts from boxing matches (1924). Upon recommendation of the 1929 Tax Commission, a constitutional amendment was adopted providing for taxation of intangibles at a special low rate and for the imposition of a new franchise tax upon banks and ordinary business corporations to be 'measured by and according to net income' at the rate of 4 per cent."⁴

After the adoption of the "division of sources" plan in 1910 no major readjustment of State and local taxes took place until 1933. In that year a series of constitutional amendments was adopted in what

² Not corrected for special appropriations adopted since presentation of budget (See Appendix, Exhibit C)

³ "The California Property Tax System," a paper by DeWitt W. Krueger, Chief, Division of Research and Statistics, State Board of Equalization, pp. 1-2 (Committee Exhibit No. 22)

⁴ *Loc. cit.*

is popularly known as the Riley-Stewart plan. The two principal changes made by this plan were:

(1) The assumption in 1933 by the State of local school district subventions previously paid by counties from a county-wide ad valorem property tax. This transferred from the counties and their ad valorem taxpayers to the State an amount then estimated at about \$80,000,000 a biennium.

(2) The return of operative property (principally public utility property) to the local tax rolls and the abandonment by the State of the gross receipts tax formerly levied on these companies. This return was made on January 1, 1935. It increased the local property tax base in 1935 approximately \$899,000,000 and was expected to reduce local property tax rates in proportion to the increased valuation. The gross receipts taxes given up by the State in this change amounted to about \$60,000,000 a biennium, but utility companies were also made subject to the bank and corporation franchise tax. To meet the additional cost placed upon the State by the assumption of the additional subvention to school districts, and to replace the revenues lost through the return of operative property to the local tax rolls, the State, in 1933, first levied a sales tax, and in 1935 enacted the personal income tax law, the automobile "in lieu" tax, and the liquor tax. Also, in 1935, it increased the rates of the bank and corporation franchise tax, the inheritance tax, and the sales tax (after exempting groceries from the sales tax).

III. REPORT OF THE COMMITTEE

FINANCIAL CONDITION OF THE STATE

The General Fund revenues and expenditures of the State, beginning with the biennium 1929-31, down to and including actual and estimated revenues for the current biennium and estimated for 1943-45 are as follows:

<i>Biennium</i>	<i>General Fund Revenues</i>	<i>General Fund Expenditures</i>	<i>Revenue Excess or Deficiency</i>
1929-31 -----	\$132,921,309	\$136,384,985	—\$3,463,676
1931-33 -----	107,352,569	149,765,951	—42,413,382
1933-35 -----	192,189,574	218,298,008	—26,108,434
1935-37 -----	287,496,668	286,751,391	+745,277
1937-39 -----	347,070,720	370,722,901	—23,652,181
1939-41 -----	378,093,081	386,219,879	—8,126,798
1941-43 (Est.) -----	497,473,017	340,942,550	+156,530,467
1943-45 (Est.) -----	468,044,033	330,542,189	+137,501,844

Source: Comparison of General Fund Revenues and Expenditures (mimeographed statement)
 State Department of Finance
 Division of Budgets and Accounts
 February 9, 1943
 Committee Exhibit No. 4-b

The foregoing tabulation shows two significant facts:

(1) That the General Fund revenues of 1941-43 are much greater

than the revenues of any previous biennium—over \$119,000,000 more than for the preceding biennium.

(2) That estimated revenues for the next biennium are some \$29,000,000 less than for the current biennium

The big revenues of the current biennium are due solely to the enormous increase in activity in California arising out of war and inflation. The estimated decrease in revenues for the next biennium is predicated largely upon the elimination of construction and sales of durable goods and to decreased supplies of material and merchandise. Notwithstanding the fact that purchasing power is expected to increase greatly in 1943, and to continue at an abnormally high level throughout 1944, the revenues of the State are expected to be lower for 1943-45. It is important to bear in mind that experts in State revenues are of the opinion that for the immediate future the peak of State revenue has been reached, and that the next biennium will see smaller collections than in the present biennium. This is true notwithstanding the fact that certain taxes are expected to yield greater revenues in the next biennium, notably, the personal income and bank and corporation franchise taxes.

One of the benchmarks to be used in determining what to do in the disposition of the General Fund surplus and in reduction of State taxes is the condition of State finances from 1931 to the present time.

On June 30, 1931, there was a surplus of \$30,490,000. The status of the Treasury as of June 30, 1931, and at the end of each subsequent biennium is shown in the following tabulation:

GENERAL FUND
Surplus, June 30, Various Years

1931	-----	+\$30,490,000	Surplus
1933	-----	—13,295,252	Deficit
1935	-----	—37,590,874	Deficit
1937	-----	—41,899,828	Deficit
1939	-----	—62,333,945	Deficit
1941	-----	—68,140,946	Deficit
1943 (Estimated)	-----	+90,809,996	Surplus
1945 (Estimated)	-----	+228,311,840*	Surplus

* Corrected figure.

Source: Information furnished by State Controller (Committee Exhibit #27)
Estimates for 1943 and 1945 from Governor's Budget, page A-3

The deficit on June 30, 1933, was \$13,295,252. That deficit increased each biennium to June 30, 1941, when it amounted to \$68,140,946. The greatest cash deficiency was in June, 1940, when a total of \$82,110,559 was recorded. From June 30, 1941, the cash deficiency steadily decreased and by March 1942 had been eliminated and a cash balance of \$5,728,130 had accrued.⁵

Borrowing by registration of warrants began November 1, 1933.⁶ Outstanding warrants reached a peak on July 31, 1940, when the

⁵ Statement of Controller, "General Fund Cash Deficiency," (Committee Exhibit No. 27).

⁶ Controller's Biennial Report for 1935-1936, page 114

amount was \$98,493,585.⁷ The last of the outstanding warrants was retired in February, 1942.

Thus, from a General Fund surplus of \$30,490,000 in 1931, the State, by June 30, 1933, was in the red ink column and had a deficit of \$13,295,000. From 1933 to 1941, in addition to all revenues, the State was forced to borrow money upon warrants to meet current expenditures. Only the activity and frenzied spending due to war and inflation caused a reversal of this trend. The change started in 1941, and the revenues mounted with the increased tempo of war activity until on January 1, 1943, the State General Fund had an estimated cash excess of \$56,253,000⁸ and, it is expected, there will be a surplus of \$90,810,000 by June 30th next. If present taxes are continued for the next biennium without reduction in rates, it is estimated that the excess of State General Fund revenues over expenditures will be \$137,502,000 and that the accumulated surplus on June 30, 1945, will be \$228,312,000.⁹ This unprecedented bulge in revenues is due only to extraordinary conditions.

The striking fact shown by this record is:

that for almost eight years the expenditure program of the State for State activities and subventions to local governments was greater than could be paid from the revenues provided from all of the varied taxes levied by the State.

From the foregoing, it is apparent that the State of California can not take on additional permanent overhead expenses or make new or additional continuing subventions to local governments unless new or heavier taxes are levied to meet any new expenses. The present surplus arises from an abnormal situation created by war, and can not be looked upon as a real reversal of trends.

STATE EXPENDITURES FOR 1943-45

The General Fund expenditures for the next biennium will consist of three items:

- (a) Budgeted expenditures as finally fixed in the Budget Bill.
- (b) Continuing appropriations.
- (c) Additional expenditures created by special appropriation bills.

The committee has endeavored to appraise the probable expenditure program of the State for the next biennium. The budgeted expenditures have been examined and compared with those of the present period. Heads of some of the principal State departments have presented information on the proposed expenditures of their departments.

General Fund expenditures for the next biennium are approximately \$10,400,000 less than for the current biennium. Actual decreases in major expenses are listed below:

⁷ Statement of Controller, "General Fund Registered Warrants Outstanding," (Committee Exhibit No 27)

⁸ *Ibid.*

⁹ 1943-45 Budget, Schedule I, page A-3.

MAJOR EXPENDITURE DECREASES

<i>Item</i>	General Fund		<i>Page Reference 1948-45 Budget</i>
		<i>Decrease</i>	
Capital Outlay-----		\$7,676,690	A- 3
Due to unavailability of materials and skilled labor			
Subventions to Public Schools-----		5,606,294	A-39
Due almost entirely to reduced average daily attendance in the high schools and junior colleges			
Subventions to Counties for Social Welfare and Public Health-----		3,948,237	A-39
Due to smaller number of persons receiving public assistance under the programs of aid to needy aged, blind, and children			
University of California (current expenses)-----		1,792,537	A-28
Due to decrease in enrollment from 25,652 for 1941-42 to an estimated 15,000 for each of the years 1943-44 and 1944-45			
Department of Social Welfare-----		1,380,783	A-37
Due to discontinuance or curtailment of special activities relating to WPA and surplus commodity distribution			
Department of Public Works-----		768,864	A-36
Principally expenditures for flood control and flood damage not repeated in the budget			
Department of Natural Resources-----		733,297	A-33
Principally outlays for emergency expenditures for fire control by Division of Forestry not repeated in budget			
Bond Interest and Redemption-----		728,062	A-40
Lower because the State bonded debt is decreasing			
Interest payments on registered warrants---		666,401	A-38
Eliminated because all warrants have been paid			
State Colleges (current expenses)-----		586,654	A-27
Due to diminished enrollment in each of State Colleges except Humboldt			

These decreases total much more than \$10,000,000 but are offset by increases in current, or operating, expenses in many State departments. This is due, in large part, to the allowance for emergency salary increases for State employees, with approximately \$10,000,000 included in the budget for this purpose, as compared with only about one-half that amount in 1941-43.

A table showing the various increases and decreases is contained in the Appendix, Exhibit A. It appears that ample allowances have been made in the budget for increased costs of commodities. A

salary increase of \$15 per month per employee is in the budget. Subsequent to the presentation of the budget, a salary increase for the balance of the current biennium of \$25 to all employees receiving less than \$300 per month, and \$20 for those with higher salaries was passed by the Legislature and approved by the Governor. If this increase is continued for the next biennium, \$4,000,000 would be added to the budgeted amount of expenditures unless offset by the continuing decrease in personnel.

The demands of the armed forces and of war industry should decrease the number of State employees. Already a considerable number have left the State service, and if the demands of the Army and war industry are met, additional employees will leave.

The State Personnel Board furnished the committee the following figures for the number of regular full-time employees during the last several years:

1938	24,079
1939	24,612
1940	24,800
1941	27,132
1942	23,765

Source: Committee Exhibit No. 20

A sharp rise occurred in 1941. The number on the pay roll in 1942 is only 4.2 per cent lower than in 1940. The trend to the armed forces and war industry will continue to reduce the number on the State pay roll.

It appears to the committee that, on the whole, the estimates of expenditure in the budget for the next biennium are liberal, and allow an ample cushion for increased costs.

Special appropriations for the current biennium made prior to the legislative recess which have been adopted and signed by the Governor (to February 13th) amounted to \$1,317,619.¹⁰ Some additional special appropriation bills will be adopted. The committee has no basis upon which to estimate with any accuracy what the total amount of these bills will be. (Special appropriations adopted in 1941, for the 1941-43 biennium, amounted to \$8,308,114.) However, from the facts presented to the committee by department heads and from such information as the committee has been able to obtain from persons familiar with legislation, it appears probable that any special appropriation bills adopted will not greatly swell the total of estimated expenditures set out in the budget.

The Senate Finance Committee, the Assembly Ways and Means Committee, and the Joint Legislative Budget Committee will examine proposed expenditures thoroughly. We have great confidence in these committees. We believe that they will scrutinize the budget and the special appropriation bills carefully.

The committee is concerned about possible passage of special appropriation bills. Undoubtedly some such bills are necessary. Sometimes an expenditure is omitted from the budget or the amount finally budgeted is admittedly too small. Special appropriation bills should

¹⁰ See Appendix, Exhibit C

be adopted to correct such a situation. But, in many instances, such bills are unwarranted.

In making up the budget, department heads present their budget requests to the Governor. After a hearing and investigation by the Governor and the Director of Finance, an expenditure amount is fixed for the department and put into the budget. This is done after careful consideration of the needs. But, sometimes, if the department head wants a larger amount than the Governor has fixed for his department, or wants to make an expenditure which the Governor has rejected, he has a special appropriation bill drafted and presented to the Legislature. Representatives of the department then endeavor to obtain approval of the bill by the Legislature. Also such bills are frequently presented by interested organizations, groups, or individuals. In their zeal to get the special appropriations, it is only natural that they sometimes lose sight of the financial condition of the State. This procedure tends to unbalance the State's finances, and should be discouraged. Introduced at this session of the Legislature are a large number of special appropriation bills reported to total more than \$600,000,000. In our judgment all special appropriation bills should be regarded critically, carefully examined, and passed only if the need is proved, the expenditure justifiable, and the revenue for payment of the cost adequate. In times of a full treasury, closer scrutiny than usual is advisable, lest a continuing obligation be fastened upon the State, with insufficient revenues to meet it under ordinary conditions.

STATE REVENUES

The revenue estimates furnished to the committee cover two periods:

(a) Estimates to June 30, 1943.

(b) Estimates for the biennium July 1, 1943, to June 30, 1945.

Much evidence on revenues was presented to the committee. Everyone appearing agreed that the estimated revenues for 1941-43 would be realized. Hence, unless there is an unexpected amount of special appropriations, the surplus on June 30, 1943, should be approximately \$89,500,000.

Estimated Surplus, June 30, 1943.....	\$90,809,996
Less Special Appropriations (to February 13).....	1,317,619
Adjusted June 30, 1943, Surplus.....	\$89,492,377

The General Fund revenues as estimated in the budget for the next biennium are as follows:

STATE GENERAL FUND REVENUES		<i>Estimated Yields 1943-1945</i>
<i>General Taxes</i>		
Retail Sales and Use Tax.....		\$201,000,000
Bank and Corporation Franchise Tax*.....		103,000,000
Personal Income Tax.....		71,400,000
Inheritance Tax.....		15,000,000
Gift Tax.....		2,500,000
Gross Premiums Tax on Insurance Companies.....		19,350,000
Alcoholic Beverage Taxes:		
Excise Tax on Distilled Spirits.....		14,700,000
Excise Tax on Beer and Wines.....		5,300,000
Liquor Licenses.....		5,300,000
Motor Vehicle Transportation License Tax.....		9,976,000
Motor Vehicle License (in lieu) Fees.....		8,774,260
Private Car Tax.....		950,000
Delinquent Taxes and Penalties.....		2,500
		<hr/> \$457,252,760
<i>Other Sources</i>		
Interest-Investments, etc.		\$1,468,399
Interest on Treasury deposits in banks.....		350,000
Charges for care of inmates in institutions.....		4,977,150
Oil and Mineral Royalties—State lands.....		822,000
Sundry Departmental Revenue.....		2,543,032
Miscellaneous.....		630,692
		<hr/> \$10,791,273
Grand Total.....		<hr/> <hr/> \$468,044,033

* Including Corporate Income Tax

Source: 1943-45 Budget, Schedule II, p. A-13.

These estimates were made by Mr. W. Ralph Currie of the Department of Finance. He was questioned upon them at length by members of the committee. He stated in detail the basis for the various estimates and the several factors considered in making them.¹¹ The evidence presented to the committee clearly shows that the investigation made by Mr. Currie was thorough; that he carefully weighed the revenue-decreasing as well as the revenue-producing factors; and that the revenue estimates are reliable.

Experts on State revenues, including Mr. Alden C. Fensel of California Taxpayers' Association and Mr. John M. Peirce of the California State Chamber of Commerce, as well as various State officials who compute revenues for their departments, were unanimous in their approval of the budget estimates.¹² Some of them stated that they had

¹¹ See "Statement on Revenue Estimates," Appendix, Exhibit D

¹² See Appendix, Exhibits D-1 to D-5, inclusive.

slight differences upon individual items of revenue, but all agreed that the estimates as a whole are reliable and conservative.

The evidence taken relating to employment, farm income, wages, and salaries, and other economic factors supports the assumption upon which the revenue estimates are based ¹³

Mr. Currie stated that it is desirable to allow a 10 per cent margin of safety on these estimates as extraordinary changes might result in more or less revenue. Since the evidence was taken by the committee, news stories indicate rising inflation. Inflated prices could quickly swell sales tax revenues, as it is apparent, from all of the evidence presented to the committee, that salaries and wages are such that purchases will be limited not by prices but by manufacturing restrictions, rationing, and available supplies of goods. The budget estimate of the yield of certain taxes for 1943-45 is below the yield of the current biennium because of changes in State and National economy.

The committee realizes that a great catastrophe or an unexpected severe shortage of merchandise or some other unforeseen contingency could reduce tax yields substantially. But in view of present economic conditions, and the trends in the State and Nation, the estimates of State General Fund revenues appear to be dependable.

Throughout its deliberations, the committee has kept in mind that State finances must be maintained in sound condition. Whatever tax reduction is made should not absorb all of the anticipated surplus. These are uncertain times. And the uncertainty of the period requires that the State have an adequate reserve for protection against any contingency.

RECOMMENDATIONS OF THE COMMITTEE

A. Earmarking the Surplus:

The estimated General Fund surplus as of June 30 next is approximately \$89,500,000 (See Appendix, *Exhibit C*)

There has been much talk of "freezing" all or a part of this surplus. The Attorney General has advised the committee that "freezing" so-called can be accomplished only by appropriations for specific purposes. The committee believes that this surplus should not be dissipated, but should be used or earmarked for future use in three ways:

- (a) Reducing State bonded indebtedness;
- (b) Providing for a postwar State building and institutional rehabilitation and construction program; and
- (c) Providing a War Catastrophe Fund or reserve to be used only in the event of invasion or attack, and which would provide a cushion against a decrease in revenues.

Accordingly, the committee recommends:

(1) That sufficient moneys be appropriated to pay and retire in 1943, \$2,277,500 of bonds of "The Funded Debt of 1873" which matured in 1892, and which bear interest at the rate of 6 per cent.

The bonds ¹⁴ are investments of the School Fund and the University Fund. They matured in 1892. Under Chapter 65, Statutes of 1893, interest on the bonds at the rate of 6 per cent is regularly paid. The

¹³ *Ibid.*, Exhibits D-6 to D-9, inclusive.

¹⁴ See Statement of General Obligation Bonded Indebtedness, Appendix, Exhibit F.

interest amounts to \$282,870 a biennium. These long over-due bonds, with a 6 per cent interest rate, show up badly in the bond record of California. They should be retired now while money is available for that purpose.

The committee further recommends:

(2) That moneys be appropriated for the ultimate payment of \$12,040,000 principal and \$2,548,249 interest of State bonds coming due in the fiscal years 1945-1949, inclusive,¹⁵ and described as follows:

	<i>Interest and Redemption 1945-47 and 1947-49</i>	
	<i>Principal</i>	<i>Interest</i>
Sacramento State Buildings of 1913.....	\$200,000	\$480,000
San Francisco State Buildings of 1913.....	80,000	59,200
State University Buildings of 1915.....	160,000	129,600
State Buildings and University Buildings, 1925	1,000,000	794,688
California State Parks of 1927.....	1,000,000	412,761
Unemployment Relief of 1934.....	9,600,000	672,000
Total	\$12,040,000	\$2,548,249

That the appropriation provide:

(a) For the purchase of bonds of the United States in such amounts and maturities as will, when collected, with interest, pay the above described bonds and interest coupons as they become due;

(b) That the principal and interest of the United States bonds, when collected, be placed in the appropriate interest and sinking funds and used for the payment of the principal and interest of the State bonds hereinabove described.

On December 31, 1942, there were outstanding Highway Bonds amounting to \$38,100,000; Veterans' Farm and Home Building Bonds in the amount of \$46,265,000; San Francisco Harbor Improvement Fund Bonds in the amount of \$19,034,000, and Unemployment Relief Bonds of 1933 in the amount of \$10,000,000. The Highway Bonds are payable from the "in lieu" tax. The Veterans' Bonds are payable from principal and interest of loans made to veterans. The San Francisco Harbor Improvement Bonds are payable from the income of San Francisco Harbor. The proceeds of the Unemployment Relief Bonds of 1933 were loaned by the State to 26 counties for unemployment relief purposes. The interest and redemption charges on these bonds are repaid to the State, under the terms of the statute, ratified by constitutional amendment, pursuant to which the bonds were issued, by withholding the required amounts from the apportionments of motor vehicle fuel tax (gasoline tax) revenue to these counties. The interest and redemption of these bonds, therefore, is not a charge upon the State General Fund. Since these bonds are payable from special sources, the committee is not recommending the use of any General Fund moneys therefor.

United States bonds can be purchased maturing shortly prior to the due date of the State bonds. The principal and interest paid on

¹⁵ *Loc. cit.*

the United States bonds can be placed in the interest and sinking fund provided by law for the State bonds.

If a family which had borrowed money suddenly found itself with funds beyond its ordinary income, good business judgment would suggest that the indebtedness be paid. The State is in a similar position due to circumstances not expected to occur again. It has at this moment an unusual surplus. It seems advisable to devote a part of it to the retirement of existing General Fund indebtedness and, thus, improve the State's financial position.

The committee further recommends:

(3) That \$25,000,000 be appropriated as a war catastrophe reserve or fund to be used at the direction of the Governor and the war council only in case of an actual invasion of, or attack upon, California, for the immediate and temporary relief, protection, and safeguarding of the health of persons in the area attacked or invaded.

It is possible—indeed probable—that some part of the State of California will be the objective of an enemy bombing attack. While it is expected that such an attack would be a suicide venture, it is prudent for the people of California to be fully prepared for it. In the event the raid were of substantial proportions, persons injured or homeless, or both, would need aid at once. Temporary evacuation might be required. Health and sanitation measures would be needed immediately. National funds or private funds might be available for such purposes, but the State of California can not depend solely upon outside sources. With an available fund, the Governor could take whatever steps are necessary for the relief of our people.

In the event the fund is not used, or in the event it is not entirely used, the moneys in it can not be expended for any other purposes and will constitute a reserve or cushion against an unexpected decline in revenues.

The committee further recommends:

(4) That the amount of \$33,000,000 be appropriated for the construction and reconstruction of State buildings and institutions; that the Director of Finance be requested by the Governor to make a careful survey of building needs of the State, and to submit to the Legislature, at the earliest possible date, a program of approximately \$33,000,000 of building construction and reconstruction for the reasonably immediate needs of the State; that the new buildings should not be monumental or palatial, but simple and practical; and that the appropriation be made a continuing one so that the funds will not be expended for current purposes but will be available after the war when the rehabilitation and building program can be commenced.

The State of California owns and operates a number of buildings and institutions. These include State office buildings, hospitals for the insane and feeble-minded, penal and correctional establishments, and various schools.

During the past biennium, there has been little State building construction. Since Pearl Harbor, materials for the rehabilitation of existing structures and the construction of new ones have not been

obtainable During the next biennium, rehabilitation and construction of State buildings will be virtually impossible.

At the end of the war, when materials and skilled labor are once more available, the present State office buildings and institutions will require considerable rehabilitation. New buildings to meet the then needs of the State must be provided. Not only will the rehabilitation and construction be necessary, it will also furnish employment during the transition period following the war.

Such a building program should not be lavish. The buildings should not be monumental. The interiors should not be palatial. The rooms should be of reasonable size, and should not be unduly large as in many existing public buildings. Also, the building program should be limited to *necessary* repairs and new construction.

The committee has obtained estimates of a State building program, but these estimates are not substantiated, and seem beyond the actual needs of the State. Considering the amount of State building construction over the past 10 years, \$33,000,000 should be sufficient.

The report of the Director of Finance requested by this committee will be referred to the appropriate committees of the Senate and Assembly. These committees will develop the actual building construction program. The Senate Special Committee on State Buildings and Construction, we understand, is now assembling data on the State's needs. The information developed by the Director of Finance should be of aid to that committee. We are hopeful that the suggestions made by this representative group of citizens will likewise be of assistance to that committee and to the Legislature in the formulation of the postwar State building program.

It is the understanding of the committee that the law requires the appropriation to be made now and does not permit a blanket appropriation for after the war. Accordingly, a careful study of the State's needs should be made at once, and the necessary appropriation bills passed. Since it is anticipated that the money can not be expended during the next biennium, the appropriation should be made a continuing one so that the funds will not be diverted to current uses but will be available for the building program after the war.

The above suggested appropriations (Recommendations No. 1 to No. 4, inclusive) for the use of the surplus would leave approximately \$14,600,000 unallocated on June 30, 1943. That seems a reasonable margin for contingencies. Also, it should be remembered, the earmarking appropriations recommended for the postwar building program and the War Catastrophe Fund or Reserve, totaling \$58,000,000, would serve as a substantial cushion against declining revenues.

B. Recommended Tax Reductions

If the present State taxes are continued throughout the next biennium, yields are estimated to produce an excess of revenues over expenditures in 1943-45 of \$137,500,000. Adding to this figure the June 30, 1943, adjusted surplus of \$14,600,000, after recommended earmarking appropriations, the revised June 30, 1945, surplus would be approximately \$152,100,000. (See surplus adjusted on basis of committee recommendations, page 33.)

The Federal tax burden is exceedingly heavy.¹⁶ The payment of

¹⁶ See Appendix, Exhibits E and E-1.

income taxes on March 15th will bring home to many people the realization that they have not adequately provided for tax payments. Under such conditions, with a substantial surplus in the Treasury and with the State taxes yielding more revenue than the State can wisely expend at this time, a temporary reduction of some of California's taxes seems reasonable. Although the relief to individual taxpayers will not be great, it will be helpful and is a step in the right direction. The committee has examined the State and local tax structure and is of the opinion that, so far as possible, what tax relief is permissible should be extended to all groups of taxpayers.

Consequently, the committee recommends:

(5) That the Retail Sales Tax and Use Tax Acts be amended to provide that, effective July 1, 1943, and for a period of two years thereafter, the rate of tax be reduced from 3 per cent to $2\frac{1}{2}$ per cent and that gross receipts from the sale of drugs, medicines, and prescriptions be specifically exempted from the provisions of said acts and from the computation of the amount of taxes levied, assessed, or payable under such laws; and that this reduction and these exemptions terminate on June 30, 1945.

A majority of the committee is opposed to increasing exemptions from the retail sales and use taxes. Exemptions, once established, are difficult to remove. They tend to become vested rights. But for the period of the war a shortage of doctors appears probable, and drugs, medicines, and prescriptions among the necessities. Accordingly, the committee has recommended that sales of these items be exempt for a two-year period only, the tax then to be automatically restored. A considerable amount of opposition to any reduction in the sales and use taxes has been registered with the committee, but the committee is of the opinion that in a tax reduction program it is desirable to spread what reduction is available among as many different groups of taxpayers as possible. Hence, it has recommended the temporary reduction in the sales and use tax rates. This change, it is estimated, would reduce the revenue from these sources \$37,017,500 for the 1943-45 biennium.¹⁷

The committee further recommends:

(6) That The Personal Income Tax Act be amended to provide:

(a) That for a two-year period, namely, the taxable years 1943 and 1944 (in general, the tax to be collected in 1944 and 1945) unless further extended by the Legislature, the personal exemptions be increased for single persons from \$1,000 to \$1,500 and for married persons and heads of families from \$2,500 to \$3,500;

(b) For reducing the maximum tax rate from 15 per cent to 7 per cent;

(c) That for a two-year period, unless extended further by the Legislature, a 25 per cent war credit against the tax (computed at rates as modified by (a) and (b) above) be allowed on all personal income tax returns.

The California personal income tax has been a subject of considerable discussion in recent years. It was adopted in 1935 when the Federal income tax burden was light. Thirty other states and the

¹⁷ See Appendix, Exhibit G.

District of Columbia have personal income tax laws.¹⁸ It appears to be generally conceded that the personal income tax rates in California in the higher brackets are out of line with those of other states. The personal income tax rates in California are:

<i>Net Income</i>	<i>Statutory Rate</i>	<i>Total Net Income</i>
1st \$5,000	1%	\$5,000
Next 5,000	2	10,000
Next 5,000	3	15,000
Next 5,000	4	20,000
Next 5,000	5	25,000
Next 5,000	6	30,000
Next 10,000	7	40,000
Next 10,000	8	50,000
Next 10,000	9	60,000
Next 10,000	10	70,000
Next 10,000	11	80,000
Next 20,000	12	100,000
Next 50,000	13	150,000
Next 100,000	14	250,000
Remainder	15	500,000

The maximum rates in other States are as follows:

- 1 State has a 1½% flat rate-----Massachusetts
- 2 States have 2% flat rate-----Maryland
Vermont
- 3 (two States and the District of Columbia)
have a 3% maximum-----Delaware
Virginia
D. C.
- 4 States have a 4% maximum-----Kansas
Missouri
Montana
New Mexico
- 1 State has a 4½% maximum-----Arizona
- 6 States have a 5% maximum-----Alabama
Arkansas
*Iowa
Kentucky
So Carolina
Utah
- 4 States have a 6% maximum-----Colorado
Louisiana
So. Dakota
*W Virginia
- 5 States have a 7% maximum-----Georgia
New York
No. Carolina
Oregon
Wisconsin

* Already this year, West Virginia has repealed its personal income tax law, and Iowa has reduced its income taxes for 1942 and 1943 by 50 per cent

¹⁸ See Appendix, Exhibit H-2.

2 States have an 8% maximum.....	Mississippi
	Idaho
1 State has a 9% maximum.....	Oklahoma
1 State has a 10% maximum.....	Minnesota
2 States have a 15% maximum.....	California
	No. Dakota

Source: Comparison of Income Tax Rates and Exemptions under various State Income Tax Laws as of January 1, 1943. Schedule of Franchise Tax Commissioner, Statistical Department, 1/27/43 (Committee Exhibit No. 7-c). Complete schedule reproduced in Appendix, Exhibit H-2.

The committee is recommending a maximum rate of 7 per cent. This is higher than the average, but is the rate established in five States, including New York. In the opinion of the committee, the maximum rate reduction merely puts California in line with other States and should be permanent.

In years gone by, California has been the beneficiary of a migration of wealth. This has been due to her natural advantages and to the resourcefulness of Californians in presenting the desirability of their State as a place of residence to persons residing all over the world. It is widely believed that any income tax in California discourages the in-migration of wealth. Without attempting to pass upon that point, the committee feels that a State which seeks to attract wealth should not have income tax rates substantially higher than those of competing States, or States in which the prospective future residents of California now reside.

Estimated on the personal income tax yield predicted for the 1943-45 biennium, the reduction in revenue from lowering the maximum rate from 15 per cent to 7 per cent would be \$1,625,000 a year, with the salary ceiling, and approximately \$2,940,000 a year without the salary ceiling. Since Federal income tax laws authorize the deduction of State taxes in computing Federal taxable income, most of the reduction would be paid out by the individual taxpayer in Federal taxes. The percentage absorbed in Federal taxes ranges from 69 per cent to 88 per cent, leaving to the taxpayers affected by this reduction a relatively small net amount.¹⁹

The recommended increase in personal exemptions for single persons from \$1,000 to \$1,500 and for married persons and heads of families from \$2,500 to \$3,500 will take the income tax entirely off a large number of wage earners and salaried employees.

Twenty-four States of the 31 allow a deduction of Federal income tax in computing net income. California does not. Many people have been advocating such a change in the California law. The claim is made that it is unfair to charge a tax upon a tax. The loss of revenue by deduction of the Federal income tax would be large. Such a change would also make the State tax base uncertain and, as is the experience with tax exemptions, deduction of Federal taxes, once allowed, would

¹⁹ See Appendix, Exhibit H-1.

be difficult to remove when additional revenues may be needed by the State.

It has seemed to the committee better to give all income taxpayers a uniform cut by recommending that for a two-year period, unless further extended by the Legislature, a 25 per cent war credit be allowed on all personal income tax returns.

The three changes recommended by the committee, if made, would reduce the revenue from the income tax for the 1943-45 biennium by \$25,600,000.²⁰ This estimate has been made on the basis of a \$25,000 salary ceiling after Federal taxes, because the State budget estimates have been made upon that assumption. If the \$25,000 ceiling is removed, the estimated revenue from the income tax would be increased from \$71,400,000 to \$78,500,000 for the biennium and the recommended reduction would be increased to \$28,850,000.

The committee further recommends:

(7) That the Bank and Corporation Franchise Tax Act and the Corporation Income Tax Act be amended to provide that for a two-year period, namely, for the taxable years 1944 and 1945, under the Bank and Corporation Franchise Tax Act and 1943 and 1944 under the Corporation Income Tax Act (in general, the tax to be collected in 1944 and 1945), unless extended further by the Legislature, a 25 per cent war credit against the tax (computed at present rates) be allowed to all corporations, banks, and financial institutions subject to taxes under these acts.

The Federal Government is levying heavy taxes upon corporate income. If an additional \$16,000,000,000 is to be raised by taxation, as recommended by the President, steeper rates than ever must be imposed. The Federal rate now paid by the ordinary corporation consists of the normal and surtax, the two combined reaching 40 per cent of the corporate net income in excess of \$50,000. A considerable number of States allow deduction of Federal income taxes in computing corporate income for State tax purposes. California does not. A temporary credit of 25 per cent on the California tax is not great, but it will afford some relief to small and struggling corporations. The decrease in revenue over the next biennium, if this credit is allowed, is estimated at \$17,550,000.²¹

The committee further recommends:

(8) That the appropriate legislative committee or committees study the method of taxing banks in the State of California for the purpose of eliminating the uncertainties and inequities of the existing law.

The method of taxing banks in California was discussed before the committee by a representative of California Bankers' Association and a representative of the State Franchise Tax Commissioner's Office.²² Both agreed that the present method is unsatisfactory. The problem is an intricate and technical one. Bank taxation is restricted by Federal statute, so that the State is not free to provide any type of bank tax it may choose. It is the opinion of the committee that a care-

²⁰ See Appendix, Exhibit H.

²¹ See Appendix, Exhibit I.

²² *Ibid.*, Exhibit I-1.

ful study should be made of bank taxation, and a solution provided which is equitable to the banks and will obtain a fair amount of revenue for the State of California.

There are several other State taxes upon which the committee has not acted. The ones relating to special funds are not within the scope of this committee's activities. Other taxes which support the State General Fund produce a comparatively small amount of revenue, and some of them apply only to luxuries, such as the tax on distilled spirits and the excise tax on beer and wine, while others apply to relatively small selected groups of taxpayers, such as the tax on insurance companies, the private car tax, the motor vehicle transportation license tax, and the inheritance and gift taxes. The committee has not suggested changes in these taxes. Instead, it has endeavored to confine its recommendations to those principal General Fund taxes which affect the largest numbers of taxpayers.

The committee further recommends:

(9) That the State of California, for a two-year period, assume one-half of the cost now being borne by the counties for aid to the needy aged. The counties and the State now participate equally in this cost. Under this recommendation the ratio would be changed to counties one-fourth and State three-fourths.

The change in the State tax revenue system in 1910 was adopted to relieve property taxpayers. The Riley-Stewart plan was adopted in 1933 to relieve property taxpayers. For a short time the rates upon, and the amounts collected from, property taxes were reduced. But local taxes have gradually increased and the total amount collected from property taxes is substantially greater than it was before the enactment of the Riley-Stewart plan. Tabulations showing the ad valorem property tax collections over a period of years may be found in the Appendix, Exhibits E, K, L, and M.

County taxpayers urge that the Legislature has imposed burdens upon counties by increasing the categorical aids, and that these are properly State burdens. In considering what might be done in order that property taxpayers might have some share in the temporary tax reduction made possible by the rapid increase in State revenues, it appears to the committee that the State of California, for a two-year period, might assume one-half the cost for aid to the aged now borne by the counties.

The committee realizes that the temporary assumption of this added burden by the State will not necessarily result in the reduction of county taxes. There is no assurance that the relief will be passed on to the taxpayer. But the supervisors generally are desirous of lowering their tax rates, and it is probable that most, if not all, of the relief will be used to reduce property taxes in the counties and thus benefit property taxpayers. This temporary change in ratio between the counties and the State would involve about \$16,182,000²³ for the 1943-45 biennium.

²³ See appendix, Exhibit J

The committee further recommends:

(10) That the whole problem of categorical aids be studied by a special legislative committee with the following objectives among others:

(a) A readjustment and equalization of the counties' share of the load, but without eliminating the responsibility of the counties to provide some of the funds;

(b) A further coordination and integration of the administration of categorical aids between the county and the State to the end that there may be more efficient and economical operation.

The categorical aids so-called, i.e. public assistance to the aged, the blind, and to needy children are administered by the counties under a formula of payment set up by law. From time to time, the Legislature has increased the amounts of one or more of these aids and placed a heavier tax burden upon the counties. County taxes have been increased greatly in recent years by such measures, and the rate required in some counties is much higher than in others.²⁴

The committee is not attempting to determine how the revenues for these categorical aids should be raised, or what part should come from the State and what portion from the counties, but it is of the opinion that the problem of the categorical aids should be studied by a special Legislative committee with particular attention to a reallocation of the tax load. The committee is of the opinion that so long as counties administer these aids, the counties must be responsible for providing some of the funds.

The committee recommends finally:

(11) That estimates of revenue be carefully checked from time to time against the actual yields of State taxes and if, by March, 1944, it be apparent that the total yields are substantially above or below the revenues estimated in the budget, a special session of the Legislature be called to take any steps that may be necessary to readjust the revenue structure to meet the needs of the State of California.

The committee realizes that, during this period of war, it is possible for substantial changes to take place in revenue yields. The estimates have been carefully made and, we believe, are reliable. There are, however, conditions which might arise which would cause a quick drop in revenue. There are, likewise, other conditions which might cause a substantial increase in the estimated revenues. The recommendations of the committee for the freezing of surplus and the reductions of taxes leave a cushion of more than \$55,000,000.²⁵ The \$25,000,000 in the suggested War Catastrophe Reserve is another cushion. This margin of more than \$80,000,000 seems sufficient to permit the tax reductions suggested. It is possible—indeed, some members of the committee believe probable—that additional tax reductions can be made at some later date. But, in any event, the actual yields should be carefully followed and if, at any time during the biennium 1943-45, it becomes apparent that conditions permit further tax reduction or

²⁴ See appendix, J-1 and J-2.

²⁵ See page 33.

require the elimination of all or any part of the temporary reductions suggested, a special session of the Legislature should be called to do whatever is necessary to meet the situation at that time.

The committee realizes that any reduction in State taxes will not be entirely retained by the taxpayer. In the payment of Federal income taxes, the amount of State and local taxes paid is deductible in computing net income for Federal tax purposes. To the extent that State or local taxes may be reduced, the deduction for Federal tax purposes will be reduced. Therefore, in any State or local tax reduction a part of the reduction will be paid to the Federal Government. Because of the difference in the income tax brackets, the low income taxpayer will be able to retain a much larger percentage of the saving than will the income taxpayer in the high brackets. The Federal Government needs all of the tax money it can raise for the war. Taxpayers should pay as much as possible of the war cost now. The reduction in State taxes will benefit both the Federal Government and the taxpayer. The State does not need the revenues at this time.

In the opinion of the committee, the fact that a portion of the tax saving will be absorbed in Federal taxes is no argument against State tax reduction. Rather it is an argument for it, as part of the moneys saved will go into the Federal treasury where it is desperately needed, and part into the pockets of the taxpayers who are entitled to have taxes reduced whenever possible.

Respectfully submitted.

JAMES L. BEEBE, *Chairman of Committee*
JOHN F. BRADY
VON T. ELLSWORTH
RICHARD GRAVES
MRS. E. T. HALE
A. C. HARDISON
PRESTON HOTCHKIS
MRS. CHARLES A. MACLEAN, JR.
THOMAS C. MEAGHER
ROSCOE L. PATTERSON
LELAND P. REEDER
GEORGE SEHLMAYER
J. F. SULLIVAN, JR.
MRS. JOHN STEARNS THAYER

RUTH E. MEILANDT, *Secretary*

C. Adjusted Surplus, June 30, 1945, on Basis of Recommendations:

June 30, 1943, Estimated General Fund Surplus*-----	\$89,492,377
<i>Earmarkings of Surplus Recommended by Committee</i>	
State Post-War Construction Program_	\$33,000,000
War Catastrophe Reserve-----	25,000,000
Retire Funded Debt Bonds of 1873----	2,277,500
Principal and Interest on State Bonds	
Principal (1945-49)--	\$12,040,000
Interest (1945-49) ---	2,548,249
	14,588,249
<i>Total Earmarkings by Appropriation</i> -----	74,865,749
Balance June 30, 1943, Estimated General Fund Surplus	\$14,626,628
<i>Add</i> —Excess of estimated 1943-45 revenues over expenditures -----	137,501,844
Revised June 30, 1945, estimated General Fund Surplus after Earmarkings by Appropriations-----	\$152,128,472
<i>1943-45 State Tax Reductions Recommended by Committee</i>	
Retail Sales and Use Tax	
Reduce rate from 3% to 2½% and exempt Drugs, Medicines, and Prescriptions -----	\$37,017,500
Personal Income Tax	
Reduce maximum rate from 15% to 7%. Increase exemptions to \$1,500 and \$3,500; allow 25% War Credit against tax (assuming salary ceiling)-----	25,600,000
Bank and Corporation Franchise Tax and Corporation Income Tax	
Allow 25% War Credit against tax	17,550,000
<i>Total Recommended Reductions in State Taxes</i> -----	80,167,500
Revised June 30, 1945, Estimated General Fund Surplus after Earmarkings and recommended State Tax Reductions -----	\$71,960,972
<i>1943-45 Local Property Tax Relief</i>	
Assumption by State of one-half of cost of aged aid now being borne by the counties-----	16,182,000
Balance of estimated 6/30/45 General Fund Surplus----	\$55,778,972

* Corrected for special appropriations to February 13

DISSENTING REPORT OF OSCAR R. FUSS

March 15, 1943

*The Honorable EARL WARREN
Governor of California
Sacramento, California*

DEAR SIR: Because I, as a member of the Citizens' Tax Committee, am unable to agree with several of the important recommendations being made to you by the Citizens' Tax Committee, I am asking Mr. James L. Beebe to submit this report to you in my behalf.

I feel compelled to take this serious step of submitting a dissenting opinion because I sincerely believe that the best interests of the people and the State of California will not be served if all the recommendations of the majority are accepted by you and the Legislature without modifications.

When you first appointed the Citizens' Tax Committee, you urged its members to consider the following points:

- (1) That the fiscal system of the State must be geared to the exigencies of the war.
- (2) That we must guard against the folly of lopsided proposals to escape from existing responsibility.
- (3) That there is no guarantee of the continuance of the present yield of income.
- (4) That our postwar needs may climb to unprecedented levels.
- (5) That consideration must be given to the fairness of the distribution of the burden of both winning and paying for the war.

Gearing the fiscal system of the State to the exigencies of the war can best be done in the manner described by President Franklin D. Roosevelt in his Budget Message of January 11, 1943, wherein he stated:

- (1) That fiscal measures must be designed not only to provide revenues but also to support the stabilization program by deterring luxury or nonessential spending.
- (2) That the cost of the war must be distributed fairly and equitably.
- (3) That fiscal measures do not impair but actually promote maximum war production.
- (4) That the receipt of any large income from any source, at a time when wages and salaries are stabilized constitutes a gross inequity undermining National unity.

Keeping these considerations in mind, I can not concur with a number of the recommendations made by a majority of the committee on the grounds that these recommendations do not best serve the war effort in the State, because the effect of these recommendations is to reduce taxes for the wealthy and to shift the tax burden to the low-income groups.

Taxation for the duration must sharply cut into those income brackets into which cuts can be made without endangering the health and productivity of the civilian population. The problem is not one of distribution of sacrifices or of punishment or of "soaking" any portion of the population. In the grim reality of this war men and women in battle areas are losing their lives. This State and its people must agree to "a fiscal system which is geared to the exigencies of the

war." In essence this means that once citizens are assured an equitable amount of civilian goods the money income, above that necessary to pay for the civilian goods, is open to the sharpest taxation.

With these principles in mind, I am submitting the following recommendations:

(1)

I concur with recommendation No. 1 that \$2,277,500 be appropriated for the purpose of retiring bonds of the funded debt of 1870 and 1873.

(2)

I do not concur with recommendation No. 2. It seems to me highly inappropriate to use part of the so-called surplus for the purpose of paying off bonds which are due in the years between 1945 and 1949. In the ordinary course of debt retirement, allowance for both principal and interest payments are always made in the budget from current taxation.

It seems to me that this custom should still be followed.

It seems more appropriate to use the surplus which has arisen out of abnormal war conditions for some of the needs arising out of the war which we may assuredly count upon.

I would therefore rather see this sum of \$15,000,000 recommended in Proposal No. 2 frozen in government bonds; the principal and interest of which would be used after the war to aid returning veterans in the buying of homes and farms.

(3)

I concur with recommendation No. 3 that \$25,000,000 be appropriated for a War Catastrophe Reserve Fund.

(4)

I concur with recommendation No. 4 that \$33,000,000 be appropriated for a postwar Building Fund.

(5)

In its fifth recommendation, the majority of the committee has proposed a one-half of 1 per cent cut in the sales tax together with the elimination of drugs, medicines, and prescriptions from the tax.

I agree with the second proposal, but believe that a one-sixth cut in the sales tax, though amounting to \$33,500,000 is too small in relation to the individual saving, assuming the Heller Committee data on the incidence of sales taxes upon individuals at different income levels.

I believe that the sales tax should be cut to 2 per cent and not only drugs, medicines, and prescriptions eliminated from the tax but also meals served in restaurants.

The great growth in the sales tax income from meals served in restaurants serves to confirm what is widely known; namely, that large numbers of war workers throughout the State are compelled to depend upon restaurant meals for eating.

It seems to me that if the sales tax is cut in this manner that the State is removing a burden from those least able to pay, with the

result that the health and productivity of those most likely to suffer because of lack of income will not be endangered.

The money saved can not be used for luxury spending, because actually it is a small amount saved over a period of time.

The fact that a 2 per cent tax will be retained shows that this is no "lopsided proposal to escape existing responsibility."

(6)

I concur with recommendation No. 6A which increases the exemption for income taxpayers from \$2,500 to \$3,500 for married persons and from \$1,000 to \$1,500 for single people.

It should be pointed out what the results of this recommendation are:

- (1) It involves a tax reduction of \$13,950,000.
- (2) This reduction is spread in varying amounts amongst 1,285,031 income taxpayers.
- (3) The majority of nearly one-half million California income taxpayers in the lower brackets will pay no tax, and the few remaining in these brackets will pay an estimated total of \$100,000.

I do not concur with recommendation 6B which reduces the income tax ceiling from 15 per cent to 7 per cent on incomes above \$40,000 a year.

That recommendation means:

- (1) A tax reduction of \$2,625,000.
- (2) This reduction is limited to 2.524 taxpayers having incomes above \$40,000 a year.
- (3) This means that two-tenths of 1 per cent of the income taxpayers get approximately 16 per cent of the total reduction obtained by combining the recommendations of increasing exemptions to \$3,500 and cutting the tax to 7 per cent from 15 per cent in the brackets above \$40,000. The other 99.8 per cent get 84 per cent of the total.

It seems to me that this recommendation violates several principles. It constitutes a gross inequity in giving to such a small group such a relatively high reduction. It puts more money into the hands of those who already have money and therefore sets the basis for inflationary and luxury spending.

It denies the validity of the graduated tax as the best method of affecting the principle of the ability to pay. To set the rate arbitrarily at 7 per cent of \$40,000 and above means the complete elimination of the upward graduated tax such as exists now.

And the principle that the more you have the better you are able to pay does not hold after your income reaches \$40,000 a year.

While it is true that much of the money saved from the State will not remain in the hands of the individual but will go to the Federal Government, nevertheless, sufficient does remain in the hands of individuals so as not to invalidate the principle stated here.

I do not concur with recommendation No. 6C which would give a further 25 per cent flat reduction to all income taxpayers after their

tax had been calculated on the basis of increased exemption and lower rates on the higher brackets.

This recommendation would further reduce the yield of the income tax by \$9,000,000; and based upon a flat cut, it would obviously give a greater amount to those with higher incomes. For instance, a man with a \$10 income tax would get a reduction of \$2.50, whereas a man with a \$10,000 income tax would get a \$2,500 cut.

This manner of cutting taxes, it seems to me, runs contrary to the principle of basing an income tax upon the ability to pay.

(7)

I can not agree with recommendation No. 7 to cut the bank and corporation franchise tax by 25 per cent which means a reduction in revenue of some \$17,550,000.

It is no argument to contend that this tax ought to be cut because it has increased so greatly during the past few years.

It has increased because corporate earnings have increased and this has been the result of war contracts.

Corporations and banks should pay for the increased benefits received from California.

Cutting the taxes of the banks and the corporations means that money is returned to those best able to pay taxes. If that money is used to increase dividends, the chances, again, are that the basis for luxury spending is increased.

It further should not be forgotten that out of State stockholders in California corporations who do not have to pay a State income tax here receive a further benefit through the possible increased dividends.

(8)

I concur in recommendation No. 8, assuming that the study will also consider the taxation of personal property owned by banks but not used in banking operations (for example, farm property taken over in foreclosures).

(9)

Recommendation No. 9 would require the State to take over about \$16,182,000 in expenditures now being made by the counties.

The purpose is to obtain a cut in the real property tax in the county.

I do not believe that this will happen even if the counties are given a tax rebate and am opposed to this proposal not only for this reason, but also because the various schemes presented to the committee indicated that if any conditions were laid down, they would be of such nature that the cut in property taxes would help the utilities and the large property owners, rather than the small property owners.

Furthermore, requiring the State to take over now one-half of the county's burden in reference to old age assistance would simply make it more difficult to consider any increase in old age assistance on the basis of present State funds.

Yet, it seems to me on the basis of the nearly 100 bills introduced in the Legislature on this subject, as well as your own comments to the

committee appointed to consider this subject, that some improvement in old age assistance is on the way.

(11)

I concur in recommendation No. 11.

SUMMARY

I would summarize my proposals finally in this form :

1. \$ 2,277,500—To pay off the 1873 bonds.
2. \$15,000,000—To facilitate the buying of homes and farms by returning veterans.
3. \$25,000,000—War Catastrophe Reserve Fund.
4. \$33,000,000—Postwar Building Fund.
5. \$ 3,517,500—Reduction in sales tax due to exemption of medicines, drugs, and prescriptions.
- 5a. \$84,000,000—Reduction in sales tax yield due to cut in sales tax to 2 per cent and exemption of meals from payment of sales tax.
6. \$13,950,000—Reduction in Income Tax Yield due to increasing exemptions to \$1,500 for single people and to \$3,500 for married people or heads of families.

This adds up to a total of \$176,745,000 which must be subtracted from the approximately \$223,000,000 which, it is estimated, will be on hand at the end of 1943-45 biennium.

The difference of approximately \$46,255,000 can be earmarked for any changes in old age assistance, or partially considered as margin of error.

I have made my findings upon the basis of factual information furnished to the entire committee in the various exhibits which no doubt will be presented to you.

I believe that these recommendations are to the best interest of California in this war period.

I wish to express my appreciation of the courtesy of the chairman and other members of the committee, of the assistance given to us by the various departments, and to you for having given me the opportunity to serve on this committee at the request of the California C. I. O.

Sincerely yours,

OSCAR R. FUSS

IV. LIST OF EXHIBITS PRESENTED TO COMMITTEE

<i>Exhibit Number</i>	<i>Description</i>
1	Governor's Budget for 1943-1945 Biennium.
2	Summary of 1943-1945 Governor's Budget.
3	Assembly Bill 1600 (Budget Bill).
4	Department of Finance: Tabulation showing estimated reduction in State revenues under principal tax reduction proposals. (Also supplemental pages Nos. 1, 2, and 3.)
4a	Department of Finance: Tabulation of premises under lease by the State of California in privately owned buildings.
4a-1	Department of Finance: Summary of building projects which in agency opinion should be undertaken as soon as possible.
4a-2	Department of Finance: General Fund expenditures for capital outlays for biennial periods from 1931-33 (actual) to 1943-45 (estimated).
4b	Department of Finance: Three tabulations (1) Comparison of General Fund revenues and expenditures 1923-25 to 1943-45; (2) Summary of State revenue receipts 1923-25 to 1943-45; (3) Summary of State expenditures 1923-25 to 1943-45.
4c	Department of Finance: Two charts on Personal Income Tax (1) Per cent of net income paid out as income taxes under existing State and Federal income tax laws, and per cent which would be paid as Federal tax if no State tax levied; (2) Comparison of California and New York State income tax rates.
4d	Department of Finance: Statement of general obligation bonded indebtedness December 31, 1942, and estimated cost of retirement during 11 biennial periods from 1943 to 1965.
4e	Department of Finance: Estimated General Fund surplus June 30, 1943, and June 30, 1945, after adjustment for special appropriations made to February 13, 1943.
4f-1	Department of Finance: Summary of taxes collected in California by Federal, State, and local governments, classified broadly according to tax bases.
4f-2	Department of Finance: Detail of taxes collected in California by Federal, State, and local governments.
4f-3	Department of Finance: Graph showing changes in tax collections by Federal, State, and local governments in California.
4g	Department of Finance: Estimate of cost to State for temporary transfer (for 1943-45 biennium) of one-half the cost now paid by the counties for aid to the needy aged.
5	Franchise Tax Commissioner: "Personal Income Tax—Statistics of 1940 Returns."
6	Franchise Tax Commissioner: "Bank and Corporation Franchise Tax—Statistics of 1940 Returns."
6a	Franchise Tax Commissioner: Letter showing reasons for different rates on banks and financial corporations.
6b	Franchise Tax Commissioner: Estimate of decrease in revenue which might result from adoption of Senate Bill 707 (Breed)—Bank and corporation franchise tax.
6c	Franchise Tax Commissioner: Data submitted re taxes on corporations and banks in selected States.
7	Franchise Tax Commissioner: Miscellaneous data submitted to Governor's Tax Committee.
7a	Franchise Tax Commissioner: Letter and schedule on reduction of revenue (personal income tax) resulting from suggested rate changes (one year only), taking loss from salary ceiling into account.
7b	Franchise Tax Commissioner: Letter and schedule on examples showing actual saving if State income tax were repealed.
7c	Franchise Tax Commissioner: Two tabulations (1) Comparison of income tax rates and exemptions under various State income tax laws

List of Exhibits Presented to Committee—Continued

*Exhibit
Number**Description*

- as of January 1, 1943, and (2) Comparison of State personal income taxes payable upon six selected net incomes received by a married man with no dependents as of January 1, 1943
- 7d Franchise Tax Commissioner: Tabulation showing (1) Effect of Federal tax deduction, present rates; (2) Effect of reducing top rate from 15 per cent to 8 per cent; (3) Effect of Federal tax deduction, 8 per cent top rate, based on estimated 1943 income, no change in exemptions.
- 7e Franchise Tax Commissioner: Examples showing percentage of saving to taxpayers from various amendments to income tax law, with percentage of saving accruing to Federal Government in increased Federal taxes.
- 8 Department of Education: Number of positions, and total, actual, and proposed expenditures, etc.
- 9 Department of Education: Statement of Assistant Director re tax rates.
- 9a Department of Education: Regular session equivalent full-time student enrollment in California State Colleges, 1939-40 through 1944-45 (estimated).
- 9b Department of Education: Statement of Walter E. Morgan, Assistant Superintendent, and tabulation of school district tax rates 1941-42
- 10 Board of Equalization: Biennial Report, 1939-40.
- 11 Board of Equalization: "Assessed Value of Tangible Property Subject to Local Taxes, 1942."
- 12 Board of Equalization: "Delinquent Property Taxes, 1928-29 to 1940-41."
- 13 Board of Equalization (Sales Tax Division): Returns for third quarter of 1942, compared with third quarter of 1941.
- 14 Board of Equalization (Sales Tax Division): Tables showing retail sales and use tax taxable sales and amount of self-assessed tax by commodity for first, second, and third quarters, 1942, and fiscal year ended June 30, 1942.
- 15 California State Chamber of Commerce: Summary of 1943-45 budget, by John M. Peirce.
- 16 Department of Public Works (Division of Highways): Data for Governor's Committee.
- 16a Department of Public Works: Memorandum re 3 per cent gross receipts truck tax.
- 16b Department of Public Works: Statement relating to the replacement of leased State office space in various cities by State-owned structures.
- 16c Department of Public Works: Statement of C. H. Purcell, Director, concerning proposed preparation of surveys and plans and right of way acquisition for projects to be undertaken after the war.
- 17 Department of Public Works (Division of Water Resources): Present activities, personnel, and budget requests as compared with previous years.
- 18 Department of Public Works (Division of Architecture): Data for Governor's Tax Committee.
- 19 State Personnel Board: Data prepared for Governor's Tax Committee by William K. Smith, Acting Executive Officer
- 19a State Personnel Board: Memorandum from William K. Smith, Acting Executive Officer, containing additional data requested by committee.
- 20 State Personnel Board: Salary distribution for regular full-time employees 1938-1942.
- 21 Board of Equalization: Operations of Alcoholic Beverage Control Division.
- 22 Board of Equalization: "The California Property Tax System," a paper by DeWitt W. Krueger, Chief, Division of Research and Statistics.
- 23 Statement by Charles W. Lyon and Dixwell L. Pierce entitled "A Practical Plan of Tax Reduction for California." (A.B. 498.)
- 23a Statement by Dixwell Pierce, Secretary, State Board of Equalization, entitled "How A.B. 498 Will Work."
- 24 Department of Motor Vehicles: Comparison of objective expenditures

List of Exhibits Presented to Committee—Continued

<i>Exhibit Number</i>	<i>Description</i>
	Ninety-first to Ninety-fourth Fiscal Years (July 1, 1939, to June 30, 1943) with Ninety-fifth and Ninety-sixth Fiscal Years (Governor's Budget).
24a	Department of Motor Vehicles: Comparison of Ninety-first to Ninety-fourth Fiscal Years, July 1, 1939, to June 30, 1943, expenditures with Ninety-fifth and Ninety-sixth Fiscal Years (Governor's Budget).
25a	Department of Motor Vehicles: Report covering military leaves, defense leaves, and separations.
25b	Department of Motor Vehicles: Report of drivers' licenses issued 1928-1942.
25c	Department of Motor Vehicles: Statement of new nonresident registrations.
25d	Department of Motor Vehicles: Apportionment of motor vehicle fees to the counties for the period January 1, 1939, to December 31, 1939.
25d-1	Department of Motor Vehicles: Apportionment of motor vehicle fees to the counties for the period January 1, 1940, to December 31, 1940.
25d-2	Department of Motor Vehicles: Apportionment of motor vehicle fees to the counties for the period January 1, 1941, to December 31, 1941.
25d-3	Department of Motor Vehicles: Apportionment of motor vehicle fees to the counties for the period January 1, 1942, to December 31, 1942.
26	Department of Social Welfare. Functions and activities, July, 1939, to December, 1942.
26a	Department of Social Welfare: Number of permanent positions in the State Department of Social Welfare for the period as indicated per printed biennial budget, July 1, 1943, to June 30, 1945.
26b	Department of Social Welfare: Analysis of 1943-45 Biennial Budget.
27	State Controller: Files on Miscellaneous Data; Municipalities—Financial Data; Counties—Financial Data; Month End Statements; Consolidated Revenue Statements; Cost of Government Statements.
28	State Controller: Published reports (1) Biennial Report of the State Controller for the Ninetieth Fiscal Year, ending June 30, 1939, and the Ninety-first Fiscal Year, ending June 30, 1940; (2) Annual Report of Financial Transactions of Municipalities and Counties of California for the year 1941.
29	University of California: Letter from Comptroller containing tabulation of number of officers and employees.
30	"Federal Tax Trends"—Material prepared by Harry Harding, Tax Commissioner, Southern Pacific Company.
31	California State Chamber of Commerce: "Economic Trends in California," a memorandum prepared by H. F. Ormsby, Director, Research Department.
32	San Francisco Chamber of Commerce: Statement by Bert W. Levit.
32a	San Francisco Chamber of Commerce: Additional statement furnished by Bert W. Levit at request of committee describing constitutional and statutory fixed expenditures of State.
33	"How the Fundamental Principle of the Townsend National Recovery Plan Actually Operates in Hawaii," a pamphlet presented by John Cuneo.
33a	"A Suggestion for Governor Warren and His Tax and Pension Committees," statement submitted by John C. Cuneo, accompanied by letter from W. Borthwick, Tax Commissioner, Territory of Hawaii, to Mr Cuneo.
34	Department of Public Health: Budgetary schedules.
35	Letter and Exhibits filed by Paul Fratessa.
35a	"The First Step to Prevent Postwar Depression," a pamphlet presented by Paul Fratessa.
35b	"Cost of War," a pamphlet published by Payroll Guarantee Association, and presented by Paul Fratessa.
35c	"Uncommon Sense," a book by David Cushman Coyle, presented by Paul Fratessa.

List of Exhibits Presented to Committee—Continued

<i>Exhibit Number</i>	<i>Description</i>
36	Department of Industrial Relations, Division of Labor Statistics and Law Enforcement: "Employment in California," a statement submitted by M. I. Gershenson, Principal Statistician.
36a	Department of Industrial Relations, Division of Labor Statistics and Law Enforcement: Statement showing number of wage earners in 44 identical manufacturing establishments, Contra Costa County, January, 1939, to December, 1942.
36b	Department of Industrial Relations, Division of Labor Statistics and Law Enforcement: Statement showing estimated distribution of labor force in California, November 1, 1940, and 1942 and year end, 1943.
36c	Department of Industrial Relations, Division of Labor Statistics and Law Enforcement: "Trends on Industrial Employment in California," a paper by M. I. Gershenson.
36d	Department of Industrial Relations, Division of Labor Statistics and Law Enforcement: Bulletin on "Employment of Women in California."
36e	Department of Industrial Relations, Division of Labor Statistics and Law Enforcement: Bulletin on "Employment in December, 1942."
37	California Taxpayers' Association: "Notes for Governor's Tax Committee," a statement by Alden C. Fensel, Consultant. (Accompanying this exhibit is a 190-page volume (for master file) containing tabulated data on all phases of governmental finance—Local, State, and Federal.)
37a	California Taxpayers' Association: Summary analysis of 1943-45 State Budget.
38	Truckowners' Association of California: Statement on Motor Vehicle Transportation Tax.
39	Statement by Edward D. Landels, representative of California Bankers Association, on bank and corporation franchise tax.
40	Municipal License Tax Association (Private Truck Owners Bureau): Statement on motor vehicle transportation tax.
41	The Trucking Industry, Inc.: Statement by David G. Shearer, Executive Vice President, on commercial vehicle transportation tax.
42	Merit Rating Bureau, Inc.: Statement on California unemployment insurance.
43	"Tax Problems of California Municipalities," a statement submitted by United Taxpayers, Inc.
44	Statement by William A. Pixley, Managing Director of Property Owners' Association of California, Inc.
45	Office of Attorney General: Opinion of H. H. Linney, Assistant, on tax questions submitted by committee.
46	Statement by Edwin A. Cottrell, Department of Political Science, Stanford University, re disposition of surplus and tax reduction.
47	Statement of Elmer D. Fagan, Professor of Economics, Stanford University, entitled "Some Suggestions Concerning the Use of California's Non earmarked Surplus Funds."
48	League of California Cities: Table I—Estimated cost of war requirements of cities needing aid; Table II—Summary of actual and estimated war expenditures made by cities for the period beginning July 1, 1940, and ending June 30, 1943.
49	California State Supervisors' Association: Table showing differences in taxes levied in counties of California for financing share of cost of aid to needy aged and administration thereof.
50	State Tax Conference: Report of Committee on Local Government.

APPENDIX

APPENDIX

*Exhibit
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- A Table: Summary Comparisons of Actual and Estimated Expenditures During 1941-43 with Governor's Proposed Budget for 1943-45 (California Taxpayers' Association)
- B Table: Comparative Summary of Estimated Revenues for the Biennium 1943-45 and 1941-43 (California Taxpayers' Association)
- C Table: Estimated Adjusted General Fund Surplus June 30, 1943 and June 30, 1945, as of February 13, 1943 (Department of Finance)
- D Statement on Revenue Estimates, 1943-45 (Governor's Budget, pages A-5 to A-9, incl.)
Testimony in Support of Budget Estimates of Revenue:
- D-1 T. H. Mugford, Sales Tax Division, California State Board of Equalization
- D-2 A. A. Whitaker, Associate State Liquor Administrator, Liquor Control Division, California State Board of Equalization
- D-3 John M. Peirce, California State Chamber of Commerce
- D-4 Alden C. Fensel, Consultant, California Taxpayers' Association
- D-5 Dr. Frank L. Kidner, Office of Price Administration
Testimony on Economic Factors Which Affect the Yield of State Tax Revenues
- D-6 H. F. Ormsby, Director, Research Department, California State Chamber of Commerce
- D-7 James Bryant, Assistant to Regional Director, War Manpower Commission
- D-8 M. I. Gershenson, Principal Statistician, Division of Labor Statistics and Law Enforcement, State Department of Industrial Relations
- D-9 Table: Estimated Distribution of Labor Force in California, November 1, 1940 and Year End 1943 (Division of Labor Statistics and Law Enforcement, State Department of Industrial Relations)
- E Table: Tax Collections in California—Federal, State and Local (Tax Department, California State Chamber of Commerce)
- E-1 Testimony on California's Contribution to Federal Taxes by Harry B. Harding, Tax Commissioner, Southern Pacific Company
- F Table: Statement of General Obligation Bonded Indebtedness December 31, 1942 and Estimated Cost of Retirement During the Biennial Periods from 1943 to 1949 (State Department of Finance)
- G Table: Estimated Reduction in State Revenue Resulting from Certain Changes in the Retail Sales and Use Taxes (State Department of Finance)
- H Table: Estimated Reduction in State Revenue from The Personal Income Tax Under Specified Amendments (State Department of Finance)
- H-1 Table: Examples Showing Percentage of Saving to Taxpayers from Various Amendments to Income Tax Law, with Percentage of Saving Accruing to Federal Government in Increased Federal Taxes (Franchise Tax Commissioner)
- H-2 Table: Comparison of Income Tax Rates and Exemptions Under Various State Income Tax Laws, as of January 1, 1943 (Franchise Tax Commissioner)
- H-3 Graph: Per Cent of Net Income Paid Out as Income Taxes Under Existing State and Federal Income Tax Laws, and Per Cent Which Would Be Paid as Federal Tax if No State Tax Levied. (State Department of Finance)

APPENDIX—Continued*Exhibit
Designation*

- I Table: Estimated effect of a 25% Credit Against Bank and Corporation Franchise (and Corporation Income) Tax, 1943-45 Biennium (State Department of Finance)
- I-1 Testimony relating to Taxation of Banks under the Bank and Corporation Franchise Tax Act, by Edward D. Landels, California Bankers' Association, and James J. Arditto, Franchise Tax Counsel
- J Table: Estimated Additional Cost to State Government of Temporarily Transferring (for 1943-45 Biennium) One-half the Counties' Share of Aid to the Needy Aged to the State General Fund (Department of Finance)
- J-1 Testimony Relating to Problem of Counties in Financing Share of Cost of Aid to Needy Aged, by Beach Vasey, Deputy County Counsel of Los Angeles County
- J-2 Table: Differences in Taxes Levied in Counties of California for Financing Share of Cost of Aid to Needy Aged and Administration Thereof (presented by California State Supervisors' Association)
- K Table: City Revenues for Fiscal Years 1932-33 to 1941-42, Incl. (California Taxpayers' Association)
- L Table: County Revenues for Fiscal Years 1932-33 to 1941-42, Incl. (California Taxpayers' Association)
- M Table: Revenues of California School Districts for Fiscal Years 1931-32 to 1941-42, Incl. (California Taxpayers' Association)

**SUMMARY COMPARISONS OF ACTUAL AND ESTIMATED EXPENDITURES DURING 1941-43
WITH GOVERNOR'S PROPOSED BUDGET FOR 1943-45**

	General Fund				Special Funds			
	Actual and estimated expenditures 1941-43	Proposed Budget 1943-45	Increase	Decrease	Actual and estimated expenditures 1941-43	Proposed Budget 1943-45	Increase	Decrease
Legislative.....	\$1,128,402	\$950,982		\$177,420				
Judicial.....	1,320,826	1,405,062	\$84,236					
Executive.....	226,620	210,930		6,690				
Administrative officers, boards and commissions								
Attorney General.....	663,317	604,170	30,853					
Controller.....	1,012,595	1,004,905		7,690	\$389,036	\$462,439	\$73,403	
Council of Defense.....	419,921	619,061	199,140					
Board of Administration State Employees' Retirement System.....	115,979	154,775	38,796					
Board of Equalization.....	9,413,888	9,662,244	248,356		304,010	330,894	26,884	
Franchise Tax Commissioner.....	2,031,662	2,192,758	161,096					
Horse Racing Board.....					74,374	58,890		\$15,484
Commission on Interstate Cooperation.....	9,059	10,000	941					
Personnel Board.....	640,119	753,333	111,214					
Railroad Commission.....	1,283,701	1,399,002	115,301		817,177	854,366	37,189	
Board of State Harbor Commissioners—San Diego.....								
Secretary of State.....	227,859	271,840	43,981		2,277	1,062		315
Treasurer.....	146,244	177,880	31,636		35,798	37,533	1,735	
Youth Correction Authority.....	97,133	378,144	281,011					
Totals—Administrative officers, boards and commissions.....	\$16,061,477	\$17,316,112	\$1,254,635		\$1,622,672	\$1,746,084	\$123,412	
Administrative Departments								
Agriculture.....	\$2,693,423	\$2,615,942		\$77,481	\$4,245,919	\$4,202,082		\$43,837
Education.....	29,593,277	24,494,784		5,098,493	908,345	348,782		559,563
Employment.....	78,095			78,095				
Finance.....	4,367,874	3,134,880		1,233,014				
Industrial Relations.....	2,610,444	2,917,982	\$307,538		2,982,115	675,887		2,306,228
Institutions.....	23,649,048	20,037,928	2,388,580		229,106	197,344		31,762
Investments.....	135,384	27,910		107,479	2,081,106	2,221,948	\$140,842	
Military and Veterans' Affairs.....	12,248,151	16,561,236	4,273,085		315,725	23,794		31,931

Motor Vehicles.....					15,972,936	15,082,260		890,676
Natural Resources.....	7,216,464	5,793,166		1,423,298	5,297,455	4,764,691		502,764
Penology.....	7,606,744	6,965,206		741,538	114,922	100,500		14,422
Professional and Vocational Standards.....					1,528,848	1,509,273		19,575
Public Health.....	1,069,371	1,281,681	212,310		443,025	453,883	9,958	
Public Works.....	2,908,905	1,677,926		1,230,979	73,818,330	49,379,862		24,438,468
Social Welfare.....	2,776,775	1,395,991		1,380,784				
Totals—Administrative departments.....	\$96,903,960	\$92,804,312		\$4,189,648	\$107,908,732	\$79,170,306		\$28,738,426
Miscellaneous.....	\$3,494,155	\$2,816,045		\$678,110				
Debt Service.....	15,743,080	14,348,617		1,394,463				
Reserves for emergencies.....	715,367	4,750,000	\$4,034,633					
GROSS TOTAL—State Government.....	\$135,683,887	\$134,611,060		\$1,072,827	\$109,531,404	\$80,916,390		\$28,615,014
Less Credits from Special Funds and pro rata Cost of Personnel Board services.....	—1,395,360	—1,173,000		—222,360				
NET TOTAL—State Government.....	\$134,288,527	\$133,438,060		\$850,467	\$109,531,404	\$80,916,390		\$28,615,014
Payments and Grants to Local Governments								
Public schools.....	\$158,974,468	\$153,368,174		\$5,606,294	\$2,761,369	\$2,800,000	\$38,631	
Social Welfare and Public Health.....	46,388,192	42,439,955		3,948,237				\$17,533,826
Highways.....					53,184,701	35,650,875		7,753,826
Other purposes.....	1,291,363	1,296,000	\$4,637		21,791,433	14,037,551		7,753,882
TOTAL—Payments and grants to local governments.....	\$206,654,023	\$197,104,129		\$9,540,894	\$77,737,503	\$52,488,426		\$25,240,077
GRAND TOTAL—Expenditures.....	\$340,942,550	\$330,542,189		\$10,400,361	\$187,268,907	\$133,404,816		\$53,864,091

RECAPITULATION—1943-45

	Actual and estimated expenditures 1941-43	Proposed Budget 1943-45	Decrease
General Fund.....	\$340,942,550	\$330,542,189	—\$10,400,361
Special Funds.....	187,268,907	133,404,816	—53,864,091
TOTAL—All funds.....	\$528,211,457	\$463,947,005	—\$64,264,452

California Taxpayers' Association.
Committee Exhibit No. 37, pages 184, 185

COMPARATIVE SUMMARY OF ESTIMATED REVENUES FOR THE BIENNIUMS 1943-45 AND 1941-43 Exhibit B

	Total revenues			Per-centage change	Distribution by funds			
	Biennium 1943-45	Biennium 1941-43	Increase or decrease (—) from 1941-43		Biennium 1943-45		Biennium 1941-43	
					General fund	Special funds	General fund	Special funds
GENERAL TAXES								
Retail Sales and Use Tax.....	\$201,000,000	\$261,364,210 44	--\$60,364,210 44	-23 1	\$201,000,000	-----	\$261,364,210 44	-----
Bank and Corporation Franchise Tax.....	103,000,000	81,336,746 59	+21,663,253 41	25 9	103,000,000	-----	81,336,746 59	-----
Personal Income Tax.....	71,400,000	61,633,182 15	+9,766,817 85	15 8	71,400,000	-----	61,633,182 15	-----
Inheritance Tax.....	15,000,000	15,540,899 54	-540,899 54	-3 5	15,000,000	-----	15,540,899 54	-----
Gift Tax.....	2,500,000	2,402,535 45	+97,414 55	4 1	2,500,000	-----	2,399,571 66	\$3,013 70
Gross Premiums Tax on Insurance Companies.....	19,350,000	18,016,618 42	+1,333,381 58	7 4	19,350,000	-----	18,016,618 42	-----
Alcoholic Beverage Taxes								
Excise Tax on Distilled Spirits.....	14,700,000	17,421,655 17	--2,721,655 17	-15 6	14,700,000	-----	17,421,655 17	-----
Excise Tax on Beer and Wines.....	5,300,000	4,674,049 24	+625,950 76	13 4	5,300,000	-----	4,674,049 24	-----
Liquor Licenses.....	10,600,000	10,974,912 48	-374,912 48	-3 4	10,600,000	\$5,300,000	5,487,456 24	5,487,456 24
Motor Vehicle Transportation License Tax.....	9,976,000	8,297,665 51	+1,678,334 49	20 2	9,976,000	-----	8,297,665 51	-----
Motor Vehicle License (in Læu) Fees.....	18,300,000	25,262,904 30	-6,962,904 30	-27 6	18,300,000	9,525,740	10,469,137 18	14,793,767 12
Private Car Tax.....	950,000	917,865 87	+32,134 13	3 5	950,000	-----	917,865 87	-----
Delinquent Taxes and Penalties.....	2,500	24,021 33	-21,521 33	-89 6	2,500	-----	24,021 33	-----
Totals, General Taxes.....	\$472,078,500	\$508,367,316 49	--\$36,288,816 49	-7 1	\$457,252,760	\$14,825,740	\$488,063,079 34	\$20,284,237 15
SPECIAL TAXES								
Motor Vehicle Fuel Tax.....	\$67,490,000	\$102,192,058 84	--\$34,702,058 84	-34 0	-----	\$67,490,000	-----	\$102,192,058 84
Use Fuel Tax.....	2,000,000	2,233,348 01	-233,348 01	-10 4	-----	2,000,000	-----	2,233,348 01
Motor Vehicle Registration Fees.....	21,600,000	26,631,247 86	-5,031,247 86	-18 9	21,600,000	-----	26,631,247 86	-----
Horse Racing (pari-mutuel) License Fees.....	1,448,000	2,725,193 97	-1,277,193 97	-46 9	-----	1,448,000	\$47,115 91	2,678,078 06
Totals, Special Taxes.....	\$92,538,000	\$133,781,848 68	--\$41,243,848 68	-30 8	-----	\$92,538,000	\$47,115 91	\$133,734,732 77
OTHER SOURCES								
Interest on Investments, etc.—Gen. Fd.....	\$1,468,399	\$224,108 86	+1,244,290 14	555 2	\$1,468,399	-----	\$224,108 86	-----
Interest on Treasury Deposits in Banks.....	350,000	363,407 18	-13,407 18	-3 7	350,000	-----	363,407 18	-----
Charges for care of inmates in State institutions.....	4,977,150	4,666,047 56	+311,102 44	6 7	4,977,150	-----	4,666,047 56	-----
Oil and mineral royalties								
From State lands.....	2,456,000	2,498,203 33	+57,796 67	2 0	822,000	\$2,134,000	836,500 00	\$2,061,703 33
From Federal lands (State's share) for Junior College Fund.....	1,500,000	1,502,561 28	-2,561 28	- 2	-----	1,500,000	-----	1,502,561 28
Interest on investments, rentals, royalties, etc.—for School Fund.....	1,299,600	1,270,536 48	+29,063 52	2 3	-----	1,299,600	-----	1,270,536 48
Sundry departmental revenues.....	19,203,109	22,325,485 69	-3,122,376 69	-14 0	2,543,032	16,660,077	2,543,006 29	19,751,879 40
Miscellaneous.....	630,692	709,164 37	-78,472 37	-11 1	630,692	-----	709,151 37	13 00
Totals, Other Sources.....	\$32,384,950	\$33,959,514 75	-\$1,574,564 75	-4 6	\$10,791,273	\$21,593,677	\$9,342,821 26	\$24,616,693 49
Grand totals, revenues.....	\$507,001,450	\$676,108,679 92	-\$170,107,229 92	-11 7	\$468,044,033	\$128,957,417	\$497,473,016 51	\$178,635,663 41

Source: Governor's Budget for 1943-45, page A13
 California Taxpayers' Association.
 Committee Exhibit No. 37, page 189

Exhibit C**ESTIMATED ADJUSTED GENERAL FUND SURPLUS
JUNE 30, 1943 AND JUNE 30, 1945**

(AS OF FEBRUARY 13, 1943)

Estimated Surplus, June 30, 1943. Per Budget-----	\$90,809,996
Special Appropriations, 1941-1943 Biennium Not provided for in Budget:	
Mileage, State Senators (Additional)-----	\$2,864
Mileage, Assemblymen (Additional) -----	5,500
Emergency Salary Adjustments-----	731,755
California Polytechnic School-----	157,500
Emergency Salary Adjustments Additional —Univ. of Calif.-----	250,000
Public Works, Division of Highways-----	20,000
Civilian Defense Activities (Special Session)	150,000
	<hr/>
Total Special Appropriations not Pro- vided for in Budget to February 13th-----	1,317,619
	<hr/>
Adjusted Surplus June 30, 1943-----	\$89,492,377
Estimated Additional Expenditures, 1943-1945:	
Emergency Salary Adjustments (if continued at present amounts) -----	\$4,000,000
Estimated Adjusted Surplus, June 30, 1945-----	\$222,994,221

Department of Finance
February 13, 1943
E. J. G. W. R. C
Committee Exhibit No. 4-e

Exhibit D**STATEMENT ON REVENUE ESTIMATES 1943-1945 BIENNIUM****REVENUE FORECASTS**

Rapid and far reaching developments in the process of converting the Nation's economic structure from peace to war, together with the numberless possible developments which may affect the State's tax income before the 1943-1945 biennium has run its course, make necessary an explanatory statement with respect to the revenue estimates contained in this budget.

Before six months of the current biennium had passed, the United States was plunged into a world war. Largely for that reason tax collections have exceeded the official estimates made two years ago. Compared with the war program, expenditures for defense were made at a leisurely rate which did not disrupt civilian economy. Active participation in the war brought a swift upsurge in Federal expenditures which was not anticipated at the time the last estimates were prepared. In the intervening years civilian consumption has not only been maintained, but has, in fact, expanded tremendously in comparison with

prewar years. Neither of these developments could have been covered in the assumptions which underlay the 1941-1943 revenue forecasts.

The uncertainties surrounding a forecast extending 30 months into the future in normal times are at present compounded by the impact of our immense war program upon civilian life. The revenue estimates contained in this budget allow for changes which have already taken place, even though some are not yet fully reflected in current revenue receipts. In addition, allowances have been made for the influences which may now be foreseen with reasonable assurance. These forecasts, however, do not allow for favorable and unfavorable developments undiscernible at present. *For this reason, the revenue estimates presented herewith are subject to revision, and will be revised when conditions warrant a change.*

The forecasts of revenue to be collected during the 1943-1945 biennium represent a moderately optimistic view of conditions to be experienced during the next two years. While it now seems probable that actual receipts will neither exceed nor fall short of these estimates by any substantial amount, they must be interpreted with caution. Although specific amounts are given for each source of revenue, it should be remembered that under existing conditions a variation of at least 10 per cent either above or below these amounts would represent highly satisfactory performance. In terms of income for the State General Fund, this means that although a total of \$467,800,000 is forecast for the coming biennium, actual receipts may vary from \$420,000,000 to \$515,000,000.

ASSUMPTIONS

In preparing these estimates it has been necessary to make certain fundamental assumptions regarding the future. Since it would be possible by adopting a different set of assumptions to arrive at different conclusions, these underlying factors must be delineated clearly.

First, in keeping with the assumption regarding State expenditures, it has been assumed that the present war will continue for at least two more years and that the entire 1943-1945 biennium will be influenced by wartime conditions. If the war were to end early or midway in the coming biennium, undoubtedly the State's entire financial program would be adjusted by the Legislature in special session.

Second, the enormous military expenditures of the Federal Government will assure a high level of industrial activity in California during the coming biennium, although certain individual lines of business, such as wholesaling, retailing and some services will be curtailed by limitations and restrictions upon nonessential commodities and activities.

Third, as a result of intense war activity, the salary and wage income of California citizens will reach unprecedented heights in the coming two years. Income derived from farming activities will also be high, while that derived from invested capital will recede to the levels prevailing in the latter part of the last decade.

Fourth, numerous shortages will appear in the supply of civilian goods, with many lines of durable items virtually vanishing from the business scene, but with only minor decreases in the volume of non-durable articles. This assumption stems directly from action already taken by the War Production Board, which prohibited the production

of passenger cars, radios, refrigerators and numerous similar products early in 1942, and has recently placed limitations upon the domestic consumption of certain nondurable lines.

Fifth, offsetting the decrease in supply, it has been assumed that a moderate increase in prices will occur during the coming two years and that this upward movement in prices would tend to counterbalance a moderate decrease in the supply of such lines as wearing apparel, household supplies, drugs and confections.

Sixth, the population of California has grown at the rate of 3 to 5 per cent annually during recent years. It has been assumed that because of travel restrictions and more complete employment elsewhere, population increases during the coming two years would approximate only 1 per cent annually.

CONTINGENCIES

While allowances may be made for such factors as those mentioned, there are at least three contingencies which can not be appraised adequately at present.

The extent to which rationing may ultimately become necessary is unknown. A drastic reduction in supply which curtailed the consumption of all individuals would no doubt adversely affect these estimates, while a moderate rationing program which merely eliminated excesses and assured adequate amounts to all would be unlikely to affect the present State revenue picture materially.

Solution to the problem of manpower shortage will affect the State's income. If by extending the hours of labor adequate supplies of both civilian and military goods are produced, the effect may be negligible. If, however, the short work week is maintained and it becomes necessary to make drastic reductions in civilian output to meet military demands, the State's income, particularly that derived under the retail sales tax, will undoubtedly decrease more than is now estimated.

The degree of price control is an important determinant in the revenue question. Should drastic price influence be experienced, the effect upon the State's revenue would depend upon factors which can not now be known.

The effect of sudden developments upon the State's revenue is well illustrated by the recently established salary ceiling, designed to leave no more than \$25,000 income from this source to any individual or family unit after paying Federal taxes. This action alone had the effect of reducing anticipated receipts from the State personal income tax by \$7,100,000 during the 1943-1945 biennium. In the event the restriction were removed, it is estimated that the State's revenue would be increased by that amount.

SOURCES OF INFORMATION

In the preparation of these forecasts ample recourse has been had to the advice of authorities in many fields. Letters were sent to approximately 350 large key industrial leaders and "little" businessmen

throughout the State, soliciting their opinions regarding the outlook in their particular fields. Response to this call for assistance was most generous and the advice of these men has been fully utilized in these revenue studies. Forecasts here presented in so far as they relate to the year 1943, have been checked against and are in practical agreement with forecasts made by such agencies as the United States Department of Commerce and the United States Bureau of Agricultural Economics, while there is general harmony with available forecasts made by other authoritative sources. The amounts shown have, whenever possible, been checked against similar forecasts made by representatives of the various State agencies charged with the responsibility of administering the State's tax laws. Although differences of opinion exist, in no case do the two sets of independent estimates vary by significant amounts. Finally, these forecasts have been discussed with persons in California intimately familiar with the State's tax system and its potentialities. These authorities were in agreement as to the present outlook but they also reserved the right to alter their opinions in the light of changing conditions.

SUMMARY OF TOTALS

Revenue Receipts

	Actual 1939-41 biennium	Actual and estimated 1941-43 biennium	Estimated 1943-45 biennium	Per cent change 1941-43 to 1943-45
General Fund.....	\$378,093,081	\$497,473,017	\$468,044,033	-5 9
Special Funds.....	155,495,545	178,635,663	128,957,417	-27 8
Totals.....	\$563,588,626	\$676,108,680	\$597,001,450	-11 7

SALES AND USE TAXES

The volume of revenue collected under the retail sales and use taxes depends largely upon economic conditions prevailing in the State and Nation. During periods of prosperity the yield from these tax sources is large, but a reversal in business trends is reflected almost immediately in decreased sales tax receipts by the State Treasury. The tax base is broad, comprising not only most transfers of tangible personal property to individual consumers through retail stores, but also a substantial amount of sales to business and industry through wholesale outlets, manufacturers' agents and other sales organizations. In estimating sales tax yield during any given future period it is, therefore, necessary to forecast the course of general business activity in the State and to anticipate trends in a wide variety of business endeavors.

Comparative data on retail sales tax collections by fiscal years and bienniums are given in the following table; all amounts include permit fees, and figures for the period 1933-34 to 1940-41, inclusive, are taken from reports of the State Controller. Other amounts are from the budget.

	Fiscal year ending June 30th	Per cent change	Biennium ending June 30th	Per cent change
1933-34.....	*\$33,243,760 35			
1934-35.....	56,471,540 31	*	\$89,715,300 06	
1935-36.....	70,417,198 90	24 7		
1936-37.....	84,592,897 81	20 1	155,010,096 71	*72 8
1937-38.....	89,365,743 45	5 6		
1938-39.....	87,981,985 87	-1 5	177,347,729 82	14 4
1939-40.....	93,773,337 45	6 6		
1940-41.....	109,233,942 02	16 5	208,007,279 47	14 5
1941-42.....	131,413,952 44	20 3		
1942-43, estimated.....	130,050,000 00	-0 7	201,463,952 44	28 8
1943-44, estimated.....	103,036,000 00	-21 1		
1944-45, estimated.....	98,036,000 00	-4 9	201,072,000 00	-23 1

* Not strictly comparable because collections in 1933-34 represent receipts for eight months only.

The almost continuous increase in sales tax collections since the inception of this levy in 1933 normally would constitute a basis for projecting further gains during the ensuing biennium. The virtual certainty that the aggregate income of California citizens during the coming two years will exceed all previous totals likewise would indicate an increase in taxable purchases during the next 30 months. In this respect, the prospects for large sales tax receipts would be bright indeed, were it not for other factors which also must be taken into consideration.

Concentration of the Nation's industrial capacity upon the production of war materials has made it necessary to limit the output of civilian goods. Motor vehicle production has been sacrificed to tanks, planes and armored cars; and typewriters have given place to machine guns. In total it is estimated that more than two-thirds of the Nation's industrial capacity during the current calendar year will be devoted to the production of war goods. Hence, in estimating revenue to be received under the retail sales tax it is necessary to approach the problem from the viewpoint of available supply rather than effective demand. The volume of goods for sale under controlled prices and not the number of dollars in the hands of prospective purchasers will become the determining factor in sales tax yield.

The effect of wartime restrictions upon the State's revenue has been amply demonstrated by the decrease in tax collected upon the sales of motor vehicles and related items. During the calendar year 1941, a total of \$25,500,000 was received from this source, but with the virtual elimination of new car sales in 1942, the rationing of tires and the voluntary curtailment of motor vehicle operation by millions of owners, sales tax payments by the motor vehicle group in 1942 dropped to \$13,000,000, or approximately half that of the pre-war year. Because many lines of merchandise were not under restricted production while others were drawing upon large inventories, this severe loss in revenue from the motor vehicle group was offset by gains in taxable sales of other commodities. As limited supplies in other fields of distribution are exhausted, however, a reduction will undoubtedly be evidenced in sales tax receipts.

Decreases are likely to be greatest in the field of building construction for civilian needs, when severe limitations have already been imposed. The losses in this line will extend to such related items as heating and plumbing supplies, hardware, store and factory machines and equipment. Reductions in the volume of taxable sales

of commercial and office machines are now appearing and will extend further as the supply of these items dwindles or is channelled into nontaxable military use. Production of household appliances has been discontinued and tax receipts from sales of these articles will disappear as inventories are depleted. The same is true of radios, musical instruments and certain lines of furniture. Rationing of farm implements, pooling of most new construction machinery in the hands of the Federal Government, and purchase of new machines used in aircraft production in the name of the Federal Government rather than the manufacturer, will all tend toward a sharp decline in sales tax collections.

These changes in the sales tax base are relatively well known and measurable. Their effect has been calculated to the best degree possible in estimating future revenue from this source.

Diminished supply, wartime restrictions upon civilian consumption, transferring distribution of numerous items from taxable to nontaxable channels, limited manpower, and increased Federal taxes are all basic factors tending to decrease sales tax yield. Decreases anticipated in the distribution of durable goods and to a limited extent in nondurable goods will not be characteristic of the entire sales tax base, however. One of the largest increases in taxable sales during recent years has been reported by restaurants, liquor stores and drinking places. It is assumed in these estimates that consumption of taxable meals will continue to increase, although at a more moderate rate than in the past, while dollar sales of alcoholic beverages will be maintained at present levels despite a limitation of supply and voluntary rationing of liquor. Because of price increases, the dollar volume of business is likely to be relatively constant, even though there may be a reduction in the physical volume.

On the basis of data revealed by a study of the retail sales tax, and with the advice of those familiar with probable trends in the most important retail fields, sales tax and permit fees during the 1943-1945 biennium have been estimated at \$201,072,000, a decrease of \$60,391,952, or 23.1 per cent from the actual and estimated total for the current biennium.

Estimated tax classified by nine principal retail groups for the two biennial periods are shown in the table below:

Retail group	Actual and estimated 1941-43	Estimated 1943-45	Per cent change
General Merchandise (department, apparel, variety, jewelry stores).....	\$59,753,306	\$51,737,000	-13.5
Furniture and House Furnishings.....	16,592,865	10,500,000	-34.9
Motor Vehicles, Accessories, Supplies.....	35,255,879	22,528,000	-36.1
Household Supplies.....	10,976,954	12,593,000	14.7
Books, Stationery, Office Equipment, Musical Instruments.....	10,418,655	6,710,000	-35.6
Building Material, Hardware, Farm Implements.....	30,940,660	11,650,000	-62.3
Drugs, Tobacco, Confectionery.....	14,159,158	13,148,000	-7.2
Restaurants, Liquor Stores, etc.....	36,758,037	41,700,000	13.4
Miscellaneous (including industrial machinery, apparatus and supplies).....	34,062,682	21,800,000	-36.0
Assessments on audit.....	15,147,774	10,250,000	-32.3
Total assessments.....	\$263,975,970	\$202,916,000	-23.1
Net tax collections.....	\$261,364,210	\$201,000,000	-23.1
Permit fees.....	99,742	72,000	-27.8
Total revenue.....	\$261,463,952	\$201,072,000	-23.1

BANK AND CORPORATION FRANCHISE TAX

Wartime activity together with an unusually high volume of civilian business during the calendar year 1942 carried corporate earnings, before deduction for Federal taxes, to the highest total on record. As a result, corporations operating in California will pay substantially more to the State Treasury in the form of franchise taxes during the current calendar year than in any previous comparable period. With intense activity on war contracts assured for an important segment of California industry and indirect benefits radiating to an even larger group of suppliers, carriers, and utilities, the prospect for substantial franchise tax receipts during most of the 1943-45 biennium is bright.

Judging from data compiled from a weighted sample of 233 firms which pay almost 40 per cent of the State levy, the aggregate taxable income of corporations operating in California last year was approximately 31 per cent above the total reported in 1941.

Previous forecasts made on the basis of this sample have proven remarkably accurate and judging from this past record, an equivalent increase in franchise tax payments in 1943 can be expected with confidence.

The earnings of corporations in 1943, which become the basis of tax collected the following year, are somewhat more a matter of conjecture. Over a period of the last 10 years, corporate earnings in California have borne a direct and measurable relationship to industrial activity in the Nation as a whole. It is generally conceded that national production this year will increase approximately 15 per cent as a result of expanded capacity and improved efficiency. Normally a related gain could be anticipated in taxable earnings of corporations in this State. However, earning prospects of several important groups of corporations are not as promising as in recent years, particularly wholesale firms which apparently experienced a decrease in 1942, retailers, oil companies and mine operators. In the case of gold mines, operations have been discontinued upon order of the Federal Government. In other instances, wartime restrictions are likely to curtail activity, inventory problems are likely to arise, while labor shortages in nonessential lines may hamper operations. In view of this situation, it was assumed that these groups would not earn more in 1943 and 1944 than was earned annually in the period between 1936 and 1940, before the defense and war programs were started. Many of the war contracts are subject to renegotiation when profits are excessive, and this feature will tend to limit taxable earnings. Moreover, Federal taxes running to a maximum of 80 per cent may have a tendency to produce less efficient corporate operations.

Because of these uncertainties, it has been assumed that revenue receipts from the bank and corporation franchise tax, which will increase substantially in the first half of the new biennium, will drop somewhat in the last half. It is estimated that 1943-1945 receipts will total \$102,350,000, or \$21,166,189 more than the actual and estimated amount for the current biennial period.

Comparative figures on collections since 1935-36, when the present rates became effective, are shown below by fiscal years and bienniums:

	Fiscal year ending June 30th	Per cent change	Biennium ending June 30th	Per cent change
1935-36.....	\$14,984,861 93	*		
1936-37.....	17,401,336 62	16 1	\$32,366,198 55	*
1937-38.....	21,453,651 35	23 3		
1938-39.....	20,099,823 44	-6 3	41,553,474 79	28 3
1939-40.....	20,436,073 89	1 7		
1940-41.....	22,814,401 41	11 6	43,250,475 30	4 1
1941-42.....	34,083,811 48	49 4		
1942-43, estimated.....	47,100,000 00	38 2	81,183,811 48	87 7
1943-44, estimated.....	51,850,000 00	10 1		
1944-45, estimated.....	50,500,000 00	-2 6	102,350,000 00	26 1

*Prior year data not comparable

Amounts given for the period 1935-36 to 1940-41 are taken from reports of the State Controller, other figures from the State budget

The foregoing data do not include collections under the *CORPORATION INCOME TAX*, a companion measure with the franchise tax. Amounts received from this source are considerably smaller and are likely to prove much more variable than from the franchise tax. A total of \$650,000 has been estimated for 1943-45, as compared with \$652,935 in the 1941-43 biennium, and \$335,328 in 1939-41.

PERSONAL INCOME TAX

Fundamentally, of course, the income received by the people of California in 1942, 1943 and 1944 will determine the amount of tax collected by the State on personal incomes during the 1943-1945 biennium. Income payments in the form of salaries, wages, interest, dividends, business profits, etc., have been at peak levels throughout the defense and war periods. An even greater outpouring of money for armament in the coming two years will bring further increases in the aggregate of individual incomes, which in turn will bring larger income tax collections. This prospect is assured, except for the possibility of new Federal rulings on salaries and wages; action to place a ceiling upon other types of income; or changes in the State tax law.

Income payments for the Nation as a whole are estimated at approximately 112 billion dollars for 1942 and at least 130 billion dollars in 1943. The corresponding totals for the State of California are tentatively set at 8,500 million dollars in 1942 and at least 9,750 million in 1943. There is, at present, no reason to anticipate a reduction in this total the following year, 1944.

On the basis of past experience it can be demonstrated that a given increase in aggregate income results in a greater increase in income tax. More people are brought within the provisions of the income tax law; deductions tend to be somewhat more constant than total income; and individual receipts advance to such an extent that higher tax rates apply. On the average, an increase of 50 per cent in gross income payments in California results in an increase of 85 per cent in the volume of State income tax assessed. This relationship is subject to variation and has not been tested over a sufficiently

long period of years to be stated as a definite rule, but it serves as an approximate measure of the tax-effect of an increase in total income.

Current conditions require modification of this average ratio because of three factors: First, while income of California residents is increasing, a very large proportion of this increase is going to persons in the lower income brackets who either pay no State tax or are taxable at the lowest rate. This will reduce the State's receipts below what would be received if the increase were shared proportionately by all taxpayers. Second, income from investments, particularly from dividends, is likely to be reduced as a result of higher Federal tax on corporations. Dividends constitute an important part of the income of those who pay taxes at high rates; hence, the tax-effect of this change will be significant. Third, the Federal Government has imposed a "ceiling" on salaries. Broadly, no person may receive more salary than will yield him \$25,000 a year, after paying Federal income taxes. This development alone required a reduction of \$7,100,000 in the estimate of State income tax revenue for the 1943-1945 biennium. In the event the restriction is removed, estimated State income tax receipts could be increased by that amount.

After detailed study of the income tax base, probable composition and character of income payments during the coming two years, and limiting factors inherent in the current situation, revenue from the personal income tax has been estimated at \$71,400,000 for the 1943-1945 biennium. This represents an increase of \$9,766,818, or 15.8 per cent over the current biennium and allows for the maximum salary limit which has been imposed.

Comparative total revenue for previous years, as shown by the State Controller's records and the State budget, follow:

	Fiscal year ending June 30th	Per cent change	Biennium ending June 30th	Per cent change
1935-36*	\$6,525,815 44	*		
1936-37	16,774,202 25	*	\$23,300,017 69	*
1937-38	21,449,666 62	27 9		
1938-39	20,672,013 91	-3 6	42,121,650 53	*80 8
1939-40	19,571,721 71	-5 3		
1940-41	20,292,746 13	3 7	39,864,467 84	-5 4
1941-42	29,033,182 15	43 1		
1942-43, estimated	32,600,000 00	12 2	61,633,182 15	54 6
1943-44, estimated	35,700,000 00	9 5		
1944-45, estimated	35,700,000 00		71,400,000 00	15 8

* Tax enacted in 1935 and collections started in 1936. The amount shown in 1935-36, therefore, represents six month collections only.

Source: Governor's Budget pages A-5 to A-9

*Excerpts From***TESTIMONY IN SUPPORT OF BUDGET ESTIMATES OF
REVENUE 1943-1945****Exhibit D-1**

T. H. Mugford, Sales Tax Division
California State Board of Equalization

Mr. Mugford: Mr. Chairman, ladies and gentlemen of the committee! We made an estimate independently from that made by Mr. Currie, of the Department of Finance, I must say with not nearly as thorough working papers as used by Mr. Currie. We arrived at a figure of \$210,000,000 for the biennium, and I think that the \$201,000,000 figure which is in the Governor's budget may be the more accurate of the two. I am sure the members of the committee appreciate what a difficult task it is to estimate revenues in these uncertain times. * * *

* * * so, all in all, the final result is quite close. The estimate we made is within 5 per cent of that shown in the Governor's budget prepared by Mr. Currie.

* * *

Mr. Beebe: You feel, do you, Mr. Mugford, that this estimate in the budget of \$201,000,000 is a pretty sound, conservative estimate?

Mr. Mugford: Yes, I very definitely do, and I know enough of the work that has been done to prepare it to have a great deal of confidence in it. I think it is the best estimate that could be made in such difficult times as we are facing right now.

Sacramento, California, February 2, 1943

Transcript of Committee Proceedings, pages 61-63

Exhibit D-2

A. A. Whitaker
Associate State Liquor Administrator
Liquor Control Division
State Board of Equalization

Mr. Beebe: You have carefully considered the various factors relating to the revenues anticipated for the next biennium?

Mr. Whitaker: We have endeavored to, Mr. Chairman. We find the problem presents a great many difficulties.

Mr. Beebe: You are in accord with Mr. Currie's recommendations for that biennium?

Mr. Whitaker: So far as we can see, we find no error.

Sacramento, California, February 3, 1943

Transcript of Committee Proceedings, page 112

Exhibit D-3

John M. Peirce
California State Chamber of Commerce

Mr. Peirce: * * * In the light of what Mr. Currie told you this morning, in the light of what he had to work with—and he exhausted every possible source of information—I think he has done

an excellent job, and I will say I concur in his revenue estimates, and yet I will point out in a moment that his revenue estimates may be wrong, and you are fifteen adult persons capable of judging. * * *

* * * Before you spend the \$228,000,000 surplus or return it all to the taxpayers, bear in mind that something might happen to it before you get it, because, after all, that is a book figure; I might say a hope and not a reality. It is not yet realized, although I think there is a good chance.

Sacramento, California, February 2, 1943

Transcript of Committee Proceedings, pages 75, 80

Exhibit D-4

Alden C. Fensel, Consultant
California Taxpayers' Association

Mr. Beebe: Mr. Fensel, may I interrupt you at that point? Have you made a calculation of your own on these various figures (revenue estimates), or only on the principal ones?

Mr. Fensel: Yes, I have schedules which are independent from these made by the Department of Finance.

Mr. Beebe: Mr. Fensel, do your schedules agree with the estimates of the Department of Finance?

Mr. Fensel: I believe we agree very closely. The individual items may vary some, but the variation is quite minor, and in spite of the fact that there are many uncertainties for the future, there is enough trend to indicate that in the next year, and I think also in the following year, that the figures are reasonably predictable.

Mr. Beebe: Do you feel that this committee would be safe in relying on these estimates for the next biennium?

Mr. Fensel: At the present time they are the best estimates available. In the Department of Finance message, as you will recall, it stated that as the next large collection of sales tax and other taxes come in, there may be some slight modification because of more material being available. At the present time, they appear to me to be quite adequate.

Los Angeles, California, February 12, 1943

Transcript of Committee Proceedings, page 7 (LA)

Exhibit D-5

Dr. Frank L. Kidner
Office of Price Administration

Dr. Kidner: * * * There are a number of reasons why I believe that the tendency of the Office of Price Administration's program will be to decrease revenue from the general retail sales tax, even in the face of increasing money incomes. One is the general disappearance, which we are assured will become somewhat general by the end of this year, of all kinds of durable consumer goods. For instance, washing machines, automobiles and other items which previously formed a considerable proportion of our total volume of retail sales, and hence in our total volume of retail sales tax revenue. In addition to that, we will have also a widespread rationing of a large number of consumer

goods other than food, upon which the tax is not levied, probably before the end of the year, and I should think fairly certainly before the end of the biennium beginning July 1 of this year. This, of course, will not necessarily mean that the total volume of sales—and I think this is a misunderstood point in many quarters—not that the total volume will decline, but that individuals will buy less; but there are more individuals than we have had before, and this tends to compensate in part. It is my personal opinion that the compensation will not be complete, and I imagine there will be a decline in retail sales tax revenues; or, if you will permit me to be a little safer, since there are long memories involved among the people deliberating here, I should like to say that I would be very surprised to see any further great increase in retail sales tax revenue. * * *

San Francisco, California, February 4, 1943
Transcript of Committee Proceedings, page 185

Excerpts From

**TESTIMONY ON ECONOMIC FACTORS WHICH AFFECT THE
YIELD OF STATE TAX REVENUES**

Exhibit D-6

H. F. Ormsby
Director, Research Department
California State Chamber of Commerce

Mr. Ormsby: * * * Employment in the manufacturing industries has increased to more than 1,000,000 persons, compared to an average of about 380,000 in the pre-war year of 1939. The relative increase in California in manufacturing employment since 1939 has been 170 per cent, as compared to 76 per cent increase for the Nation as a whole. Due to the rapidly rising flood of Federal expenditures for war purposes, individual incomes in California have increased tremendously, reaching totals in the year 1942 of approximately \$8,500,000,000. This represents a 25 per cent increase over 1941, which, in turn, was some 22 per cent higher than in 1940. In 1939, incomes of California residents were a little over \$5,000,000,000. In other words, personal incomes have risen from a little over \$5,000,000,000 in 1939 to \$8,500,000,000 this year just finished, and on the basis of the Department of Commerce estimates of National income for 1943, I forecast they will rise another 15 per cent, to about \$9,750,000,000, or 7½ per cent of the National total. That is slightly lower than the figure Dr. Kidner gave you, but the two are close enough together to be within reasonable proximity. According to the estimates by the United States Department of Commerce, income from wages and salaries in California was a little over \$3,000,000,000 in 1939. Wages and salaries rose to \$3,402,000,000 in 1940, and to \$4,226,000,000 in 1941. These 1941 totals were 24 per cent above 1940. Our preliminary estimates for 1942 indicate a gain of 33 per cent, to a total of \$5,625,000,000. Those are wage and salary payments to individuals in California. Over the Nation as a whole salary and wage income rose about 28 per cent in 1942 compared to 1941. That percentage compares to the 33 per cent in California. In the California manufacturing industries, average employment of

wage earners during the year 1942 was 50 per cent larger than in 1941, and pay rolls were about 96 per cent larger. Compared to the average monthly factory pay roll in 1939, the 1942 average pay roll showed a 280 per cent increase, and the average for December, that is, the last month of the year 1942, was \$153,000,000, or more than five times the \$30,000,000 average for 1939. That will give you a pretty good idea of the trend of payments in manufacturing industries as a whole. Of course, the great increases have been in shipbuilding and aircraft and related metal-working industries, due to the war expansion. The significance of these facts is that wages and salaries have been rising considerably faster than other component parts of income received by individuals. Where they comprised 59 per cent of the income receipts of California residents in 1939, they now comprise more than 66 per cent of the total. * * *

Entrepreneurial income, or the combination of income from their labor and capital investment by the self-employed and the proprietors of non-corporate enterprises, such as farmers and small business men, has remained at about 19 per cent of the total National income throughout the period. Incomes from dividends and interest, which in 1929 were 14.2 per cent of the total, had by 1939 declined to 11.6 per cent of the total, and by 1942 they were 7.8 per cent of the total. * * *

Extractive industries: California farms produced larger than average crops in 1942, which, according to preliminary estimates, will have a farm value of about \$1,200,000,000, or a gross income about 40 per cent higher than in 1941. Farm labor shortages during the peak of the harvest season caused considerable anxiety and some losses in crop harvests. Farm labor costs ranged from 25 per cent to 100 per cent higher than in 1941. Gross farm income of \$841,400,000 in 1941 was in turn some 31 per cent above 1940. The outlook for the future, so far as it can be summarized in general terms, is for smaller total production, higher costs of operation, and smaller net returns. The value of California mineral production in 1942 was \$379,000,000, or slightly more in the aggregate than last year. Petroleum production was about 7½ per cent higher than last year, although employment in the oil fields declined to about 86 per cent of 1940 averages at the end of 1942. Due to the shut-down of gold mining, the value of gold production in 1942 dropped to \$29,785,000 compared to \$50,948,000 in 1940. By the end of the year employment in metal mining had dropped to 31 per cent of the 1940 averages. Production and value of minerals such as quicksilver, tungsten, chromite, manganese and iron ore, increased sharply. Due principally to labor shortages, lumber output by California sawmills declined during the Fall months of 1942. Farm income, mineral production and manufacturing industries I have covered in a general way, so far as one can generalize about them, in the statement as to employment and pay rolls.

* * * Consumer purchases of commodities have risen to unprecedented levels since 1940, due to the increased income payments. Retail sales in 1942 were approximately \$4,400,000,000, as compared to \$3,188,000,000 in 1939. The net increase over 1941, however, was small, and due to the rise in prices. The actual volume of goods distributed at retail, taking into account that there was a 10 per cent increase in the cost of living, was smaller than in 1941, and the trend

over the next two years can be expected to be downward, due to the increasing scarcity of available goods. Food and apparel stores show the largest volume of gain in dollar volume of sales. * * *

San Francisco, California, February 4, 1943
Transcript of Committee Proceedings, pages 196-199

Mr. James Bryant
Assistant to Regional Director
War Manpower Commission

Exhibit D-7

Mr. Bryant: * * * As of 1941 there were some 513,000 workers in the industries of California. In November of 1942 that number was increased to 928,000. In February of 1943, that is, the current figure, 1,050,000. * * * This is only industry, exclusive of agriculture * * * only industrial workers, taken from industrial plants operating as essential war industries. * * * In the war industries, the projected figure for May 1943 is 1,105,000. That is from estimates given to us by industrial concerns engaged in war industries. In November of 1943 the projected figure is 1,300,000 in war industries. At that time there probably will be a leveling off.

San Francisco, California, February 4, 1943
Transcript of Committee Proceedings, pp 168, 169

M. I. Gershenson, Principal Statistician
Division of Labor Statistics and Law Enforcement
State Department of Industrial Relations

Exhibit D-8

Mr. Gershenson: * * * One of the most drastic changes is the increase in the number of persons employed in manufacturing. The number increased from 404,000 in the Spring of 1940 to more than 1,000,000 at the present time. The December figure showed it as crossing the million figure for the first time. * * *

In normal times * * * we have more earners engaged in producing nondurable goods than in durable goods. * * * In December, 80 per cent of our workers are in durable goods and only 20 per cent in nondurable goods. Now I think it is an obvious conclusion that that relationship won't continue after the war. We will have to go back to somewhere near the balanced picture we had before the war. * * *

* * * We estimate by the end of the year there will be 1,230,000 persons employed in manufacturing industries. * * * There will be a further increase in Government employment and we estimate that Government employment will reach approximately 480,000. In 1940 they were less than 300,000. There will be a further decline in nonagricultural employment which includes trades, construction, service, financial and utilities. They will continue to contract, and we estimate at the end of the year there will be about 325,000 persons in agriculture. Proprietors will continue to decline and will reach a figure of 215,000, and we don't see much of a change for the unemployed group, because of seasonal factors, turnover, illness, which leaves with us a residue of unemployed that always appear to be with us

San Francisco, California, February 5, 1943
Transcript of Committee Proceedings, pp 16, 18 (SF)

Exhibit D-9**ESTIMATED DISTRIBUTION OF LABOR FORCE IN CALIFORNIA
NOVEMBER 1, 1940 AND 1942 AND YEAR END 1943**

	<i>November 1, 1940</i>	<i>November 1, 1942</i>	<i>Year End 1943</i>
Nonagricultural employees ¹			
Manufacturing -----	472,000	980,000	1,230,000
Government ² -----	282,000	404,000	480,000
Other nonagricultural ³ -----	1,270,000	1,246,000	1,115,000
Total nonagricultural -----	1,924,000	2,630,000	2,825,000
Agricultural workers (family and hired) ⁴ -----	353,000	385,000	325,000
Proprietors, self-employed, domes- tic, etc. -----	410,000	265,000	215,000
Unemployed ⁵ -----	306,000	100,000	90,000
Total labor force -----	2,993,000	3,380,000	3,455,000

¹ Wage and salaried workers only; does not include proprietors of unincorporated businesses, self-employed persons, family workers, and domestics in private homes. Public emergency employees (WPA, CCC AND NYA), as well as personnel in the armed forces are also excluded.

² Federal, State and local government civilian employees including employees in navy yards and arsenals and employees of government-owned utilities

³ Includes mining, construction, transportation, public utilities, trade, service and miscellaneous.

⁴ Estimated for California on basis of U S Bureau of Agricultural Economics estimate for total Pacific region (California, Oregon and Washington).

⁵ Includes emergency employees, WPA, etc.

Source: Division of Labor Statistics and Law Enforcement, Department of Industrial Relations

Committee Exhibit No. 36b

TAX COLLECTIONS IN CALIFORNIA

FEDERAL, STATE AND LOCAL

Exhibit E

	1932-33	1933-34	1934-35	1935-36	1936-37	1937-38	1938-39	1939-40	1940-41	1941-42
Federal Taxes in California:										
Personal Income Tax	\$25,953,168	\$20,781,222	\$34,971,362	\$44,217,900	\$71,686,930	\$83,331,342	\$74,392,611	\$70,718,798	\$95,333,800	\$258,203,294
Corporation Income Tax	24,620,072	27,687,957	34,379,017	40,163,521	52,363,460	72,969,301	66,642,303	60,679,897	79,733,969	144,647,059
Excess Profits Tax									3,555,190	16,305,606
Social Security Taxes					13,500,442	42,491,177	45,331,052	49,365,808	55,699,077	75,401,302
Excise and Other Taxes	44,200,944	94,477,055	107,494,468	108,807,134	116,603,210	116,784,208	122,003,169	134,565,180	171,358,306	211,186,996
Total Federal Taxes	\$94,674,184	\$151,946,264	\$176,844,847	\$193,188,555	\$254,174,042	\$315,570,028	\$308,969,135	\$315,329,683	\$405,677,402	\$755,744,257
State Taxes:										
Inheritance Tax	\$5,778,786	\$4,135,772	\$4,945,034	\$6,561,327	\$5,743,981	\$10,479,524	\$8,371,589	\$10,520,965	\$11,449,476	\$8,040,900
Insurance Tax	6,725,024	5,734,651	5,418,245	6,464,254	6,638,820	6,749,349	7,556,064	7,822,569	8,036,173	8,558,139
Motor Vehicle Fees	8,870,497	8,630,952	9,102,602	10,420,170	11,811,510	11,786,283	11,667,639	12,736,543	13,594,041	13,948,534
Public Utility Taxes	29,492,284	29,035,857	27,913,373*							
Gasoline Tax	35,520,658	36,567,377	36,607,329	42,367,873	44,191,885	47,354,241	47,107,175	50,602,113	53,622,993	57,435,442
Fish and Kelp Tax	120,070	189,721	309,823	282,529	328,524	205,125	346,360	349,494	329,853	384,930
Bank and Corporation Tax	3,359,212	4,017,292	4,880,825	14,984,862	17,401,337	21,500,873	20,229,932	20,567,395	22,988,409	34,395,734
Truck Tax	807,215	1,734,045	1,931,321	2,145,297	2,402,457	2,452,679	2,390,322	2,598,079	2,813,995	3,565,401
Beverage Tax	76,170	1,028,822	1,530,823	1,812,887	2,055,811	1,877,449	1,657,023	1,878,947	1,922,597	2,124,049
Sales Tax		33,238,280	56,471,549	70,417,199	84,592,398	89,365,743	87,981,986	93,773,337	109,239,942	132,576,353
Horse Racing Tax		252,794	994,499	1,574,394	1,919,052	2,513,687	2,974,000	2,794,210	3,788,598	1,700,648
Liquor Licenses		1,887,000	3,301,097	4,172,127	6,291,931	5,594,770	5,634,170	5,684,101	5,685,676	5,643,892
Liquor Tax				7,181,273	8,019,129	7,954,383	8,016,511	8,430,991	9,323,707	10,038,776
Personal Income Tax				6,525,815	16,774,202	21,449,067	20,672,014	19,571,722	20,292,740	29,038,934
Auto in Lieu Tax				8,115,067	10,801,202	11,163,880	10,772,803	12,842,072	15,397,693	14,402,650
Unemployment Insurance Tax					27,666,859	63,501,607		75,178,905	76,756,645	102,077,557
Private Car Tax								414,221	422,094	430,565
Diesel Fuel Tax								346,353	523,044	732,473
Gift Tax									131,412	489,265
Miscellaneous Taxes	129,594	191,301	238,231	303,506	372,694	381,642	350,753	300,211	359,003	526,972
Total State Taxes	\$90,879,770	\$126,652,864	\$154,200,941	\$183,328,580	\$247,042,292	\$304,392,729	\$311,938,731	\$328,315,644	\$361,144,588	\$427,771,028
Local Property Taxes:										
County Taxes	\$96,300,525 ^a	\$69,710,406	\$67,999,468	\$75,416,704	\$76,517,310	\$88,843,770	\$9,969,380	\$96,027,439	\$96,052,253	\$97,000,000
City Taxes	79,303,155	77,075,792	79,468,182	84,914,468	85,038,330	86,248,541	90,458,949	89,254,038	90,579,303	91,000,000
School District Taxes	64,877,548	61,975,755	60,313,801	74,085,870	75,005,004	93,973,543	96,120,317	102,682,206	104,237,621	110,000,000
Special District Taxes	23,374,490	24,297,390	21,422,454	21,294,342	21,990,763	19,318,911	19,636,898	18,462,486	17,322,168	17,000,000
Total Property Taxes	\$263,855,715	\$233,059,313	\$229,793,905	\$255,711,464	\$261,522,007	\$288,981,767	\$296,185,544	\$305,796,169	\$308,991,355	\$315,000,000
Grand Total	\$449,409,672	\$511,658,441	\$560,749,693	\$632,228,599	\$762,738,341	\$908,944,524	\$917,093,410	\$940,441,496	\$1,075,513,345	\$1,498,515,285

^a Property of public utilities returned to local tax rolls in 1935
^b Approximately \$40,000,000 per year in school costs transferred from counties to the State in 1933-34
^c Estimated on basis of actual tax levies.

Committee Exhibit No. 30, page 10

Source: Federal Taxes—U. S. Collector of Internal Revenue
 State and Local Taxes—State Controller
 Compiled by California State Chamber of Commerce—Tax Department, August 15, 1942

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ASSEMBLY JOURNAL

[Mar. 15, 1943]

*Excerpts From***TESTIMONY ON CALIFORNIA'S CONTRIBUTION TO
FEDERAL TAXES****Exhibit E-1**

Mr. Harry Harding
Tax Commissioner
Southern Pacific Company

Mr. Harding: * * * Now, in your consideration of the tax problem, I think it is important to consider California's contribution to Federal taxes. That is perhaps more important to you than the over-all picture. For the fiscal year 1939, ending June 30, 1940, California's contribution was \$315,329,000, and for the year ended June 30, 1941, it was \$405,677,000, and for 1941-42 it was \$755,744,000. In the year ended June 30, 1942, that \$755,744,000 represented 5½ per cent of the reported \$24,552,000,000 income of the Government. On that same ratio of 5½ per cent, California's portion of this year's income tax would be \$1,352,600,000, and if the rate should have stayed at 5½ per cent and the Federal take is moved up to \$35,406,000,000, it would be \$1,947,000,000. * * * Applying a figure of 7 per cent to that \$35,406,000,000 income, California's proportion would be \$2,478,000,000 for next year; and if the President's suggestion that tax revenue be increased up to \$50,000,000,000—the suggestion contained in his budget message—should be carried out by Congress, California's contribution to the Federal government—if and when that becomes a fact—will be \$3,500,000,000.

* * * There is every indication that the per capita tax burden in California, both State and Federal and, of course, including local communities, is headed for \$500 per capita or more.

San Francisco, California, February 4, 1943
Transcript of Committee Proceedings, page 176

STATEMENT OF GENERAL OBLIGATION BONDED INDEBTEDNESS DECEMBER 31, 1942, AND ESTIMATED COST OF RETIREMENT DURING THE THREE BIENNIAL PERIODS FROM 1943 TO 1949

Name of issue	Rate of interest	Amount outstanding Dec. 31, 1942	Estimated interest and redemptions			
			Interest Redemption	1943-45	1945-47	1947-49
Funded Debt of 1870, 1873.....	6%	\$2,277,500 ^a	Interest.....	\$282,870	\$282,870	\$282,870
Indian War of 1857, 1860.....		4,000 ^b				
Sacramento State Buildings of 1913.....	4%	1,038,113 ^c	Interest.....	240,000	240,000	240,000
San Francisco State Buildings of 1913.....	4%	460,000	Redemption.....	100,000	100,000	100,000
State University Buildings of 1915.....	4 1/2%	920,000	Interest.....	34,400	31,200	28,000
State Buildings and University Buildings of 1925.....	4-4 1/2%	5,750,000	Redemption.....	40,000	40,000	40,000
California State Parks of 1927.....	2 1/4-4 1/2%	3,750,000	Interest.....	75,600	68,400	61,200
California Tenth Olympiad of 1927.....		— ^e	Redemption.....	80,000	80,000	80,000
First Highway of 1909.....	4 1/2%	7,600,000	Interest.....	461,251	418,750	375,938
Second Highway of 1915.....	4%	7,500,000	Redemption.....	500,000	500,000	500,000
Third Highway of 1919.....	4 1/2%	7,500,000	Interest.....	286,466	226,466	186,295
Unemployment Relief of 1933.....	4 1/2%	23,000,000	Redemption.....	500,000	500,000	500,000
Unemployment Relief of 1934.....	3 1/2%	16,800,000	Interest.....	560,000	496,000	432,000
Totals outstanding.....		\$79,099,613 ^e	Redemption.....	800,000	800,000	800,000
Totals, Interest and Redemption:			Interest.....	624,375	556,875	489,375
Interest.....			Redemption.....	750,000	750,000	750,000
Redemption (including sinking fund payments).....			Interest.....	1,955,000	1,755,000	1,555,000
Totals.....			Redemption.....	2,000,000	2,000,000	2,000,000
			Interest.....	525,000	225,000	2,000,000
			Redemption.....	4,000,000	4,000,000	2,000,000
			Interest.....	840,000	504,000	168,000
			Redemption.....	4,800,000	4,800,000	4,800,000
				\$5,864,962	\$4,804,561	\$3,818,678
				13,570,000	13,570,000	11,570,000
				\$19,434,962	\$18,374,561	\$15,388,678

^a These bonds are held for the School Fund and the University Fund. They matured in 1892, but the people voted not to redeem them. By Chapter 65, Statutes of 1893, interest was continued on these bonds, and Chapter 533, Statutes of 1931, provides that they be redeemed out of any moneys received from payment of War Claims of the State of California against the United States.
^b These bonds have never been presented for payment and are barred by the Statute of Limitations; however, the Legislature has appropriated money to pay all such bonds presented to date.
^c Net after deducting sinking fund balances.
^d Financed by repayment from counties for Unemployment Relief Loans of 1933

State Department of Finance
 Division of Budgets and Accounts
 February 10, 1943—J.O'T.:E.H.:M.E.
 Committee Exhibit No. 4-d

Exhibit G

**ESTIMATED REDUCTION IN STATE REVENUE RESULTING
FROM CERTAIN CHANGES IN THE RETAIL
SALES AND USE TAXES**

	<i>Estimated Revenue 1943-45 Biennium</i>	<i>Estimated Reduction in Revenue under Specified Change</i>
Estimated Total Revenue 1943-45 (Existing Act) -----	\$201,000,000	
1. Estimated Revenue at $2\frac{1}{2}\%$ rate -----	167,500,000	\$33,500,000
2. Exempt Prescriptions, Drugs, and Medicines at $2\frac{1}{2}\%$ rate -----	163,982,500	3,517,500
3. Reduce rate to $2\frac{1}{2}\%$; Exempt Prescrip- tions, Drugs, and Medicines at $2\frac{1}{2}\%$ rate.	163,982,500	37,017,500

State Department of Finance
Division of Budgets and Accounts
February 26, 1943
WRC

**Committee Exhibit No. 4
Supplement to page 1**

Exhibit H**ESTIMATED REDUCTION IN STATE REVENUE FROM THE PERSONAL INCOME TAX UNDER SPECIFIED AMENDMENTS****SUPPLEMENTARY MEMORANDUM NO. 2**

	<i>Estimated Reduction in Revenue Due to Tax Change 1943-1945 Biennium</i>	<i>Estimated Reduction in Revenue Two Full Fiscal Years at 1943-1945 Rate</i>	<i>Estimated Total Revenue After Allowing for Change in Tax 1943-1945 Biennium</i>
I. Assuming Continuation of Salary Limitation:			
Budget Estimate -----	\$71,400,000		
Increase Personal Exemptions from \$1,000 (single) and \$2,500 (married or head of family) to \$1,500 and \$3,500 respectively -----	\$13,950,000	\$17,300,000	\$57,450,000
Reduce Maximum Rate from 15% to 7% -----	2,625,000	3,250,000	68,775,000
25% Credit against the Amount of tax assessed ----	13,000,000	16,000,000	58,400,000
Increase Personal Exemptions to \$1,500 and \$3,500; Reduce Maximum Rate from 15% to 7%; and allow 25% credit against tax -----	25,600,000	31,900,000	45,800,000
II. Assuming No Salary Limitation:			
Estimated Revenue -----	\$78,500,000		
Increase Personal Exemptions from \$1,000 (single) and \$2,500 (married or head of family) to \$1,500 and \$3,500 respectively -----	\$14,100,000	\$17,500,000	\$64,400,000
Reduce Maximum Rate from 15% to 7% -----	4,700,000	5,875,000	73,800,000
25% Credit against the amount of tax assessed ----	14,750,000	18,200,000	63,750,000
Increase Personal Exemptions to \$1,500 and \$3,500; Reduce Maximum Rate from 15% to 7%; and allow 25% credit against tax -----	28,850,000	35,700,000	49,650,000

State Department of Finance
Division of Budgets and Accounts
March 5, 1943
W.R.C.:ME

**PERSONAL INCOME TAX EXAMPLES SHOWING PERCENTAGE OF SAVING TO TAXPAYERS FROM
VARIOUS AMENDMENTS TO INCOME TAX LAW, WITH PERCENTAGE OF SAVING ACCRUING
TO FEDERAL GOVERNMENT IN INCREASED FEDERAL TAXES** **Exhibit H-1**

Mar. 15, 1943]

ASSEMBLY JOURNAL

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Net income*	Under present law		A	B	C	D	Percentage of saving accruing to.							
	State tax	State and Federal	Highest rate 7%	Increase exemptions**	25% war credit	Combination A, B, & C								
			State and Federal	State and Federal	State and Federal	State and Federal	Tax-payer	Federal	Tax-payer	Federal	Tax-payer	Federal	Tax-payer	Federal
\$3,500 00	\$10 00	\$432 86	\$432 86	\$425 00†	\$430 91	\$425 00†	-----	-----	78 6	21 4	78 0	22 0	78 6	21 4
5,000 00	25 00	765 65	765 65	757 50	760 73	754 83	-----	-----	79 5	20 5	79 5	20 5	78 7	21 3
6,000 00	35 00	1,018 11	1,018 11	1,010 50	1,011 64	1,005 81	-----	-----	76 1	23 9	73 9	26 1	75 6	24 4
7,500 00	50 00	1,420 30	1,420 30	1,413 00	1,411 55	1,406 00	-----	-----	73 0	27 0	70 0	30 0	71 5	28 5
10,000 00	100 00	2,218 60	2,218 60	2,204 80	2,202 10	2,191 60	-----	-----	69 0	31 0	66 0	34 0	67 5	32 5
12,500 00	150 00	3,132 90	3,132 90	3,119 60	3,109 65	3,099 26	-----	-----	66 5	33 5	62 0	38 0	64 1	35 9
15,000 00	225 00	4,182 50	4,182 50	4,165 10	4,149 88	4,130 93	-----	-----	58 0	42 0	53 0	42 0	58 0	42 0
17,500 00	300 00	5,356 00	5,356 00	5,340 70	5,317 75	5,306 03	-----	-----	51 0	49 0	51 0	40 0	51 3	48 7
22,500 00	500 00	8,016 00	8,016 00	7,998 00	7,959 75	7,946 25	-----	-----	45 0	55 0	45 0	55 0	45 0	55 0
27,500 00	750 00	10,985 00	10,985 00	10,964 00	10,906 25	10,890 50	-----	-----	42 0	58 0	42 0	58 0	42 0	58 0
32,500 00	1,050 00	14,138 50	14,138 50	14,115 10	14,036 13	14,018 27	-----	-----	39 0	61 0	39 0	61 0	39 1	60 9
37,500 00	1,400 00	17,412 00	17,412 00	17,389 80	17,239 00	17,266 78	-----	-----	36 0	64 0	36 0	64 0	36 1	63 9
42,500 00	1,750 00	20,784 00	20,784 00	20,761 40	20,639 63	20,622 80	-----	-----	32 3	67 7	33 0	67 0	33 0	67 0
47,500 00	2,100 00	24,269 50	24,269 50	24,244 70	24,102 88	24,074 63	-----	-----	31 0	69 0	31 0	69 0	31 1	68 9
52,500 00	2,550 00	27,834 50	27,834 50	27,818 70	27,645 88	27,606 25	-----	-----	31 0	69 0	31 0	69 0	31 0	69 0
62,500 00	3,450 00	35,258 00	35,174 00	35,232 80	35,016 50	34,933 80	28 0	72 0	28 0	72 0	28 0	72 0	28 0	72 0
72,500 00	4,450 00	42,943 00	42,793 50	42,918 50	42,664 88	42,539 75	24 8	75 2	24 5	75 5	25 0	75 0	25 0	75 0
82,500 00	5,550 00	50,891 00	50,671 00	50,868 80	50,585 75	50,469 20	22 0	78 0	22 0	78 0	22 0	78 0	22 0	78 0
92,500 00	6,750 00	59,091 50	58,806 50	59,068 70	58,770 88	58,547 15	19 0	81 0	19 0	81 0	19 0	81 0	19 0	81 0
102,500 00	7,950 00	67,466 50	67,466 10	67,446 50	67,148 63	66,834 70	17 0	83 0	17 0	83 0	17 0	83 0	17 0	83 0
127,500 00	11,200 00	89,091 00	88,566 00	89,071 50	88,671 00	88,268 95	15 0	85 0	15 0	85 0	15 0	85 0	15 0	85 0
152,500 00	14,450 00	110,825 50	110,078 50	110,809 00	110,286 63	109,716 25	15 0	85 0	15 0	85 0	15 0	85 0	15 0	85 0
202,500 00	21,450 00	155,075 50	153,970 50	155,057 30	154,278 38	153,549 60	13 0	87 0	13 0	87 0	13 0	87 0	13 0	87 0
252,500 00	28,450 00	199,614 00	198,174 00	199,597 20	198,790 50	197,874 20	12 0	88 0	12 0	88 0	12 0	88 0	12 0	88 0
302,500 00	35,950 00	241,514 00	242,594 00	244,496 00	243,435 50	241,959 20	12 0	88 0	12 0	88 0	12 0	88 0	12 0	88 0
402,500 00	50,950 00	334,314 00	331,434 00	334,296 00	332,285 50	330,612 00	12 0	88 0	12 0	88 0	12 0	88 0	12 0	88 0
502,500 00	65,950 00	424,114 00	420,274 00	424,096 00	422,135 50	419,242 00	12 0	88 0	12 0	88 0	12 0	88 0	12 0	88 0
1,002,500 00	140,950 00	873,114 00	864,474 00	873,096 00	868,835 50	862,392 00	12 0	88 0	12 0	88 0	12 0	88 0	12 0	88 0

* The net income is before deduction of personal exemption. In each example we have assumed the individual to be a married person without dependents and a personal exemption of \$2,500 has been deducted in computing the State Tax (\$3,500 in Example B) and \$1,200 in computing the Federal Tax.

** Exemptions increased to \$1,500 and \$3,500.

† In these two cases the State Tax is wiped out in the first bracket.

Franchise Tax Commissioner
March 8, 1943
Committee Exhibit No. 7-e

COMPARISON OF INCOME TAX
UNDER VARIOUS STATE
AS OF JANUARY

State	Federal and State taxes deductible	Exemptions			Income tax rates on					
		Single	Married	Dependent	1st 1,000	2d 1,000	3d 1,000	4th 1,000	5th 1,000	6th 1,000
Alabama.....	Fed	\$1,500	\$3,000	\$300	1½	3	3	4½	4½	5 max.
Arizona.....	F & S	\$10 cr	\$20 cr	\$4 cr	1	1	1½	1½	2	2½
Arkansas.....	Fed	\$1,500	\$2,500	\$400	1	1	1	2	2	2
CALIFORNIA.....		\$1,000	\$2,500	\$400	1	1	1	1	1	2
Colorado.....	Fed	\$1,000	\$2,500	\$400	1	1	2	2	3	3
Delaware.....	Fed	\$1,000	\$2,000	\$200	1	1	1	2	2	2
District of Columbia.....		\$1,000	\$2,500	\$400	1	1	1	1	1	1½
Georgia.....	Fed	\$1,000	\$2,500	\$400	1	2	2	3	3	4
Idaho.....		\$700	\$1,500	\$200	1½	3	4	5	6	8 max
Iowa.....	Fed	\$10 cr	\$20 cr.	\$5 cr	1	2	3	4	5 max	5
Kansas.....	Fed	\$750	\$1,500	\$200	1	1	2	2½	2½	3
Kentucky.....	Fed	\$1,000	\$2,500	\$400	2	2	2	3	4	5 max
Louisiana.....	Fed	\$1,000	\$2,500	\$400	2	2	2	2	2	2
Maryland.....		\$1,000	\$2,500	\$400	2 % Flat	at Rate	2	2	2	2
Massachusetts.....	Fed	\$2,000	\$2,500	\$250	1½ % Flat	at Rate	1½	1½	1½	1½
Minnesota.....	Fed	\$10 cr	\$30 cr	\$5 cr	1	2	3	4	5	6
Mississippi.....		\$1,000	\$2,500	\$400	3	3	4	4	5	5
Missouri.....	Fed	\$1,000	\$2,000	\$200	1	1½	2	2½	2½	3
Montana.....	Fed	\$1,000	\$2,000	\$300	1	1	2	2	3	3
New Mexico.....	Fed	\$1,500	\$2,500	\$200	1	1	1	1	1	1
New York†.....		\$1,000	\$2,500	\$400	2	3	3	4	4	5
North Carolina.....		\$1,000	\$2,000	\$200	3	3	4	4	5	5
North Dakota.....	Fed	\$500	\$1,500	\$200	1	1	2	2	3	5
Oklahoma.....	F & S	\$850	\$1,700	\$300	1	2	3	4	5	6
Oregon.....	Fed	\$800	\$1,700	\$300	{2-500}	4	5	6	7 max	7
South Carolina.....		\$1,000	\$1,800	\$200	2	2	3	3	4	4
South Dakota.....	Fed	\$8 cr.	\$20 cr	\$4 cr	1	1	1	2	2	2
Utah.....	Fed	\$600	\$1,200	\$300	1	2	3	4	5 max	5
Vermont.....	F & S	\$1,000	\$2,000	\$250	2% Flat	Rate	2	2	2	2
Virginia.....	Fed	\$1,000	\$2,000	\$200	1½	1½	1½	2½	2½	3 max
West Virginia.....	Fed	\$1,000	\$2,000	\$300	1	2	3	4	5	5½
Wisconsin.....	*Fed	\$8 cr	\$17.50 cr.	\$4 cr	N	1	1½	2	2½	3
Number with higher rate than California.....					14	21	26	29	29	22
Number with lower or the same as California.....					17	10	5	2	2	9

† New York 1% emergency tax abolished in 1941; taxes on 1941 and 1942 returns reduced by 25%.
* Wisconsin Federal tax deduction limited to 3% of net income before deduction of Federal tax. State surtax imposed at 60% of normal tax and teachers retirement surtax at 1/6 normal tax on incomes over \$3,000.
Source: Franchise Tax Commission

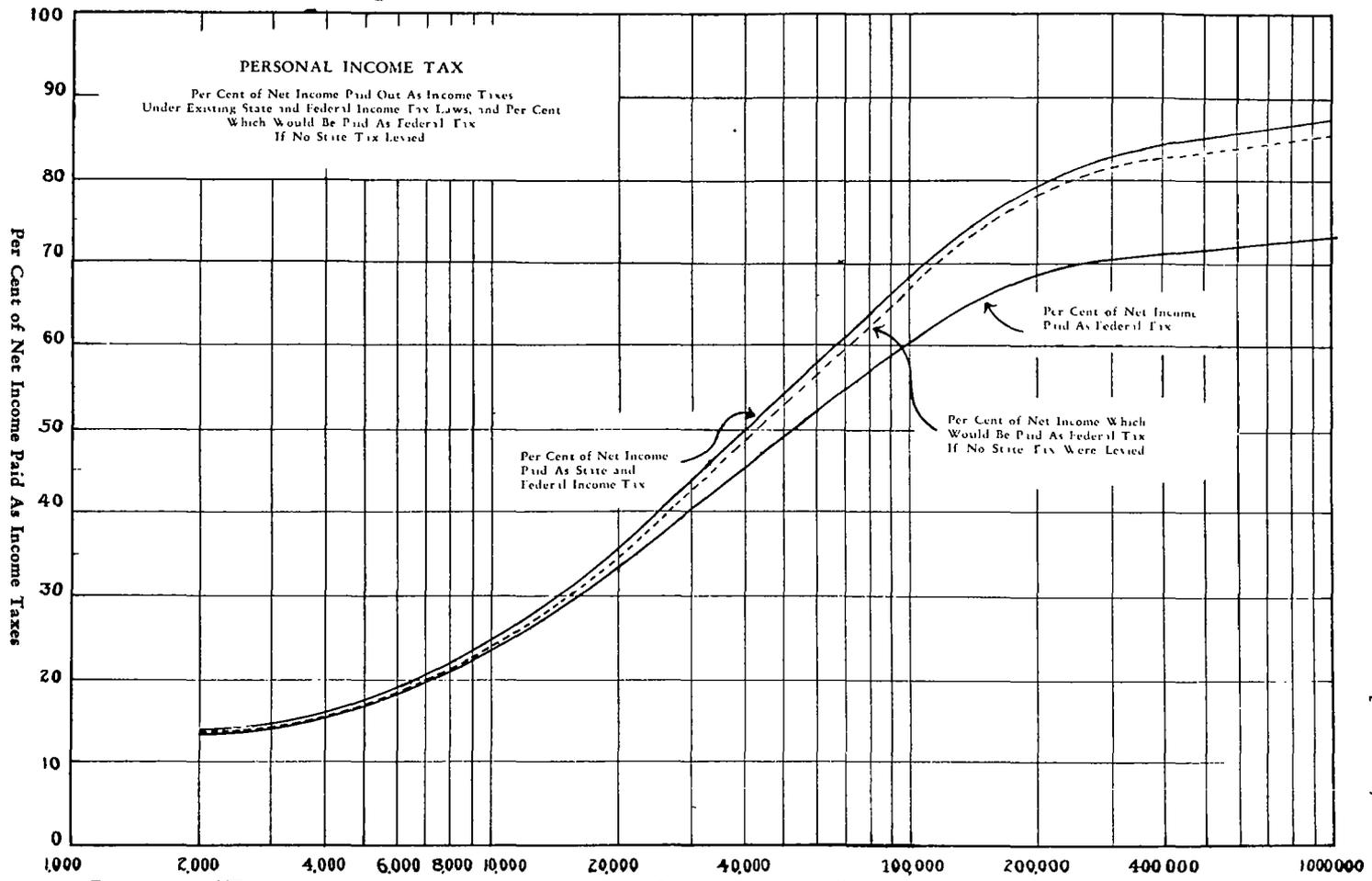
**RATES AND EXEMPTIONS
INCOME TAX LAWS**

1, 1943

Exhibit H-2

various income brackets

7th 1,000	8th 1,000	9th 1,000	10th 1,000	11th -15th 1,000	16th -20th 1,000	21st -25th 1,000	26th -30th 1,000	31st -40th 1,000	41st -50th 1,000	Over \$50,000
5 3 3	5 3½ 3	5 4 3	5 4½ 3	5 4½ 3-11th	5 4½ 4-12th -20th	5 4½ 4	5 4½ 5 5 max.	5 4½ 5	5 4½ 5	5 4½ 5
2	2	2	2	3	4	5	6	7	8	9% 50-60; 10% 60-70; 11% 70-80; 12% 80-100; 13% 100-150; 14% 150-250,000; 15% maximum over \$250,000
4 2 1½	4 2 1½	5 2 1½	5 2 1½	6 max 3 max. 2	6 3 2½	6 3 3 max.	6 3 3	6 3 3	6 3 3	6 3 3
4 8 5	5 8 5	5 8 5	5 8 5	6 8 5	6 8 5	7 max 8 5	7 8 5	7 8 5	7 8 5	7 8 5
3 5 2	4 max 5 2	4 5 2	4 5 2	4 5 4	4 5 4	4 5 4	4 5 4	4 5 4	4 5 4	4 5 6 max over \$50,000
2 1½ 6	2 1½ 7	2 1½ 7	2 1½ 8 to {9 to	2 1½ 12,500}	2 1½ 9	2 1½ 10 max	2 1½ 10	2 1½ 10	2 1½ 10	2 1½ 10
6 3 4 max.	6 3½ 4	7 3½ 4	7 4 max. 4	8 max. 4 4	8 4 4	8 4 4	8 4 4	8 4 4	8 4 4	8 4 4
1 5 6	1 6 6	1 6 6	1 7 max 6	2 7 7 max.	2 7 7	3 7 7	3 7 7	3 7 7	3 7 7	3 to 100,000, 4 max over 100,000
7½ 7 7	7½ 8 7	10 9 max 7	10 9 7	12½ 9 7	15 max. 9 7	15 9 7	15 9 7	15 9 7	15 9 7	15 9 7
5 max 2 5	5 3 5	5 3 5	5 3 5	5 3 5	5 4 5	5 4 5	5 4 5	5 4 5	5 4 5	5 5 to 140,000, 6 max over 140,000
2 3 6 max. 3½	2 3 6 4	2 3 6 4½	2 3 6 5	2 3 6 5½ 11th 12th	2 3 6 7 max.	2 3 6 over	2 3 6 12,000	2 3 6 7	2 3 6 7	2 3 6 7
23 8	24 7	24 7	24 7	23 8	18 13	11 20	9 22	5 26	3 28	2-1 29-30



Department of Finance
 Division of Budgets and Account
 Committee Exhibit No. 4-c, page 1

Annual Net Income In Dollars

Exhibit H-3

Exhibit I

**BANK AND CORPORATION FRANCHISE TAX* ESTIMATED
EFFECT OF A 25% CREDIT AGAINST TAX
1943-1945 BIENNIUM**

Budget Estimate, 1943-1945 biennium-----	\$103,000,000
Reduction in revenue, 1943-1945 biennium allowing 25% credit against tax-----	17,550,000
Estimated total revenue after allowing for change in tax, 1943-1945 biennium -----	85,450,000

* Includes the Corporation Income Tax

State Department of Finance
Division of Budgets and Accounts
February 28, 1943
WRC

Committee Exhibit No. 4
Supplement to page 2

Excerpts From

**TESTIMONY RELATING TO TAXATION OF BANKS UNDER THE
BANK AND CORPORATION FRANCHISE TAX ACT**

Exhibit I-1

Mr. Edward D. Landels
California Bankers Association
and
Mr. James J. Arditto
Franchise Tax Counsel

Mr. Landels: * * * Under that enactment (the bank and corporation franchise tax act), the Franchise Tax Commissioner is empowered to compute, as best he can each year, the amount of taxes paid by other corporations—all kinds of corporations—in the form of personal property taxes, and determine the ratio which such personal property taxes bear to the net income of other corporations. That ratio, translated into terms of percentage of net income, is the additional rate which is imposed on banks.

* * * At the time that scheme was adopted, the banks protested both on the ground it was illegal and on the ground it violated every canon of taxation to tax any person on the basis of the amount of personal property owned by somebody else and, under that scheme, the factors upon which the bank rate is fixed, are factors over which the banks have no control, and factors which bear no relation whatever to the banks' ability to pay, and they bear no relation either to the amount or the value of the property owned by the banks. They bear relation only to the amount of property owned by other corporations and the net income of other corporations.

* * * Now, understand, not only do we take the position, but we have taken the position consistently, that it is an unfair method of taxing banks and an inequitable one, which we can evidence with abundant proof; it is a scheme which, in effect, is unreliable in practice.

I suggested to Mr. Beebe that the Franchise Tax Commissioner's office be represented today by Mr. Arditto, its counsel, and he has cer-

tain things he would like to explain. Now, as to the amount of tax collected, there is no way by which the Franchise Tax Commissioner can determine with any degree of accuracy the amount of personal property taxes paid by other corporations. The commissioner is compelled, in an attempt to carry out his duties under the formula, to ascertain from other corporations in the form of a questionnaire attached to the income tax return, the amount of personal property tax paid. In a great many cases it doesn't make a particle of difference whether personal property is assessed as personal property or real property, and the assessors in many cases are not particularly careful to distinguish between what is real property and what is personal property, and in the counties in which it does make a difference it is to the interest of the taxpayer to have as much of his property listed as personal property and assessed as personal property, as possible. Now, the more property that is assessed as personal property, the more advantageous it is to him. While the banks are not permitted under the law, to see the returns upon which their rate is based, or to see the answers to the questionnaires on which their rate is based, the evidence disclosed in the hearings before the Franchise Tax Commissioner in 1941 and 1942 which any of you can read if you want—it comprises several volumes—shows, I think, beyond any question, that a great many of the corporations, and particularly those whose returns most vitally affect the banks' rate, make no attempt whatever to distinguish the personal property taxes from mineral rights, improvements and fixtures, particularly in the case of mineral rights. In 1941, we found only a few companies which distinguished between personal property tax and the tax on mineral rights, and the rate fixed by Congress for oil companies was very high. I know of one case where the Franchise Tax Commissioner was compelled from the very nature of the questionnaire, to rely on what information he could receive therefrom. I think many who read the hearings before the Franchise Tax Commissioner were convinced that the formula is impossible of application with any reasonable degree of accuracy.

Now, ladies and gentlemen, the banks are being taxed for the remainder of the duration, not on what rate was fixed by the Legislature, not even a rate fixed by the Franchise Tax Commissioner, but in effect a rate fixed by answers to questionnaires of third parties which we have no opportunity to examine; and the rate must, of necessity, be fixed by the Franchise Tax Commissioner each year before the returns of most corporations are even audited.

The position of the banks and building and loan associations is that any such method of taxation is in its very nature inequitable and unfair. The only reason advanced, or that can be advanced why banks should pay a higher rate of franchise tax than other corporations, is the fact that under Acts of Congress they can not be taxed upon their personal property.

Now, we assume, without conceding at all that an additional rate is at variance with Section 5219 of the Revised Statutes, and it is a question which can only be settled by the court—it is the position of the banks that any such high rate should bear some relation as close or equal as possible to the amount of the personal property tax which the banks would pay if they could be taxed on their personal property—not upon the amount of personal property owned by a department store

or an oil company. Data prepared by the banks, assisted by a firm of certified public accountants, discloses that if the banks were taxed upon their tangible personal property, they would pay, in relation to their net income, a return of somewhere between one-half of 1 per cent and 1 per cent. For the year 1941 it would have been slightly under one-half of 1 per cent. Naturally, as income goes down the rate would rise correspondingly, but I think I am safe in saying the rate would normally exceed 1 per cent. Therefore, if an additional rate is to be imposed on banks to offset the fact that they are relieved of taxes on their personal property, it is our position—and I think one which you must consider, and anybody that wants to be fair, even to a bank—that the rate shouldn't exceed what we would pay if the State was in a position to tax our personal property. Now, I stress tangible personal property because I don't think anyone believes that cash in the bank vault should be taxed. * * *

Mr. Arditto: * * * if we didn't have Section 5219 to contend with, we could settle this question without much controversy. We would levy the same tax against a bank as we would any other corporation in the State. Of course, it is not the purpose or function of our office to delve into broad State tax policy. We want to make that clear. We realize, too, there are certain difficulties in amending Section 4a (of the Bank and Corporation Franchise Tax Act). We do know, at least we feel, that in the Tradesman case which was decided by the United States Supreme Court about two years ago, that Section 4a would be held to be constitutional, that is to say, insofar as Section 5219 (of the Revised Statutes) is involved. We would like to see this problem solved in some manner, but there are objections of having a flat rate on both. I think it clearly discriminates in favor of ordinary corporations. Such a plan would give banks a break against ordinary corporations. That is the objection to it. In other words, I think a committee like this is not particularly interested in tax equalization proposals—but you are entitled to make requests for tax equalization and tax reduction on the framework of the statutes and our Constitution. * * *

Mr. Patterson: Mr. Landels stated this morning that to ascertain the amount of personal property that was owned by these various corporations, was quite a difficult thing to do. What is your proposal for practical administration?

Mr. Arditto: There are two factors in the formula. We have the personal property tax on property and net income earned by corporations in the State. Ordinarily corporations file their returns—take this year—by March 15, 1943, and by December 31st we have to fix the rate.

Now, we have 28,000 corporations. We are behind in our auditing. I think we are up to 1939 or 1940. We fix the rates without taking into consideration adjustments we know are going to be made in future years. For instance, in 1944 we may levy an assessment against X corporation for \$100. Mr. Landels and his people say that should be taken into consideration. Of course, one of the answers we

have to that is it should be, and if you claim refund when you get that information, they will grant the refund.

Take the other side of the question. In instances you have various types of personal property throughout the State. Take fixtures, go from county to county—I am not speaking of any particular county, just using it as an example—one county might assess as personal property that table, and another assess it as an improvement. It appears on the rolls in one county as one thing, and something else in another. That is what we get into.

Take the bank's large wooden doors, that is personal property and could be taxed as personal property. Then also you have the bank vault doors. Some assessors might assess them as real property and some as personal property. Then, take for example, a power line—some county might assess that as real property and the Board of Equalization might assess it as personal property. What is our office going to do? There are 58 counties and one county might assess a particular item as real property and another as personal property. We would run up against the same proposition in fixing a flat rate, with an offset to which ordinary corporations would be entitled.

I think the committee could make a great deal more study on this problem than just sitting down and letting the counties take whatever position they might take on this question. I do believe the problem should be given consideration. I think this committee could well consider a recommendation that this be given consideration.

Los Angeles, California, February 12, 1943
Transcript of Committee Proceedings, pages 27-43

Exhibit J

ESTIMATED ADDITIONAL COST TO STATE GOVERNMENT OF TEMPORARILY TRANSFERRING ONE-HALF COUNTIES' SHARE OF AID TO NEEDY AGED TO THE STATE GENERAL FUND

1943-1945 BIENNIUM

	<i>Budget Estimate of Expenditures Under Present Law, 1943-1945</i>	<i>Estimated Expenditures Under Proposed Transfer</i>	<i>Increase or Decrease</i>
State's share -----	\$32,733,050	\$48,914,719	\$+16,181,669
Counties' share -----	32,363,337	16,181,668	—16,181,669
Federal share -----	64,856,388	64,856,388	--
Totals-----	\$129,952,775	\$129,952,775	--

State Department of Finance
Division of Budgets and Accounts
March 8, 1943.

*Excerpts From***TESTIMONY RELATING TO PROBLEM OF COUNTIES IN
FINANCING SHARE OF COST OF AID TO NEEDY AGED****Exhibit J-1**

Mr. Beach Vasey

Deputy County Counsel of Los Angeles County

Mr. Vasey: I am Deputy County Counsel of Los Angeles County, but today I am here at the instigation of the County Supervisors' Association of the State of California merely to acquaint the members of this committee with the action that was taken yesterday by that group on one matter that vitally affects the general property tax in the various counties. The supervisors, of course, are directly in touch and directly and very vitally interested in the general property tax rate, and they have been seeking some means of keeping this general property tax in their counties from growing beyond the power of the general property taxpayers to bear, and in line with that policy they have decided at that convention, which just closed today, upon asking the Legislature to assist the general property taxpayer in this manner. One of the fastest growing elements in the general property tax rate has been the aged aid portion of their tax rate, and you know the proportion which is being paid now by the counties and the State; and they are asking the State to assume a larger portion of the aged aid cost, and they adopted this policy in that connection. They are going to ask the State Legislature to change the State's portion of the aged aid cost so that counties, instead of paying 50 per cent of the portion now left for the State and county together to pay, they are going to ask that the State assume a larger portion, so that the counties' portion will be 25 per cent rather than 50 per cent, as contrasted, of course, with the Federal Government's 50 per cent, with a top of \$5 per case, and they have asked me to acquaint this committee with that action and program on their part. They have also handed to me a set of figures prepared by the officials of San Joaquin County, which gives for each county in the State the total amount that is now being paid both for direct aged aid and the administrative costs and the tax rate which that means for each county in the State, in order that you may have this information for any use you may desire to make of it.

(See Exhibit J-2)

Sacramento, California, February 26, 1943

Transcript of Committee Proceedings, page 24

DIFFERENCES IN TAXES LEVIED IN COUNTIES OF CALIFORNIA FOR FINANCING SHARE OF COST OF AID TO NEEDY AGED, AND ADMINISTRATION THEREOF

	Total assessed valuation 1942	Amount it will raise	Total County Share O A S	Amount raised per \$100 for O A S County Share	County Share O A S administration	Amount raised per \$100 for O A S administration, County Share	Amount raised per \$100 for O A S and O A S administration, County Share
Los Angeles.....	\$2,748,430,351 00	\$274,843 00	\$7,245,881 32	\$ 2636	\$877,209 07	\$ 0319	\$ 2955
San Francisco.....	381,544,267 00	33,154 00	1,312,154 37	1578	144,808 91	0174	1752
Alameda.....	479,148,322 00	47,014 00	899,681 95	1877	139,068 50	0290	2167
San Diego.....	265,760,793 00	26,576 00	872,667 39	3293	135,534 35	0509	3792
Fresno.....	297,877,470 00	29,787 00	408,251 60	1370	28,380 32	0095	1465
Santa Clara.....	174,177,270 00	17,417 00	418,763 58	2404	36,205 91	0207	2611
Sacramento.....	169,970,085 00	16,697 00	425,979 05	2551	18,083 48	0108	2659
San Bernardino.....	152,035,650 00	15,203 00	543,036 57	3571	45,632 58	0300	3871
Kern.....	298,449,800 00	29,844 00	228,144 16	0764	42,418 34	0142	0906
San Joaquin.....	137,404,905 00	13,740 00	304,102 22	2213	31,215 25	0227	2440
Orange.....	195,677,345 00	19,567 00	355,605 30	1817	39,227 81	0200	2017
San Mateo.....	132,353,035 00	13,235 00	127,892 83	0966	7,671 64	0058	1024
Tulare.....	98,910,245 00	9,891 00	243,751 86	2464	13,282 42	0134	2598
Riverside.....	94,033,530 00	9,403 00	371,256 75	3948	25,809 39	0274	4222
Contra Costa.....	151,628,375 00	15,162 00	114,758 19	0756	12,040 98	0080	0536
Stanislaus.....	70,768,345 00	7,076 00	201,368 50	2845	13,814 91	0196	3041
Monterey.....	101,475,801 00	10,147 00	115,343 57	1136	14,478 75	0107	1243
Santa Barbara.....	116,531,160 00	11,653 00	158,311 67	1358	15,924 16	0137	1495
Ventura.....	104,077,411 00	10,497 00	152,080 48	1448	9,105 99	0087	1535
Sonoma.....	68,967,337 00	6,896 00	257,303 09	3731	11,080 52	0160	3891
Imperial.....	38,184,371 00	3,818 00	63,755 95	1669	4,996 02	0130	1799
Marin.....	51,730,134 00	5,173 00	79,045 16	1528	11,942 82	0230	1758
Solano.....	48,653,979 00	4,865 00	56,307 57	1157	5,171 96	0106	1263
Merced.....	54,675,090 00	5,467 00	88,804 83	1624	8,194 66	0149	1773
Humboldt.....	47,146,175 00	4,714 00	167,037 12	3543	17,014 79	0360	3903
Santa Cruz.....	38,791,083 00	3,879 00	221,380 60	5707	295 32	0007	5714
Butte.....	46,163,045 00	4,616 00	213,020 26	4614	3,242 75	0070	4684
Kings.....	92,921,385 00	9,292 00	65,167 29	0701	5,539 78	0059	0760
San Luis Obispo.....	43,069,432 00	4,366 00	120,616 63	2762	18,672 88	0427	3189
Shasta.....	38,198,657 00	3,819 00	75,165 21	1968	726 78	0019	1987

Siskiyou.....	28,027,170 00	2,802 00	84,573 84	3018	4,263 00	.0152	3170
Napa.....	25,982,225 00	2,598 00	72,931 01	2807	7,813 85	0300	3107
Placer.....	37,607,416 00	3,760 00	73,862 22	1984	2,061 29	0055	2019
Mendocino.....	25,183,178 00	2,518 00	103,573 79	4113	10,706 28	0425	4538
Yolo.....	39,188,324 00	3,918 00	88,346 80	2254	3,299 56	0084	2388
Madera.....	31,294,959 00	3,129 00	72,175 32	2306	12,899 05	0412	2718
Nevada.....	18,362,255 00	1,836 00	55,537 33	3024	1,963 34	0106	3130
Sutter.....	25,591,769 00	2,559 00	55,586 67	2172	1,981 81	0077	2249
Yuba.....	19,965,295 00	1,996 00	65,066 43	3259	6,429 10	0322	3581
Lassen.....	16,243,515 00	1,624 00	27,367 58	1685	1,302 60	0080	1765
Tehama.....	20,692,155 00	2,069 00	63,150 38	3052	1,663 76	0080	3132
El Dorado.....	16,116,183 00	1,611 00	49,522 41	3073	1,956 97	0121	3184
Glenn.....	21,270,570 00	2,127 00	50,927 00	2394	189 45	0009	2403
Plumas.....	23,944,675 00	2,394 00	26,177 82	1093	1,946 93	0081	1174
San Benito.....	15,685,710 00	1,568 00	25,705 25	1630	1,084 62	0069	1708
Tuolumne.....	15,538,785 00	1,553 00	51,409 52	3310	3,220 04	0207	3517
Colusa.....	20,977,490 00	2,097 00	38,039 00	1813	209 95	0010	1823
Amador.....	16,871,005 00	1,637 00	26,203 75	1553	721 32	0043	1596
Modoc.....	12,840,115 00	1,284 00	27,001 19	2102	1,922 34	0149	2251
Calaveras.....	11,577,950 00	1,157 00	29,442 29	2544	1,586 83	0137	2681
Lake.....	9,517,914 00	951 00	46,464 33	4885	3,504 77	0368	5253
Inyo.....	16,070,657 00	1,607 00	26,517 53	1650	1,804 38	0112	1762
Mariposa.....	5,146,626 00	514 00	26,239 55	5104	3,241 20	0630	5734
Del Norte.....	4,853,710 00	485 00	26,796 38	5524	2,490 01	0513	6037
Trinity.....	3,540,690 00	354 00	27,362 90	7729	904 93	0255	7084
Sierra.....	3,024,525 00	302 00	9,797 95	3244	1,440 05	0476	3720
Mono.....	5,859,420 00	585 00	7,040 39	1203	861 39	0147	1350
Alpine.....	1,437,338 00	143 00	1,757 25	1223	449 56	0313	1541
Totals.....	\$7,679,695,370 00		\$17,165,220 05		\$1,818,707 41		

Tabulation presented by
California State Supervisors' Association
February 26, 1943

Committee Exhibit No. 49

Exhibit K

**CITY REVENUES FOR FISCAL YEARS 1932-33 TO
1941-42, INCLUSIVE***

Year	Property taxes	Revenue other than taxes†	State subventions	Total'
1932-33.....	\$79,303,155	\$23,233,999	\$315,983	\$102,853,137
1933-34.....	77,075,792	21,232,237	3,771,529	102,079,558
1934-35.....	79,468,182	16,603,305	4,441,126	100,512,613
1935-36.....	84,914,488	18,874,493	9,023,642	112,812,623
1936-37.....	85,038,330	21,404,250	11,853,444	118,326,024
1937-38.....	86,245,541	21,587,441	11,998,789	119,831,771
1938-39.....	90,458,949	24,036,048	12,375,166	126,870,163
1939-40.....	89,254,038	24,863,802	13,183,035	127,300,875
1940-41.....	90,579,303	26,565,604	14,703,348	131,848,255
1941-42.....	*88,085,000	†28,250,000	16,146,510	132,481,510

* Excluding San Francisco tax levy and subventions for school purposes, and subventions for county welfare and road purposes

† Estimated from partial data

‡ For detail, see **Tax Digest**, February, 1943, page 67

Source California Taxpayers' Association

Committee Exhibit No. 37, Table 41-A, page 128A

Exhibit L

**COUNTY REVENUES FOR THE FISCAL YEARS 1932-33
TO 1941-42, INCLUSIVE**

Year ending June 30	Property taxes	Revenues other than taxes	Subventions (State)	Total	Subventions (Federal)	Grand total
1933.....	\$61,831,573	\$12,626,587	\$20,122,904	\$94,581,064	\$74,702	\$94,655,766
1934.....	68,351,178	13,020,985	20,257,254	101,629,417	55,290	101,684,707
1935.....	65,150,992	9,473,322	22,247,521	96,871,735	65,648	96,937,383
1936.....	72,947,438	8,430,603	22,768,260	104,146,301	254,912	104,401,213
1937.....	74,622,572	9,339,861	27,688,643	111,651,076	9,406,500	121,057,576
1938.....	87,211,776	9,845,712	45,592,683	142,650,171	25,284,222	167,934,393
1939.....	88,057,897	10,274,527	46,653,573	144,985,997	24,702,836	169,688,833
1940.....	94,744,058	11,115,205	44,757,333	150,616,599	31,557,954	182,174,553
1941.....	94,849,786	11,814,857	50,039,110	156,703,753	40,791,611	197,495,364
1942.....	98,781,090	12,726,950	54,538,381	166,046,421	40,986,240	207,032,661

Source California Taxpayers' Association

Committee Exhibit No. 37, Table 28-A, page 109A

Exhibit M

**REVENUES OF CALIFORNIA SCHOOL DISTRICTS FOR THE
FISCAL YEARS 1931-32 TO 1941-42, INCLUSIVE**

Year ending June 30	Property tax collections			Revenue other than taxes	Subventions		Grand total
	County	School district	Total		State	Federal	
1932.....	\$36,366,492	\$81,219,797	\$117,586,289	\$3,563,513	(\$29,590,994)		\$150,740,796
1933.....	34,468,952	64,877,548	99,346,500	2,867,561	\$29,878,726	\$903,699	132,996,486
1934.....	1,359,228	61,975,755	63,334,983	2,963,000	69,158,814	896,633	136,353,430
1935.....	2,848,576	60,813,801	63,662,377	4,075,000	69,968,428	1,068,166	138,773,971
1936.....	2,469,326	74,085,870	76,555,196	3,023,542	68,616,070	1,300,295	149,495,103
1937.....	1,894,738	78,005,604	79,900,342	4,559,799	69,679,174	1,339,496	155,478,811
1938.....	1,631,994	93,973,545	95,605,539	3,714,645	71,149,448	1,873,225	172,342,857
1939.....	1,911,483	96,120,316	98,031,799	3,089,344	73,599,804	2,194,740	176,914,687
1940.....	1,283,381	102,052,206	103,335,587	2,781,255	76,104,939	1,902,025	184,123,806
1941.....	1,202,467	104,237,631	105,440,098	2,735,717	77,210,883	1,749,320	187,136,018
1942.....	770,236	111,180,855	111,951,091	3,299,313	78,499,971	1,698,629	195,449,004

Source California Taxpayers' Association

Committee Exhibit No. 37, Table 45-A, page 139A

RECESS

At 12.40 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus, at the desk.

LEAVE OF ABSENCE

The following member was granted leave of absence for the balance of this legislative day:

Mr. Burkhalter, on motion of Mr. Debs.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 12, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 27

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 27—Relative to Reports of the Department Encampment and the Annual Convention of the United Spanish-American War Veterans.

Request for Unanimous Consent

Mr. Crichton asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 27, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 27

Senate Concurrent Resolution No. 27—Relative to Reports of the Department Encampment and the Annual Convention of the United Spanish-American War Veterans.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hastain, Hawkins, Hollibaugh, Kellems, Kilpatrick, Knight, John B., Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—51.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Messrs Potter and Call:

House Resolution No. 123

Relative to Lieutenant James Whittaker

WHEREAS, The American people have been deeply moved by the heroism and fortitude displayed by Captain Eddie Rickenbacker and others with him while adrift

for 21 days in rubber life rafts after their plane was forced down in the Pacific; and WHEREAS, Lieutenant James Whittaker of Burlingame, California, was copilot of the lost plane, and one of the survivors whose conduct during the crash and the terrible days following won high praise from Captain Rickenbacker and is a source of pride to his fellow Californians; and

WHEREAS, Lieutenant Whittaker is well qualified to speak not only of the tragic adventures of those in the lost plane but to report upon the inspiring conduct of our soldiers who have died or are valiantly fighting both the enemy and the ravages of the Tropics throughout our island battle line; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly extends to Lieutenant James Whittaker a cordial and urgent invitation to address this Assembly at a time convenient to him during the present session of the California Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to Lieutenant Whittaker inviting him to address this Assembly, and to Lieutenant Whittaker's commanding officer requesting him to grant Lieutenant Whittaker leave to address this Assembly; and be it further

Resolved, That when a date for such address is determined, the Chief Clerk of the Assembly is directed to invite the members of the Senate of the State of California to be the guests of this Assembly in the Assembly Chamber at the time of such address.

Request for Unanimous Consent

Mr. Potter asked for, and was granted, unanimous consent to take up House Resolution No. 123, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Doyle:

House Resolution No. 124

Resolved by the Assembly of the State of California, That a committee consisting of Honorable Charles W. Lyon, Speaker of the Assembly, Honorable Thomas A. Maloney, Speaker pro tempore, and Honorable Mrs. Kathryn T. Niehouse, Assemblywoman, be appointed as a delegation to attend any public reception or gathering to be held in San Francisco in the near future in honor of Madame Chiang Kai-shek.

Request for Unanimous Consent

Mr. Doyle asked for, and was granted, unanimous consent to take up House Resolution No. 124, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Hastain:

House Resolution No. 125

WHEREAS, Secretary of Agriculture Wickard at a meat conference between the California Congressional Delegation, Secretary Wickard and Prentiss M. Brown, Administrator of the Office of Price Administration, held in Washington, February 10, 1943, stated that "there are more animals being produced in this Country than ever before and the same is true of poultry. Production is going up steadily in pork"; and

WHEREAS, The Honorable Secretary of Agriculture stated that lease-lend and military requirements for 1943 would amount to approximately 8½ billion pounds of meat and that the estimated meat production for 1943 would be approximately 25 billion pounds; and

WHEREAS, The United States Department of Agriculture through its Bureau of Agricultural Economics in a document entitled "The National Food Situation" published in January of 1943 stated as follows:

"Assuming that the 1943 goals for meat production will be reached, the quantity of meat available for civilian consumption during the entire year may be about 138 pounds per capita (dressed weight). This quantity is greater than the average of other recent years and is equivalent to an average of about 2½ pounds (retail weight) per person per week. But in view of the large civilian demands for meat at the prevailing ceilings, meat rationing will be necessary to insure equitable distribution of this supply. Plans are now under way for such a program."

WHEREAS, It appears by the latest releases from Washington that the meat supply will exceed the estimate of the Secretary of Agriculture by approximately 1½ billion pounds, and that the requirement for military forces and lease-lend will

increase in approximate ratio to the increase in total estimated meat production; and

WHEREAS, Other news releases indicate that the civilian allotment of meat under the rationing system to be instituted on April 1, 1943, will average about 1½ pounds of meat per person per week which is about 30 per cent less than January estimates; and

WHEREAS, Testimony before investigating committees of this Legislature demonstrates that the war effort is impeded by a lack of meat for the civilian population and by the uncertainty caused by the multifarious and conflicting statements of Federal agencies having jurisdiction of the problems relating to the food supply of this Nation; now, therefore, be it

Resolved by the Assembly of the State of California, That the Honorable Claude Wickard, Secretary of Agriculture, be and he is hereby respectfully requested to announce authoritatively to the people of this Nation the amount of meat that they may reasonably expect to receive under rationing and if it is less than the 2½ pounds per person per week that his department predicted in January would be available, to explain to the people of this State the necessity for the required reduction.

Request for Unanimous Consent

Mr. Hastain asked for, and was granted, unanimous consent to take up House Resolution No. 125, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Thomas:

House Resolution No. 126

WHEREAS, Sequoia was an outstanding man and an intelligent leader of the Cherokee Indian Nation, whose efforts were directed to the enlightenment and education of his people to the betterment of their living conditions, and who sponsored and fostered their cooperation with their white brethren; and

WHEREAS, His claim to fame rests on his development of a Cherokee alphabet, so simple that the Cherokee Indians were able to learn to read and write their language in a matter of days, and so powerful that within a span of a few brief years made it possible for an entire Indian nation to communicate the first time by written words. It was this alphabet that opened the doors to the white man's knowledge and made of the Cherokee Indians a civilized people, abandoning the chase and the warpath to literally "beat their tomahawks into plowshares, and their scalping knives into pruning hooks"; and

WHEREAS, No other native son of this United States is more deserving to be honored and cherished in memory by the people of the United States; now, therefore, be it

Resolved by the Assembly of the State of California, That a liberty ship be christened the "Sequoia" or "Sequoyah," as the United States Maritime Commission may decide proper, as a token of our esteem and appreciation to the memory of this great Indian; and be it further

Resolved, That the Clerk of the Assembly be directed to transmit copies of this resolution to the United States Maritime Commission, to Honorable Cecil R. King, Member of the House of Representatives at Washington, D. C. and to Sequoia Tribe No. 140 of the Improved Order of Redmen.

Request for Unanimous Consent

Mr. Thomas asked for, and was granted, unanimous consent to take up House Resolution No. 126, at this time, without reference to committee.

Resolution read and adopted.

APPOINTMENT TO STANDING COMMITTEE

The Speaker announced the following appointment to standing committee, vice Hon. Fred N. Howser, resigned:

Committee on Fish and Game—George D. Collins.

**NOTICE OF MOTION TO RECONSIDER ASSEMBLY JOINT
RESOLUTION NO. 31 WAIVED**

Mr. Hawkins waived his notice of motion to reconsider the vote whereby Assembly Joint Resolution No. 31 was refused adoption.

PARLIAMENTARY INQUIRY

Mr. Sargent arose and inquired if the notice of motion to reconsider Assembly Joint Resolution No. 31 was the property of the House.

Statement by the Speaker

The Speaker stated that the notice of motion to reconsider Assembly Joint Resolution No. 31 was the property of the Assembly.

**MOTION TO CONTINUE RECONSIDERATION OF ASSEMBLY
JOINT RESOLUTION NO. 31**

Mr. Sargent moved that the reconsideration of Assembly Joint Resolution No. 31 be continued to the next legislative day.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 385—An act to amend the title and Sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act providing for the creation of county treasurers' cash difference funds and overage funds in the counties of the State," approved April 23, 1941, relating to county officers' cash difference funds and overage funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 525—An act to amend the title of, and Section 1 of an act entitled "An act providing for the creation of revolving funds in the counties of the State," approved May 9, 1923, as amended, relating to revolving funds in the counties and townships of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heringer, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 201—An act to add Sections 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, and 1661 of Article 3 of Chapter 1 of Part 6 of Division 2 of the Labor Code, relating to artists' managers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 15, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 39

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered enrolled.

COMMUNICATIONS

By Speaker Lyon:

A communication from James M. Hyde, relative to suggested solution to the milk price problem, was received, read, and ordered referred to the Committee on Agriculture.

Also:

The following communication was received, read, and ordered printed in the Journal:

Norman S. Buchanan, OPA Office

Furniture Mart Building, San Francisco, California

Four distributors out of twenty-five left in Imperial Valley. These have decided to quit, unless OPA raises ceiling price. Losing money and unable to continue under present ceilings. This will leave Imperial Valley cities in a hell of a fix for milk—when this happens, suggest you come down here to live. Looks as if OPA is trying to drive all dairy cattle to slaughterhouse. Many cows already slaughtered as result of blundering. Dairymen demanding relief.

CHARLES E. NICE, Secretary

Brawley Chamber of Commerce

Referred to Committee on Agriculture.

APPROVAL OF JOURNALS

On motion of Mr. Sam L. Collins, the Journals of Monday, March 8, 1943; Tuesday, March 9, 1943; Wednesday, March 10, 1943; Thursday, March 11, 1943; and Friday, March 12, 1943, were approved as corrected by the Minute Clerk.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Otto Steiner of Stockton.

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Raymond Haight, former Corporation Commissioner, and Gordon Campbell of Los Angeles.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Corporal Joseph Goodwin, Philadelphia, Pa., Private First Class Thomas Karis, Springfield, Mass., and Private First Class Louis Cappucci of Boston, Mass., now on leave from the 309th Coast Artillery.

On request of Mr. Lyons, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private Michael J. Greeley, Jr., of Los Angeles, 91st Signal Corps., McClellan Field.

On request of Mr. Hastain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mayor and Mrs. Elmer Sears of Brawley.

ADJOURNMENT

At 3 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, March 16, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-NINTH LEGISLATIVE DAY
SEVENTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 16, 1943

The Assembly met at 10 a.m.
Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Our Heavenly Father, we seek Thy presence through the ever open gateway of prayer. With a shepherd's tender care. Thou hast led us into green pastures and watched over us beside still waters. With each returning new day Thou dost restore our souls with an abundance of Thy care and mercy. Fill our hearts with gratitude for health and strength; for our homes and loved ones; for our Nation and our opportunities of service.

"Dear Lord and Father of mankind,
Forgive our feverish ways,
Reclothe us in our rightful mind;
In purer lives Thy service find,
In deeper reverence, praise."

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Haggerty.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day :

Mr. Thurman, on motion of Mr. Doyle.

MOTION TO EXCUSE MEMBER

Mr. Dickey moved that Mr. Guthrie be excused for the balance of the legislative week because of illness.

Motion carried.

COMMUNICATIONS

By Speaker Lyon :

A communication from Malcolm P. Murphy, President, Northern Section, California State Teachers Association, relative to asking Col. M. Thomas Tchou, former secretary to Generalissimo Chiang Kai-shek, to speak before the Assembly on March 22d, was received, and ordered referred to the Committee on Rules and House Functions

Also :

A resolution from the Associated Farmers, District No. 5, relative to the Legislature taking steps to continue the Joint Fact-Finding Interim Committee created by Senate Concurrent Resolution No. 13; a copy of a telegram sent to the California Congressional Delegation from the Associated Farmers, relative to "bureaucratic" farming in San Joaquin Valley brought about by the planting of guayule; and a resolution from the farm organization, relative to the importation of Mexican workers, were received and read.

Mr. Crichton moved that the above communications be referred to the Committee on Agriculture.

Mr. Clarke seconded the motion.

Motion carried.

Also :

The following communication was received, read, and ordered printed in the *Journal* :

WESTERN MINING COUNCIL,
AUBURN, CALIFORNIA, March 15, 1943

*Mr. Charles Lyon, Speaker
Assembly Chamber, Capitol, Sacramento, California*

DEAR MR LYON: Would like to have you announce the Sacramento meeting of our council, an affiliation of all Northern California mining associations, to be held this Tuesday evening, March 16th, 8 o'clock

We will need the assistance of Legislators to go into the matter of a number of mining bills that have been introduced

We would also like you to announce that Senator Scrugham of Nevada has been made chairman of a subcommittee on the United States Senate Committee to Investigate Small Business. His subcommittee will handle mining and he will be in California some time in April. His main objective will be to find out why the small mine operator is not participating in the mining of strategic minerals for the war effort, or why he is not being given an opportunity to do so. Our council has been asked to arrange his itinerary in Northern California and we would like the cooperation of Assembly Members in seeing that Senator Scrugham gets the information he wants. This matter will be on our program at the Sacramento meeting.

We understand that on the same evening (Tuesday) there is a reception to the new Sacramento City Manager, which we presume will be attended by a number of Legislators. We will be getting well into our program by the time that adjourns, say 9 p.m., when we will be glad to have the members come to the Chamber of Commerce Auditorium and sit in with us.

Thanking you for this announcement I remain,

Sincerely,

J. P. HALL, President
Western Mining Council

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 15, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento, California*

DEAR MR. OHNIMUS: The Governor has directed me to acknowledge receipt of your letter of March 13, 1943, with which you transmit a copy of Assembly House Resolution No. 115, adopted by the Assembly on March 10, 1943, relating to a statement by Dr. Norman S. Buchanan, Regional Price Executive of the United States Office of Price Administration, concerning an increase in the price of milk.

The Governor will give the resolution his careful consideration, and desires me to express his appreciation through you to the Members of the Assembly for communicating its contents to him

Very truly yours,

RICHARD H. CHAMBERLAIN, Secretary to the Governor

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 36: By Messrs Lyon, Collins, Sam L., and Hastain—Relative to memorializing Congress to designate the limits beyond which the Congress and administrative agencies of the United States shall not go in exercise of the power given to Congress to regulate interstate commerce

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 36, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 36

Assembly Joint Resolution No. 36—Relative to memorializing Congress to designate the limits beyond which the Congress and administrative agencies of the United States shall not go in exercise of the power given to Congress to regulate interstate commerce.

Resolution read.

Demand for Previous Question

Messrs. Burns, Kraft, Knight, John B., Erwin, and Doyle demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Joint Resolution No. 36.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Heringer, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Price, Sargent, Sawalhsch, Smith, Stream, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—58

NOES—Anderson, Bennett, Dunn, Hawkins, Kilpatrick, Massion, McMillan, Pelletier, Rosenthal, and Thomas—10.

Resolution ordered transmitted to the Senate.

**ANNOUNCEMENT BY SPEAKER RELATIVE TO ILLNESS OF
MR. THURMAN**

The Speaker announced that Assemblyman Thurman, who has been ill with pneumonia, is now on the road to recovery, and that he sends his regards to the membership and his thanks to them for the interest they have shown in him.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 60	Assembly Bill No. 338
Assembly Bill No. 96	Assembly Bill No. 376
Assembly Bill No. 98	Assembly Bill No. 622
Assembly Bill No. 142	Assembly Bill No. 624
Assembly Bill No. 163	Assembly Bill No. 685
Assembly Bill No. 208	Assembly Bill No. 835
Assembly Bill No. 246	Assembly Bill No. 1131

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which were referred:

Assembly Bill No. 459	Assembly Bill No. 468
Assembly Bill No. 460	Assembly Bill No. 471
Assembly Bill No. 464	Assembly Bill No. 473
Assembly Bill No. 466	Assembly Bill No. 478

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MIDDOUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred:

Assembly Bill No. 456

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

MIDDOUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which were referred:

Assembly Bill No. 453	Assembly Bill No. 463
Assembly Bill No. 458	Assembly Bill No. 467

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

MIDDOUGH, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 15, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 15

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 15—Relative to the making of payments by the Federal Government to counties to reimburse them for loss of tax receipts on account of the use of certain lands by the United States

Referred to Committee on Municipal and County Government.

MOTION TO PRINT IN JOURNAL

Mr. Dunn moved that the following article from the Oakland Tribune of March 15th be printed in the Journal:

Motion carried.

A little boy was murdered in England the other day.

And his sob of terror was heard in a peaceful home on Seaborn Court in Alameda, its tiny echo relayed in a letter from his father to a life-long friend of the family.

The friend, Mrs. Cedric Leriche, has sent me a copy of the note and, while it is irrelevant to a column supposed to be dedicated to sport, I cannot refrain from printing it for, while I am a sports writer by profession, I am first a father.

"Dear Gracie," the letter begins, "We have lost Tony in an air raid. I know this is a terrible shock to you as it is to everybody who knew him.

"I feel I must put my thoughts on paper to you as being representative to us of the American people as a whole.

"This attack was a cold-blooded, deliberate slaughter of children. The aircraft flew at roof-top height straight for the school and dropped a bomb right in the middle. I expect you have heard about the school being bombed, but little did you think that two children you knew would be in it.

"Pat, fortunately, was hardly touched. She is in a hospital with a slight wound on her leg but otherwise is all right.

"These are the beastly people your country and mine are up against. Inhuman, barbarous, fiendish brutes who think that by murdering little children they will break our morale so that we will want peace at any price.

"But they have made yet another mistake as our morale is stronger than ever and I, in company with the other parents of children killed (the casualty list is about 50 dead and 70 injured) are at least one section of the community that is going to see this terrible war through until the Germans and their satellites are smashed once and for all time with no possible chance or resurrection, as they had in the last war, to do the same thing again.

"I am sorry to be running on like this but I am trying to let you see the sort of war we are fighting on this side of the Atlantic so that perhaps you can convince your friends what we are all up against.

'Like a Man'

"Of one thing I am proud: My son was only nine years old but he wasn't afraid of air raids, or anything, for that matter. In fact, we had a raid on Sunday, January 17, and when it was at its height, he said to his mother, 'Mummy, you won't send me back to the country, will you?'

"May assured him she wouldn't and he answered, 'Good, then we can still have fun.'

"By all these things that we know of him, we also know that the bomb that killed him did not frighten him and that he died like a good soldier should—on the battlefield and like a man. This happened at 12.30 midday, January 20, 1943.

"You must excuse May if she does not write to you very promptly but she is rather overcome with grief for her bright, happy and helpful little son, who had become such a willing little helpmate to her.

"He used to get coals for her, put the black-out into position, wash dishes, lay the table for tea, and he was just beginning to play the piano so nicely. We had even got to the state where we were looking ahead to his being educated at St. Dunstan's or some equally good school. Instead, he has been taken from us by a murderous ruffian named Hitler.

"We like to think now that our little boy is in heaven, that he is watching us to see that we look after his little sister, darling little Pat, who has been left with us as if by a miracle to comfort us and keep us sane during the next few months.

"We both know we shall recover from this terrible blow but we also know that however long we live we shall remember our little boy and also the swine who were responsible for his death so that when this war is over and people say, 'Well that's that, now let's be friends with Germany,' we know what our answer will be."

COMMUNICATIONS

By Mr. Maloney:

The following communication was received, read, and upon request of Messrs. Maloney, Johnson, Carlson, and Wollenberg, ordered printed in the Journal:

PACIFIC COAST COMMITTEE ON AMERICAN PRINCIPLES AND FAIR PLAY
SAN FRANCISCO, March 15, 1943

*Mr. Thomas A. Maloney, Assemblyman
Capitol Building, Sacramento, California*

MY DEAR MR. MALONEY: Your initial acts as a Legislator have indicated to the people of this State that you regard this session as extraordinary. The standards which guide your decisions, and by which your decisions will be measured, are set above those of ordinary times. We note with satisfaction the evidences that you appreciate this state of affairs.

Recognizing that, in times of acute stress, people are led easily into the advocacy of extreme and even dangerous measures which in calmer days would find little support, and that safeguards must be taken, we have formed this Committee on American Principles and Fair Play. Our purpose is to support the principles enunciated in the Constitution, and to that end to maintain unimpaired the liberties guaranteed in the Bill of Rights. As a West Coast body, the committee recognizes its distinctive obligation, for the protection of all of us, to defend the liberties of law-abiding persons of Oriental ancestry. Against the background of our Nation at war we believe that public impulses resulting from inflamed passions hastily crystallized into ill-considered legislation prior to the peace to be established with the peoples of the Orient, are to be distrusted, and that any proposals for such legislation should be carefully examined.

We are prepared to assist you in your manifest intention, as a Legislator, to act, not in terms of partisanship, but on the level of statesmanship which this crisis of our Nation and of the entire world requires.

Sincerely yours,

MAURICE E. HARRISON, Chairman
ARTHUR CUSHMAN McGIFFERT, Executive Chairman
RUTH W. KINGMAN
(MRS. RUTH W. KINGMAN, Executive Secretary)

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 15, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 318	Senate Bill No. 141
Senate Bill No. 193	Senate Bill No. 142
Senate Bill No. 471	Senate Bill No. 403
Senate Bill No. 472	Senate Bill No. 24
Senate Bill No. 342	Senate Bill No. 51
Senate Bill No. 139	

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 318—An act to amend Section 2.1431 of the School Code and to amend Section 10002 of the Education Code, relating to the State Curriculum Commission.

Referred to Committee on Education.

Senate Bill No. 193—An act to amend Section 2.173 of the School Code and to amend Section 2593 of the Education Code, relating to the lapsing of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 471—An act to amend Section 5.45 of the School Code and to amend Section 20377 of the Education Code, relating to leaves of absence of employees of State colleges not in State civil service.

Referred to Committee on Universities and Colleges.

Senate Bill No. 472—An act to add Section 4 283 to the School Code and to add Section 5007 to the Education Code, relating to the investment of funds of school districts in bonds issued by the United States of America for the prosecution of the war.

Referred to Committee on Education.

Senate Bill No. 342—An act to amend Section 1530 and to repeal Section 1531 of the Probate Code, relating to the sale or encumbrance of property by guardians.

Referred to Committee on Judiciary.

Senate Bill No. 139—An act to amend Section 231 of the Code of Civil Procedure, relating to the manner of summoning jurors for courts not of record.

Referred to Committee on Judiciary.

Senate Bill No. 141—An act to amend Section 373 of the Civil Code and Section 411 of the Code of Civil Procedure, relating to service of summons.

Referred to Committee on Judiciary.

Senate Bill No. 142—An act to amend Section 688.1 of the Code of Civil Procedure, relating to liens upon causes of action and judgments.

Referred to Committee on Judiciary.

Senate Bill No. 403—An act to amend Section 444 of the Code of Civil Procedure, relating to grounds of demurrer to the answer.

Referred to Committee on Judiciary.

Senate Bill No. 24—An act to add Section 30.1 to the Fish and Game Code, relating to kelp.

Referred to Committee on Fish and Game.

Senate Bill No. 51—An act to add Sections 101 and 480.5 to the Fish and Game Code, relating to the creation of a new fish and game district and the taking of fish therein.

Referred to Committee on Fish and Game.

RESOLUTIONS

The following resolution was offered:

By Messrs. Bashore, Hastain, and Lowrey:

House Resolution No. 127

Relating to the imposition of ceiling prices on live stock on the hoof

WHEREAS, There has been scheduled a hearing in Washington for the purpose of determining whether or not the Secretary of Agriculture will impose and the Administrator of the Office of Price Administration will enforce ceiling prices on live stock on the hoof; and

WHEREAS, It is the opinion of the Senate of the State of California that the imposition of said ceiling prices on live stock on the hoof will not only result in

chaos and require a complete revolution in existing methods of marketing live stock but will discourage production, encourage black markets and further reduce the limited supply of live stock for consumption in California; and

WHEREAS, The imposition of such ceiling prices on live stock on the hoof to be even partially effective will require an army of law enforcement officials and result in multiplying the ever increasing regulations under which producers, slaughterers, wholesalers and retailers are now required to operate, with a consequent loss of man power which should be devoted either to production of live stock or of other material necessary to the war effort; now, therefore, be it

Resolved by the Assembly of the State of California. That it is the sense of this body that it is unalterably opposed to the imposition of ceiling prices on live stock on the hoof and to the imposition of any additional burdens upon the production, processing and distributing of live stock; and, be it further

Resolved, That the Chief Clerk of the Assembly shall transmit by telegram a copy of this resolution to the President of the United States; the Honorable Claude R. Wickard, Director of Agriculture; Prentiss Brown, Administrator of the Office of Price Administration; Marvin Jones, Assistant to the Director of Economic Stabilization; and to Congressman Elliot, chairman of the Subcommittee on Agriculture.

Request for Unanimous Consent

Mr. Bashore asked for unanimous consent to take up House Resolution No. 127, at this time, without reference to committee.

Mr. Evans withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Bashore moved that the Rules be temporarily suspended for the purpose of considering House Resolution No. 127, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Armstrong, Bashore, Berry, Brown, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Erwin, Fourt, Gaffney, Gannon, Haggerty, Hastam, Heisinger, Hollibaugh, Kellems, Kraft, Lowrey, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Potter, Price, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—49

NOES—Allen, Anderson, Beck, Bennett, Dunn, Evans, Hawkins, King, McMillan, Pelletier, Rosenthal, and Thomas—12.

The question being on the adoption of House Resolution No. 127.
Resolution read.

Demand for Previous Question

Messrs. Robertson, Doyle, Debs, Knight, John B., and Pelletier demanded the previous question.

Demand for previous question sustained

The question being on the adoption of House Resolution No. 127.

The roll was called, and the resolution adopted by the following vote:

AYES—Armstrong, Bashore, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Field, Fourt, Gannon, Haggerty, Hastam, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Miller, Niehouse, O'Day, Price, Sargent, Sawallisch, Stream, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Anderson, Beck, Bennett, Call, Collins, George D., Debs, Dunn, Evans, Gaffney, Hawkins, Kilpatrick, Massion, McMillan, Middough, Pelletier, Robertson, Smith, and Thomas—18.

By Messrs. Maloney, Haggerty, Gaffney, O'Day, Collins, George D. Berry, Brady, and Lyon:

House Resolution No. 128

Relating to felicitations to Charles M. Wollenberg

WHEREAS, Charles M. Wollenberg is retiring as Superintendent of San Francisco Institutions; and

WHEREAS, He has served San Francisco in this capacity since 1908 and has received Nation-wide recognition as an expert on humane and social problems because of his efficient administration; and

WHEREAS, He served as Director of Red Cross Refugee Camps in San Francisco after the earthquake and fire of 1906; has been Director of Relief for San Francisco for many years without salary; has been active in fraternal societies and in organizations striving for the civic improvement of San Francisco; and

WHEREAS, His private life centers in and about San Francisco; he was born in Castroville, Monterey County, California, on March 13, 1873; graduated from the University of California in 1894; married Romilda Judell, daughter of a pioneer San Francisco family; and is the father of our colleague, the Honorable Albert C. Wollenberg, and Harold Wollenberg; now, therefore, be it

Resolved by the Assembly of the State of California. That the members of this body commend Charles M. Wollenberg for his many public services well and faithfully done and extend to him their best wishes for every happiness in the years ahead; and be it further

Resolved. That the Chief Clerk of the Assembly is directed to transmit a suitably engrossed copy of this resolution to Charles M. Wollenberg.

Request for Unanimous Consent

Mr. Haggerty asked for, and was granted, unanimous consent to take up House Resolution No. 128, at this time, without reference to committee.

Resolution read and adopted unanimously.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 129

Resolved, That the following named person be stricken from the list of Assembly attaches and his name be stricken from the pay roll of the Assembly, to take effect upon the beginning of the day of March 8, 1943:

A. J. Haynes, Assistant Sergeant-at-Arms-----	<i>Per day</i>
	\$6 00

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 129, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

**SPEAKER REQUESTS REFERENCE OF ALL HOUSE RESOLUTIONS
TO COMMITTEE**

The Speaker requested that, in the future, all House resolutions be referred to the Committee on Rules and House Functions unless in

case of urgency, in order that the membership might have an opportunity to read such resolutions before their consideration.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered :

Assembly Constitutional Amendment No. 33: By Mr. King—Proposed amendment to Article IV, Section 25½, of the Constitution, relative to fish and game and a commission to enforce and administer the laws relating thereto.

Referred to Committee on Fish and Game.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Heisinger :

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows: An act to amend Section 239 of the Agricultural Code, relating to bovine tuberculosis indemnities

Respectfully submitted.

S. L. HEISINGER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1943

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Heisinger :

An act to amend Section 239 of the Agricultural Code, relating to bovine tuberculosis indemnities.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following bill was introduced, and read the first time:

Assembly Bill No. 1932: By Mr. Heisinger—An act to amend Section 239 of the Agricultural Code, relating to bovine tuberculosis indemnities.

Referred to Committee on Agriculture.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 130

Resolved, That the Speaker of the Assembly is hereby requested to invite Colonel M. Thomas Tehou to speak before the Assembly on March 22d; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to communicate with Colonel M. Thomas Tehou and inform him of the invitation to speak before the Assembly on March 22d.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 130, at this time, without reference to committee.

Resolution read and adopted.

RECONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 31

In compliance with a notice given on a previous day, Mr. Sargent moved that the vote whereby Assembly Joint Resolution No. 31 was refused adoption be reconsidered.

Assembly Joint Resolution No. 31 reconsidered by the following vote:

AYES—Armstrong, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dunn, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Price, Robertson, Sargent, Sawallisch, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—51.

NOES—Anderson, Bashore, Beck, Bennett, Collins, George D., Dills, Ralph C., Heisinger, Kilpatrick, Massion, McMillan, Pelletier, Rosenthal, and Smith—13.

Request for Unanimous Consent

Mr. Sargent asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 31, at this time.

Further Consideration of Assembly Joint Resolution No. 31

Assembly Joint Resolution No. 31—Relative to memorializing the President and the Congress of the United States to provide relief from taxation for elderly people whose only income is from investments in securities.

Resolution read.

Motion to Amend

Mr. Sargent moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed measure, strike out lines 8, 9, and 10, and insert

"WHEREAS, The diminishing returns to elderly people in California is a matter of concern to the Legislature and to the people of this State, and arises because of the decreased purchasing power of such small incomes in a time of rising prices and cost of living; and

WHEREAS, This problem is intimately connected with that of old age pensions concerning which earnest study and sympathetic consideration is being given by this Legislature in order to treat with utmost fairness the senior citizens of this State; now, therefore, be it".

Amendment read and adopted.

Resolution ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 246—An act to amend Section 1461a of the Penal Code, relating to procedure in municipal courts.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "number 1426 to number", and insert "1426 to".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 248 re-referred to Committee on Judiciary.

Assembly Bill No. 254 re-referred to Committee on Judiciary.

Assembly Bill No. 255 re-referred to Committee on Judiciary.

Assembly Bill No. 562 re-referred to Committee on Judiciary.

Assembly Bill No. 806 re-referred to Committee on Judiciary.

Assembly Bill No. 807 re-referred to Committee on Judiciary.

RECESS

At 12.05 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 39—Relative to the death of Charles F. Reindollar;

And reports that the same has been correctly enrolled, and presented to the Governor on the sixteenth day of March, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 402

Assembly Bill No. 1281

Assembly Bill No. 555

Assembly Bill No. 1615

Assembly Bill No. 810

Assembly Bill No. 1623

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1943

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 14

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Public Morals.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following resolution was withdrawn from the file, and re-referred as follows:

Assembly Constitutional Amendment No. 18 re-referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 21—An act to amend Section 8322 of the Streets and Highways Code, relating to the vacation of city streets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Call, Carlson, Collins, Sam L, Crichton, Crowley, Dills, Clayton A, Erwin, Field, Fourt, Gaffney, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Leonard, Maloney, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 596—An act to amend Section 6720 of, and to add Section 6726.5 to, the Welfare and Institutions Code, relating to the duty and power of the sheriff to arrest escaped and paroled patients and inmates of State hospitals and institutions and deliver them to persons authorized by the Department of Institutions.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Call, Carlson, Clarke, Collins, Sam L, Crichton, Crowley, Debs, Dills, Clayton A, Dills, Ralph C, Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, King, Knight, John B, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, McCollister, McMillan, Middough, Miller, O'Day, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1530—An act to add Section 387 to the Political Code, relating to the acquisition of exclusive jurisdiction over lands in the State of California by the United States.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code," insert "and to add Section 120 to the Government Code."

Amendment No. 2

In line 3 of the title of the said bill, after "States", insert ", declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 1, line 11, of said bill, after "Sec. 2", insert "Section 120 is added to the Government Code, to read:

120. Upon receipt of notification of the acceptance by the United States of exclusive jurisdiction over lands situated within the State of California, the Governor shall cause to be filed a true and correct copy of said notification in the office of the recorder of the county in which said lands are located and in the office of the clerk of the board of supervisors of the county in which said lands are located.

SEC. 3. Section 2 of this act shall take effect only if a Government Code is enacted by the Legislature at its Fifty-fifth Session, and in such case, at the same time as the Government Code takes effect; at which time Section 387 of the Political Code as added by this act is hereby repealed.

SEC. 4."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1623 re-referred to Committee on Conservation, Natural Resources, and Planning.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 402—An act to amend Sections 9161, 9167 and 9220 and to amend and renumber Sections 9162 and 9163 of. and to repeal Article 2, comprising Sections 9370 to 9377, inclusive, of Chapter 4, Division 9, of the Public Resources Code, relating to soil conservation, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 622—An act to amend Section 222 of the Welfare and Institutions Code of the State of California, relating to the cancellation of county warrants for the giving of aid if not presented for payment within six months after issuance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 624—An act to amend Section 4095 of the Political Code, relating to the cancellation of county warrants issued for aid where same are not presented for payment within six months after issuance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1615 re-referred to Committee on Social Welfare.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 163—An act to amend Section 928 of the Penal Code, relating to county grand juries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Arthur W. Carlson Presiding

At 2.35 p.m., Hon. Arthur W. Carlson, Member of the Assembly from the Sixteenth District, presiding.

Assembly Bill No. 142—An act to amend Section 69 of the Civil Code, relating to marriage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, O'Day, Potter, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Wollenberg—54

NOES—Anderson, Bashore, Burkhalter, Call, Dilworth, Field, Hastain, Hawkins, Knight, John B., Knight, T. Fenton; McCollister, Middough, Pelletier, Robertson, Thomas, and Watson—16.

Bill ordered transmitted to the Senate.

RECESS

At 2.57 p.m., on motion of Mr. Weber, the Assembly recessed until 2 59 p.m., to hear from First Lieutenant Mary E. McGlinn, of the WAAC.

REASSEMBLED

At 2.59 p.m., the Assembly reconvened.

Hon. Arthur W. Carlson, of the Sixteenth Assembly District, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 60—An act to amend Section 1161 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—69

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 685—An act to amend Section 1034 of the Political Code, relating to date of receipt of communications by mail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight,

John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—70.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 3 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Assembly Bill No. 1131—An act to repeal Section 905 of the Political Code, relating to oaths of office of the Governor and Lieutenant Governor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 217—An act to add Section 189.5 to the Code of Civil Procedure, relating to vouchers filed in court proceedings.

Bill read third time.

Motion to Amend

Mr. Carlson moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, after "any", insert "civil"

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

MOTION TO PRINT TELEGRAM IN JOURNAL

Mr. Call moved that a telegram received from Germain Buleke, president of the International Longshoremen's and Warehousemen's Union, Local No 1-10, be printed in the Journal.

Mr. Gannon seconded the motion.

Substitute Motion

Mr. Field moved, as a substitute motion, that the remarks by Mr Call, relative to the telegram, be reduced to writing, and printed in the Journal.

Demand for Previous Question

Messrs. Evans, Debs, Middough, Dilworth, and Dills, Ralph C., demanded the previous question.

Demand for previous question sustained

The question being on the substitute motion by Mr. Field.

Motion carried.

Telegram from Germain Bulcke

SAN FRANCISCO, CALIFORNIA, March 12, 1943

California State Assembly, Sacramento, California

This organization requests you oppose the invitation to Eddie Rickenbacker to address California Legislature. His speeches constitute an attack against labor, promote disunity, and are therefore harmful to the war effort. The Office of War Information has repudiated his recent speeches, and the Army has made it clear that he is speaking only as a private citizen.

GERMAIN BULCKE, President
International Longshoremen's and
Warehousemen's Union, Local 1-10

Remarks by Mr. Call

Mr. Speaker: I wish to ask that a telegram I hold in my hand be printed in the Journal, and before making the motion I wish to read the telegram so the members may be apprised of its contents.

SAN FRANCISCO, CALIFORNIA, March 12, 1943

California State Assembly, Sacramento, California

This organization requests you oppose the invitation to Eddie Rickenbacker to address California Legislature. His speeches constitute an attack against labor, promote disunity, and are therefore harmful to the war effort. The Office of War Information has repudiated his recent speeches, and the Army has made it clear that he is speaking only as a private citizen.

GERMAIN BULCKE, President
International Longshoremen's and
Warehousemen's Union, Local 1-10

This telegram is signed by Mr. Germain Bulcke, as President of the Longshoremen and Warehousemen's International, affiliated with the C. I. O. Mr. Bulcke is also a member of the Fish and Game Commission of this State.

It was sent in the hope it would assist in denying to Captain Eddie Rickenbacker, an outstanding hero of not only this but the previous World War, the privilege of speaking before his own Legislature; and to prevent this House the privilege of hearing this great American, who has done, and is doing so much to aid his Country. This great hero, who on so many occasions, has risked his life in its defense, and who only recently, while on a particularly hazardous mission, was forced down at sea, and was saved only by the grace of Providence.

This telegram was sent by this pseudo labor leader who no doubt has always demanded the right of free speech for his own ilk but denies it to any who do not agree with his doctrines, and was no doubt engendered or motivated by the same impulse that caused one Leavit in Los Angeles recently to refer to Captain Rickenbacker as the All-American rat, and who said it was too bad he was saved to return to this Country.

It is to be noted that the speeches made by Captain Rickenbacker, to which objection is made, were made in behalf of the war effort, particularly in an attempt to reduce absenteeism, an evil plaguing all who have charge of this great activity.

The rank and file of labor do not follow such false leaders, and such acts as these should make everyone rise in righteous and patriotic indignation and protest. Anyone making such statement or sending such telegrams is more interested in the C. I. O. than the U S A.

MOTION TO PRINT REMARKS IN JOURNAL

Mr. Doyle moved that the following remarks by Mr. Maloney, relative to the telegram from Germain Bulcke, be printed in the Journal:

Motion carried.

Remarks by Mr. Maloney

As one of the members of this body who received telegrams from Mr. Germain Bulcke, President of the International Longshoremen's and Warehousemen's Union, Local 1-10, and from Mr. C. G. Quirey, Secretary Treasurer of Warehousemen's Union, Local 6, San Francisco, protesting against the appearance of Mr. Rickenbacker before the Legislature, may I say that I am in favor of the motion to print the telegram in the Journal?

I have been asked the question as to whether or not these telegrams were sent from an action of the members in meeting assembled, or whether they were sent by the officials whose names were attached. That I can not answer, as I have no knowledge of what action was taken outside of the language contained in the telegrams.

Had the telegrams reached me before the resolution was adopted my vote would have been the same—that is, to invite him, not to talk upon the labor movement, but as one of America's outstanding heroes of this war, and of the last war, where all of his fighting was done to preserve American principles and democracy.

I am at liberty to state that Mr. Cornelius Haggerty, President of the California State Federation of Labor, has informed me that these telegrams did not originate from the official labor movement of California, but are the act or acts of individuals and organizations within themselves.

Organized labor believes in the fundamental rights of every citizen and in the fundamentals contained in our Constitution, which provides for the right of free speech; and I am sure that, if Captain Rickenbacker has made remarks disliked by members of the organized labor movement, the movement under the laws of this Country has the right, if it so desires, to disagree with his remarks; and regardless of disagreements, the Legislature could, and so did, invite this splendid man to address the members on his experience in this dreadful war which is now raging.

I have some of my own now in the military service of this Country and, joining with the President and others in this Country, I believe that some of the issues which brought about the presentation of these telegrams could be taken care of in a way that would not stop the actual prosecution of the war.

MOTION TO PRINT REMARKS IN JOURNAL

Mr. Dunn moved that the following remarks by Mr. McMillan, relative to the telegram from German Bulcke, be printed in the Journal:

Motion carried.

Remarks by Mr. McMillan

Mr. Speaker and Members of the Assembly

Why all this commotion over a simple little telegram from a citizen of this State requesting a Member of the Assembly to vote a particular way on a proposed resolution? While I am a new member, such requests are already very common to me. I have already received at least 50 letters and telegrams requesting my vote for or against proposed legislation. Some bordering on the verge of a threat. Other members have received similar requests, and they are all accepted graciously. So why should an issue be made of this particular wire from a leader of organized labor? Could it be part of a conspiracy against labor?

While I did not receive a wire from Mr. Bulcke myself, I understand it requests a certain Member of the Assembly to vote against a resolution to invite Colonel Rickenbacker to appear before this Assembly. I did not vote on the resolution myself because I was not sure in my own mind that his appearance here would contribute to the war effort, and bringing this war to an early and victorious conclusion is my primary concern in being here. Not attempting to argue the merits of the communication in question, I do contend that it is still the right and privilege of any citizen or organization in this great State to petition the Legislature or any member thereof, on any matter under consideration, and I shall continue to fight for the preservation of this right. And in conclusion, I might add that if there is no ulterior motive involved in making an issue of this particular request, it is at least a glaring display of poor sportsmanship, and I urge a "no" vote on this motion.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 810 re-referred to Committee on Judiciary.

Assembly Bill No. 1281 re-referred to Committee on Judiciary.

Assembly Bill No. 98 re-referred to Committee on Ways and Means.

COMMUNICATIONS

By Mr. Maloney:

The following communication was received, read, and ordered printed in the Journal:

SAN FRANCISCO, CALIFORNIA, March 16, 1943

Thomas A. Maloney, State Capitol, Sacramento, California

Thank you for invitation. Will come Thursday morning, March 18th, by car. Expect to arrive about 10 o'clock. Will find you in State Capitol.

BOHUS BENES

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Kraft, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. W.

Hancock and daughter, Miss Stefni Hancock, of San Diego, son-in-law, daughter, and granddaughter of Mr. Kraft.

On request of Messrs. Allen and Knight, John B., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Corporal Ray Herrington of Sacramento.

On request of Mr. Kraft, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Ed. Law of San Diego. Mr. Law, a former Senator, is now Assistant City Attorney of San Diego.

On request of the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Dan Gallagher of San Francisco, former Assemblyman.

On request of Messrs. Denny, Weybret, and Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John M. Riley, Levi Kensing, C. Billie K. Simpson of Texas; John P. Gould, Willard L. Perry, Thomas J. Jung of Salinas; Gerald P. Sampson of Iowa; and James J. Jacobs of New Jersey.

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Mary C. McGlinn of the WAAC.

On request of Mr. Doyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. H. Wassenburger and B. W. Cruckshank of Los Angeles.

On request of Messrs. McCollister and Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. S. Dumser, Commander in Chief, Grand Army of the Republic; Miss Katharine R. A. Flood, Secretary, Grand Army of the Republic; and Erma Hard, Chaplain, National President, Daughters of the Union Veterans of the Civil War.

On request of Mr. Sam L. Collins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Ray Adams of Los Angeles and Mrs. Stuart Strathman of Fullerton.

On request of Mr. Price, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to George Wordhams and Vincent Lucas of Cucamonga.

On request of Messrs. Bashore and Price, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ralph Shoemaker of Claremont.

On request of Mr. Armstrong, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. J. J. Pendergrast, of Redlands, former Assemblyman.

On request of Messrs. McMillan and Beck, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Albert Bullock of Los Angeles.

ADJOURNMENT

At 3.25 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, March 17, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTIETH LEGISLATIVE DAY
SEVENTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 17, 1943

The Assembly met at 10 a.m.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly,
presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beek, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Penton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Eternal God, the same yesterday, today and forever, we thank Thee for opening unto us the gateway of a new day, our minds refreshed with sleep and our hearts strengthened for new responsibilities. We pray for the Members of our Assembly, absent because of illness and ask for their early restoration.

Bless all the humanitarian efforts in which our people now engage, especially the work of the Red Cross—its sign and symbol, the mercy of our Saviour.

Help us ever to remain true to the historic ideals of our Country—integrity, justice and unselfish service to the people of the world.

“Faith of our fathers, living still
In spite of dungeon, fire and sword
O how our hearts beat high with joy,
Whene'er we hear that glorious word!
Faith of our fathers! we will love,
Both friend and foe in all our strife;
And preach Thee, too, as love knows how,
By kindly words and virtuous life.”

So may Thy Kingdom come, through Jesus Christ, our Lord

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. McMillan.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:
Mr. Guthrie, on motion of Mr. Dickey.

MOTION TO EXCUSE MEMBER

Mr. Leonard moved that Mr. Thurman be excused for the balance of the legislative week, because of illness.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:
Assembly Concurrent Resolution No. 33
Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

MCCOLLISTER, Chairman

Above reported resolution ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:
Assembly Bill No. 364
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MCCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:
Assembly Bill No. 1929
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

MCCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:
Assembly Bill No. 938
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THORP, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:
Assembly Bill No. 934
Assembly Bill No. 935
Assembly Bill No. 979
Assembly Bill No. 980
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Assembly Bill No. 1489
Assembly Bill No. 1490
Assembly Bill No. 1810

THORP, Chairman

Above reported bills ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your committee on Motor Vehicles, to which was referred:

Assembly Bill No. 1705

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

BURNS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your committee on Motor Vehicles, to which was referred:

Assembly Bill No. 1065

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BURNS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 600

Assembly Bill No. 1064

Assembly Bill No. 601

Assembly Bill No. 1121

Assembly Bill No. 929

Assembly Bill No. 1538

Assembly Bill No. 1063

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 697

Assembly Bill No. 706

Assembly Bill No. 700

Assembly Bill No. 709

Assembly Bill No. 702

Assembly Bill No. 711

Assembly Bill No. 703

Assembly Bill No. 850

Assembly Bill No. 704

Assembly Bill No. 1124

Assembly Bill No. 705

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 710

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEYBRET, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 848

Assembly Bill No. 969

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEYBRET, Chairman

Above reported bills ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 159

Assembly Bill No. 331

Assembly Bill No. 1531

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATERS, Chairman

Above reported bills ordered to second reading.

COMMUNICATIONS

The following communications were received, read, and ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

Mr. Arthur Ohninus, Chief Clerk, Assembly, Sacramento

DEAR ARTHUR: As I understand it, you have had three printings of Assembly Bill No. 660, which bill is the Joint Welfare Committee Bill on Age Pensions, and this bill has been in big demand necessitating the three printings.

The Bill Room is now out of this bill and I am asking that this be set for hearing before the Assembly Social Welfare Committee, on April 8, 1943, and, therefore, it will be necessary to have another printing in order to supply the public demand for the next three weeks.

It is my request that 2,500 copies be printed.

Yours sincerely,

VERNON KILPATRICK

Referred to Committee on Rules and House Functions.

By Mr. Middough:

COUNTY OF LOS ANGELES

OFFICE OF THE DISTRICT ATTORNEY, LOS ANGELES, March 15, 1943

*Hon. Lorne Middough, Member of the Assembly
State Capitol, Sacramento, California*

DEAR LORNE: I read with surprise and interest, in the Long Beach Press Telegram, the content of your resolution passed by the Assembly respecting my appointment to the office of district attorney of Los Angeles County.

May I assure you, and will you please convey to the Members of the House, that while I know and understand general feeling respecting resolutions, yet I will be gullible enough to believe its contents.

Until I can personally see you, will you, therefore, please accept my thanks.

Sincerely yours,

FRED N. HOWSER, District Attorney

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 464—An act to amend Section 2920 of the Penal Code, relating to credits and terms of imprisonment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 466—An act to amend Sections 2681, 2682, 2684 and 2685 and to repeal Section 2683 of the Penal Code, relating to the disposition of insane prisoners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 468—An act to amend Section 1557 of the Penal Code, relating to the return of fugitives from justice.

Bill read second time, and ordered engrossed.

Assembly Bill No. 459—An act to amend Sections 2009, 2023 and 2033 of the Penal Code, relating to the transfer of prisoners between prisons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 460—An act to amend Section 2092 of the Penal Code, relating to prisons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 471—An act to amend Section 1203.2a of the Penal Code, relating to probation and terms of imprisonment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 478—An act to amend Sections 4570, 4571, 4572, 4573 and 4574 of the Penal Code, relating to unauthorized communications with the prisons and prisoners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 473—An act to amend Sections 2708, 2709 and 2877 of the Penal Code, relating to the sale of prison-made goods.

Bill read second time, and ordered engrossed.

Assembly Bill No. 456—An act to make an appropriation for the construction of an additional building at San Quentin Prison.

Bill read second time, and ordered engrossed.

Hon. Edward M. Gaffney Presiding

At 10.15 a m., Hon. Edward M. Gaffney, Member of the Assembly from the Twenty-sixth District, presiding.

Assembly Bill No. 453—An act to add Section 2873.1 to the Penal Code, relating to the sale of animals and fowls raised at the prisons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

In line 2 of the title of the printed bill, after "sale", insert "or exchange".

Amendment No. 2

On page 1, line 4, of said bill, after "sale", insert "or exchange".

Amendment No. 3

On page 1, line 6, of said bill, after "sold", insert "or exchanged".

Amendments read and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 458—An act to amend Section 2720 of the Penal Code, relating to the jute mill revolving fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "and", and insert "or".

Amendment No. 2

On page 1, line 22, of said bill, strike out "or", and insert "and".

Amendment No. 3

On page 1, line 24, of said bill, strike out ", or he,".

Amendment No. 4

On page 1, lines 28 and 29, strike out "the request of the Director of Finance.", and insert "their request."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 463—An act to add Section 3041a to the Penal Code and to amend Sections 3043 and 3045 of the Penal Code, relating to paroles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1 of the printed bill, strike out line 24, and insert "correctional institution, prison camp, reformatory, prison, penitentiary or army or navy prison or disciplinary barracks, under a felony conviction".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 467—An act to add Article 3, comprising Sections 2400 to 2404, inclusive, to Chapter 2 of Title 1 of Part 3 of the Penal Code, relating to parole.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1, line 10, of the printed bill, after the period, insert "All other officers and employees of the bureau shall be selected and appointed by the Chief State Parole Officer according to law."

Amendment No. 2

On page 1, line 11, of said bill, strike out "and employ such", and insert a period.

Amendment No. 3

On page 1 of said bill, strike out lines 12 and 13.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 16, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 38

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 16, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 107
Senate Bill No. 108
Senate Bill No. 134
Senate Bill No. 194
Senate Bill No. 214
Senate Bill No. 215
Senate Bill No. 216
Senate Bill No. 217

Senate Bill No. 218
Senate Bill No. 219
Senate Bill No. 220
Senate Bill No. 223
Senate Bill No. 308
Senate Bill No. 563
Senate Bill No. 1059

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Hon. Gerald P. Haggerty Presiding

At 10.25 a m., Hon. Gerald P. Haggerty, Member of the Assembly from the Twenty-fifth District, presiding.

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 107—An act to amend Section 996 of the Political Code, relating to an office becoming vacant.

Referred to Committee on Judiciary.

Senate Bill No. 108—An act to amend Section 39 of the Public Utility District Act, relating to public utility district taxation.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Senate Bill No. 134—An act to amend Sections 737yy and 737fff of the Political Code, relating to the annual salaries of the judges of the superior courts of Sutter and Yuba Counties.

Referred to Committee on Judiciary.

Senate Bill No. 194—An act to amend Section 38c of the State Employees' Retirement Act, relating to city retirement systems.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 214—An act to add Section 30022.2 to the Business and Professions Code, relating to money collected under the California Terminal Weighing Act.

Referred to Committee on Judiciary.

Senate Bill No. 215—An act to add Section 30331.5 to the Business and Professions Code, repealing an act entitled "An act to prohibit prize-fighting," approved March 9, 1893.

Referred to Committee on Judiciary.

Senate Bill No. 216—An act to add Section 30034.5 to the Business and Professions Code, repealing Chapter 436 of the Statutes of 1933, relating to horse racing.

Referred to Committee on Judiciary.

Senate Bill No. 217—An act to add Section 30045 to the Business and Professions Code, repealing certain acts and parts of acts therein specified, relating to auctioneers.

Referred to Committee on Judiciary.

Senate Bill No. 218—An act to add Section 30022.1 to the Business and Professions Code, repealing certain laws relating to the tare on baled hops.

Referred to Committee on Judiciary.

Senate Bill No. 219—An act to add Article 4, comprising Section 12925, to Chapter 9 of Division 5 of the Business and Professions Code, and to add Section 30022.4 to the Business and Professions Code, relating to wool products and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

Senate Bill No. 220—An act to add Article 3, comprising Sections 12915 to 12921, inclusive, to Chapter 9 of Division 5 of the Business and Professions Code, and to add Section 30022.3 to the Business and Professions Code, thereby codifying and revising the law relating to the baling and pressing of hay and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

Senate Bill No. 223—An act to add Chapter 2, comprising Sections 11500 to 11628, inclusive, and Chapter 3, comprising Sections 11650 to 11658, inclusive, to Part 2 of Division 4 of the Business and Professions Code, to add Section 30043 to the Business and Professions Code, and to amend Section 325 of the Revenue and Taxation Code, thereby consolidating and revising the law relating to the surveying, subdividing and mapping of real estate; the sale and disposal of real estate by reference to maps; the powers and duties of cities, counties and towns with reference to the surveying, subdividing and mapping of real estate, and the preparation of official maps; prescribing penalties for violations thereof and repealing acts and parts of acts specified therein.

Referred to Committee on Judiciary.

Senate Bill No. 308—An act to provide for the printing and sale of legislative publications by the State Printer.

Referred to Committee on Rules and House Functions.

Senate Bill No. 563—An act to amend Section 675 of the Political Code, relating to the powers of the Director of Finance

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1059—An act to add Section 328.5 to the Political Code, relating to interpretation of statutes.

Referred to Committee on Judiciary.

Hon. John C. Lyons Presiding

At 10.35 a.m., Hon. John C. Lyons, Member of the Assembly from the Sixty-fourth District, presiding.

MOTION TO PRINT IN JOURNAL

Mr. Bashore moved that the following release from the International News Service Bureau dated March 17th, be printed in the Journal:

Motion carried.

WASHINGTON, March 17—(INS)—Even if lend-lease and the armed forces took no American beef, there would still be a beef shortage, Food Distribution Administrator Roy F. Hendrickson said today.

At the same time, Hendrickson admitted in an exclusive interview that milk rationing "may be ultimately necessary."

If milk rationing is instituted, he said, the individual milk quota could not be automatically set for the whole country. Instead, milk rationing would have to be established in each milk-shed with the milk allotment for each consumer determined by conditions in the shed. Thus, New York might have a different ration than Boston or Chicago.

This is true, Hendrickson said, because fluid milk, a perishable commodity, can not be divided up equally among the Nation's consumers, as are canned goods, coffee, and other rationed products.

The beef shortage, Hendrickson asserted, is not due to a drop in cattle production or slaughtering or to Government purchases, but to the abnormal food demand. Therefore, if Government meat buying were to be stopped, there still would be a "beef situation."

As national income goes up, he said, the demand for food goes up—and the national income will continue to rise.

Price ceilings hold down the cost of foodstuffs, said the man charged by Food Administrator Wickard with the task of properly distributing America's food. Further, dwindling civilian supplies of other commodities cause the people to buy more food.

"You can not blame the American people for wanting more food," he said.

"The present situation is the greatest proof we have ever had that the trouble with our farm economy has never been overproduction, but underconsumption."

MOTION TO PRINT IN JOURNAL

Mr. Hawkins moved that the following article from the Sacramento Bee of March 16th be printed in the Journal:

Motion carried.

Black Market Aid

Representatives of the wholesale meat packing industry in Sacramento report there is ample live stock in California to meet normal consumer demands for fresh meat.

Why then the meat shortage?

The difficulty is that while the Office of Price Administration has fixed a ceiling price on what the wholesale butcher can charge for meat, it has failed to put any ceiling on the price of beef, hogs, mutton, etc., on the hoof.

This is an impossible situation.

In some cases, the price of live stock on the hoof already exceeds the ceiling imposed on the finished product.

Consequently, the meat packing plants not only must operate without a profit, but also at an actual loss. As Robert Swanston, Jr., of Sacramento, an official of one of the largest wholesale meat plants in Superior California, puts it:

You can't stay in business selling below cost. If the Federal Government insists upon price regulations the only way to solve the problem is to start with cattle, set a ceiling price there, and go on right through the industry, regulating retail sales in proportion to wholesale ceilings.

The black market conditions are directly due to the present handling of the price setup. A legitimate wholesaler can not break even.

Swanston produced office records to show that cattle purchased of late by his firm cost from 26 to 27 cents per pound while the highest price the wholesaler can charge in selling the same is 24 cents per pound. The ceiling on wholesale beef ranges from 19 cents a pound for utility beef to 24 cents for choice meat.

If ceilings are necessary to keep meat costs from climbing to dizzy heights, they must apply to the animals on the hoof as well as to the carcass in the refrigerator. That is fundamental and it also is common sense.

Hon. Lester A. McMillan Presiding

At 10.40 a.m., Hon. Lester A. McMillan, Member of the Assembly from the Sixty-first District, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 16, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 18

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 18—Relative to the construction of a dam on the Stanislaus River.

Referred to Committee on Conservation, Natural Resources, and Planning.

RESOLUTIONS

The following resolution was offered:

By Mr. McCollister:

House Resolution No. 131

WHEREAS, Wartime rationing and the reduction of the available supply of consumers' goods have seriously reduced the volume of business of many retail merchants; and

WHEREAS, The item of real property taxation is of great importance to the small, independent businessman who conducts his business on his premises and with little or no capital reserve; and

WHEREAS, While the Constitution and the laws of the State require that property be assessed at its true value, it is the practice of some assessors simply to adopt the valuation placed upon property in previous years, with little or no consideration of the changing condition affecting the business carried on in such property; and

WHEREAS, It is highly important to the State of California that the small businessmen of the State be given every opportunity to survive and to continue to serve the needs of their communities; and

WHEREAS, The imposition of inequitable real property taxes would, in many instances, operate to put out of business many individuals who otherwise would be able to continue to operate; now, therefore, be it

Resolved by the Assembly of the State of California, That "small" business is an integral part of the life of the people of this State and that due care should be taken that no unfair and unnecessary burden be placed upon the "small" businessman particularly at a time when war conditions are imposing handicaps which are almost unsurmountable; and be it further

Resolved, That every public official charged with the duty of assessing property for taxation purposes is hereby requested and urged to give his consideration to the matters hereinabove set forth and to be particularly careful in assessing business property to consider and give proper weight to the impact of war conditions upon the business conducted on such property, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to cause to be transmitted a copy of this resolution to the assessors of each county, city and county, and incorporated city within the State of California

Resolution read, and referred to Committee on Rules and House Functions

MOTION TO PRINT IN JOURNAL

Mr. Rosenthal moved that the following article from the San Francisco Examiner of March 11th be printed in the Journal:

Motion carried.

**Program Covering All, Birth-to-Grave, Urged on Congress
U. S. Share, Labor Voice in Business Proposed**

By WILLIAM T. PEACOCK
Associated Press Staff Writer

WASHINGTON, MARCH 10—President Roosevelt today laid before Congress a vast new cradle to grave program of social security and a blueprint of a postwar America in which the Government would be in partnership with many businesses and labor would share in industrial management.

President Roosevelt asked "full consideration" at this Congressional session of the steps proposed. In a letter of transmittal, he told Congress:

"We fight today for security for our Nation and at the same time we can endeavor to give our citizens and their families security against attacks from without, and against fear of economic distress in old age, in poverty, sickness, involuntary unemployment and accidental injuries. We need to look forward to the accomplishment of these objectives—world peace, democratic society and dynamic economy."

The proposals are contained in two reports. The one dealing with Social Security is entitled "Security, Work and Relief Policies." Somewhat larger in format than the average metropolitan telephone directory, it is 640 pages long, printed in double columns on slick paper.

Expanded Program

The second document was entitled "National Resources Development—Report For 1943" and in some respects took on the nature of a supplement to the first. Thus it suggested that "equal access to education" should be a postwar aim, adding that on the college level this might be attained by grants to students or through giving work opportunities to students.

"Security, Work and Relief Policies" reviews the general history of relief and Social Security for the past ten years and makes these specific recommendations as to social insurance.

1—A new insurance to provide "at least partial compensation for loss of income attributable to permanent or temporary disability."

2—Expansion of unemployment compensation to seamen, employes of non-profit corporations and of firms employing one worker or more. (It was suggested that the feasibility of a separate system for "domestic, agricultural and other low paid employment" should be considered.)

3—Uniform unemployment benefits for a period of twenty-six weeks for all eligible workers. (The size and length of benefits vary at present from State to State.)

4—A wholly Federal administrative organization for unemployment insurance, instead of the present Federal-State setup, and a single national unemployment compensation fund.

5—Extension of old age and survivors insurance to employes of non-profit corporations, with other noncovered groups brought in "as rapidly as it can be demonstrated that they will receive adequate or significant benefits."

6—"Immediate action by Government in cooperation with the medical profession to formulate plans which enable the patient to budget expenses over a reasonable period and to contribute toward the costs of care according to his ability, and which at the same time assure to medical personnel a decent livelihood commensurate with the high costs of their professional training."

System of Hospitals

The board also made these suggestions in the field of health.

"Federal appropriations to aid States and localities in developing a system of regional and local hospitals and health centers covering all parts of the country.

"Expansion and improvement of public medical care for needy persons through larger appropriations and through increased cooperation by and with the medical and dental professions."

In general, the report proposed that the Federal security administration be given departmental status in the Government with its head having the status of a Cabinet officer. It set forth as objectives of public aid policy:

"1—Increasing emphasis upon policies aiming at the prevention of economic insecurity through a fuller utilization of our productive resources, including labor, and by more comprehensive measures to improve the health of our people.

"2—Government provision of work for all adults who are willing and able to work, if private industry is unable to provide employment.

"3—Appropriate measures to equip young persons beyond the compulsory school attendance age for assuming the full responsibility of citizenship.

"4—Assurance of basic minimum security through social insurance, so far as possible.

"5—Establishment of a comprehensive underpinning general public assistance system providing aid on the basis of need, to complete the framework of protection against economic insecurity.

"6—Expansion of social services which are essential for the health, welfare, and efficiency of the whole population; this expansion should be as wide and as rapid as possible."

To carry out these objectives, aside from the increased insurance program, it proposed:

A Federal works agency "established on a permanent basis" charged with responsibility for developing and operating public works programs. Work projects, it said, should be suited to the community and the performance required of workers and the pay should be equal to those in private industry.

Many-Sided System

Combination of the Civilian Conservation Corps and the National Youth Administration into a "unified administration" to direct a many-sided youth program providing Federal grants to those needing it for education, counselors for young people, and programs stressing "the inculcation of work habits and disciplines and familiarity with the use of a variety of tools."

Further study, it was recommended, should be given to development of therapeutic work programs for those with special physical and mental handicaps.

As for general public assistance, it was proposed that these plans be placed on "a basis reflecting differences in need and economic and fiscal capacity as between the States." Thus the Federal Government would pay a larger share, for instance, of old age assistance in a poor State than in a wealthy one instead of basing Federal aid on the amount provided by the State.

Haste Recommended

In the field of public social services, the provision of essential medical care, including "promoting the health of mothers and children," was stressed. Also recommended were free lunches for school children, and distribution of surplus commodities by the stamp plan to the "entire low-income population."

"Some may urge that such a program must be set aside until the war emergency is ended. But to postpone until the war is over will be too late. We should move now on the major changes needed to set our house in order."

Authors of Report

The report was prepared for the board by a special committee consisting of William Haber, chairman, professor of economics, University of Michigan; Will W. Alexander, former administrator, Farm Security Administration; C. M. Bookman, executive vice chairman, Community Chest of Cincinnati; Corrington Gill, former assistant commissioner, Federal Work Projects Administration; the Rt. Rev. Francis J. Haas, dean, School of Science, the Catholic University of America; Fred K. Hoehler, executive director, American Public Welfare Association; Katharine F. Lenroot, chief, Children's Bureau, Department of Labor; Mary E. Switzer, assistant to the administrator, Federal Security Agency, and T. J. Woolfer, Jr., director of research, Federal Security Agency.

Director of research for the study was Dr. Eveline M. Burns, a former member of the graduate faculty of Columbia University.

Hon. William Clifton Berry Presiding

At 10.45 a.m., Hon. William Clifton Berry, Member of the Assembly from the Twenty-third District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 14—An act to amend Section 18734 of the Business and Professions Code, relating to amateur boxing contests.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 1 of the printed bill, strike out the title and insert
 "An act to amend Sections 18734, 18737, 18739, and 18741 of the Business and Professions Code, relating to the regulation of boxing and wrestling, declaring the urgency thereof, to take effect immediately."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 9 inclusive, and insert
 "SECTION 1. Section 18734 of the Business and Professions Code is amended to read:

18734. No person under the age of [18] 16 years shall participate as a contestant in any boxing contest, or sparring or wrestling match[,] and no person under 17 shall compete as a professional boxer.

Every contestant in an amateur boxing contest or sparring match shall be a registered amateur in the district in which he resides, and shall be examined by a physician immediately before the contest.

SEC 2 Section 18737 of said code is amended to read:

18737. During every boxing contest, or sparring match, other than an amateur boxing contest or sparring match, each contestant shall wear gloves weighing not less than five ounces, if such contestant weighs in ring attire 147 pounds or less, and six ounces if such contestant weighs more than 147 pounds.

[During every amateur boxing contest or sparring match each contestant shall wear gloves weighing not less than eight 10 ounces, except that if such a contestant weighs in ring attire]

During every amateur boxing contest or sparring match, each contestant shall wear gloves weighing not less than 10 ounces, except that if such contestant weighs in ring attire 160 pounds or less, he may wear gloves weighing not less than 8 ounces.

[147 pounds or less or, being 17 years of age or older, weighs less than 160 pounds he may wear gloves weighing not less than eight ounces, less than 160 pounds, or 10 ounces if such contestant weighs 160 pounds or more.]

SEC. 3. Section 18739 of said code is amended to read:

18739. No boxing contest or sparring match shall be more than [18] 15 rounds or, if any participant therein is under the age of 18 years, more than six rounds. Rounds shall be of not more than three minutes each in length, and there [There] shall be one minute rest between consecutive rounds. No boxer shall be allowed to participate in more than 12 rounds within 12 consecutive hours

SEC. 4 Section 18741 of said code is amended to read:

18741. (a) No amateur boxing contest or sparring match shall be more than four rounds, of not more than two minutes each, or three rounds of three minutes each, in length.

(b) The interval between each round shall be one minute.

(c) No amateur boxer shall engage in matched bouts more than two times in seven days or, if under the age of 17 years, more than once in seven days. This rule shall not apply to tournaments, but no tournament shall be held except with the approval, and under the supervision, of the commission.

SEC. 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Amateur boxing is a sport which contributes to the maintenance of the health and strength of the youth of the State. Since the Army is now calling up youths of 18 years and older, the sport will not be able to continue under the present law, which sets the minimum age for contestants at 18 years, and the amateur clubs devoted to the physical training of youths will close."

~~Amendments read and adopted.~~

~~Bill ordered reprinted, and engrossed.~~

[On March 20, 1943, above action was rescinded, and record ordered expunged, whereby amendments to Assembly Bill No 14 were this day adopted.]

Speaker Pro Tempore Presiding

At 10.50 a m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

RECESS

At 10.55 a m., on motion of Mr. Call, the Assembly recessed until 10.57 a.m. to hear from Chief Justice Phil S. Gibson.

REASSEMBLED

At 10 57 a m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MOTION TO PRINT COMMITTEE REPORT IN JOURNAL

Mr. O'Day moved that the following Report of the Committee Investigating Camps for Juvenile Delinquents be printed in the Journal.

Mr. McColhster seconded the motion.

Motion carried.

Report of Committee Investigating Camps for Juvenile Delinquents

Pursuant to House Resolution No. 89, the Assembly Interim Committee on Camps for Juvenile Delinquents makes the following report to the California Assembly.

Purposes of the Committee and Historical Background

During March, 1941, Assemblyman Edward F. O'Day introduced Assembly Bill No. 2569 which was an act to provide employment, correctional and vocational training of juvenile delinquents and first offenders.

The bill provided that the State Forester should establish camps, using the facilities of the unoccupied Civilian Conservation Corps camps, many of which were in the State, for the purpose of carrying out the intent of the act.

Dayton E. Jones, now Captain Dayton E. Jones of the United States Army Air Corps, was the CCC Director for the State of California at the time, and he inspired this movement and gathered statistical information concerning the proposed use of the aforementioned camps. The committee is indebted to him for the valuable assistance and advice he gave to the members during their investigation of this problem.

The Assembly refused passage of Assembly Bill No. 2569 because there was insufficient information available concerning the entire program. The Assembly thereafter created this committee and directed it to obtain information concerning the subject matter. This report contains the information acquired by the committee, and also its recommendations.

Committee Activities

Originally, this committee was composed of five members, appointed by the Honorable Gordon H. Garland, Speaker of the Assembly, 1941. The members were, Assemblymen Edward F. O'Day, Chairman; Lorne D. Middough, Vice Chairman; Augustus F. Hawkins, John B. Knight, and M. G. Del Murolo. Upon the convening of the 1943 Session of the Legislature, the Honorable Charles W. Lyon, Speaker of the Assembly, appointed a new committee, consisting of Assemblymen Augustus F. Hawkins, Charles M. Weber, Lorne D. Middough, Edward M. Gaffney, and Edward F. O'Day.

The committee met in San Diego, February, 1942, and there held public hearings. The representative citizenry of San Diego, including judges, welfare workers, probation officers, school department personnel, and others, appeared before the committee, and the experiences of San Diego County in connection with its forestry camp located at Mount Woodson were related to the committee. The committee then adjourned to Mount Woodson and made a personal investigation of the conditions of the Juvenile Delinquents' Forestry Camp maintained by the county.

Other public hearings were held in Long Beach, Los Angeles, and San Francisco, where interested officials and citizens appeared before the committee and advised with the committee concerning the problem.

The committee members held conferences with the members of the California Youth Correction Authority and discussed fully with them the entire program.

Facts Gathered by the Committee

(a) Toward the latter part of 1941, there were available some 27 CCC camp sites. These camps became unoccupied by the Civilian Conservation Corps because of a general diminishing of its activities. They are situated in the mountains of the State.

(b) Since December 7, 1941, the Army has taken over, for their use, most of these camps and they are not now available. When the CCC had these camps they performed considerable beneficial service to the State, such as,

- (1) Making firebreaks
- (2) Road and trail improvements.
- (3) Blister rust control, etc.

(c) At present, the State Division of Forestry has a number of camps that are suitable for the purpose of rehabilitating delinquent youths, and they are situated similarly to the aforementioned CCC camps.

(d) The Youth Correction Authority has power, under its act, to construct and maintain camps, and carry out the purposes of the aforementioned Assembly Bill No. 2569.

(e) The State, under the control of the Department of Finance, and the State Guard, has much equipment on hand suitable for the purposes of equipping camps similar to the CCC camps.

(f) The Youth Correction Authority will have jurisdiction over all persons under 23 years of age who are convicted of crimes in California. There are now in our jails, reformatories, and prisons, approximately 3500 youths between the ages of 17 and 23, a great number of whom are suitable to do the work formerly done by the CCC, and who would be benefited if such a project were created.

(g) The approximate cost of operation of this type of camp is \$2.50 per capita, per day, which includes a payment to the inmates of 50 cents per day.

Benefits to the State Under Such a Program

(a) Under a camp rehabilitation program, it is the consensus of opinion, of those who appeared before the committee, that the benefit to the State will be great, particularly during the present emergency because of the manpower shortage. This type of program will result in

- (1) Conservation of watersheds
- (2) Conservation of natural resources.
- (3) Flood prevention.
- (4) Reforestation.
- (5) Tree rehabilitation
- (6) Many other related projects being maintained.

(b) There is a possibility of fires being started through enemy action. Fire watchers are vitally necessary, and they can be supplied through this type of program.

(c) The saving to the taxpayer becomes obvious when we consider the benefits received by the State.

Benefits to Youths

(a) It is the considered opinion of the committee that the establishment of camps, patterned after CCC camps, in the healthful atmosphere of the mountains, would be a progressive step in the right direction, for dealing with juvenile delinquents and first offenders, for the following reasons:

- (1) They would be separated from boys of a more vicious type, and from boys of continuous records of offenses who are at present in State institutions.
- (2) The San Francisco juvenile authorities report a very high percentage of rehabilitation from those boys sent to the farm endowed by private funds, and San Diego County Forestry Camps for youthful offenders have proven very successful.
- (3) The general atmosphere, the outdoor life, the compensation received by the boys, and the realization that they are doing a constructive job for society, will rebuild the moral fiber of the youths sent to these camps.
- (4) Schools may be established and education provided for through contracts made with the county wherein the camps are situated.
- (5) Youths may be instructed in many useful occupations while inmates of such camps.

Recommendations of the Committee

(a) It is recommended by this committee that the California Youth Correction Authority be provided with funds, earmarked for the purpose of establishing camps in suitable places in the mountainous areas of California, and that the Division of Forestry be placed in charge of the work to be performed by the inmates of the said camps.

(b) The committee recommends that no further legislation be enacted, as the present law is sufficiently broad, to permit the establishment of camps under the direction of the California Youth Correction Authority.

(c) The committee recommends that the California Youth Correction Authority be the selecting agency for the purpose of classifying what individuals may be sent to these camps, in lieu of remaining in jails, reformatories, etc.

(d) The committee recommends that serious felony cases, chronic escape cases, sex cases, psychopathic cases, and feeble-minded cases be not permitted to become inmates of these camps.

(e) The committee recommends that further study be made, for the purpose of considering the advisability of establishing camps in sites, not too far removed from the agricultural areas, so that, during the present emergency, the inmates may be able to assist in the harvesting of the crops of the State.

(f) The committee recommends that further study of the juvenile delinquency problem be made by the Legislature. Juvenile delinquency, it is reported to the committee, has increased beyond all expected proportions during the present emergency.

Conclusion

The committee has directed a letter to the officials of the various counties and cities of the State of California, a copy of which is attached to this report. The letter requests further information concerning the increase of juvenile delinquency. The response from this letter, to the date of the report, is attached hereto.

Respectfully submitted.

EDWARD F. O'DAY, Chairman, San Francisco
EDWARD M. GAFFNEY, San Francisco
CHARLES M. WEBER, Stockton
LORNE D. MIDDOUGH, Long Beach
AUGUSTUS F. HAWKINS, Los Angeles

LORNE D. MIDDOUGH
AUGUSTUS F. HAWKINS

CHARLES M. WEBER
EDWARD M. GAFFNEY

ASSEMBLY INTERIM COMMITTEE INVESTIGATING CAMPS FOR JUVENILE DELINQUENTS

EDWARD F. O'DAY, Chairman

STATE CAPITOL, February 11, 1943

DEAR SIR:

This is to advise you that the Assembly Committee Investigating Juvenile Delinquency is preparing a report to the Legislature recommending the unoccupied forestry camps situated throughout the State of California, be used for the purpose of rehabilitating youths convicted of minor crimes, and who are now incarcerated in the various prisons and reformatories throughout the State.

During the course of our investigation, in connection with the above mentioned problem, we have been informed that there has, since December 7, 1941, been a sharp increase in juvenile delinquency throughout the State of California. The committee is definitely interested in this problem, and would appreciate an expression from you as to the condition of juvenile delinquency in your county during the past year.

We are also desirous of ascertaining from you whether or not you have suggestions that may reduce the mounting delinquency in your county, if any exists, and whether you feel that the Legislature could, by enacting laws, assist in reducing juvenile delinquency.

Your expression and cooperation will be appreciated by the committee.

Kindly address letters to the State Capitol in Sacramento

ASSEMBLY INTERIM COMMITTEE INVESTIGATING CAMPS FOR JUVENILE DELINQUENTS

EDWARD F. O'DAY, Chairman, San Francisco, California

CIVILIAN DEFENSE COUNCIL

CITY OF EL MONTI, CALIFORNIA, March 1, 1943

Mr. Edward F. O'Day

Chairman Interim Committee
Investigating Camps for Juvenile Delinquents
State Capitol Building, Sacramento, California

DEAR MR. O'DAY: Replying to your letter of February 11th, I beg leave to advise that we can not place too much emphasis on our approval of the proposed recommendation of your committee to use unoccupied forestry camps for the purpose of rehabilitating our youthful offenders.

This department, along with all enforcement agencies, has often been discouraged by having our juvenile delinquents returned to our community without the proper disciplinary action being assessed, because of inadequate facilities to care

for them properly elsewhere. Leastwise, this has been the conclusion of our juvenile people. This condition, naturally, has created an utter lack of appreciation for the effectiveness of the law and the delinquent often is emboldened to pursue and to influence others in continued violations and infractions. Thus, your proposal to a great extent alleviates the sad conditions now existing and the courts, realizing the corrective values of such establishments, will no longer be reluctant to deal properly and effectively with the offender.

I am confident that I speak for many of the enforcement agencies when I wish for your committee and yourself the success your proposal so richly deserves.

Very truly yours,

CARL VONN, Chief of Police of El Monte

COUNTY OF LOS ANGELES, OFFICE OF PUBLIC DEFENDER
LOS ANGELES, CALIFORNIA, March 3, 1943

The Honorable Edward F. O'Day
State Capitol, Sacramento, California

MY DEAR MR. O'DAY: Your letter of February 11th addressed to Judge Robert H. Scott of this county has been given by Judge Scott to me with the request that I also take the liberty of addressing your committee with relation to the subject matter of the letter.

I understand that the Legislature, or at least your committee, has under consideration the use of the unoccupied forestry camps throughout the State, for the purpose of rehabilitating youths who have been convicted of minor criminal offenses. Anyone who had the opportunity to observe juvenile delinquency and our youth problem would be highly in favor of this procedure. The forestry camp is probably the best method yet devised for controlling and correcting juvenile delinquency.

My particular suggestion to you in this connection would be that said forestry camps be turned over to the Youth Correction Authority as a part of their facilities. The Youth Correction Authority has the right under the law to engage in contracts with practically any and all of the county or State institutions for the purpose of placing their wards in the desired environment; but, having some such facilities of their own might be a more efficient and more economical method of operation. I pass this on to you as a suggestion.

Very sincerely yours,

FRANKLIN PADAN, Chief Deputy Public Defender

CITY OF FOWLER
FRESNO COUNTY, CALIFORNIA, March 3, 1943

Mr Edward F. O'Day, Sacramento, California

DEAR SIR: Our board of city councilmen approve the recommendation of the Committee Investigating Juvenile Delinquency that the unoccupied forestry camps be used for rehabilitating youths convicted of minor crimes.

They suggest light farm work for at least part time, might also be a good thing for these same boys.

Yours truly,

LOLA O. McCOLM, City Clerk

ALAMEDA COUNTY, JUVENILE COURT AND PROBATION OFFICE
OAKLAND, CALIFORNIA, March 10, 1943

Hon. Edward F. O'Day, Chairman, Assembly Interim Committee
Investigating Camps for Juvenile Delinquents
State Capitol, Sacramento, California

DEAR SIR: I am inclosing herewith statistics which show the comparative number of juvenile delinquency cases for 1941 and 1942 as recorded by the Probation Department of Alameda County. These statistics are broken down into: (1) Probation office intake, which is the over-all picture; (2) Detention home admissions; (3) New cases in which petitions were filed in the juvenile court; and (4) Juvenile court dispositions of delinquent wards as such dispositions existed on January 31, 1942 and 1943, respectively.

The figures submitted indicate a very definite rise in the juvenile delinquency rate in this county during the past year as compared to the preceding year. This increase did not become definitely apparent until about the month of May, 1942. It has continued during all the succeeding months.

The need for custodial facilities for those wards of the court who do not respond to noncustodial methods of treatment is becoming more and more acute. There has been noted a definite increase in this group of wards, which is reflected to some extent in the increase indicated on the inclosed chart showing commitments to State schools and private institutions. The State schools have been running to full capacity for some time. Private institutions are being filled by children placed by parents who are securing employment and who desire a substitute supervision for

their children while they are away from home. Our foster home program for delinquent wards is losing many of its homes because foster parents are turning to more remunerative activities. The result is that the 24-hour custodial service which certain wards of the juvenile court require for their own welfare and that of the community is now very greatly limited.

It is gratifying to note that your committee is recommending that the presently unoccupied forestry camps in the State be used to provide the custodial service required by the juvenile courts, and by other courts as well, in the effort to rehabilitate the young people brought to their attention because of delinquent or criminal conduct. There is no doubt but that these camps will provide an opportunity for the administration of a program of training, work, and other activities which should pay big dividends in the development of good citizenship.

Trusting that the information herein submitted may be of some value, I am

Respectfully yours,

O. F. SNEDIGAR, Probation Officer

Alameda County Probation Office Intake

Boys Cases (delinquent)

May through December, 1941	1258
May through December, 1942	1487
Increase	229 or 18%

Girls Cases (delinquent)

May through December, 1941	409
May through December, 1942	755
Increase	346 or 85%
Total increase	575 boys and girls or 35%

Delinquent Wards Actually in State Schools, Under Commitment by
Juvenile Court of Alameda County

State Schools:

Preston School of Industry	January 31, 1943	58
	January 31, 1942	30
	Increase	28 or 93%
Fred C. Nelles School	January 31, 1943	26
	January 31, 1942	21
	Increase	5 or 24%
Ventura School for Girls	January 31, 1943	9
	January 31, 1942	4
	Increase	5 or 125%
Total increase	55 boys and girls	or 69%

Delinquent Wards Actually in Foster Homes, Under Placement by
Alameda County Juvenile Court

In foster homes January 31, 1943—72; the same number as previous year. However, foster homes are becoming increasingly hard to find and, during the month of January, 1943, this office lost the use of 15 homes. The number of homes on hand in January, 1942, was 56 compared to 32 in January, 1943.

Delinquent Wards Actually in Private Institutions, Under Commitment
by Alameda County Juvenile Court

	Boys	Girls	Total	Boys	Girls	Total
January 31, 1943	20	33	53	---	---	---
January 31, 1942	11	25	36	---	---	---
Increase	9	8	17	82%	32%	47%

New Petitions Alleging Delinquent Conduct Filed in Alameda County Juvenile Court 1941 and 1942

1941 Boys' cases -----	420
1942 Boys' cases -----	525
Increase 1942 over 1941 -----	105=25%
1941 Girls' cases -----	97
1942 Girls' cases -----	148
Increase 1942 over 1941 -----	51=52%
Combined increase both boys and girls -----	156=30%

Residence of New Cases of Delinquency Filed in Alameda County Juvenile Court 1941 and 1942

	1941			1942		
	Boys	Girls	Total	Boys	Girls	Total
Oakland -----	288	63	351	331	80	411
Berkeley -----	45	7	52	46	14	60
Alameda -----	14	2	16	25	5	30
Alameda County -----	40	6	46	67	19	86
California -----	21	8	29	40	7	47
Out of State -----	12	11	23	16	23	39
	<u>420</u>	<u>97</u>	<u>517</u>	<u>525</u>	<u>148</u>	<u>673</u>

Delinquent Wards Actually on Probation, Under Commitment by the Alameda County Juvenile Court—Formal Probation Cases

	Boys	Girls	Total	Boys	Girls	Total
January 31, 1943 -----	566	180	746	---	---	---
January 31, 1942 -----	491	164	655	---	---	---
Increase -----	75	16	91	15%	10%	14%

Children on Probation, Not Under Commitment by the Juvenile Court of Alameda County—Informal Probation Cases

	Boys	Girls	Total	Boys	Girls	Total
January 31, 1943 -----	89	129	218	---	---	---
January 31, 1942 -----	168	71	239	---	---	---
Decrease -----	79	---	21	47%	---	9%
Increase -----	---	58	---	---	82%	---

Total Number of Children on Probation—Not Wards and Wards—Both Formal and Informal

	Boys	Girls	Total	Boys	Girls	Total
January 31, 1943 -----	655	309	964	---	---	---
January 31, 1942 -----	659	235	894	---	---	---
Decrease -----	4	---	---	.6%	---	---
Increase -----	---	74	70	---	31%	8%

Alameda County Detention Home Admissions—1941 and 1942

BOYS ONLY

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
1941	109	89	88	93	82	72	63	69	83	135	73	87	1,043
1942	89	87	78	69	142	112	106	129	144	203	169	166	1,503
	Increase: 400 = 44 per cent												

Last eight months each year shows increase of 76 per cent.

GIRLS ONLY

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
1941	24	29	33	32	26	25	21	26	20	58	31	24	349
1942	41	24	37	32	34	45	54	55	43	66	50	35	516

Increase: 167 = 47 per cent.

Last eight months each year shows increase of 65 per cent.

TOTAL ADMISSIONS—BOTH BOYS AND GIRLS

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
1941	133	118	121	125	108	97	84	95	103	193	104	111	1,392
1942	139	111	115	101	176	157	169	184	187	269	219	201	2,019

Increase: 627 = 45 per cent.

Last eight months each year shows increase of 74 per cent.

AVERAGE DAILY ATTENDANCE—BOTH BOYS AND GIRLS

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
1941	31	34	34	32	37	22	24	28	30	39	41	47 (33)	399
1942	55	38	49	34	46	48	39	50	46	65	67	52 (49)	589

Average daily attendance for 1941 33

Average daily attendance for 1942 49

Average daily attendance last eight months of 1941 33

Average daily attendance last eight months of 1942 52

NOTE—The above figures show no increase was noted in detention home admissions until May, 1942, at which time a very definite increase was indicated which has held up during all subsequent months.

CITY COUNCIL OF THE CITY OF DAVIS

DAVIS, CALIFORNIA, March 5, 1943

Mr. Edward F. O'Day, Chairman

Assembly Interim Committee Investigating Camps for Juvenile Delinquents,
State Capitol, Sacramento, California

DEAR MR. O'DAY: I am in receipt of your letter of February 11, 1943, referring to the investigation of juvenile delinquency throughout the State of California.

I am heartily in favor of your committee making this thorough investigation. Our peace officers report an increase in juvenile delinquency during the past several months. I am sure the entire citizenry of the State of California will appreciate anything you can do to reduce juvenile delinquency.

Very truly yours,

C. A. COVELL, Mayor

JUSTICE COURT, SAN GORGONIO TOWNSHIP, RIVERSIDE COUNTY

BANNING, CALIFORNIA, March 2, 1943

Mr. Edward F. O'Day

Sacramento, California

DEAR MR. O'DAY: This in reply to your letter of February 11th.

There has been a material increase in this location in juvenile delinquency, particularly petit theft.

Believe the proposed recommendation to the Legislature to use unoccupied forestry camps for purpose of rehabilitating youths convicted of minor crimes, an excellent move.

You may count on my full cooperation.

Very truly yours,

J. J. FREDERICKS, Justice of the Peace

CITY OF INGLEWOOD, CALIFORNIA

OFFICE OF CITY ATTORNEY, March 9, 1943

Assembly Interim Committee Investigating

Camps for Juvenile Delinquents

State Capitol, Sacramento, California

ATTENTION: Mr. Edward F. O'Day, Chairman

GENTLEMEN: In response to your recent communication in re use of unoccupied forestry camps for the purpose of youth rehabilitation, you will please be advised

that in my opinion the use of the camps in question would be a definite aid in cutting and correcting juvenile delinquency; provided that proper and understanding supervision could be obtained.

The locations of the camps referred to are such as to bring the boys in contact, many of them for the first time, with the grandeur and serenity of Nature in her quiet moments, and with her unbridled fury in times of storm. Undoubtedly some of the boys would be impressed with life under such circumstances and would adapt themselves to a better relation with society. Proper supervision, however, I can not stress too strongly, as even in the finest environments, which ordinarily would be conducive of the highest ideals and give rise to the finer emotions, improper supervision or careless administration could spoil the lot.

As city attorney for four cities, I naturally received four of your letters, one addressed to each city, but I am making this one reply on behalf of all.

Yours very truly,

CLYDE WOODWORTH
City Attorney for the Cities of
Inglewood, El Segundo, Manhattan
Beach, and South Gate, California

DEPARTMENT OF POLICE
CITY OF TURLOCK, CALIFORNIA, March 9, 1943

*Mr. Edward F. O'Day, Chairman
Assembly Interim Committee, Sacramento, California*

DEAR SIR: In regards to your letter of March 6th in regards to juvenile delinquency, I wish to state that we have found that juvenile delinquency has increased very fast during the last year, in fact we have had six cases of this kind during the last three weeks.

I think it would be a good thing to use forestry camps for the rehabilitating of youths convicted of minor crimes.

I believe the Legislature should enact laws that will assist in reducing delinquency as I think you will agree it is a State problem.

At the present time, most cities have ordinances requiring children to be off the public streets by 10 p.m. These ordinances are hard to enforce due to the fact that the local police court can not hear these cases.

In this city and many others, we have to take the child who violates this ordinance to the juvenile court at Modesto, the county seat.

I believe the law should be changed to allow all misdemeanor juvenile cases to be taken into either the city or justice court.

Yours truly,

E. W. GADDY, Chief of Police

POLICE COURT, CITY OF STOCKTON, SAN JOAQUIN COUNTY
STOCKTON, CALIFORNIA, March 10, 1943

*Assembly Interim Committee Investigating
Camps for Juvenile Delinquents
State Capitol, Sacramento, California*

GENTLEMEN: I have your letter dated February 11, 1943, relative to your investigation of juvenile delinquency, and I note what you have to say.

In reply, I beg to state that I have very definite views on the so-called juvenile delinquency. It would be impossible for me to state them fully in a letter. Should your committee have a meeting in this county, or any other place where I might attend, I would be glad to give my views to you verbally and fully.

I have had about 15 years in handling boys in this community. I will be glad to cooperate with you in any way I can and render whatever assistance possible.

Very respectfully,

EDWARD F. BREITENBUCHER
Judge of the Police Court

POLICE DEPARTMENT, THE CITY OF SAN DIEGO
SAN DIEGO, CALIFORNIA, March 9, 1943

*Mr. Edward F. O'Day, Chairman
Assembly Interim Committee, Sacramento, California*

DEAR SIR: With reference to your communication regarding the investigations being conducted pertaining to camps for juvenile delinquents, I have the following:

Juvenile delinquency in the City of San Diego has increased materially during the past year. Our statistics reveal, however, that the increase in total case load is caused by newcomers or by juveniles who are not residents of this city. The case load for residents of this city has decreased slightly in total cases, but has increased in certain parts of town. Our investigations indicate that this is due, no doubt, to the dim-out restrictions imposed, and which caused to darken night playground areas. These areas have been reopened

recently when material has been available to light the areas to conform to dim-out restrictions. An improvement in the delinquency problem has been noted since the night playground areas have been reopened.

We find that a large percentage of the delinquency increase is being caused by the lack of parental supervision, due no doubt to the fact that both parents are frequently employed and no provision made for the care of the children while they are gone.

I feel that a great deal of good can be done by opening forestry camps to juvenile delinquents, thereby reducing the load in present State institutions, which have been overcrowded for some time. It is extremely difficult to have delinquents from this county accepted into State institutions, apparently because of their crowded condition.

Facilities for caring for juvenile delinquents are extremely poor in this county; the only places available where delinquents can be held with any degree of security are the city and county jails.

A forestry camp for delinquent boys is in successful operation in this county, but facilities for holding juveniles pending trial, transfer, or hearing are entirely inadequate.

I feel that any program which will assist in rehabilitating the juvenile delinquents, particularly the provision of the fresh air camps, properly supervised and away from possible bad influences, will go a long way toward solving the problem.

Yours very truly,

CLIFFORD E. PETERSON, Chief of Police

SALINAS, March 8, 1943

*Edward F. O'Day, Chairman, Assembly Interim Committee
Investigating Camps for Juvenile Delinquents
State Capitol, Sacramento, California*

DEAR MR. O'DAY: Your letter of February 11, 1943, received March 8th.

I think your committee's recommendation that the unoccupied forestry camps situated throughout this State be used for the incarceration of juvenile delinquents is an excellent one. However, with these qualifications, which of course, you and your committee have no doubt considered: That no expense be spared in prompt action and in adequately equipping these camps for the purpose they are to serve; that only thoroughly competent persons of high moral character be employed to operate these institutions.

A check of juvenile delinquency, or should it be termed parental delinquency, in Monterey County about six weeks ago showed a rise of about 7 per cent in 1942 over 1941, and there are no war production centers of any import in the county.

Although I am greatly interested in the reduction and control of juvenile-parental delinquency, I am not really prepared with any studied plan for suggestion. I would like to make these observations however: That there is quite generally a pitiful lack of neighborhood and community recreational facilities for the youth; that cities and communities are intentionally reducing these facilities; that this condition will probably continue to exist for the "duration" just when such facilities are needed most, unless provision is made for retaining and augmenting such facilities from a State level and that a parent educational program and very possibly State legislation to force parents to maintain better supervision and control of their children is necessary.

Thank you for allowing me this opportunity to express myself on a matter that is fast developing to be the Nation's number one problem.

Respectfully yours,

C. LLOYD COLBY, Police Judge

MOTION TO PRINT SPEECH IN JOURNAL

Mr. Field moved that the following speech by Mr. Burns be printed in the Journal:

Mr. Doyle seconded the motion.

Motion carried.

Speech by Hon. Michael J. Burns

Mr. Speaker, Members of the Assembly, Guests and Friends

Today, in a world aflame with hate and passion, we are gathered here in Sacramento to pay reverence to Ireland's patron saint, just as everywhere that friends of the Irish race may meet, they, too, assemble in this annual tribute to Saint Patrick.

We meet at a time when the skies of the world are darkened by war, dictatorship, tyranny, and oppression. Almost alone on this fear-ridden globe nations—and peoples—still hold aloft with courage and determination, the glowing torch of national

freedom and individual liberty, still lighting with the gleam of hope the gathering gloom of lost liberties and vanished freedom which now enshrouds so many peoples of the world.

This is a grave hour in the history of men and in the history of nations.

Freely from rivalries, the hatreds, and the jealousies that warp the minds of dictators; freed from the dreams of grandeur and world power that grips the dictator, the struggle still goes on—but not without apprehension.

In this critical situation that confronts us, we may well pause to recall the teachings and the philosophy of Patrick, who found his strength in reason, his success in human understanding, and his faith in God.

Saint Patrick lived through the Fifth Century of the Christian Era, and died within a few years of its close. It was a time of wonders and of wonder workers, yet his marvelous life-span of 120 years was even then without a rival.

Saint Patrick was a Gallo-Roman, by his mother, Concessa. He was closely related to Saint Martin, the Bishop of Tours, whose disciple he afterwards became. His father, Calpurnius, was a Roman officer of good family. It seems fairly established that Concessa had been, in her youth, as her son was afterwards, carried into slavery; and that it was from this state that Calpurnius, won by her beauty and virtue, rescued her to make her his wife. So it was by one who had been a slave, and the son of a slave, that the Gospel was preached to a people who were, for many a century, to know the sorrows of servitude, and amid those sorrows to prepare for better days.

It is chronicled that he was born A. D. 372, and just lived the ordinary life of any youth to the age of 16 years when he was carried into captivity—taken suddenly from the bosom of his family, thrown in the hold of one of those warships of the Irish King, borne roughly across the boisterous ocean, and then flung on the northern coast of Ireland and sold as a slave. There he remained month after month, year after year, and in that bitter exile, not knowing the language of those who were his masters, severely tasked, scourged and beaten, neglected and despised, first turned his heart to God, for there was no hope or comfort left to him upon this earth. He, however, acquired some knowledge of the language and customs of his captors, which later on in life was to be used by him to the greatest effect.

After six years of his captivity, he escaped and returned to France, in a vessel which he found, fortunately, on the Coast of Ireland. When he obtained his freedom, he turned his attention to his education, which had been so long neglected. He went to the Seminary of Tours, conducted at the time by his relative, the Bishop of Tours, and spent four years there. He then retired to a monastery for nine years to still further his education and prepare himself for the task that he knew was ahead of him, because, by this time, he had dedicated himself to return to Ireland and take up the unsuccessful mission of Palladius. He was consecrated at Rome and assigned to the Irish Nation. After a long and weary voyage, such a one as we can have no conception of in these days, Saint Patrick landed on the coast of Wicklow some time before Easter, A. D. 432. After spending some time here, he embarked for the north of Ireland, landed in the County of Down, and erected the first temple to the Living God.

Easter-time was now at hand. It occurred at the same period of the year at which the Council of Delegates from the different provinces was to be held at Tara. This was similar to our present-day Congress or a Legislature. Patrick conceived the happy, though adventurous design, of storming Paganism at its very center, and therefore repaired to Tara, determined to celebrate Easter within a short distance of it. During the national festival, in accordance with some Druidical superstition, no fire could be lighted throughout the land under pain of death, until one had been first kindled at the royal palace.

Patrick, however, was not cowardly, and carrying out a pious custom prevailing at the time in some Christian communities, lighted a fire to commemorate Easter Day.

When the Druid priests saw the light, they immediately threatened destruction to the nation unless the criminal would be punished, and Patrick was accordingly summoned to the King's presence. But, when the King heard what Patrick had to say, that he had come a long distance, with much hardship, to serve the people of Ireland; that his only reward for giving his life to their welfare would be the joy he would have in promoting new faith—when the King heard this, he was struck with his fearless courage, his evident sincerity, and the beauty of the Christian doctrine, and invited him to appear next day before the National Council.

Patrick, exulting with joy, and burning with Christian zeal, appeared, and preached to the assembled chiefs the new doctrine. Many of them forthwith joined his fold. Thus was begun the conversion of the Irish nation. Patrick received the King's sanction to preach throughout the nation. I shall not weary you by detailing his labors.

The first feature which attracts our notice is the fact that it is the only country in the world ever converted to Christianity without having to pass through the ordeal

of shedding blood. The second characteristic of this new Christian country is that it became entirely Christian from Antrim to Cape Clear, and from the Arran Isles to Dublin Bay, in the short space of 33 years.

No more striking and beautiful tradition exists in all history than that of the triumph of Saint Patrick's great courage, his deep faith in Christian teachings, and the power of Truth, as related in his life.

With a cheerful willingness, the Truth-hungry people of Ireland embraced the beautiful philosophy of Christianity—and no people, through persecution, through hardship, and even up to the portals of death itself, have been more devout, more faithful, and more courageous in their faith than have the Irish people.

So long as history shall record the story of Saint Patrick's mission, so long as the waters of the River Shannon flow, so long will the men and women of the Irish race love their Emerald Isle, honor the memory of Saint Patrick, cherish their shamrock and uphold the principles of national freedom and individual liberty.

And so the Irish people, true to their faith in their patron saint and faithful to their heritage, have fought and bled and died in the cause of liberty, not only in their own little island, but in every country of this globe where the struggle for liberty has taken place.

The history of the United States is emblazoned and glorified with the names of brave and brilliant men and women of Irish blood, who have helped in the struggles for the freedom of our Democracy and the personal liberties guaranteed to us under our constitutional Bill of Rights.

When the War of the Revolution was over, and Benjamin Franklin was appointed the first American Minister to England, the British Minister asked him this question: "Please, Sir Franklin, state the different nationalities in the American Army in the War of the Revolution."

Think of his reply, which is a matter of record today. His answer was "Sixty-seven per cent Irish, 22 per cent other nationalities, and 11 per cent native born." Think of it, my friends, it was 67 per cent Irishmen who raised the American Flag in victory at the Battle at Lexington and who went down with it in defeat at Bunker Hill. It was 67 per cent Irishmen who, without firing a gun, but with drawn swords, fought with that Flag in glorious victory at Stony Point. It was 67 per cent Irishmen in the Army that sent those bullets to victory at Camden and Eutaw Springs. It was 67 per cent Irishmen in that small Army on that bleak cold night of December 25, 1776, that filled the boats and, with George Washington, crossed the ice-blocked Delaware River and captured those hired Hessians in the Battle of Trenton. It was 67 per cent of Irish blood that crimsoned the snows that covered the grounds under the starless nights at Valley Forge. It was 67 per cent of Irish voices that sent patriotic songs and solemn prayers heavenward at Yorktown; and, sirs, it was 67 per cent of Irishmen that marched home with the Father of this Country after eight long years of weary battle to a glorious victory—a victory that established on this land the lasting Union of these United States.

Today, we in this Country, are mobilizing our forces to preserve the liberties and freedom for which our forefathers fought—to preserve the American way of life. We have a tradition of liberty and progress, which is very precious to us.

We are trying—as are the people of Ireland—to live in peace and freedom and in adherence to Christian principles—in a world where the lights of civilization are flickering.

This war which rages in the world today is not just a struggle between armies, navies and air forces. It is not one of the never-ending wars that have plagued Europe through history. It is a struggle between philosophies of government and ways of living. The dictators do not want Christian brotherhood and obedience to moral law. Instead, they demand racism and obedience to power. They have developed the philosophy that the governing officials of a nation are masters, and not the servants of the people; that the government should be all-powerful, and the people without voice.

We are in the midst of a world revolution, fomented by the leaders of the dictator nations in Europe. To realize the seriousness of the situation, we need but review briefly the tragic events of the last year. Behind an assaulted Belgium and Holland, there stood a France; behind an assaulted France, there stood an England; behind an assaulted England and Greece, there stands a United States of America. We are, as someone has said, the ultimate core of the last resistance to a new world order. We can not look to any larger, stronger nation for protection and help. We can not lean; we must stand.

In this crisis, in our National life, we are arming for defense as we never armed before. We are calling our young men to military service as we have never called them before. We have done this, because, in less than a year, we have seen the fall and ruin of free nations, and a new creed of barbarism on the march.

We can no longer take our own way of life for granted; we know that it is challenged. And we know this, too—and know it ever more deeply. We know that freedom and Democracy are not just big words, spoken by orators, but they

are the rain and the wind and the sun, the air and the light by which we breathe and live.

We will defend them!

We Americans can not be a house divided—divided in will, divided in interest, divided in soul. We can not be a house divided—and live. The issue goes beyond battleships and airplanes; it goes beyond tax bills and laws. It goes into the hearts and minds of every one of us. Each one of us is responsible; not one of us can shrug his own responsibility.

In the troubled years ahead, we must have unity and a united Nation.

A striking contribution to our National unity will be furnished in San Francisco today.

There Islam Temple of the Shrine will hold its annual Saint Patrick's Day luncheon with an audience of more than 10,000 men and women of every faith and nationality joining in a common brotherhood. It will be a marvelous demonstration of unity with the world listening in by radio. We need more of those demonstrations throughout the Country. For a National unity is a first essential in dealing with an international crisis.

We can do no other—all of us—in this grave hour—than to help create, and participate in a spirit of National unity, which will sweep aside all vestige of personal feelings, of partisan differences, of sectional hatreds, and of class distinctions. If we go into the difficult days ahead as a united Nation; if we embrace and champion the high aims and purposes of this hour, we shall succeed together. But we must not fail!

Our Country must be made impregnable against any attack; whether that attack be launched by one nation, or whether it be launched by a combination of all nations of the earth. America must be made safe!

And now, as my story comes to a close, as we, who have been viewing Patrick and his Ireland through the eyes of one who understands the feelings of another; as we, who have been the singularity of its history and of its people; as we, who have seen the trials through which that nation has gone to preserve the liberty which we are today fighting to protect; may I, in the light of what has been said, may I, in your name, on this, his day and theirs, salute the name of Saint Patrick, salute Ireland and the Irish people, and, in my own name, may I salute you for your kindness?

I thank you.

RECESS

At 12.19 p.m. on motion of Mr. Sam L. Collins, the Assembly recessed until 12.21 p.m. to hear from Governor Earl Warren.

REASSEMBLED

At 12.21 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MOTION TO PRINT REMARKS IN JOURNAL

Mr. O'Day moved that the following remarks by Governor Warren be printed in the Journal:

Motion carried.

Governor Warren's Remarks to the Assembly at the Celebration of St. Patrick's Day, March 17, 1943

*Mr. Speaker pro tempore, Mr. Chief Justice Gibson, and
Members of the Assembly*

I have not come before you today to make a speech or to deliver any message. I have come merely to join with you in this celebration of the memory of St. Patrick, the great Patron Saint of Ireland.

I have been refreshed and given new encouragement by the masterly address just delivered by your fine elder statesman, Assemblyman Michael Burns, and I was very glad that it should be given by one who is himself a descendant of St. Patrick. I do not recall when I have heard a better speech.

In times like these, when the skies are cloudy and the horizon is low, and when we can not see far ahead, it seems to me to be a good thing to consider and honor the lives of great men—men of courage, of determination, of character and of religious fervor like the great St. Patrick.

It has been a great pleasure to join with all of you in this traditional ceremony and to pay my tribute to the memory of St. Patrick, Ireland's Patron Saint.

COMMUNICATIONS

By Speaker Lyon :

The following communication was received, read, and ordered printed in the Journal :

WASHINGTON, D. C., March 17, 1943

Hon. Chas. Lyon, Speaker of the Assembly

Centuries have passed since the Patron Saint exerted his benign influence in 400 A.D. Today I know his spirit will be commemorated in Sacramento. In historic fashion Tommy will marshal the shamrock forces. My thoughts are with you all. May no Legislator have to visit the legendary Cave of Lough Dergh.

ROGER A. PFAFF, Captain, Infantry

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 635

Assembly Bill No. 948

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 540

Assembly Bill No. 782

Assembly Bill No. 1352

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 46

Assembly Bill No. 1147

Assembly Bill No. 1206

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATSON, Chairman

Above reported bills ordered to second reading.

COMMUNICATIONS

By Speaker Lyon :

The following communication was received, read, and ordered printed in the Journal :

SEATTLE, WASHINGTON, March 17, 1943

Hon. Charles W. Lyon

Speaker of the House, California State Legislature

Many happy returns to all the Irish of California on this fine St. Patrick's Day. I direct you rule all the Shanty Irish members, including Tommie Maloney, out of order and not allow any bills to be introduced that incite race prejudice. Regards to all including the third house.

JIMMIE O'CONNOR

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Maloney and Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Chief Justice Phil S. Gibson of Sacramento.

On request of Mr. Brady, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Gordon R. Harrison of San Francisco.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to C. F. Haggerty, President, State Federation of Labor, San Francisco; Ernest R. Orfila, and Raymond Leheney of Los Angeles.

On request of Mr. Lyons, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Burt Currigan of Los Angeles.

On request of Mr. Brown, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Milton Kidd, L. D. Thompson, Gerritt Veneman, Ed. Whitmore, and J. L. Ebre of Stanislaus County.

On request of Mr. Crichton, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Charlotte Fay of Fresno.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Desmond Bourke of Los Angeles.

On request of Mr. Maloney and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. William J. O'Connor and John L. O'Connor of New Bedford, Mass.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Michael J. Burns, Miss Patricia Burns, Bernard Maxwell Burns of Eureka, wife, daughter, and son of Assemblyman Burns; and Judy Carlson of Sacramento, granddaughter of Assemblyman Burns.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mary Malone of Riverside.

ADJOURNMENT

At 12.30 p m., on motion of Mr. Rosenthal, the Speaker declared the Assembly adjourned until 10 a m., Thursday, March 18, 1943, out of respect to the memory of St. Patrick, Ireland's Patron Saint.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-FIRST LEGISLATIVE DAY
SEVENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 18, 1943

The Assembly met at 10 a m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Most gracious God, our Heavenly Father, we bow in reverence before Thee as the giver of every good and perfect gift. We humbly confess our sins with the assurance that as far as the east is from the west, so far wilt Thou remove our transgressions from us.

In these days of war and strife, we look unto Thee for strength and guidance, that we may think clearly, speak gently, and act bravely in every hour of crisis. Bless our President, our Governor, those in places of authority and leadership, the members of our armed forces, and the homes of our Nation from which they have gone out.

"God bless our native land,
Firm may she ever stand
Through storm and night!
When the wild tempests rave,
Ruler of wind and wave,
Do thou our Country save,
By Thy great might!"

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. McCollister.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Kilpatrick, on motion of Mr. McMillan.

Mr. Fourn, on motion of Mr. Sargent.

Mr. Waters, on motion of Mr. Doyle.

MOTION TO EXCUSE MEMBER

Mr. Leonard moved that Mr. Thurman be excused for the balance of the legislative week, because of illness.

Motion carried.

COMMUNICATIONS

By Speaker Lyon:

A communication from Walter C. Peterson, City Clerk of the City of Los Angeles, relative to a resolution adopted by the city council urging the adoption of Assembly Bill No. 224, was received and ordered filed with the Secretary of State.

**ANNOUNCEMENT THAT POSTMASTER GENERAL WALKER
WILL ADDRESS THE ASSEMBLY**

Mr. Robertson announced that United States Postmaster General Frank C. Walker would be present in the Assembly Chamber at 1.45 p.m. today to address the Legislature.

**SENATE INVITED TO HEAR ADDRESS BY POSTMASTER
GENERAL WALKER**

Speaker Lyon instructed the Sergeant-at-Arms to notify the Senate that Postmaster General Walker will be present in the Assembly Chamber at 1.30 p.m., today, and to issue an invitation to the Senate to sit in recess with the Assembly to hear from Mr. Walker.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Crichton:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act adding Chapter 2.5 to Division 4 of the Military and Veterans Code, relating to the creation of the Disabled Veterans' Service Bureau, defining its powers and duties, and making an appropriation therefor

Respectfully submitted,

J. G. CRICHTON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Crichton:

An act adding Chapter 25 to Division 4 of the Military and Veterans Code, relating to the creation of the Disabled Veterans' Service Bureau, defining its powers and duties, and making an appropriation therefor.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kel- lems, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Mr. Speaker—61.
NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1933: By Mr. Crichton—An act adding Chapter 25 to Division 4 of the Military and Veterans Code, relating to the creation of the Disabled Veterans' Service Bureau, defining its powers and duties, and making an appropriation therefor

Referred to Committee on Military Affairs.

Assembly Concurrent Resolution No. 41: By Mr. Heisinger—Relative to the investigation of flood waters of Kings River.

Referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 456 | Assembly Bill No. 468 |
| Assembly Bill No. 459 | Assembly Bill No. 471 |
| Assembly Bill No. 460 | Assembly Bill No. 473 |
| Assembly Bill No. 464 | Assembly Bill No. 478 |
| Assembly Bill No. 466 | |

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined.

Assembly Joint Resolution No. 31

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 33

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 217

Assembly Bill No. 246

Assembly Bill No. 1530

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Public Utilities, Manufacturing, and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which were referred:

Assembly Bill No. 630

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ALLEN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which were referred:

Assembly Bill No. 399

Assembly Bill No. 1433

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1600

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1600—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 3, line 6, of the printed bill, strike out "\$217,740.00", and insert "\$218,940.00".

Amendment No. 2

On page 4, lines 25 and 26, of the printed bill, strike out "payable from The Personal Income Tax Fund".

Amendment No. 3

On page 4, line 41, of the printed bill, strike out "on", and insert "of".

Amendment No. 4

On page 4, line 42, of the printed bill, strike out "of", and insert "on".

Amendment No. 5

On page 4, line 46, of the printed bill, strike out "California", and insert "California".

Amendment No. 6

On page 6, line 11, of the printed bill, following the comma, insert "California State Historical Association,".

Amendment No. 7

On page 8, line 48, of the printed bill, strike out "Exposition", and insert "Expositions".

Amendment No. 8

On page 8, line 51, of the printed bill, strike out "Fairs", and insert "Fair".

Amendment No. 9

On page 9, line 1, of the printed bill, strike out "tions out of the", and insert "tion Fund under the".

Amendment No. 10

On page 9, line 3, of the printed bill, strike out "\$15,000.00", and insert "\$22,948.00".

Amendment No. 11

On page 9, line 7, of the printed bill, strike out "Fairs", and insert "Fair".

Amendment No. 12

On page 9, line 8, of the printed bill, strike out "out of", and insert "Fund under".

Amendment No. 13

On page 12, line 5, of the printed bill, after "School", insert "Cadets".

Amendment No. 14

On page 12 of the printed bill, strike out all of lines 31 to 38, inclusive, and insert "Item 149—The State Controller, upon written authorization of the Director of Finance, shall transfer from time to time from the Motor Vehicle Fund to the Motor Vehicle Support Fund such amounts during the Ninety-fifth Fiscal Year, not exceeding in all the sum of four hundred twenty-five thousand, five hundred eighty-seven dollars (\$425,587), as are necessary to meet claims against the appropriation made by Item 148 and likewise may make such transfers during the Ninety-sixth Fiscal Year not exceeding the sum of four hundred twenty-five thousand, five hundred eighty-seven dollars (\$425,587) in all."

Amendment No. 15

On page 13, line 22, of the printed bill, after the second word "of", insert "Beaches and".

Amendment No. 16

On page 13, line 26, of the printed bill, after "of", insert "Beaches and".

Amendment No. 17

On page 13, line 32, of the printed bill, after "of", insert "Beaches and".

Amendment No. 18

On page 13, line 41, of the printed bill, after "of", insert "Beaches and".

Amendment No. 19

On page 15, line 6, of the printed bill, strike out "Southern California Prison", and insert "California Institution for Men".

Amendment No. 20

On page 17 of the printed bill, strike out all of lines 34 to 52, inclusive, and insert "Item 214—For lands, rights of way, borrow pits, and easements for levees and flood control works to be constructed by the United States within the Sacramento River Flood Control Project, and for advances and payment to the United States of incidental construction items which are a right-of-way cost or obligation of the State in the construction of said levees and flood control

works, and for materials and necessary construction of reconstruction of, or alterations to highways, bridges, power lines, pipe lines and other structures or facilities, and for flowage rights over lands in by-passes and channels created for the disposal of flood waters, and for flowage rights over lands in overflow areas, State Reclamation Board----- \$500,000.00
to be transferred upon order of the Director of Finance to the Joint Navigation and Flood Control Project Fund for expenditure and use as provided by Sections 37a and 37b of the Reclamation Board Act."

Amendment No. 21

On page 20, line 52, of the printed bill, strike out "fourth", and insert "sixth".

Amendment No. 22

On page 21, line 1, of the printed bill, strike out "third", and insert "fifth".

Amendment No. 23

On page 21, line 15, of the printed bill, strike out "third", and insert "fifth".

Amendment No. 24

On page 21 of the printed bill, strike out all of lines 44 to 52, inclusive, and insert "ated, \$150,000 00 is appropriated for each of the Ninety-fifth and Ninety-sixth Fiscal Years, and of the sum appropriated for each such fiscal year there may be expended for use during such fiscal year nineteen thousand six hundred fifteen dollars and fifty cents (\$19,615 50) for agricultural subjects, fifty-four thousand three hundred seven dollars and fifty-four cents (\$54,307.54) for trade and industrial subjects, twenty-seven thousand four hundred ninety-six dollars and eighteen cents (\$27,496.18) for homemaking subjects, fifteen thousand six hundred fifty-three dollars and ten cents (\$15,653.10) for distributive occupation subjects, and thirty-two thousand nine hundred twenty-seven dollars and sixty-eight cents (\$32,927.68) for teacher training"

Amendment No. 25

On page 22 of the printed bill, strike out all of lines 1 to 3, inclusive.

Amendment No. 26

On page 8, line 21, of the printed bill, strike out "85", and insert "85.5".

Amendment No. 27

On page 11, line 1, of the printed bill, strike out "122", and insert "122.5".

Amendment No. 28

On page 3 of the printed bill, between lines 36 and 37, insert "Item 25 5—For litigation and legal services in connection with activities of the Colorado River Board, to be expended by the Attorney General ----- \$20,000.00".

Amendment No. 29

On page 18, line 6, of the printed bill, strike out "\$44,712 00", and insert "\$24,712.00".

Amendment No. 30

On page 3, line 21, of the printed bill, strike out "\$180,000.00", and insert "\$234,368.00".

Amendment No. 31

On page 9, line 20, of the printed bill, strike out "\$0,600.00", and insert "\$41,318 00".

Amendment No. 32

On page 4, line 44, of the printed bill, strike out "\$751,333.00", and insert "\$730,251.00".

Amendment No. 33

On page 5, line 24, of the printed bill, strike out "\$2,613,812.00", and insert "\$2,516,259.00".

Amendment No. 34

On page 5 of the printed bill, strike out all of lines 15 to 19, inclusive.

Amendment No. 35

On page 3 of the printed bill, strike out all of lines 46 and 47.

Amendment No. 36

On page 3, line 32, of the printed bill, strike out "\$12,930.00", and insert "\$29,630 00".

Amendment No. 37

On page 3, line 37, of the printed bill, strike out "\$1,004,905.00", and insert "\$972,728.00".

Amendment No. 38

On page 12, line 2, of the printed bill, strike out "the State Guard,".

Amendment No. 39

On page 12, line 5, of the printed bill, strike out "\$15,415,616.00", and insert "\$300,772.00".

Amendment No. 40

On page 11, line 45, of the printed bill, strike out "\$299,095 00". and insert "\$312,722.00".

Amendment No. 41

On page 14, line 51, of the printed bill, strike out "\$29,680.00", and insert "\$39,086.00".

Amendment No. 42

On page 10, line 15, of the printed bill, strike out "\$322,782.00", and insert "\$317,229.00".

Amendment No. 43

On page 10, line 22, of the printed bill, strike out "\$504,830 00", and insert "\$507,655.00".

Amendment No. 44

On page 10, line 25, of the printed bill, strike out "\$39,900.00", and insert "\$33,900.00".

Amendment No. 45

On page 10, line 47, of the printed bill, strike out "\$2,755,780.00", and insert "\$2,663,273.00".

Amendment No. 46

On page 10, line 49, of the printed bill, strike out "\$3,118,630 00", and insert "\$3,018,118.00".

Amendment No. 47

On page 10, line 52, of the printed bill, strike out "\$1,418,053.00", and insert "\$1,375,161.00".

Amendment No. 48

On page 11, line 19, of the printed bill, strike out "\$290,954.00", and insert "\$284,802.00".

Amendment No. 49

On page 11, line 22, of the printed bill, strike out "\$2,400.00", and insert "\$4,400.00".

Amendment No. 50

On page 16, line 45, of the printed bill, strike out "\$1,281,681.00", and insert "\$1,419,276.00".

Amendment No. 51

On page 18 of the printed bill, strike out all of lines 22 and 23.

Amendment No. 52

On page 3, line 36, of the printed bill, after "General", insert " provided that the amount herein appropriated shall be reduced by whatever sum the Attorney General receives from the Department of Social Welfare during the Ninety-fifth and Ninety-sixth Fiscal Years under the provisions of Section 473a of the Political Code."

Amendment No. 53

On page 15, line 45, of the printed bill, strike out "\$318,458.00", and insert "\$307,797.00".

Amendment No. 54

On page 19 of the printed bill, between lines 44 and 45, insert "Item 227—To the Department of Finance for the purpose of making refunds of payments of taxes and licenses and other fees, which payments have been paid erroneously into the General Fund to the credit of the General Fund and for the refund of which no other provision is made by law, provided that the expenditures from this item shall be approved by the State Board of Control \$25,000 00".

Amendment No. 55

On page 3, line 36, of the printed bill, strike out "\$694,170.00", and insert "\$656,768.00".

Amendment No. 56

On page 3, line 41, of the printed bill, strike out "\$169,177 00", and insert "\$162,506.00".

Amendment No. 57

On page 3, line 45, of the printed bill, strike out "\$280,812 00", and insert "\$270,345.00".

Amendment No. 58

On page 3, line 50, of the printed bill, strike out "\$154,775 00", and insert "\$147,402.00".

Amendment No. 59

On page 3, line 52, of the printed bill, strike out "\$1,372,741.00", and insert "\$1,323,723.00".

Amendment No. 60

On page 4, line 3, of the printed bill, strike out "\$5,740,697 00", and insert "\$5,480,471 00".

Amendment No. 61

On page 4, line 17, of the printed bill, strike out "\$2,548,806.00", and insert "\$2,447,337.00".

Amendment No. 62

On page 4, line 21, of the printed bill, strike out "\$321,880 00", and insert "\$309,861 00".

Amendment No. 63

On page 4, line 23, of the printed bill, strike out "\$630,121.00", and insert "\$600,481 00".

Amendment No. 64

On page 4, line 26, of the printed bill, strike out "\$1,562,637.00", and insert "\$1,500,393.00".

Amendment No. 65

On page 4, line 40, of the printed bill, strike out "\$50,890 00", and insert "\$49,564.00".

Amendment No. 66

On page 4, line 46, of the printed bill, strike out "\$1,399,002.00", and insert "\$1,342,605 00".

Amendment No. 67

On page 4, line 50, of the printed bill, strike out "\$829,816 00", and insert "\$797,119.00".

Amendment No. 68

On page 5, line 5, of the printed bill, strike out "\$145,340 00", and insert "\$140,248.00".

Amendment No. 69

On page 5, line 13, of the printed bill, strike out "\$36,620 00", and insert "\$35,403 00".

Amendment No. 70

On page 5, line 14, of the printed bill, strike out "\$177,880 00", and insert "\$171,546 00".

Amendment No. 71

On page 5, line 30, of the printed bill, strike out "\$4,077,592 00", and insert "\$3,931,548 00".

Amendment No. 72

On page 6, line 13, of the printed bill, strike out "\$478,651.00", and insert "\$473,207 00".

Amendment No. 73

On page 6, line 16, of the printed bill, strike out "\$355,750.00", and insert "\$342,303 00".

Amendment No. 74

On page 6, line 19, of the printed bill, strike out "\$1,470,770.00", and insert "\$1,467,664.00".

Amendment No. 75

On page 6, line 26, of the printed bill, strike out "\$414,909.00", and insert "\$395,876.00".

Amendment No. 76

On page 6, line 27, of the printed bill, strike out "\$707,212 00", and insert "\$673,646.00".

Amendment No. 77

On page 6, line 31, of the printed bill, strike out "\$283,153 00", and insert "\$270,080.00".

Amendment No. 78

On page 6, line 35, of the printed bill, strike out "\$714,067 00", and insert "\$679,017 00".

Amendment No. 79

On page 6, line 39, of the printed bill, strike out "\$650,707 00", and insert "\$619,657.00".

Amendment No. 80

On page 6, line 44, of the printed bill, strike out "\$958,835.00", and insert "\$915,442.00".

Amendment No. 81

On page 6, line 48, of the printed bill, strike out "\$602,436.00", and insert "\$572,549.00".

Amendment No. 82

On page 7, line 2, of the printed bill, strike out "\$273,704 00", and insert "\$263,840.00".

Amendment No. 83

On page 7, line 10, of the printed bill, strike out "\$590,179 00", and insert "\$568,475.00".

Amendment No. 84

On page 7, line 18, of the printed bill, strike out "\$177,236.00", and insert "\$169,785 00".

Amendment No. 85

On page 7, line 20, of the printed bill, strike out "\$513,968 00", and insert "\$485,871.00".

Amendment No. 86

On page 7, line 37, of the printed bill, strike out "\$14,590,831.00", and insert "\$15,178,142.00".

Amendment No. 87

On page 8, line 14, of the printed bill, strike out "\$68,132.00", and insert "\$65,072.00".

Amendment No. 88

On page 8, line 24, of the printed bill, strike out "\$1,761,227.00", and insert "\$1,709,252.00".

Amendment No. 89

On page 9, line 15, of the printed bill, strike out "\$89,870.00", and insert "\$86,009.00".

Amendment No. 90

On page 9, line 24, of the printed bill, strike out "\$213,844 00", and insert "\$207,061.00".

Amendment No. 91

On page 9, line 30, of the printed bill, strike out "\$91,774 00", and insert "\$91,116 00".

Amendment No. 92

On page 9, line 32, of the printed bill, strike out "\$56,000 00", and insert "\$53,862.00".

Amendment No. 93

On page 9, line 35, of the printed bill, strike out "\$189,560 00", and insert "\$183,814.00".

Amendment No. 94

On page 9, line 38, of the printed bill, strike out "\$1,804,530 00", and insert "\$1,736,309 00".

Amendment No. 95

On page 9, line 41, of the printed bill, strike out "\$166,169.00", and insert "\$159,792.00".

Amendment No. 96

On page 9, line 44, of the printed bill, strike out "\$580,501 00", and insert "\$556,892.00".

Amendment No. 97

On page 9, line 47, of the printed bill, strike out "\$29,448 00", and insert "\$28,665.00".

Amendment No. 98

On page 9, line 51, of the printed bill, strike out "\$193,017.00", and insert "\$186,808.00".

Amendment No. 99

On page 10, line 27, of the printed bill, strike out "\$2,620,285.00", and insert "\$2,534,622.00".

Amendment No. 100

On page 10, line 33, of the printed bill, strike out "\$2,886,075.00", and insert "\$2,790,240.00".

Amendment No. 101

On page 10, line 35, of the printed bill, strike out "\$2,119,577.00", and insert "\$2,052,450.00".

Amendment No. 102

On page 10, line 39, of the printed bill, strike out "\$2,775,990.00", and insert "\$2,681,281.00".

Amendment No. 103

On page 10, line 43, of the printed bill, strike out "\$1,903,263 00", and insert "\$1,836,010.00".

Amendment No. 104

On page 11, line 3, of the printed bill, strike out "\$2,470,960.00", and insert "\$2,387,897.00".

Amendment No. 105

On page 11, line 5, of the printed bill, strike out "\$1,236,342.00", and insert "\$1,191,979.00".

Amendment No. 106

On page 11, line 10, of the printed bill, strike out "\$700,457.00", and insert "\$674,936.00".

Amendment No. 107

On page 11, line 15, of the printed bill, strike out "\$409,140.00", and insert "\$393,897.00".

Amendment No. 108

On page 11, line 24, of the printed bill, strike out "\$84,895.00", and insert "\$81,947.00".

Amendment No. 109

On page 11, line 25, of the printed bill, strike out "\$37,865.00", and insert "\$36,561.00".

Amendment No. 110

On page 11, line 31, of the printed bill, strike out "\$774,072.00", and insert "\$746,711.00".

Amendment No. 111

On page 11, line 34, of the printed bill, strike out "\$273,504 00", and insert "\$263,980.00".

Amendment No. 112

On page 11, line 38, of the printed bill, strike out "\$167,966.00", and insert "\$161,916.00".

Amendment No. 113

On page 11, line 42, of the printed bill, strike out "\$651,161.00", and insert "\$625,191.00".

Amendment No. 114

On page 12, line 12, of the printed bill, strike out "\$1,026,767.00", and insert "\$976,700.00".

Amendment No. 115

On page 12, line 30, of the printed bill, strike out "\$13,063,184.00", and insert "\$12,790,029.00".

Amendment No. 116

On page 12, line 42, of the printed bill, strike out "\$1,149,409 00", and insert "\$1,132,870.00".

Amendment No. 117

On page 12, line 48, of the printed bill, strike out "\$135,992.00", and insert "\$126,333.00".

Amendment No. 118

On page 12, line 50, of the printed bill, strike out "\$4,835,174.00", and insert "\$5,256,369.00".

Amendment No. 119

On page 13, line 16, of the printed bill, strike out "\$203,525.00", and insert "\$195,613.00".

Amendment No. 120

On page 13, line 25, of the printed bill, strike out "\$511,314.00", and insert "\$588,780.00".

Amendment No. 121

On page 14, line 9, of the printed bill, strike out "\$3,358,247.00", and insert "\$3,313,914.00".

Amendment No. 122

On page 14, line 34, of the printed bill, strike out "\$420,032.00", and insert "\$403,849.00".

Amendment No. 123

On page 14, line 39, of the printed bill, strike out "\$649,750.00", and insert "\$624,330.00".

Amendment No. 124

On page 14, line 45, of the printed bill, strike out "\$185,890.00", and insert "\$179,502.00".

Amendment No. 125

On page 15, line 16, of the printed bill, strike out "\$72,820.00", and insert "\$70,637.00".

Amendment No. 126

On page 15, line 17, of the printed bill, strike out "\$1,627,564.00", and insert "\$1,579,992.00".

Amendment No. 127

On page 15, line 18, of the printed bill, strike out "\$2,570,822.00", and insert "\$2,507,701.00".

Amendment No. 128

On page 15, line 20, of the printed bill, strike out "\$819,597.00", and insert "\$794,377.00".

Amendment No. 129

On page 15, line 22, of the printed bill, strike out "\$280,892.00", and insert "\$271,614.00".

Amendment No. 130

On page 15, line 26, of the printed bill, strike out "\$345,411.00", and insert "\$332,293.00".

Amendment No. 131

On page 15, line 39, of the printed bill, strike out "\$98,595.00", and insert "\$96,123.00".

Amendment No. 132

On page 15, line 42, of the printed bill, strike out "\$57,542.00", and insert "\$56,091.00".

Amendment No. 133

On page 15, line 48, of the printed bill, strike out "\$172,794.00", and insert "\$167,983.00".

Amendment No. 134

On page 15, line 51, of the printed bill, strike out "\$65,734.00", and insert "\$64,318.00".

Amendment No. 135

On page 16, line 10, of the printed bill, strike out "\$157,820.00", and insert "\$152,491.00".

Amendment No. 136

On page 16, line 13, of the printed bill, strike out "\$145,654.00", and insert "\$142,420.00".

Amendment No. 137

On page 16, line 16, of the printed bill, strike out "\$105,176.00", and insert "\$102,081.00".

Amendment No. 138

On page 16, line 22, of the printed bill, strike out "\$103,902.00", and insert "\$100,261.00".

Amendment No. 139

On page 16, line 50, of the printed bill, strike out "\$442,405.00", and insert "\$427,101.00".

Amendment No. 140

On page 17, line 8, of the printed bill, strike out "\$86,763.00", and insert "\$59,597.00".

Amendment No. 141

On page 17, line 17, of the printed bill, strike out "\$228,084.00", and insert "\$218,729.00".

Amendment No. 142

On page 17, line 21, of the printed bill, strike out "\$91,712.00", and insert "\$88,045.00".

Amendment No. 143

On page 17, line 24, of the printed bill, strike out "\$709,717.00", and insert "\$737,564.00".

Amendment No. 144

On page 17, line 27, of the printed bill, strike out "\$75,000.00", and insert "\$71,536.00".

Amendment No. 145

On page 17, line 31, of the printed bill, strike out "\$60,880.00", and insert "\$58,965.00".

Amendment No. 146

On page 17, line 33, of the printed bill, strike out "\$51,650.00", and insert "\$59,356.00".

Amendment No. 147

On page 18, line 11, of the printed bill, strike out "\$951,799 00", and insert "\$876,296.00".

Amendment No. 148

On page 5, line 7, of the printed bill, strike out "\$125,000.00", and insert "\$95,000.00".

Amendment No. 149

On page 9 of the printed bill, between lines 41 and 42, insert
 "No money appropriated by this act is available for expenditure for the salary, expenses, or any other items for any person holding the position designated as administrative adviser, formerly known as confidential secretary, or any other position subsequently created for the purpose of performing substantially the same duties as the administrative adviser."

Amendment No. 150

On page 18 of the printed bill, between lines 4 and 5, insert
 "Item 215.5—For purchase of warrants of the Sacramento and San Joaquin Drainage District issued as provided in the Reclamation Board Act and drawn or based upon Sutter-Butte By-Pass Assessment No. 6 to secure an equitable readjustment and refund of said assessment—State Reclamation Board----- \$44,878 00
 to be transferred upon order of the Director of Finance to the Joint Navigation and Flood Control Project Fund for expenditure and use as provided by Section 37a of the Reclamation Board Act."

Amendment No. 151

On page 7 of the printed bill, strike out all of lines 44 to 52, inclusive

Amendment No. 152

On page 8 of the printed bill, strike out all of lines 1 to 12, inclusive.

Amendment No. 153

On page 8, line 20, of the printed bill, strike out "\$1,240,453 00", and insert "\$1,184,743 00".

Amendment No. 154

On page 14 of the printed bill, between lines 37 and 38, insert
 "Item 168 5—For support Director of Penology----- \$3,100 00".

Amendment No. 155

On page 19 of the printed bill, between lines 44 and 45, insert
 "Item 228—For Salary Emergency Fund to be allocated only on authorization of the State Department of Finance to the several State officers, departments, boards, bureaus, commissions, The Regents of the University of California, and other State agencies in augmentation of their respective appropriations for support for the Ninety-fifth and Ninety-sixth Fiscal Years in such amounts as will make sufficient money available during said fiscal years to be paid each State officer or employee in the State service whose compensation, or a portion thereof, is payable from the General Fund, an increase in compensation in accordance with the following schedule:
 (a) To each officer or employee whose monthly compensation does not exceed three hundred dollars (\$300), an increase of twenty-five dollars (\$25) per month.
 (b) To each officer or employee whose monthly compensation exceeds three hundred dollars (\$300), an increase of twenty dollars (\$20) per month----- \$4,122,840 00

For State officers and employees whose compensation, or portion thereof, is payable from special funds, there is appropriated from each special fund from which such officers and employees are paid an amount sufficient to provide an increase in compensation for each such officer or employee in accordance with the schedule above set forth in this item, which amount is to be made available by the Governor and Director of Finance under the provisions of Section 661 of the Political Code

The money appropriated by this item or made available under its provisions shall not be available to officers or employees whose compensation is fixed at or based upon prevailing rates of wages

Except for officers and employees of the courts or of the University of California, or for persons employed in positions requiring certification qualifications in the State colleges, including the California Polytechnic School, or for officers and employees of the Legislature, no money appropriated or made available by this item shall be paid

to any State officer or employee unless the appointing power certifies on each pay roll that the officer or employee has worked on the basis of a minimum of 40 hours per week, except for such absences as may be authorized by law or by or in accord with rules of the State Personnel Board, whether the position be within or without the State civil service."

Amendment No. 156

On page 10 of the printed bill, strike out all lines 3 to 10, inclusive, and insert "Department of Industrial Relations payable for the Boat Fund----- \$10,780.00".

Amendment No. 157

On page 3, line 12, of the printed bill, strike out "\$150,330.00", and insert "\$154,330.00".

Amendment No. 158

On page 2, line 43, of the printed bill, strike out "\$153,032 00", and insert "\$144,876.00".

Amendment No. 159

On page 12, line 24, of the printed bill, strike out "\$123,794.00", and insert "\$119,178.00".

Amendments read and adopted.

Bill ordered reprinted, and engrossed.

MOTION FOR RUSH ORDER ON PRINTING OF ASSEMBLY BILL NO. 1600

Mr. Wollenberg moved that a rush order be placed on the reprinting of Assembly Bill No. 1600, as amended.

Motion carried.

RECESS

At 10.25 a.m., on motion of Mr. Gannon, the Assembly recessed until 10.27 a.m. to hear from Lieutenant Abe Sheaffer of the United States Army.

REASSEMBLED

At 10.27 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MOTION TO SET SPECIAL ORDER

Mr. Wollenberg moved that Assembly Bill No. 1600 be made a special order of business for Friday, March 19, 1943, at 2 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Johnson, Kellems, King, Knight, John B., Knight, T. Penton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Heisinger—1.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 934—An act to amend Section 643 of the Agricultural Code, relating to the definition for insanitary dairy farms.

Bill read second time, and ordered engrossed.

Assembly Bill No. 935—An act to add Section 644.6 to the Agricultural Code, relating to sanitation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 979—An act to amend Section 666 of the Agricultural Code, relating to the labeling of milk products and imitations thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 980—An act to amend Section 560 of the Agricultural Code, relating to modified milk.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1489—An act to amend Section 489 of the Agricultural Code, relating to the sale of graded milk.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1490—An act to amend Section 498 of, and to add Section 498.5 to, the Agricultural Code, relating to dairy farm building requirements and qualifications for milk and dairy inspectors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1810—An act to amend Section 736.15 of the Agricultural Code, relating to local control boards for marketing areas for fluid milk and cream.

Bill read second time, and ordered engrossed.

Assembly Bill No. 600—An act to add Section 471.5 to the Vehicle Code, relating to signs, declaring the urgency thereof, and providing this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 601—An act to add Section 650.8 to the Vehicle Code, relating to lighting requirements in "dimout" areas, declaring the urgency thereof, and providing this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 929—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1063—An act to amend Section 54 of the Vehicle Code and Section 1.91 of the School Code, relating to school busses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1064—An act to amend Section 622 of the Vehicle Code, relating to lamps on bicycles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1121—An act to amend Section 401 of the Vehicle Code, relating to the operation of authorized emergency vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1588—An act to add Section 44.2 to the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 697—An act to add a new section to the Agricultural Code to be numbered 30.5, relating to pest and disease surveys and investigations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 700—An act to amend Section 111 of the Agricultural Code, relating to the inspection of plants and articles for pests.

Bill read second time, and ordered engrossed.

Assembly Bill No. 702—An act to amend Section 1022 of the Agricultural Code, pertaining to definitions of fertilizing materials.

Bill read second time, and ordered engrossed.

Assembly Bill No. 703—An act to amend Section 1021 of, and to add Section 1031.1 to, the Agricultural Code, relative to fertilizing materials and the labels thereon.

Bill read second time, and ordered engrossed.

Assembly Bill No. 704—An act to amend Section 1038 of the Agricultural Code, relating to fertilizer tonnage license tax.

Bill read second time, and ordered engrossed.

Assembly Bill No. 705—An act to amend Section 1062 of the Agricultural Code, relating to materials exempt from the economic poisons provisions of said code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 706—An act to amend Section 1066 of, and to add Section 1066.5 to, the Agricultural Code, relative to economic poisons and thallium salts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 709—An act to amend Section 28.5 of the Agricultural Code, relating to refunds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 711—An act to amend Section 215.17 of the Agricultural Code, relating to the payment of moneys into the State Treasury and to further provide for the disposition of such moneys in the State Treasury.

Bill read second time, and ordered engrossed.

Assembly Bill No. 850—An act to amend Section 822 of the Agricultural Code, relating to markings on containers of apples.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1124—An act to amend Sections 812.4 and 829.35 of the Agricultural Code, relating to containers for bunched carrots, declaring the urgency hereof and that this act take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 635—An act to add Sections 453.5, 453.6, 453.7, 453.8, and 453.9 to the Fish and Game Code, relating to storage locker plants.

Bill read second time, and ordered engrossed.

Assembly Bill No. 948—An act to amend Section 1203.5 of the Fish and Game Code, relating to pigeons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1705—An act to amend Section 105 of the Vehicle Code, relating to the office of director.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1929—An act to repeal Chapter 3 of Part 2 of Division 2 of the Military and Veterans Code and Sections 8, 9, 10, 11 and 12 of the California Guard Act of 1942 and to add Chapter 4 to Part 2 of Division 2 of the Military and Veterans Code, relating to the California State Guard, providing for the pay, privileges, allowances and rights of the California State Guard, for the organization and administration of the California State Guard to permit the efficient operation thereof consistent with such privileges, allowances and rights, permitting school districts to make school buses available for use by the California State Guard, making an appropriation for the operation, maintenance and organization of the California State Guard and providing for the expenditure thereof, declaring the urgency of this act, and providing that it shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 2, line 17, of the printed bill, after "defense", strike out the period, and insert "and for the internal security of the facilities or commodities in this State."

Amendment No. 2

On page 3, line 1, of the printed bill, after "State", strike out the period, and insert "and for the internal security of facilities or commodities within the State."

Amendment No. 3

On page 3, line 41, of the printed bill, strike out the period, and insert "which shall be organized in conformity with the United States Army Table of Organization."

Amendment No. 4

On page 4, line 28, of the printed bill, strike out all of lines 28 to 38, inclusive, and insert

"571. The members of the California State Guard when called into active service by order of the Governor shall be subject to all military penalties and punishments for violation of the orders of the Governor or of any officer placed in command of such organization by order of the Governor.

During such time as the United States is at war the commissioned and enlisted personnel of the State Guard will be subject to the Articles of War governing the Army of the United States, under the same conditions as now apply to the Army of the United States, without the restrictions or modifications heretofore applicable to the members of the National Guard of California. All sentences in excess of two years and all sentences directing dismissal of commissioned officers will be subject to approval by the Governor."

Amendment No. 5

On page 4, line 48, of the printed bill, after "pay", strike out the period, and insert "nor dependent allowances."

Amendment No. 6

On page 7, line 7, of the printed bill, after the comma following "home", insert "when located within this State,".

Amendment No. 7

On page 7, line 13, of the printed bill, strike out "or any"; and in line 14, strike out "licensed military company".

Amendment No. 8

On page 7, line 16, of the printed bill, strike out "or"; and in line 17, strike out "military company"

Amendment No. 9

On page 7, line 22, of the printed bill, strike out "or mil-"; and in line 23, strike out "ary company"; and after the period following "guard", insert "This section shall not be construed as a modification of Section 566."

Amendment No. 10

On page 8, line 18, of the printed bill, after "Companies."", insert "Such revocation automatically cancels all commissions and enlistments of officers and members of such units."

Amendment No. 11

On page 8, line 30, of the printed bill, strike out "and allowances"

Amendment No. 12

On page 8, line 31, of the printed bill, strike out the period following "General"; and insert ", such pay, however, not to be greater than the prevailing wage for private guards in the community where the specialists are employed."

Such specialists shall have the power of peace officers while in active service and in the performance of their duties, and not otherwise, on the premises, and in the immediate vicinity thereof, which they are assigned to guard, concerning any act or conduct which might affect the safety of such premises."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 938—An act to add to Chapter 4 of Division 4 of the Agricultural Code a new article to be numbered Article 9, including a new section to be numbered Section 690, relating to the disposition of moneys

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 4 of the title of the printed bill, strike out the period and insert ", declaring the urgency of this act, to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, following line 12, insert "SEC 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public health, peace, and safety and shall, therefore, under the provisions of Section 1 of Article IV of the Constitution take effect immediately and become operative July 1, 1943."

The facts constituting such necessity are as follows:

In order that the moneys in the Department of Agriculture Fund available for expenditure for the enforcement and administration of the provisions of the Milk and Milk Products Act of 1941 may be utilized interchangeably between the several functions of the department thereunder, and in order to make fully effective the purposes of this measure, namely, to permit staff members engaged in dairy and dairy products inspection to be of service in more than one specific function in the interest of conserving manpower, automotive equipment, and traveling expense, it is necessary that this act become operative at a time when the provisions of a new biennial budget become operative."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1065—An act to amend Sections 619, 620.5, 625, 645, 646, 665 and 698, and to repeal Section 707 of the Vehicle Code, relating to lamps and devices on vehicles, elevated wheels and length of loads.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to amend Sections 619, 625, 645, 646, 665, and 649 of, to add Section 620 5 to, and to repeal Section 707 of, the Vehicle Code, relat-".

Amendment No. 2

On page 4 of the printed bill, strike out lines 1 to 22, inclusive, and insert "SEC 7. Section 699 of the Vehicle Code is amended to read.

699. Exceptions to Length Limitations The limitations of Sections 697 and 698 hereof as to length of vehicles and loads shall not apply to pole or pipe dollies used in connection with a motor vehicle solely for the purpose of transporting poles or pipes, *provided that no pole or pipe exceeding 100 feet in length shall be so transported unless a permit has first been obtained as authorized in Section 710.*

The limitations of Sections 697 and 698 hereof as to height and length of vehicles shall not apply to implements of husbandry incidentally operated or moved over a highway"

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 710—An act to amend Section 323 of the Agricultural Code, relating to the payment of moneys into the State Treasury, and to further provide for the disposition of such moneys in the State Treasury.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, between lines 6 and 7, insert "of ten dollars (\$10) for retailers, and five dollars (\$5) for".

Amendment read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 540—An act to amend Sections 615.1 and 615.2 of the Fish and Game Code, relating to fish.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out line 16, and insert "of that part of the San Lorenzo River comprising District 103.6 any treble hooks."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 782—An act to amend Sections 1181, 1380, 1381, 1383, 1386, 1387, 1392, and 1410 of, and to add Sections 1384a, 1385a, 1387a, and 1392a to, the Fish and Game Code, relating to fish and game.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 2, line 2, of the printed bill, strike out "by the commission Said tag or", and insert "or approved by the commission. Said tag or".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1352—An act to amend Section 661 of the Fish and Game Code, relating to salmon.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 9, of the printed bill, after "that", strike out "fishing", and insert "angling".

Amendment No. 2

On page 1, line 10, of the printed bill, after "salmon is", strike out "25½", and insert "24".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 364—An act to add Section 557 1 to the Military and Veterans Code, relating to the organization of licensed military companies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 10, 11, and 12.

Amendment No. 2

On page 1, line 15, of said bill, after "Guard", strike out the period, and insert " or in the event the State Guard is abolished, from any appropriation made for the support of such other military organization as may be established in its place "

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 159—An act to revise an act entitled "An act defining industrial loan companies; providing for their incorporation, powers and supervision; and regulating the rates of interest and other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies." approved May 18, 1917, as amended and revised, so as to define industrial loan companies, provide for their incorporation, powers and supervision and regulate the rates of interest and all other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies; to prohibit devices and subterfuges to evade this act; to provide for exemptions from this act; to provide for the administration of this act and the issuance of rules and

regulations thereunder; to authorize the making of examinations and investigations; to provide for the suspension, surrender and revocation of permits; and to prescribe penalties for the violation of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 1, of the printed bill, before "The", insert "Section 1."

Amendment No. 1.5

On page 2, line 29, of said bill, strike out "not less than"; strike out lines 30, 31, 32, and 33; and in line 34, strike out "the initial payment", and insert "the entire amount of the minimum capital stock required under the provisions of this section".

Amendment No. 2

On page 2, line 38, of said bill, strike out "either secured or unsecured", and insert "with or without security".

Amendment No. 3

On page 2, line 42, of said bill, strike out "(b) To issue and require uniform weekly or monthly", and insert "(b) At its option, to issue and require uniform periodic".

Amendment No. 4

On page 3 of said bill, strike out all of lines 29, 30, and 31, and insert "(f) In addition to the powers granted by this act the general powers conferred on corporations by Title 1, Part 4, Division 1, of the Civil Code except as expressly prohibited by this act."

Amendment No. 5

On page 4, line 13, of said bill, strike out "which will exceed"; and strike out all of lines 14 and 15; and in line 16, strike out "said loan or forbearance is actually outstanding", and insert "in excess of the following limitations:

1. Where said interest and other charges are deducted in advance, any amount which will exceed the rate of two per cent (2%) per month on the unpaid principal balance of said loan or forbearance for the period for which said loan or forbearance is actually outstanding.

2. Where said interest and other charges are computed and paid on a deferred basis, any amount which will exceed the rate of one per cent (1%) per month on the unpaid principal balance of said loan or forbearance for the period for which said loan or forbearance is actually outstanding.

For the purpose of determining "unpaid principal balance" as that term is herein used, all payments made on any installment investment certificate purchased by the borrower in connection with the making of a loan shall be regarded as payments on the loan. All payments made on the loan shall be applicable, first, to interest and all other charges (which interest and charges must be within the maximum statutory rate provided in this section), and secondly, to reduction of the unpaid principal of the loan advanced to the borrower in determining the "unpaid principal balance" as hereinabove referred to."

Amendment No. 6

On page 4, line 25, of said bill, after "term", insert "and not in excess of the face amount".

Amendment No. 7

On page 4, line 26, of said bill, after "loan", insert "in which insurance the lender may be the beneficiary to the extent only of the unpaid principal balance of said loan;".

Amendment No. 8

On page 4, line 33, of said bill, after "To", insert "contract for,".

Amendment No. 9

On page 5, line 45, of said bill, strike out "bank", and insert "company".

Amendment No. 10

On page 5, line 49, of said bill, after "act", insert "and the restoration of present and past surplus of any and all such corporations".

Amendment No. 11

On page 8 of said bill, strike out lines 14 to 23, both inclusive.

Amendment No. 12

On page 8, line 44, of said bill, strike out "including", and insert "except".

Amendment No. 13

On page 10, line 8, of said bill, after "examination", insert "not to exceed twenty dollars (\$20) per day for each examiner necessarily engaged in the examination at the office or offices of such industrial loan company".

Amendment No. 14

On page 10, line 34, of said bill, strike out "or of the rules and"; and strike out all of line 35 up to the period.

Amendment No. 15

On page 10 of said bill, strike out lines 49 and 50, and insert "provisions of the rules, orders and regulations, of this act, shall be guilty of a misdemeanor."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 331—An act to amend Section 10.05 of the Building and Loan Association Act, relating to audits of building and loan associations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 3.06 to,".

Amendment No. 2

In line 3 of the title of said bill, after "associations", strike out the period, and insert ", and shares as legal investments."

Amendment No. 3

On page 2 of said bill, after line 13, insert

"Sec. 2. Section 3.06 is added to the act cited in the title hereof, to read:

Sec. 3.06. Shares as Legal Investments. All shares issued by any association issuing no investment certificates and which is an "insured institution" as defined in Title 4 of the National Housing Act shall be legal investments for the funds of executors, administrators, guardians, receivers and trustees of every kind and nature, and for the funds of all insurance companies. This section is intended to be, and shall be considered, the latest enactment upon the matters herein contained, and is supplemental to any and all other acts regulating, relating to or declaring what shall be legal investments for the funds of executors, administrators, guardians, receivers and trustees, or for the funds of insurance companies."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 848—An act to add to Chapter 2 of Division 5 of the Agricultural Code a new section to be numbered 790.5, relating to emergency standards, and declare the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In the last line of the title of the printed bill, strike out the period, and insert ", and declaring the urgency thereof to take effect immediately."

Amendment No. 2

On page 1, line 16, of the printed bill, strike out "September 30, 1945," and insert "the date of expiration of this section,".

Amendment No. 3

On page 1, line 22, of the printed bill, before "No", insert "All emergency standards established under the provisions of this section shall be reasonably calculated to effectuate the purposes of the standards which they supersede"

Amendment No. 4

On page 2 of the printed bill, after line 20, insert

"This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted.

SEC. 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety, within the meaning of Section 1 of Article IV of the Constitution of the State of California, and as such shall take effect immediately. The following is a statement of the facts constituting such necessity:

Emergency wartime conditions have brought about regulations promulgated under the war power of the Federal Government affecting many of the commodities regulated by this chapter, and in many instances conflicting with the standards prescribed herein, and have created serious shortages of both materials and labor, thereby making it impossible in many instances to comply fully with such standards; furthermore, the temporary modification of certain provisions of these standards would result in fuller utilization of the food resources of this State, and directly aid the war effort by preventing serious waste of useful produce otherwise available for human consumption. It is therefore necessary that provisions be made at once for the adoption of emergency standards in the place of many of the standards now in force, and that this act take immediate effect."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 969—An act to repeal Article 1 of Chapter 5 of Division 5 of the Agricultural Code, and to add to said chapter a new article, to be numbered Article 1, relating to seeds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 4, line 30, of the printed bill, strike out "or bulblet".

Amendment No. 2

On page 6, line 35, of the printed bill, strike out "; provided,"; and strike out all of lines 36 to 47, inclusive, and insert "and upon compliance such order shall be removed. The owner or custodian of such seeds upon demand shall have the right to a hearing before the director or the commissioner as to the justification of any such order, and may appeal to the director from any order of the commissioner made under the provisions of this section. The provisions of this section shall not be construed as limiting".

Amendment No. 3

On page 7, line 11, of the printed bill, strike out "by this article".

Amendment No. 4

On page 7, line 19, of the printed bill, strike out the comma and "after consulta-"; and strike out all of lines 20 and 21, and insert "he finds qualified to certify as to the variety, purity, quality, or other matter of agricultural or vegetable seeds. The director shall consult with the Director of the University of California Agricultural Experiment Station before approving the qualifications of any agency to certify as to variety, type,".

Amendment No. 5

On page 8, line 17, of the printed bill, after "director", insert "or the commissioner".

Amendment No. 6

On page 8 of the printed bill, strike out all of lines 24 and 25, and insert "tuted by the director or the commissioner without first having given the defendant an opportunity to appear at a hearing to introduce evidence either in".

Amendment No. 7

On page 8, line 26, of the printed bill, strike out "at a private hearing."

Amendment No. 8

On page 8, line 28, of the printed bill, after "director", insert "or the commissioner".

Amendment No. 9

On page 8, line 30, of the printed bill, after the period, insert "The defendant, at any time prior to the filing of the complaint, may appeal to the director from any order of the commissioner made under the provisions of this section."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 46—An act to amend Sections 990, 990.1, and 990.5 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "A", and insert "Until April 1, 1944, a".

Amendment No. 2

On page 1, line 16, of said bill, after the period, insert

"On and after April 1, 1944, a commercial fishing license may be issued only to a person who is a citizen of the United States, or who is eligible to become, and has declared his intention of becoming, a citizen of the United States."

Amendments read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 1147—An act to amend Section 1011.5 of the Fish and Game Code, relating to sharks and shark livers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, after line 22, insert

"The provisions of this section shall not apply to shark livers or other parts of sharks imported from without the State and accompanied by a bona fide bill of lading or other shipping document showing that the origin of the shipment was outside of this State".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1206—An act to add Section 958.5 to the Fish and Game Code, relating to the use of trawl nets.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 4, of the printed bill, after "used", insert "and possessed".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1120

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 510

Senate Bill No. 918

Senate Bill No. 958

Senate Bill No. 920

Senate Bill No. 916

Senate Bill No. 915

Senate Bill No. 914

Senate Bill No. 913

Senate Bill No. 912

Senate Bill No. 444

Senate Bill No. 524

Senate Bill No. 266

Senate Bill No. 267

Senate Bill No. 83

Senate Bill No. 917

Senate Bill No. 465

Senate Bill No. 315

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 9

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 510—An act to amend Section 737c of the Political Code, relating to salaries of judges of the superior court.

Referred to Committee on Judiciary.

Senate Bill No. 918—An act to amend Section 4141 of the Political Code, relating to recording fee.

Referred to Committee on Judiciary.

Senate Bill No. 95C—An act to establish a Government Code, thereby consolidating and revising the law relating to the organization, operation, and maintenance of a system of State and local government and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

Senate Bill No. 920—An act to repeal Section 3235 of the Political Code, relating to the products of Mongolian labor.

Referred to Committee on Judiciary.

Senate Bill No. 916—An act to add Section 1184e to the Code of Civil Procedure, relating to claims against public agencies, including claims against those persons rendering services or supplying personal property to public agencies.

Referred to Committee on Judiciary.

Senate Bill No. 915—An act to amend Section 665 5 of the Political Code, relating to deductions from the salaries and wages of officers and employees of the State for the purpose of buying United States bonds or similar United States obligations.

Referred to Committee on Judiciary.

Senate Bill No. 914—An act to amend Section 4022 of the Political Code, relating to official bonds of county and township officers.

Referred to Committee on Judiciary.

Senate Bill No. 913—An act to amend Section 4316 of the Political Code, relating to the privileges of public officers.

Referred to Committee on Judiciary.

Senate Bill No. 912—An act to amend Section 528 of the Political Code, relating to the printing and distribution of laws.

Referred to Committee on Judiciary.

Senate Bill No. 444—An act to add Section 39.1 to the Fish and Game Code, relating to open seasons, and providing a penalty for the breach thereof.

Referred to Committee on Fish and Game.

Senate Bill No. 524—An act to amend Section 1401 of the Elections Code, relating to initiative measures, the submission of a draft thereof to the Attorney General for the preparation of a summary thereof, and the payment of a fee therefor.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 266—An act to amend Section 19c of the California Irrigation District Act, relating to the appointment or election of officers.

Referred to Committee on Agriculture.

Senate Bill No. 267—An act to amend Sections 21285 and 21336 of the Water Code, relating to the appointment or election of officers of an irrigation district.

Referred to Committee on Agriculture.

Senate Bill No. 83—An act to amend Section 36 of, and to add Section 8b to, the California Water District Act, relating to districts organized under said act.

Referred to Committee on Agriculture.

Senate Bill No. 917—An act to amend Section 2 of an act entitled “An act to provide for wage and salary deductions for public officers and employees for the purpose of purchasing United States savings bonds or similar United States obligations, including the adding of Section 665.5 to the Political Code, declaring the urgency thereof, and providing that this act shall take effect immediately,” approved January 26, 1942, relating to wage and salary deductions for public officers and employees for the purpose of purchasing United States bonds or similar United States obligations.

Referred to Committee on Judiciary.

Senate Bill No. 465—An act to add Section 89.5 to the Agricultural Code, relating to the powers and duties of district agricultural associations, and declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 315—An act to amend Sections 105 and 106 of the Welfare and Institutions Code, relating to the Director of Social Welfare, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Joint Resolution No. 9—Relative to memorializing Congress and the United States Fish and Wildlife Service to allow hunting in the Sheepy Lake area.

Referred to Committee on Fish and Game.

MOTION TO RESET SPECIAL ORDER

Mr. Wollenberg moved that the consideration of Assembly Bill No. 1600, now set as a special order of business for March 19, 1943, at 2 p.m., be reset as a special order of business for Monday, March 22, 1943, at 2 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, McCallister, McMillan, Middough, Miller, Niehouse, O’Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1531—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered 13.11a, relating to building and loan associations, the Building and Loan Commissioner, plans for the rehabilitation, readjustment, reorganization or liquidation of such an association or of all or of any part of the business, properties and assets of such association or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association, providing for the kinds of

securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to dissent from a plan as defined in said Section 13.11a, and to exchange shares, stock investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities or properties so received.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "section to be numbered 13.11a", and insert "article to be numbered 16".

Amendment No. 2

In line 9 of the title of said bill, after "association", insert "and the rights of investors and creditors of any such association in the possession of the commissioner to obtain assets of such association in exchange for investment certificates or unsecured creditor's claims, providing for the organization of a corporation or corporations to acquire such assets or a portion thereof".

Amendment No. 3

In line 14 of the title of said bill, after "to", insert "consent to or".

Amendment No. 4

In line 15 of the title of said bill, strike out "Section 13.11a", and insert "Article 16".

Amendment No. 5

In line 17 of the title of said bill, strike out "plan", and insert "Article 16 or for property".

Amendment No. 6

In the last line of the title of said bill, before the period, insert "and exempting the proposer or proposers of a plan and the investors and creditors petitioning for withdrawal of assets from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937."

Amendment No. 7

On page 1 of the printed bill, strike out all of lines 2 and 3, and insert "amended by adding thereto a new article to be numbered 16, to read as follows:

Article 16. Reorganization

Sec. 16.01. Definitions. The terms "plan" and "plan of reorganization," as used in this article, are hereby defined to mean a plan for the rehabilitation, readjustment, reorganization or liquidation of an association, or of all or of any part of the business, properties and assets of an association, or for the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of an association, or for any or more of the foregoing purposes. Without limiting the generality of the foregoing, a plan may provide with respect to all or any part of the business, properties and assets of an association for any one or more of the following: (1) For the retention thereof by or (if then in the possession of the commissioner) the return thereof to, such association; (2) the retention thereof by, or (if not then in the possession of the commissioner) the delivery thereof to, the commissioner; (3) the transfer thereof to another corporation or to two or more other corporations (which corporation or corporations or any of them may but need not be an association or associations or a Federal saving and loan association or associations); (4) the transfer thereof to a trustee or trustees named in or appointed pursuant to the provisions of such plan; (5) the issuance of new securities in lieu of outstanding investment certificates, shares, stock or other obligations of such association. In addition or as an alternative to the foregoing, the plan may provide that such association shall cease to be an association but shall continue to exist as the same corporate entity, and in the event such plan becomes operative, such association shall become a corporation subject to the General Corporation Law of this State, and thereafter its rights, duties and privileges and all questions relating to such corporation shall be governed and determined by such General Corporation Law and not by this act, except that this article shall continue to apply to such

corporation in all matters relating to such plan or the consummation of such plan, and except that such corporation's name shall be changed so that it shall no longer include any of the following: "Building and loan," "Building-loan," association formed, pursuant to a plan, to continue the building and loan business of an existing association, may adopt and continue to use the name of such existing association or any part of such name.

The terms "creditor" or "creditors," as used in this article, shall include the holder or holders of claims of whatever character against an association or its property, whether secured or unsecured, liquidated or unliquidated, fixed or contingent, except shares, stock or investment certificates.

As used in this article, (a) the terms "investment certificates," "shares" and "stock" shall include claims filed under Section 13.16 of this act in respect of investment certificates, shares and stock, respectively; (b) the term "investors" shall include holders of such claims; and (c) the terms "certificate holder," "shareholder" and "stockholder" shall include holders of such claims in respect of investment certificates, shares and stock, respectively.

The term "securities," as used in this article, shall include not only shares, stock and investment certificates issuable by associations under other provisions of this act but also shares of Federal savings and loan associations and stock of one or more classes, issuable by corporations generally, and also bonds, notes, debentures, warrants, or evidences of indebtedness or of beneficial interest or of any other claims or rights. An association may issue, pursuant to a plan approved under this article, and for any consideration specified in such plan, any one or more of the above mentioned kinds of securities, regardless of any provisions of this act to the contrary."

Amendment No. 8

On page 1 of said bill, strike out line 4, and insert "Sec 16.02. Reorganization by Commissioner As a".

Amendment No. 9

Strike out all of pages 2, 3, and 4 of said bill; and on page 5, strike out lines 1 to 12, both inclusive, and insert

"A. Proposal of Plan. The commissioner, upon proposing a plan of reorganization pursuant to this Section 16.02, shall file such plan in each of his offices and shall fix a time and place for a hearing before him on such plan, and shall give 30 days' notice to investors and creditors of such hearing, which notice shall include a copy or summary of such plan. Such hearing shall be held in the county in which such association maintained its principal office.

B. Hearing. At the time and place fixed for such hearing, or at the time and place to which such hearing may be continued by the commissioner, the commissioner shall hear the parties interested therein and, if he deems it necessary, may take testimony and/or may receive depositions relative thereto. If at the time fixed for such hearing written dissents from such plan (other than dissents, if any, withdrawn after the filing thereof) shall have been filed by holders of more than one-third in value of the investment certificates of such association then outstanding, or by holders of more than one-third in value of the shares of such association then outstanding, or by holders of more than one-third of the stock of such association then outstanding, then such hearing shall not be held, such plan shall not be approved by the commissioner, and no further proceedings shall be taken in respect of such plan.

After the completion of such hearing the commissioner shall approve or disapprove such plan, and if he disapproves such plan he may modify such plan and propose it as modified or propose a different plan. If he proposes such plan as modified or a different plan, the provisions of this Section 16.02 (including among other provisions, the provisions of Subsections A and B thereof) shall apply to such modified or different plan in the same manner and with the same effect as if it had been the original plan proposed by the commissioner.

Notwithstanding anything to the contrary contained in this Subsection B dissents of stockholders shall have no effect if the application provided for by Section 13.12 of this act shall not have been made within 30 days after the commissioner shall have taken possession of the property, business and assets of such association or if judgment dismissing such application shall have been rendered and such judgment shall have become final.

C. Conditions of Approval. No plan shall be approved by the commissioner unless he is satisfied that the plan is fair and equitable and does not discriminate in favor of any class of investors or creditors, and is feasible."

Amendment No. 10

On page 5 of said bill, strike out lines 40 to 50, both inclusive; and on page 6, strike out lines 1 and 2, and insert

"D. Effect of Approval. When any plan under this Section 16.02 shall have been approved by the commissioner, such".

Amendment No. 11

On page 6, in line 7 of said bill, strike out "Subsection C", and insert "Subsection B of this Section 16.02".

Amendment No. 12

On page 6 of said bill, strike out lines 14 to 43, both inclusive, and insert "E. Rights of Dissenters. No investor or creditor who shall have filed with the commissioner his written dissent from such plan within the time specified in subsection B of this Section 16.02 shall be entitled".

Amendment No. 13

On page 7 of said bill, strike out lines 27 to 29, both inclusive, and insert "Accordingly, any plan approved under this Section 16.02 shall provide that if the liquidation of assets set apart pursuant to this subsection E shall result in the distribution to".

Amendment No. 14

On page 7, in line 51, of said bill, strike out "H", and insert "E".

Amendment No. 15

On page 8, line 7, of said bill, strike out "H", and insert "E".

Amendment No. 16

On page 8 of said bill, strike out lines 19 to 29, both inclusive, and insert "F. Action in Superior Court. Within 30 days after such notice shall have been posted, published and mailed as aforesaid any investor or creditor may apply to the superior court of the county in which such association maintained its office for a determination as to whether the assets set apart pursuant to subsection E of this Section 16.02 are sufficient in amount and value to conform to the requirements of such subsection. Thereafter such application or applications shall be set for hearing. At least 30 days' notice of such hearing shall be given by posting in three public places in said county, and, if the court shall so require, notice shall also be given by publication and/or mailing at such time or times and in such manner as the court shall prescribe."

Amendment No. 17

On page 8 of said bill, strike out line 41, and insert "pursuant to subdivision E of this Section 16.02".

Amendment No. 18

On page 8 of said bill, strike out lines 42 to 52, both inclusive; and on page 9, strike out lines 1 to 24, both inclusive, and insert

"G. Appeals. No appeal from such order of court shall stay or postpone the consummation of the plan, unless such court shall deem it necessary to delay such consummation for the proper protection of the appellant or appellants, but in lieu of requiring the consummation of the plan to be delayed such court may restrain the sale, transfer or other disposition by the commissioner, the association or a corporation or trustee to whom assets are to be transferred, of any assets specified by the court, if the retention of such assets is found by the court necessary or advisable to protect the rights of the appellant or appellants

Sec. 16.03 Reorganization by Court. A plan of reorganization may be proposed in court pursuant to this Section 16.03 for (1) an association of which the property, business and assets are in the possession of the commissioner; (2) an association which is in such condition that, unless such association is liquidated or a plan is consummated, a preference is likely to be obtained by some certificate holders over other certificate holders or by some shareholders over other shareholders or by some creditors over other creditors of the same class; (3) an association which is in such condition that it will probably be necessary unless a different plan is consummated, to liquidate such association. The determination by the commissioner that an association is included in one or more of the foregoing classes shall be prima facie evidence of such fact. A plan of reorganization of such association may be proposed pursuant to this Section 16.03 (1) by such association through action of the board of directors of such association or (2) by the holders of 20 per cent in value of the aggregate outstanding free shares and investment certificates of such association or (3) by the commissioner.

A. Procedure. Such plan shall be presented by the proposer or proposers to the superior court of the county in which such association maintained or maintains its principal office, with a petition that the court determine the fairness of such plan and what consents are requisite to such plan becoming operative, which petition shall set forth such plan and the fact that it is proposed by a person or persons authorized under this Section 16.03 to propose it and any other facts which such proposer or proposers shall deem material to a consideration of the fairness of such plan. If the commissioner is not the proposer of the plan, the court shall refer the plan to the commissioner and direct him to analyze the plan and the condition of the association. Within 30 days or such additional time as the court may grant, the commissioner shall return the plan to the court with his findings and recommendations, and may propose to the court his own plan. Thereupon the court shall fix the time and place for hearing on the plan presented by petition and on the plan presented by the commissioner, if any, and shall direct that notice of such hearing be given as hereafter provided and shall direct the commissioner to deliver

to such proposer or proposers, and to the clerk of the court, a list of the names and addresses of the investors and creditors of such association as shown by the records of such association, and such other information as the court may deem necessary or proper, whereupon the commissioner shall comply with such direction. Thereafter the clerk of the court shall give at least 30 days' notice of such hearing to the investors and creditors of such association (and to such association, if not the proposer or proposers of such plan), which notice shall include either a copy of such plan or plans or a summary thereof, and a statement that any interested stockholder, shareholder, certificate holder or creditor shall have the right, without the necessity of formal intervention, to appear either in support of a plan or in opposition thereto or may propose a modification or modifications. Such notice shall be approved by the court.

B. Hearing. At the time and place fixed for such hearing, or at the time and place to which such hearing may be continued by the court, the court shall hear the parties interested therein and, if it deems it necessary, may take testimony relative thereto and/or may receive depositions relative thereto. At such hearing any interested stockholder, shareholder, certificate holder or creditor may propose a modification or modifications of any plan then before the court or a different plan.

No plan shall be approved by the court unless the court is satisfied that the plan is fair and equitable and does not discriminate in favor of any class of investors or creditors, and is feasible. After the completion of such hearing the court shall approve, modify and approve, or disapprove such plan or plans. No such plan shall become operative unless and until it shall have been approved, in its original form or if modified, in its modified form, by such court, nor unless and until such plan shall have been consented to, either in person or by a duly appointed agent attorney or committee, and either before or after the approval of such plan by the court, by the following persons: (a) If such association shall have stock outstanding, then by the holders of a majority in amount of the stock of such association; (b) if such association shall have shares outstanding, then by the holders of a majority in value of the shares of such association; (c) if such association shall have investment certificates outstanding, then by the holders of two-thirds in value of the investment certificates of such association; and (d) if such association shall have creditors, then by two-thirds in amount of each class of creditors of such association; provided, however, that such consents shall not be required in the case of any certificate holder, shareholder or creditor, or of any class of certificate holders, shareholders or creditors, if (1) the rights of such person or persons shall not be materially and adversely affected by such plan or (2) if such plan shall provide for the payment in cash of the value of the investment certificates, shares or claims held by such person or persons; provided further, that such consents shall not be required from the stockholders of any association if the commissioner shall have taken possession of the property, business, and assets of such association pursuant to Section 13.11 of this act and the application provided for by Section 13.12 of this act shall not have been made within 30 days after such taking possession or judgment dismissing such application shall have been rendered and such judgment shall have become final, and provided further, that if any plan is modified with the approval of the court and (1) if the court shall find that such modification does not materially and adversely affect the interests of any particular class or classes of persons whose consent to the plan is required, then the consent of such particular class or classes of persons shall not be required to such modification and all persons of such class or classes who shall have consented to the plan prior to the court's approval of its modification shall be deemed to have consented to the modification and to the plan as modified and (2) if the court shall find that such modification materially and adversely affects the interests of any particular class or classes of persons whose consent to the plan is required, notice of such modification may be given to such class or classes of persons in such manner as the court shall prescribe and any person who shall have consented to the plan prior to the court's approval of its modification and who shall not file a written dissent to such modification within the time fixed by the court shall be deemed to have consented to the modification and to the plan as modified unless such persons' previous consent to the plan shall have provided otherwise. For the purpose of this Section 16.03, real property, contracts for the sale of real property, loans, and all other assets (whether like or unlike the foregoing) shall be valued at what may reasonably be expected to be realized therefrom in the orderly and proper conduct of a going business and under normal conditions. The approval by the court of the plan shall be in writing. If the court shall determine that at the time of such approval the requisite number of consents shall have been given the court shall enter an order providing that such plan shall become operative, which order shall be binding upon the commissioner, such association and all its investors and creditors. If the court shall determine that at the time of such approval the requisite number of consents shall not have been given the court shall make an order fixing a time and place for a further hearing to determine what consents have been given, and directing the clerk of the court to mail, or cause to be mailed, to each of the stockholders, shareholders, investment certificate holders and creditors of such association, and other than those (if any) who have consented to the plan approved by the court, a notice of the time and

place fixed for said hearing, a copy or summary of such plan, a statement setting forth the consents necessary to such plan becoming operative and a notice that all parties desiring to consent or dissent may file written consents or dissents with the clerk of the court before the time fixed for said hearing or to which said hearing may be continued. At the time and place so fixed, or any continuance thereof ordered by the court, the court shall take evidence on that subject and upon satisfactory proof at such time of the fact that the requisite number of consents have been given, a further order may be entered providing that such plan shall become operative, which further order shall be binding upon the commissioner, such association, and all its investors and creditors.

During the pendency of a proceeding under this Section 16.03 hearing upon any application under Section 13.12 may be stayed, in the discretion of the court; and the court in which the petition under this Section 16.03 is pending is hereby given jurisdiction to enjoin during the pendency of the proceeding and, if a plan is approved and by the court declared operative, to enjoin thereafter, the commencement or continuance of any action or proceeding against such association or any act, action or proceeding to enforce a lien or charge upon, or to obtain possession of, or to sell or otherwise dispose of (except in conformity with such plan), any property of such association, and to determine all questions required to be determined pursuant to this Section 16.03 including, without limiting the generality of the foregoing, the following: Whether the association subject to such plan is included in one or more of the classes specified in this section as subject to reorganization; whether any plan, either in its original or modified form is fair and equitable; whether it discriminates in favor of any class of investors or creditors; whether it is feasible; whether the plan is more advantageous than liquidation from the standpoint of each class of investors and creditors affected thereby; the liabilities of such association and the value of the assets thereof; the consents requisite under this Section 16.03 to such plan becoming operative, including jurisdiction to determine, for the purposes of the plan and the consents or dissents thereto, the division of the investors and creditors into classes according to the nature of their respective rights and interests. If, pursuant to Section 16.05, provision has been made in any plan for the payment in cash in full of all certificate holders, shareholders and creditors each of whose investment certificates, shares or claims is of such value, not to exceed twenty-five dollars (\$25), as shall be specified in such plan, all investment certificates, shares and claims to be paid in cash pursuant to such provision shall be excluded in computing the consents required or given under this Subsection B.

If the court shall approve a plan of reorganization, either in its original form or in modified form, the court may allow reasonable compensation for services rendered, and reimbursements for proper costs and expenses incurred by the persons who were the proposer or proposers of such plan and their attorneys. In fixing such allowance the court shall give consideration only to the services which contributed to the plan approved by the court, or to the refusal of the court's approval of a different plan or plans, or which were beneficial in the proceedings under this Section 16.03, and to the proper costs and expenses incidental thereto.

All expenses of and charges against the clerk of the court in connection with the mailing, posting and publication referred to in this Section 16.03 shall be paid from the assets of the association in question by the commissioner if he is in possession of such assets and, if not, by the association.

C. Building and Loan Commissioner. The proposer or proposers of a plan shall deliver a copy thereof to the commissioner or to one of his deputies either before the petition referred to in Subsection A of this Section 16.03 shall have been filed in court or within two days thereafter. A copy of said plan shall be kept by the commissioner available for public inspection at each of his offices in this State. In the case of any plan pursuant to this Section 16.03 under which all or any part of the business, properties or assets of such association is to be retained by, returned to or transferred to any association (other than a Federal savings and loan association or an association which, pursuant to the plan, is to cease being an association) such plan shall not be approved by the court unless it shall have been first consented to by the commissioner.

In any proceeding under this Section 16.03 the commissioner shall if requested by the court, and may upon his own motion, file a notice of his appearance in such proceeding. Upon the filing of such a notice the commissioner shall be deemed to be a party in interest, with the right to be heard on all matters arising in such proceeding, and shall be deemed to have intervened in respect of all matters in such proceeding with the same force and effect as if a petition for that purpose had been allowed by the court; but the commissioner may not appeal or file any petition for appeal or review.

During the pendency of a proceeding under this Section 16.03 the commissioner shall not employ or engage, with respect to any association directly affected by such proceeding, or with respect to the business, property or assets of any association so affected, counsel other than the Attorney General or one or more of his deputies, or any appraisers or accountants other than appraisers or accountants who are subject to the civil service laws of this State nor employ, with respect to any such association, its business, property or assets, as additional employees in this

State or to replace previous employees in this State, any person who is not subject to the civil service laws of this State for any position or work for which a person subject to the civil service laws of this State is available, except that if the association (or the commissioner, while in possession) has entered into an agreement with a labor organization for the employing of any class of employees through the labor organization, then the commissioner shall employ additional employees, or employees replacing previous employees, who fall within a classification covered by such an agreement through the labor organization.

D. Effect of Approval and Consents. When any plan under this Section 16.03 shall have been so approved by the court and shall have been consented to by or on behalf of the respective required proportions of the investors and creditors, such plan shall be binding upon the commissioner, such association, and all of the investors and creditors of such association. Thereupon such steps shall be taken by the commissioner, such association and all other persons affected by such plan, and all acts shall be done, all instruments executed and all securities issued, as may be required by such plan so approved and as may be necessary or desirable for the consummation of such plan. The association, the commissioner, or such person as the court shall appoint, shall supervise and direct the consummation of the plan subject to the orders of the court.

Sec. 16.04. Withdrawal of A-sets. When the property, business and assets of an association are in the possession of the commissioner, whether or not such association is in liquidation under the provisions of this act, investment certificate holders and unsecured creditors of such association may withdraw to themselves or to a corporation nominated by them assets of such association upon the approval of the superior court after notice given and hearing held in the manner hereafter provided in this section.

A. Procedure. The holders of at least 15 per cent in value of the aggregate outstanding investment certificates of an association, the business, property and assets of which are in the possession of the commissioner, together with any unsecured creditors of such association then desiring to join with them, may themselves, or through a corporation nominated by and representing them, petition the superior court of the county in which the principal office of such association is situated to exchange investment certificates and unsecured creditor's claims for their proportionate share of the assets of such association. If such association shall have commenced the proceeding provided for by Section 13.12 of this act and no judgment which shall have become final shall have been rendered therein against such association, or if the time within which such association may commence said proceeding has not expired, the consent of such association by its board of directors to the filing of such petition shall be required. Such petition, among other things, shall set forth, in general terms, the method by which the withdrawal of assets is to be accomplished, the interests to be acquired by investors and unsecured creditors should said petition be granted, and whether a corporation is to acquire such assets, and if so, such petition shall also set forth the kind or kinds of securities to be issued by such corporation and the classes of persons to whom such securities are proposed to be issued. A copy of said petition shall be served upon the commissioner or one of his deputies prior to the filing thereof or within three days after the filing thereof. Upon the filing of said petition the court shall fix the time and place for the hearing of such petition and shall direct that the commissioner shall give at least 30 days' notice to investors and creditors of such hearing. The form of such notice shall be approved by order of the court, which order may be made without notice; and the commissioner, as promptly as reasonably possible after the service of a copy of the petition upon the commissioner or one of his deputies, with a list setting forth the name and last known address of each investor and unsecured creditor of such association as shown upon the books of such association in the possession of the commissioner, and the petitioner or petitioners or their nominee may request other investors and unsecured creditors of such association to join in said petition.

B. Investors and Creditors Joining in Petition. Investors and unsecured creditors of such association not represented by the petitioner or petitioners at the time of the filing of such petition may join with and be represented by the petitioner or petitioners by filing with the court, either directly or through the petitioner or petitioners, a written consent to join in said petition, and thereupon such investors and unsecured creditors shall be deemed to have joined in said petition.

C. Hearing. At such hearing the commissioner may appear and be represented by the Attorney General of the State of California, or by one or more of his deputies, and not otherwise. Upon such hearing the court shall determine the proportion of the total value of all assets of such association which is borne by each asset of such association, or by each group of assets of such association which shall have been designated to the court by the petitioner or petitioners at or before the time of such hearing or at such time or times thereafter as the court shall permit. For the purposes of this Section 16.04 any property of such association which is subject to encumbrance shall be valued at its net equity value and all of the assets of such association shall be valued on the basis of what may reasonably be expected to be realized therefrom in the orderly and proper conduct of a going business and under normal conditions. Thereupon the petitioner or petitioners shall file with the court

a designation of the particular assets or groups of assets of such association which the petitioner or petitioners desire to withdraw in exchange for the investment certificates and unsecured creditor's claims represented by the petitioner or petitioners or their nominee; and thereupon the court shall determine whether such proposed withdrawal is fair both to the withdrawing and to the nonwithdrawing certificate holders and creditors, and if the court shall determine that such withdrawal is fair as aforesaid, shall grant such petition. No petition for withdrawal of assets shall be granted by the court unless the court is satisfied that the proposed withdrawal of assets in exchange for investment certificates and unsecured creditors' claims is fair both to the withdrawing and to the nonwithdrawing certificate holders and creditors. In such determination the court shall give due consideration to liabilities and encumbrances affecting particular assets or groups of assets. If such association shall have commenced the proceeding provided for by Section 13.12 of this act and no judgment which shall have become final shall have been rendered therein against such association, or if the time within which such association may commence said proceeding has not expired, no petition for withdrawal of assets shall be granted by the court unless such withdrawal is consented to by the holders of a majority in amount of the stock of such association if it has stock outstanding.

D. Stockholders Any corporation which is to acquire any assets of such association may, subject to the provisions of this Subsection D, issue securities to the shareholders and/or stockholders of such association in exchange for their outstanding shares, stock, claims or property interests, or partly in such exchange and partly for cash; provided, the issuance of such securities is approved by the court and by the petitioner or petitioners; and provided, further, that such securities shall contain express provision that no interest, dividends or other distribution shall be paid or made thereon unless and until such corporation shall have retired all securities issued in exchange for claims of investment certificate holders and claims of unsecured creditors. If an assessment shall have been levied against the stockholders of such association pursuant to Article 7 of this act, such assessment shall be set aside or discharged (1) if the court shall determine that such association is solvent; or (2) if the stockholders of such association shall pay the amount of such assessment (in which case a part of such assessment which shall bear the same proportion to the whole of such assessment as the net value of the assets withdrawn bears to the total net value of all the assets of the association shall be paid to the withdrawing certificate holders and creditors or their nominee and the remainder of such assessment shall be paid to the commissioner); or (3) the stockholder or stockholders shall transfer and assign to the withdrawing certificate holders and unsecured creditors or their nominee and to the commissioner, respectively, in the respective proportions aforesaid, all of the assets of such stockholder or stockholders in excess of amounts required to discharge the liabilities, and encumbrances against the assets, of such stockholder or stockholders, other than securities or the right to receive securities of a corporation which is to acquire the assets of such association. In no case shall securities be issued to any stockholder against whom an assessment has been levied pursuant to Article 7 of this act unless and until such assessment has been set aside or discharged as above provided.

E. Effect of Order. After the completion of such hearing the court shall have jurisdiction to approve such petition or to disapprove such petition, or may approve such petition as amended, and shall have authority to approve or disapprove the terms and conditions of the issuance of securities in exchange for outstanding securities, claims, or property interests, or partly in such exchange and partly for cash. If such petition or amended petition is approved, the court shall order the commissioner to transfer and deliver to the petitioner or petitioners or to a corporation nominated by them the assets selected by the petitioner or petitioners and approved by the court; and upon the transfer and delivery of said assets to the petitioner or petitioners or to such corporation in exchange for investment certificates and/or unsecured creditors' claims in compliance with the order of court, the powers of the commissioner with respect to said assets shall terminate and such association and the State of California shall be forthwith released from all further liability with respect to the assets thus withdrawn. The order of court approving such petition, amended petition or supplemental petition, shall be binding upon the commissioner, such association and all investors and creditors of such association. The powers and duties of the commissioner and the rights of all investors and unsecured creditors as to the assets of such association not withdrawn hereunder shall not be affected by this section.

F. Supplemental Petitions. After the approval of such petition and the withdrawal of assets thereunder, the petitioner or petitioners or the corporation to which the assets are withdrawn from time to time may file a supplemental petition in said court for the withdrawal of additional assets in exchange for additional investment certificates and/or unsecured creditors' claims. Thereupon such supplemental petition shall be set for hearing and notice of such hearing shall be given as provided in Subsection A of this Section 16.04 and in Section 16.07. At the

hearing on such supplemental petition the court shall order additional assets withdrawn if it determines that such withdrawal is fair both to the petitioner or petitioners or said corporation on the one hand and to the nonwithdrawing certificate holders and creditors on the other hand.

G. Commissioner of Corporations. In case the petition sets forth that a corporation is to acquire the assets sought to be withdrawn, the court shall require that notice forthwith be served upon the Commissioner of Corporations.

Sec. 16.05. Priorities. In any plan proposed pursuant to Section 16.02 or Section 16.03 due consideration shall be given to the rights and interests of all persons affected thereby (with due regard to the feasibility of such plan and the condition of such association), in the following order of priorities: First, secured creditors and other persons, if any, entitled to preference over investment certificate holders and unsecured creditors in the event of liquidation; second, investment certificate holders and unsecured creditors, without preference to one over the other; third, shareholders; and fourth, stockholders; provided, however, that provision may be made in any such plan for the payment in full of all taxes, assessments, insurance, alterations, repairs and other operating expenses, for the payment of expenses of the commissioner in connection with such association or its property, business or assets or in connection with any application of such association under Section 13 12 of this act, and for the payment of expenses in connection with such plan as authorized by this article; and provided further, that provision may be made in any such plan for the payment in cash in full of all certificate holders, shareholders and creditors each of whose investment certificates, shares or claims is of such value, not to exceed twenty-five dollars (\$25), as shall be specified in such plan.

No plan which provides for the issuance of securities to holders of stock shall be approved unless such securities contain express provision that no interest, dividends or other distribution shall be paid or made thereon unless and until all securities issued in exchange for claims of investment certificate holders, claims of unsecured creditors, and claims of shareholders, if any, have been retired; it being the intent that under such plan each investment certificate holder and unsecured creditor (except those who shall sell or otherwise dispose of their new securities) shall receive the full amount of their original investment, with interest, dividends, or other return thereon before any interest, dividends or other distribution is paid or made on securities issued to shareholders or stockholders, or both, as aforesaid. A plan may provide, however, for the issuance of such securities to the stockholders that after all creditors, certificate holders and shareholders (except those who shall sell or otherwise dispose of their new securities) shall receive the full amount of their original investments or claims, with interest, dividends or other return thereon, the stockholders or their assigns shall own in effect, through their ownership of such securities issued to the stockholders, the remaining assets.

Sec. 16.06. Hearing. At any hearing before the commissioner pursuant to Section 16 02 or before the court pursuant to Section 16.03 or Section 16 04 any interested certificate holder, shareholder, stockholder or creditor shall have the right to appear either in support of the plan or plans or petition or in opposition thereto; and any such hearing shall be, among other things, upon the fairness of the terms and conditions of the issuance of all securities to be issued pursuant to such plan or plans or petition and of the exchange thereof for outstanding securities, claims or property interests, or partly in such exchange and partly for cash, and all persons to whom it is proposed to issue securities in such exchange shall have the right to appear at such hearing; and the commissioner or court (as the case may be) is hereby authorized to determine whether the terms and conditions of such proposed issuance and exchange of securities are fair and, if so, to grant approval of such terms and conditions.

Sec. 16 07. Notices. Wherever provision is made in this article for at least a specified number of days' notice to investors and creditors of a hearing, such notice shall state the time and place of such hearing and shall be (a) mailed by first-class mail in sealed envelopes, postage prepaid, to each investor and creditor at his address as shown by the books of such association, or, if no address be there shown, at the city or town in which such association has or last had its principal place of business; (b) posted in three public places in the county in which such city or town is located; and (c) published once in a newspaper of general circulation published in said county. Such mailing, posting and publication shall be made at least the specified number of days before the date fixed for such hearing. Section 8 08 of this act shall not apply to such notices.

Sec. 16 08. Building and Loan Commissioner. The commissioner shall have and may exercise the same jurisdiction, authority and powers with respect to any business, properties or assets retained by or delivered to the commissioner pursuant to any plan as the commissioner shall have with respect to the business, properties and assets of any association of which the commissioner has taken possession; and the commissioner shall have and may exercise the same jurisdiction, authority and powers with respect to any association (excepting a Federal savings and loan association) formed pursuant to any plan or by or to which any business, properties or assets may be retained or returned or transferred pursuant to any plan (except-

ing a Federal savings and loan association or an association which, pursuant to the plan, is to cease being an association) as the commissioner would have of such association if it had been formed or had acquired its business, properties and assets by means other than a plan.

If any part of the business, properties and assets are to be retained by or transferred to a corporation which is not to be an association or a Federal savings and loan association, the plan shall provide for the continuing examination or supervision of such corporation by the commissioner and may provide for the right of the commissioner to appoint some or all of the directors of such corporation (including appointments to fill vacancies), and the commissioner shall have and may exercise any and all powers of such continuing examination, supervision or appointment conferred upon him by a plan which has been approved and become operative.

There shall be paid from the assets of the association directly affected by a proposed plan or by a petition under this article, all expenses incurred by the commissioner in connection therewith; provided, such expenses shall be reasonable and proper and in the case of proceedings under Section 16.03 or Section 16.04 shall be approved by the court.

In any proceeding under this article the commissioner shall be represented by the Attorney General of the State of California or by one or more deputies of such Attorney General, and not otherwise.

Sec. 16.09. Commissioner of Corporations. The provisions of the Corporate Securities Act requiring a permit from the Commissioner of Corporations authorizing the sale or issue of securities shall not apply to any company, as defined in the Corporate Securities Act, issuing securities under a plan or petition approved by the court or commissioner (as the case may be) under this article as to any securities the sale or issuance of which said court or commissioner (as the case may be) approve. In case the plan of reorganization under Section 16.03 or the petition for withdrawal of assets under Section 16.04 provides for the issuance of securities of a general corporation, the issuance of which securities otherwise would require a permit from the Commissioner of Corporations, the court considering said plan or petition shall require that notice forthwith be served upon the Commissioner of Corporations. Upon receipt of said notice by the Commissioner of Corporations, he shall prepare forthwith a verified report setting forth his findings and recommendations to said court as to the issuance of the securities of said general corporation based upon the same statutory grounds as provided in the Corporate Securities Act for the issuance or denial of a permit. Said verified report, findings and recommendations shall be filed with said court prior to said court's approving said plan or granting said petition for withdrawal. None of the provisions of an act entitled "An act requiring individuals, as in said act defined, to obtain a certificate from the Commissioner of Corporations prior to soliciting, receiving or collecting contributions, fees or funds from security owners or holders for the purpose of protecting, enforcing or representing the rights of such security owners or holders; authorizing the Commissioner of Corporations to regulate and supervise the solicitation, collection and application of such funds; and providing for the enforcement of said act and penalties for the violation thereof," approved July 1, 1937, shall apply to the proposer or proposers of a plan which has been duly presented to the court pursuant to Section 16.03 or to the petitioner or petitioners of a petition which has been duly filed with the court pursuant to Section 16.04, but before such presentation or filing said act shall be applicable to such proposer, proposers, petitioner or petitioners, and after such presentation or filing no funds shall be solicited or collected by such proposer, proposers, petitioner or petitioners from investors except with the approval of the court.

Sec. 16.10. Authority of Fiduciaries. Any executor, administrator, guardian or receiver and any trustee of any kind or nature, and any insurance company, cemetery association or other corporation, public or private, may, without the necessity of obtaining any specific court approval: (a) dissent from any plan proposed pursuant to Section 16.02; (b) consent to any plan which has been approved by the court pursuant to Section 16.03 or consent to any such plan subject to such plan being approved by the court; (c) file or join in a petition or supplemental petition under Section 16.04; (d) exchange any shares, stock, investment certificates or other rights or claims for securities issued pursuant to any plan or petition which has been approved pursuant to this article; and (e) continue to hold as a legal investment any securities received in any such exchange.

Sec. 16.11. Appeals. No appeal from any order of court referred to in this article shall be effectual for any purpose unless the appellant or appellants, within 30 days after the entry of the order appealed from, shall file with the clerk of such court a bond executed on the part of the appellant or appellants by at least two sureties to the effect that the appellant or appellants, in the event such order is affirmed on appeal, will pay all of respondents' costs, expenses and reasonable attorneys' fees arising from such appeal. The form and amount of such bond and the sureties thereon shall be approved by the superior court. Appeals from such orders shall be given preference in hearing on appeal over all other appeals, except contested election cases and cases in which the people of the State are parties. Except as otherwise provided by this Section 16.11, the provisions of Part 2 of the

Code of Civil Procedure are applicable to and constitute the rules of practice in the proceedings mentioned in this article with regard to appeals."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RESOLUTIONS

The following resolutions were offered:

By the Committee on Rules and House Functions:

House Resolution No. 132

Resolved, That the meeting time of the Fish and Game Committee be changed, because of conflicts with the meeting times of other committees, from 3 p m. on Tuesdays to 8 p m. on Mondays.

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 132, at this time, without reference to committee.

Resolution read and adopted.

By Mr. O'Day:

House Resolution No. 133

Resolved by the Assembly of the State of California. That there is hereby made available to the Interim Committee to study the location and availability of camps and camp sites which might be used for juvenile delinquents, created by House Resolution No. 89, from the Contingent Fund of the Assembly the sum of one hundred eighty-six dollars (\$186), which said sum shall be in addition to all other sums heretofore made available, and shall be available for disbursement by the committee to meet the expenses of the committee.

Resolution read, and referred to Committee on Rules and House Functions

RECESS

At 10.55 a m., on motion of Mr. Sawallisch, the Assembly recessed until 11.15 a.m., to hear from Bohuš Beneš, former President of Czechoslovakia.

REASSEMBLED

At 11.15 a m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Hon. Charles M. Weber Presiding

At 11.16 a.m., Hon. Charles M. Weber, Member of the Assembly from the Eleventh District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 217—An act to add Section 189.5 to the Code of Civil Procedure, relating to vouchers filed in court proceedings

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans,

Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Holli-
baugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney,
Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Pot-
ter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas,
Thompson, Thorp, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.17 a.m., Hon. Charles W. Lyon, Speaker of the Assembly, pre-
siding.

Assembly Bill No. 32—An act to amend Sections 595 and 1054 of
the Code of Civil Procedure, relating to extensions of time and con-
tinuances

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, after "court", strike out "in", and insert
"board, commission, or referee before".

Amendment No. 2

On page 2, line 31, of said bill, strike out "other than", and insert "including".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 621—An act to amend Sections 241 and 242 of
the Code of Civil Procedure, relating to the composition and constitu-
tion of grand juries.

Bill read third time.

Motion to Amend

Mr. Carlson moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "199".

Amendment No. 2

On page 1, line 1, of said bill, after "Section 1.", insert "Section 199 of the Code
of Civil Procedure is amended to read:

199. A person is not competent to act as a juror:

1. Who does not possess the qualifications prescribed by the preceding section;
2. Who has been convicted of malfeasance in office or any felony or other high
crime; or

3. Who has been discharged as a juror by any court of record in this State
within a year, as provided in Section 200 of this code, or who has been drawn as a
grand juror in any such court and served as such within a year and has been
discharged, *except as provided in Section 241 of this code*; or who, in a county or
city and county containing a population of not less than 300,000 as ascertained by
the last preceding Census taken under the authority of the Congress of the United
States, or the Legislature of the State of California, during the preceding two years
shall have actually served on 20 days as a trial juror in the trial of cases in a court
of record in this State; but a juror must in any event complete his service as such
juror in the trial of a case in which he may be actually engaged. The clerk shall
immediately remove from the jury list the name of any juror who becomes disquali-
fied under this section.

4. A person who is serving as a grand juror in any court of record in this State
is not competent to act as a trial juror in any such court. Any person who is serv-
ing as a trial juror in any court of this State is not competent to act as a grand
juror in any such court.

Sec. 2."

Amendment No. 3

On page 1 of said bill, after the period in line 24, insert "If for any reason specified in this code three persons of the last preceding grand jury can not be found to serve on the new grand jury, or if for any reason a sufficient number of jurors of the last preceding grand jury are unable or unwilling to serve on the new grand jury, their places shall be filled by drawing from the list of those newly summoned three names, or as many as may be necessary."

Amendment No. 4

On page 2, line 1, of said bill, strike out "Sec. 2.", and insert "Sec. 3."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 376—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of districts organized under the California Water District Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Stream, Thomas, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.35 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Assembly Bill No. 96—An act to amend Section 1263 of the Civil Code of the State of California, relating to homesteads.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 246—An act to amend Section 1461a of the Penal Code, relating to procedure in municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 208—An act to amend Section 131.5 of the Civil Code, relating to the entry of an interlocutory decree of divorce nunc pro tunc.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 555—An act to amend Section 7a of the Municipal Court Act of 1925, relating to attaches.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George, D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Anderson, Bashore, Burkhalter, Massion, and Pelletier—5.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.59 a.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CHIEF CLERK INSTRUCTED TO PREPARE LETTER

Mr. Sargent moved that the Chief Clerk be instructed to write to Hon. Lawrence Cobb, expressing the regret of the Assembly that the former member was not properly recognized by the membership during his recent visit to the Chamber, and inviting him to again visit the Assembly at an early date.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 472

Assembly Bill No. 310

Has had the same under consideration, and reports the same back with the recommendation: Do pass, as amended, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 6	Assembly Bill No. 768
Assembly Bill No. 237	Assembly Bill No. 924
Assembly Bill No. 461	Assembly Bill No. 1806

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1857	Assembly Bill No. 691
Assembly Bill No. 1109	Assembly Bill No. 353
Assembly Bill No. 1033	

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1224	Assembly Bill No. 179
Assembly Bill No. 215	Assembly Bill No. 1027
Assembly Bill No. 355	Assembly Bill No. 281
Assembly Bill No. 356	Assembly Bill No. 594
Assembly Bill No. 886	Assembly Bill No. 595
Assembly Bill No. 493	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 524
Assembly Bill No. 1422

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALL, Chairman

Above reported bills ordered to second reading.

Committee on Civil Service and State Departments

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER. Your Committee on Civil Service and State Departments, to which was referred:

Assembly Bill No. 1528

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

T. FENTON KNIGHT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER Your Committee on Civil Service and State Departments, to which were referred:

Assembly Bill No. 1526
Assembly Bill No. 1129

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

T. FENTON KNIGHT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which were referred:

- Assembly Bill No. 686
- Assembly Bill No. 1128
- Assembly Bill No. 1527

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

T. FENTON KNIGHT, Chairman

Above reported bills ordered to second reading.

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

- Assembly Bill No. 1930

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MALONEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

- Assembly Bill No. 1055

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MALONEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

- Assembly Bill No. 47

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MALONEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

- Assembly Bill No. 647

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MALONEY, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 88 | Assembly Bill No. 992 |
| Assembly Bill No. 119 | Assembly Bill No. 1000 |
| Assembly Bill No. 626 | Assembly Bill No. 1095 |
| Assembly Bill No. 983 | Assembly Bill No. 1421 |

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 497

Assembly Bill No. 689

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CARLSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 423

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Social Welfare.

CARLSON, Chairman

Above reported bill re-referred to Committee on Social Welfare.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 453

Assembly Bill No. 463

Assembly Bill No. 458

Assembly Bill No. 467

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

RECESS

At 12.07 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 1.45 p.m.

REASSEMBLED

At 1.45 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

APPOINTMENTS OF SELECT COMMITTEES

The Speaker announced the appointment of Messrs. Brady, Heisinger, Gaffney, and Maloney as a Select Committee to escort Governor Earl Warren to the rostrum.

The Speaker announced the appointment of Messrs. McBride and Seawell as a Select Committee to escort Lieutenant Governor Frederick F. Houser to the rostrum.

The Speaker announced the appointment of Messrs. Robertson, Burkhalter, and McMillan as a Select Committee to escort Postmaster General Walker and his party to the rostrum.

RECESS

At 1.59 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2.15 p.m. to hear from Hon. Frank C. Walker, Postmaster General of the United States.

REASSEMBLED

At 2.15 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES**Committee on Roads and Highways**

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1624

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STREAM, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred: Assembly Bill No. 1217

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STREAM, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred: Assembly Bill No. 1218

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STREAM, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred: Assembly Bill No. 1219

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STREAM, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1220

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STREAM, Chairman

Above reported bill ordered to second reading

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred

Senate Constitutional Amendment No. 10

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption

RESOLUTIONS

The following resolutions were offered:

By Committee on Rules and House Functions

House Resolution No. 134

Resolved, That whenever a bill has been passed twice on third reading file, it shall forthwith be placed upon a special file to be known as the inactive file. When

a bill has been placed on the inactive file, it may be returned to the third reading file by a request of the author upon one day's notice; but the bill shall then be placed at the foot of the third reading file.

SAM L. COLLINS, Chairman

Resolution read, and ordered on file for adoption

By Messrs. Lowrey, King, Thompson, Bashore, Hastain, and Gannon:

House Resolution No. 135

WHEREAS, Certain acts of Congress, to wit, the Acts of October 10, 1940, and October 16, 1941, did authorize the President of the United States to requisition property required for the defense of the United States; and

WHEREAS, The President, pursuant to said acts did issue Executive Order No. 8942, dated November 11, 1941, vesting in the Office of Production Management the authority to requisition such property and vesting in the Secretary of Agriculture the authority to initiate action leading to the requisition of such property by the submission of proposals for such requisition to the Office of Production Management; and

WHEREAS, The President did issue Executive Order No. 9040, dated January 24, 1942, vesting in the War Production Board the authority to exercise all powers theretofore vested in the Office of Production Management; and

WHEREAS, The President did issue Executive Order No. 9102, dated March 18, 1942, establishing the War Relocation Authority and directing the Director of said War Relocation Authority to formulate a program for the removal of certain persons from designated military areas, some of which are located in California, and to assist said persons removed in the management and disposal of their property; and

WHEREAS, A substantial quantity of farm equipment belonging to persons removed from military areas in California has been stored on their behalf by the War Relocation Authority and that agency has no power to compel them to sell said farm equipment; and

WHEREAS, There exists in California a steadily increasing shortage of such farm equipment which will impede the efforts of California's farmers to meet the agricultural goals set by the Secretary of Agriculture for 1943; and

WHEREAS, The Regional Office of the War Production Board desires to requisition said stored farm equipment in order that it may be placed in active use and relieve the existing shortage but can not do so until the Secretary of Agriculture, pursuant to the authority vested in him by Executive Order No. 8942, does request the War Production Board to requisition said stored farm equipment; now, therefore, be it

Resolved by the Assembly of the State of California, That the Honorable Claude Wickard, Secretary of Agriculture, be and is hereby respectfully requested to exercise the power granted to him by Executive Order No. 8942, by requesting the War Production Board, through its Regional Office in San Francisco, California, to requisition any and all farm equipment now stored in the State of California and belonging to evacuees, to provide for payment of a fair price therefor, and to make it available to the farmers of California in order that they may be assisted in meeting the agricultural goals set by the Honorable Secretary for 1943; and be it further

Resolved, That the Clerk of the Assembly be directed to transmit copies of this resolution to the Honorable Franklin D. Roosevelt, President of the United States, to the Honorable Claude Wickard, Secretary of Agriculture, to the Honorable Wayne Jackson, Chief of the Requisitioning Branch, War Production Board, and to the Honorable Milton Eisenhower, Director, War Relocation Authority at Washington, D. C.

Resolution read, and referred to Committee on Rules and House Functions

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Joint Resolution No. 37: By Messrs Thomas and Mason—Relative to establishment of a military academy and a naval academy in California.

Referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES**Committee on Public Health**

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 53

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

POTTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Joint Resolution No. 2

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

POTTER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1943

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 343

Assembly Bill No. 945

Assembly Bill No. 1605

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

POTTER, Chairman

Above reported bills ordered to second reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Kraft and Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. James Boyle of Los Angeles, former Assemblyman

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Thos. L. Pitts of Los Angeles.

On request of Mr. Bennett, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. R. S. Roberts of Los Angeles

On request of the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Sheriff Daniel Murphy, former Senator; Mr. William M. Malone and Mr. James Smythe of San Francisco

On request of Mr. Price, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Max Cromner of San Bernardino.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. C. W. Valentine of Riverside

On request of Mr. Denny, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Grace Urnberger of Manhattan, Kansas, and Mr. James Melone of Quincy.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Abe Sheaffer.

On request of Mr. McMillan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mike Tellefson of Culver City.

On request of Messrs. Dickey and Johnson and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Thomas F. Griffin of Piedmont.

On request of Mr. Burkhalter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Walter Hinton and Hap Miner of Burbank.

On request of Mr. Maloney and the entire Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Charles W. Lyon and Cadet Frank Lyon, wife and son of Speaker Lyon.

On request of Speaker Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private Francis T. Harris of Butte, Montana, and Corporal Howard Bush of Kalamazoo, Michigan.

On request of Mr. Bennett, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to R. S. Roberts of Los Angeles.

On request of Messrs. Weybret and Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. C. C. Baker, former Senator, of Salinas.

On request of Messrs. Collins, Watson, and Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Justus Craemer of Orange.

ADJOURNMENT

At 2 27 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Friday, March 19, 1943.

C WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-SECOND LEGISLATIVE DAY
 SEVENTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
 Friday, March 19, 1943

The Assembly met at 10 a.m.
 Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
 Chief Clerk Arthur A. Ohninus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Heisinger, Hollibaugh, Johnson, Kellens, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Nichouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Eternal God, our Father, teach us to so pray that nothing shall separate us from Thy love.

May our lives be so filled with Thy presence that we may build them according to the apostle's instruction: Whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report, we shall think on these things.

"O God of love, whose spirit wakes
 In every human breast,
 Whom love, and love alone, can know,
 In whom all hearts find rest;
 Help us to spread Thy gracious reign
 Till greed and hate shall cease,
 And kindness dwell in human hearts
 And all the earth find peace"

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Dunn.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Thurman, on motion of Mr. Leonard.
 Mr. Thomas, on motion of Mr. Armstrong
 Mr. Weber, on motion of Mr. Watson.
 Mr. Fourt, on motion of Mr. Doyle.
 Mr. O'Day, on motion of Mr. Maloney

MOTION TO EXCUSE MEMBER

Upon motion of Mr. Sam L. Collins, Mr. Waters was excused for the legislative days of Thursday, March 18th, Friday, March 19th, and Saturday, March 20th, to attend a joint meeting of the Board of Governors and the State Bar Committee on Legislation, of which latter Mr. Waters is a member.

COMMUNICATIONS

By Speaker Lyon:

The following communication was received, read, and ordered printed in the Journal:

CONGRESS OF THE UNITED STATES
 HOUSE OF REPRESENTATIVES, WASHINGTON, D. C., March 8, 1943

DEAR FRIEND: I had originally promised to write you and give you my impressions of Washington, but the world has been moving so fast, and things in Washington happen so rapidly and unexpectedly, that to spend much time telling about my personal reactions and experiences would be out of place during such a serious time.

Needless to say, Washington is a city of confusion. It is overcrowded. Transportation is inadequate. We are rationed just as you are. We have one thing, however, which I am quite certain you in California and other places do not have, and that is our grapevine system of information. I read your newspapers, and I know you are not hearing everything as it is, because of censorship. We can not reveal this information, because we would be called a Nazi or an obstructionist.

Speaking of obstructionists, you will probably recall that Mr. Wallace insinuated in his speech the other day, that our obstructionism in Congress might be termed treason. He was referring to the fact that we had refused to pass legislation he desired. The interesting part about this is that some of the staunch Democrats have been the leaders in this movement. If you could only hear, or read, what is said about the bureaucrats by the Democrats on the floor, you could readily understand what Congress is thinking.

Congress has definitely determined to reassert itself and regain some of its powers, which it has given away. The November election was not the only reason for this change in attitude, but the utter failure of the bureaucrats, with their regimentation *ideas of government to handle the present war effort, has added to this change of heart.* I sincerely believe there are many people in high office in Washington, who are more interested in inaugurating their highly technical system of theory and regimentation than they are in definitely accomplishing a good job, or efficiently aiding the war effort. I do not accuse the President of this, but there are many subordinates, who can be accused. I want to point out a few of the things that are happening here which tend to prove that young inexperienced theorists are doing that which I claim above.

A man with a very socialistic background has charge of the newsprint division in the OPA office. He made the statement, which is recorded, that there might be a possible reduction of 50 per cent of the newsprint to the newspapers. Now remember, the newspaper, whether we like a particular newspaper or not, is the only medium whereby many things can be released to the people. The radios are absolutely controlled. At the same time, this group has started a Victory Magazine, consisting strictly of propaganda, very strongly advocating the policies of the New Deal. Eighteen million copies are being sent out, and the newsprint used is taken from the supply available to the newspapers. They are sent free of postage. A committee has been formed to investigate this.

The House of Representatives definitely took a step in the right direction on two occasions during the present session. One was the Smith (Democrat) Bill, which sets up a committee to determine when the Executive Departments are overstepping the prerogatives and powers of the Legislative Branch. The other was the move to curtail the enormous amount of propaganda mail sent out by the various departments

of Government. Putting the latter into visible terms, it means that this mail amounted to 236,000,000 pounds, equal to 100 trainloads of 60 cars each, with 40,000 pounds to a car, used annually for this purpose. Seventy-five per cent of this could be done away with and the war effort would be benefited.

One of the highlights of this present session was the appearance of beautiful Madame Chiang Kai-shek. She was dramatic in the delivery of her speech, and she had a lot to say. Congress is definitely pro-Chinese.

I am finding interesting work on the Committee on Expenditures in the Executive Departments, of which I am a member. It has always been my interest in government to attempt to reduce red tape and set up a uniform system for all departments. At the present time, we are working on a bill to set up a procedure for the handling and disposing of the \$50,000,000,000 worth of supplies, equipment, and material, which will have to be sold after the war. The experts estimate that such an amount will be surplus, or materials not necessary for the regular conduct of business. We all know that this is where there is an opportunity for scandal and legalized graft, so it is important now that we prepare for that. Just another terrible price we must pay for war.

I recently discussed on the floor the subject of the inevitable food shortage. In getting my data, I obtained some very valuable information from one of the large farmers in California on his 1942 crop, and his estimated 1943 crop. He is one of the large farmers, it is true, but the subject, in which we are interested, is the amount of food we can expect. I am inclosing a copy of this speech.

I am sending an article to each of the community newspapers, giving a little story of some happenings of Congress for that week. I thought you may be interested and want to read them.

With all good wishes, I am

NORRIS POULSON

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Guthrie:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows: An act to add Section 3056 to the Business and Professions Code, relating to the admission to practice optometry.

Respectfully submitted.

C. L. GUTHRIE

Request referred to Committee on Legislative Procedure

By Mr. Lyon:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows: An act to amend Section 107 of the Revenue and Taxation Code, relating to the taxation of real and personal property, including the taxing of possessory interests and mining rights

Respectfully submitted.

CHARLES W. LYON

Request referred to Committee on Legislative Procedure

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1943

MR. SPEAKER. Your Committee on Legislative Procedure, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Guthrie.

An act to add Section 3056 to the Business and Professions Code, relating to the admission to practice optometry.

By Mr. Lyon :

An act to amend Section 107 of the Revenue and Taxation Code, relating to the taxation of real and personal property, including the taxing of possessory interests and mining rights.

PELLETIER, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Evans moved a call of the Assembly.

Motion carried. Time, 10.15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS BY UNANIMOUS CONSENT

Mr. Bashore asked for, and was granted, unanimous consent to have Assembly Bills Nos. 161 and 1008 withdrawn from the Committee on Municipal and County Government, and re-referred to the Committee on Revenue and Taxation.

CHIEF CLERK INSTRUCTED TO WIRE MR. FOUNT

Mr. Sam L. Collins moved that the Chief Clerk be instructed to wire Mr. Fount at Ventura to determine whether or not he desires to be a co-author on the proposed Farm Production Bill with other members of the Committee on Agriculture.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 38—Relative to the facilities for the care of the dead;

And reports that the same has been correctly enrolled, and presented to the Governor on the eighteenth day of March, 1943, at 2 p.m.

PELLETIER, Chairman

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER. Your Committee on Motor Vehicles, to which were referred

Assembly Bill No. 599

Assembly Bill No. 1071

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Senate Joint Resolution No. 18

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

RALPH C. DILLS, Chairman

Above reported resolution ordered on file for adoption

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 639

Assembly Bill No. 640

Assembly Bill No. 641

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BASHORE Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources and Planning, to which was referred:

Assembly Bill No. 332

Has had the same under consideration, and reports the same back with the recommendation: Do pass

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

Assembly Bill No. 399—An act to amend Section 43 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for the carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to powers of the board

Bill read second time, and ordered engrossed.

Assembly Bill No. 1433—An act to add Section 21a to the Corporate Securities Act, relating to the commissioner or his employees accepting employment by corporations, the organization, reorganization, rehabilitation or merger of which they supervised.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1224—An act to amend Section 791 of the Political Code and Section 8200 of the Government Code, relating to notaries public.

Bill read second time, and ordered engrossed.

Assembly Bill No. 215—An act to amend Section 1550 of the Probate Code, relating to inventory and appraisement.

Bill read second time, and ordered engrossed

Assembly Bill No. 355—An act to amend Section 354 of the Code of Civil Procedure, relating to the suspension of statutes of limitation during war.

Bill read second time, and ordered engrossed.

Assembly Bill No. 356—An act to amend Sections 1242 and 1243 of the Civil Code, relating to homesteads

Bill read second time, and ordered engrossed.

Assembly Bill No. 886—An act to add Section 1756.5 to the Welfare and Institutions Code, relating to the Youth Correction Authority, and authorizing the authority to return persons committed thereto who are found to be mentally abnormal to the committing court for recommitment to the Department of Institutions for placement in State institutions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 493—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, as amended, by adding Section 7 5, relating to sales of real property by the State

Bill read second time, and ordered engrossed.

Assembly Bill No. 179—An act to amend Section 51 of the Bank Act, relating to deposit of moneys in banks by executors and other fiduciaries.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1027—An act to amend Section 801 of the Probate Code, relating to bond on sale of contract to purchase.

Bill read second time, and ordered engrossed.

Assembly Bill No. 281—An act to amend Section 10 of the Municipal Court Act of 1925, relating to clerks and attaches.

Bill read second time, and ordered engrossed.

Assembly Bill No. 594—An act to amend Section 5050 of the Welfare and Institutions Code, relating to the safekeeping and examination of persons alleged to be mentally ill.

Bill read second time, and ordered engrossed

Assembly Bill No. 595—An act to amend Sections 5404 and 5406 of the Welfare and Institutions Code, relating to the commitment of persons addicted to the intemperate use of stimulants, and the parole and discharge thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 6—An act to amend Sections 2493 and 2494 of the Business and Professions Code, relating to license fees of the Board of Osteopathic Examiners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 237—An act to add Section 3706 to the Political Code, relating to hearings before the State Board of Equalization.

Bill read second time, and ordered engrossed.

Assembly Bill No. 461—An act to amend Section 4808 of the Penal Code, relating to the membership of the Advisory Pardon Board.

Bill read second time, and ordered engrossed.

Assembly Bill No. 768—An act to repeal an act entitled "An act making an appropriation for the administrative expenses of the State Department of Social Welfare and establishing a revolving fund for the purposes of distributing goods and commodities in accordance with Federal goods and commodities distribution plans by the State Department of Social Welfare, declaring the urgency thereof, to take effect immediately," approved July 1, 1941, relating to the operation of Federal stamp and surplus commodities distribution plans by the State Department of Social Welfare, transferring to the State Department of Finance all powers, duties, responsibilities, and jurisdiction, and all records, books, papers, moneys, and property of the Department of Social Welfare in connection therewith for the purpose of termination thereof, and providing for the disposition of the commodities and other properties transferred.

Bill read second time, and ordered engrossed.

Assembly Bill No. 924—An act to add Section 6638 to the Political Code, transferring certain powers, duties, jurisdiction, property and personnel from the Department of Finance to the State Board of Control.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1806—An act to amend Section 4312 of the Political Code, relating to the location and office hours of county officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 686—An act to amend Sections 103 and 107 of the Health and Safety Code, relating to the State Department of Public Health.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1128—An act to amend Section 96 of the State Civil Service Act, relating to reemployment lists.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1527—An act to add Section 152.6 to the State Civil Service Act, relating to the effect of time spent in the military service by civil service employees.

Bill read second time, and ordered engrossed

Assembly Bill No. 1930—An act granting certain tidelands, submerged lands, and filled tidelands of the State of California to the City of Avalon, upon certain trusts and conditions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 47—An act amending Section 1 of "An act granting to the City of San Diego certain parcels of the State-owned lands in Mission Bay State Park upon certain trusts and conditions," approved July 24, 1939, relating to tidelands in Mission Bay State Park.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1055—An act to amend Section 1908 of the Harbors and Navigation Code, relating to fire boats.

Bill read second time, and ordered engrossed.

Assembly Bill No. 647—An act to amend Section 4 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, relating to the trusts and restrictions heretofore imposed upon said tidelands, and to the use and leasing of the tidelands by the city.

Bill read second time, and ordered engrossed.

Assembly Bill No. 88—An act to amend Section 11c of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 119—An act to amend Section 10 of the Municipal Court Act of 1925, relating to municipal court attaches.

Bill read second time, and ordered engrossed.

Assembly Bill No. 626—An act to amend Section 4132.5 of the Political Code, relating to duties of county recorders.

Bill read second time, and ordered engrossed.

Assembly Bill No. 983—An act to amend Section 4077 of the Political Code, relating to the allowance or rejection of claims against counties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 992—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing

for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, by adding thereto Section 7.1, relating to the incurring of indebtedness for the repair or replacement of district works damaged or demolished by reason of fire, flood, earthquake, sabotage, or act of God or the public enemy, the refunding of such indebtedness, the levy and collection of taxes to pay such indebtedness, and providing the manner of adoption of ordinances relating thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1095—An act to amend Sections 864 and 885 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1421—An act to amend Section 4076a of the Political Code, relating to procedure for audit allowance and payment or rejection of claims in counties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 53—An act to amend Section 7373 and to amend and renumber Section 7444 of the Business and Professions Code, relating to hairdressers, cosmeticians, cosmetologists and junior electrologists.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1000—An act to amend Section 4295 of the Political Code, relating to payment of fees to State, county and township officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and to amend Section 6103 of the Government Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 45, insert

"SEC. 2. Section 6103 of the Government Code is amended to read:

6103. Neither the State nor any county, city, district, or other political subdivision, nor any public officer or body, acting in his official capacity on behalf of the State, or any county, city, district or other political subdivision, shall pay or deposit any fee for the filing of any document or paper, [or] for the performance of any official service, or for the filing of any stipulation or agreement which may constitute an appearance in any court by any other party to the stipulation or agreement. This section does not apply where a public officer is acting with reference to private assets or obligations which have come under his jurisdiction by virtue of his office, or where it is specifically provided otherwise.

SEC. 3. Section 2 of this act shall take effect only if a Government Code is enacted by the Legislature at its Fifty-fifth Session, and in such case, at the same

time as the Government Code takes effect; at which time Section 4295 of the Political Code as amended by this act is hereby repealed."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 472—An act to amend Section 2943 of the Penal Code, relating to the discharge of prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "a suit of clothes," and insert "necessary and suitable clothing".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 310—An act to amend Section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to the Legislative Counsel.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Council", and insert "Counsel".

Amendment No. 2

On page 1, line 6, of said bill, strike out "Council", and insert "Counsel".

Amendment No. 3

On page 1, line 10, of said bill, strike out "Council", and insert "Counsel".

Amendment No. 4

On page 1, line 13, of said bill, strike out "Council", and insert "Counsel".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 630—An act to add Sections 607h and 607i to the Civil Code, relating to corporations and societies for the prevention of cruelty to children and animals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities, Manufacturing, and Corporations:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "nonprofit".

Amendment No. 2

On page 1, line 16, of the printed bill, strike out "nonprofit".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 524—An act to amend Section 1458 of the Penal Code, relating to the fixing, acceptance and forfeiture of bail in justice's courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, strike out "an offense of which the court has jurisdiction", and insert "a misdemeanor"

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1422—An act to amend Section 345 of the Code of Civil Procedure, relating to limitation of actions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, following "state", insert "or county".

Amendment No. 2

On page 1, line 5, of the printed bill, following "state", insert "or county".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1526—An act to add Section 359e to the Political Code, relating to sick leave for employees exempt from civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1, line 11, of the printed bill, immediately following "leave", insert "For the purpose of computing sick leave, each employee shall be considered to work five and one-half days each week."

Amendment read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 1129—An act to amend Section 57 of an act entitled "An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution," approved July 1, 1937, relating to employees of the Attorney General's Office.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1 of the printed bill as introduced January 28, 1943, after "by" in line 9, and before "Section" in line 10, insert "Subdivisions (5) and (6) of".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 497—An act to amend Sections 5, 6 and 12 of the "Automobile Parking District Act of 1941," relating to public parking districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 3, line 13, of the printed bill, strike out "one-twentieth (1/20)", and insert "one-twenty-fifth (1/25)".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 689—An act to add Section 6 to an act entitled "An act authorizing the creation of a personnel system, merit system, or civil service system in cities; the creation of the office of a personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within the State; and prohibiting certain political activities and providing penalties for the violation of said provisions," approved April 11, 1935, relating to temporary employees, declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "of", and insert "to".

Amendment No. 2

In line 6 of the title of said bill, strike out "the", and insert "this".

Amendment No. 3

On page 1 of said bill, strike out all of line 3, and insert "Notwithstanding the other provisions of this act, the legislative body of any municipality of the sixth class which has".

Amendment No. 4

On page 1, line 4, of said bill, strike out "employ", and insert "from time to time, by ordinance, provide for the employment and discharge of".

Amendment No. 5

On page 1, line 5, of said bill, strike out "person", and insert "person or persons".

Amendment No. 6

On page 1, line 6, of said bill, strike out "office or position", and insert "offices or positions".

Amendment No. 7

On page 1, line 7, of said bill, strike out "person", and insert "person or persons".

Amendment No. 8

On page 1 of said bill, strike out lines 10, 11, and 12, and insert "municipality."

Amendments read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 1624—An act to amend Section 70 of and to add Sections 70.1 and 70.2 to the Streets and Highways Code, relating to the California Highway Commission and providing for the organization thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "five", and insert "seven".

Amendment No. 2

On page 1, line 12, of said bill, strike out "four", and insert "six"

Amendment No. 3

On page 1, line 26, of said bill, strike out "in the years 1944, 1945, 1946 and 1947", and insert ", one in each of the years 1944 and 1946 and two in each of the years 1945 and 1947,"

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1217—An act to add Division 16, comprising Sections 25000 to 25551, inclusive, to the Streets and Highways Code, and to add Section 50005 to Division 50 of said code, thereby consolidating and revising the law relating to the creation, organization and government of joint highway districts composed of two or more counties of the State of California, and providing for the issuance of bonds and the levy and collection of all taxes, assessments and other moneys necessary for the retirement and payment thereof, and for the payment of the costs of all acquisitions and improvements and all other expenses hereunder.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

On page 2, line 16, of the printed bill, between "part" and "be", insert "shall"

Amendment No. 2

On page 2, line 32, of the printed bill, between "district" and "adopt-", insert "by"

Amendment No. 3

On page 11, line 11, of the printed bill, strike out the first "and".

Amendment No. 4

On page 21, line 51, of the printed bill, between "district" and "issue", insert "may".

Amendment No. 5

On page 22, line 28, of the printed bill, strike out "(e)", and insert "(c)".

Amendment No. 6

On page 26, line 2, of the printed bill, strike out "by", and insert "and"

Amendment No. 7

On page 26, line 41, of the printed bill, between "part" and "shall", insert "and".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1218—An act to add Part 2, comprising Sections 26000 to 26263, inclusive, to Division 16 of the Streets and Highways Code, and to add Section 50006 to Division 50 of said code, thereby consolidating and revising the law relating to the formation, establishment and government of boulevard districts, and the construction, acquisition, maintenance, control and use of boulevards by such districts, and providing for the voting, issuing and selling of bonds and the levying of taxes to finance such boulevards.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

On page 5, line 2, of the printed bill, strike out "in", and insert "on".

Amendment No. 2

On page 8, line 46, of the printed bill, after "construction", insert "of"

Amendment No. 3

On page 10, line 16, of the printed bill, strike out the comma following "superintendents".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1219—An act to add Part 3, comprising Sections 27000 to 27325, inclusive, to Division 16 of the Streets and Highways Code, and to add Section 50007 to Division 50 of said code, thereby consolidating and revising the law relating to the incorporation, organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

On page 13, line 21, of the printed bill, between "board" and "prescribe", insert "may".

Amendment No. 2

On page 14, line 36, of the printed bill, between "the" and "so", insert "time".

Amendment No. 3

On page 19, line 48, of the printed bill, between "not" and "the", insert "exceed".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1220—An act to add Section 50008 to Division 50 of the Streets and Highways Code, thereby repealing certain special statutes, relating to roads, bridges and highways

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Roads and Highways:

Amendment No. 1

On page 4, line 35, of the printed bill, strike out "1863-1864" 210 214".

Amendment read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 1857—An act to amend Section 6 of the Municipal Court Act of 1925, relating to attaches.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "15", and insert "12".

Amendment No. 2

On page 1, line 7, of said bill, strike out "six thousand dollars (\$6,000)", and insert "seven thousand five hundred dollars (\$7,500)".

Amendment No. 3

On page 1, line 14, of said bill, strike out "15", and insert "12".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

MOTION TO TEMPORARILY SUSPEND RULE NO. 77

Mr. Maloney moved that Rule No. 77 be temporarily suspended for the purpose of holding a meeting of the Committee on Commerce and Navigation in Room No 426, at this time.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1109—An act to amend Section 142 of the Civil Code, relating to payment of alimony.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert "142. When the prevailing party in the action has either a separate estate, or is earning his or her own livelihood, or there is community property sufficient to give him or her alimony or a proper support, or if the custody of the children has been awarded to the other party, who is supporting them, the court in its discretion, may withhold any allowance to the prevailing party out of the separate property of the other party. Where there are no children, and either party

has a separate estate sufficient for his or her proper support, no allowance shall be made from the separate estate of the other party."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1033—An act to add Section 261b to the Code of Civil Procedure, relating to phonographic reporters in counties of 900,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "in counties of 900,000", and strike out line 3, and insert "for superior courts in counties, or cities and counties, having a population of 900,000 or more, providing for the compensation and fees of such reporters, requiring the payment to the county clerk of such counties, or cities and counties, of certain filing and appearance fees, in addition to any other fees now required by law."

Amendment No. 2

On page 1, line 3, of said bill, after "county", insert ", or city and county,".

Amendment No. 3

On page 1, line 5, of said bill, strike out "a majority concurring, to assist the court in"; and strike out lines 6 to 27, inclusive, and insert "or city and county, a majority concurring, to assist the court in the transaction of the judicial business of said court, and to have performed the duties of phonographic reporters as elsewhere in this code defined, may appoint as many phonographic reporters as may be necessary to report the proceedings in said court, subject to the limitation as to number hereinafter stated, said reporters to hold office during the pleasure of the judges of said court, a majority concurring.

The phonographic reporters thus appointed may be either regular official reporters or they may be pro tempore official reporters. A pro tempore official reporter may also be appointed by, and hold office during the pleasure of, the judge presiding in the department where such reporter will serve, subject to the written approval or concurrence of the presiding judge. The number of regular official reporters which may be appointed under this act shall not exceed at any one time the number of offices of judge provided by law for said court. Each of said regular official reporters shall be paid a salary of four thousand eight hundred dollars (\$4,800) per annum, and each of said pro tempore official reporters shall be paid a salary at the same rate per annum for the days he actually is on duty under order of the court, pro rated for such period of service in the proportion it bears to the total number of court days in the year, and in each case, such salary shall be in lieu of the per diem fee heretofore provided.

The salaries in this section provided shall be paid in monthly installments out of the general fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited.

In every individual case where, and as to every party by whom, and at the time, Section 4300a of the Political Code now requires a fee to be paid to the county clerk of such county, or city and county, for the filing of the first paper in a civil action or in a special proceeding or for filing the papers transmitted from another court on the transfer of a civil action or special proceeding from another court, or on the appearance of any defendant, intervenor, respondent or corespondent, or for the filing of a petition or other paper in a probate or guardianship matter, a fee in addition to any other now required by law, in the sum of five dollars (\$5), shall be paid to the clerk of the superior court of such a county, or city and county.

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court.

The county clerk shall, on the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him during the preceding calendar month under the provisions of this section, and such moneys shall be deposited in the general fund of said county or city and county.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in taking down in shorthand the testimony and other proceedings, where such services are required by order of the court in the trial or hearing of any matter, but a

phonographic reporter shall be allowed and shall receive, unless waived by him, the fees now, or that may be hereafter, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him. The fees for transcribing in civil cases shall be paid by the party or parties ordering or demanding such transcribing, and shall be paid to the clerk of the court, who shall deposit such receipts in the general fund of the county, or city and county, against which fund the transcribing reporter may present his demand, and from which fund his lawful demand for such transcribing shall be paid, except that the payment for transcribing may be made directly to the reporter when he makes his own contract with a party for the transcribing and for the payment directly to him of the fees therefor.

The fees for transcribing the notes of the phonographic reporter in criminal cases shall be paid by the county or city and county, when ordered by the court, as other claims are paid.

This act shall be amendatory of, and thus shall supplement, all other statutes dealing with the same subjects."

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 15, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 691—An act to amend Section 739 of the Vehicle Code, relating to the filing of notices to appear in court, the fixing of bail and the endorsement thereof upon such notices, the deposit of bail and the forfeiture thereof for failure to appear.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert "and to add Section 737.1 to".

Amendment No. 2

On page 2 of the printed bill, following line 37, insert

"Sec. 2. Section 737.1 is hereby added to the Vehicle Code, to read as follows: 737.1. Acceptance of Bail. Whenever any person is arrested for any offense under this code and such person is not given a notice to appear in court as provided in Section 739, such person at any time after his arrest and before conviction may be admitted to bail.

In addition to any other magistrate authorized to accept bail, the magistrate of a municipal or justice's court or other court or the clerk or commissioner of any such court located at the county seat of the county in which the defendant is arrested shall have authority to fix and accept bail for the appearance of the defendant before the court having jurisdiction of the offense of which the defendant is charged, provided the amount thereof shall be in accordance with a schedule of bail in such cases previously fixed and approved by the magistrate of the court having jurisdiction unless a warrant shall have been issued for the arrest of the defendant, in which case the bail shall be in the amount fixed in the warrant; and provided also, the bail shall be cash or a surety bond executed by a certified, admitted surety insurer as provided in the Insurance Code of this State.

The authority given to a magistrate of a municipal or justice's court and to any clerk or commissioner thereof located at a county seat to accept bail shall include authority to approve the same, to issue and sign an order for the release of the defendant and to set a time and place for the appearance of the defendant before the magistrate of the court having jurisdiction of the offense of which the defendant is charged and give the defendant notice thereof. Thereupon the magistrate, clerk or commissioner so accepting such bail as herein authorized shall immediately transmit such bail to the magistrate of the court having jurisdiction of the offense and before whom the defendant is required to appear pursuant to such notice."

Amendments read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 353—An act to amend Sections 755, 762, 763, and 788 of the Probate Code and to add new sections to be numbered 762.5

and 765 to the Probate Code, all relating to the sale of real or personal property in probate.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out the following words, beginning in line 21 and continuing to line 22: "making of the order of", and insert "filing of the petition for".

Amendment No. 2

On page 2, line 1, strike out the period, and after "price", insert "and in which event the petition for confirmation shall not be filed nor the sale confirmed."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1528—An act to add Section 96.6 to the State Civil Service Act, relating to the appointment of persons from promotional lists who are in the armed forces.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

In line 1 of the title of the printed bill, after the first "to", insert "amend Sections 150 and 151 of and to".

Amendment No. 2

In lines 2 and 3 of the title of the printed bill, strike out "appointment of persons from promotional lists who are in the armed forces", and insert "State civil service, declaring the urgency thereof, and providing that this act shall take effect immediately."

Amendment No. 3

On page 1 of the printed bill, immediately following line 12, insert "Sec. 2 Section 150 of the State Civil Service Act is hereby amended to read as follows:

Sec. 150. Each employee shall be entitled to a vacation of not to exceed 15 days' duration, excluding time during which he is not regularly assigned to work, with pay, during each year of continuous service. The time when such vacations shall be taken shall be determined by the appointing power of such employee. The board shall provide by rule for the regulation and accumulation of vacations and may provide for vacations for employees who have been employed for a period of at least six months and less than one year. *For the purpose of computing vacation time each employee shall be considered to work five and one-half days each week.*

Sec. 3. Section 151 of the State Civil Service Act is hereby amended to read as follows:

Sec. 151. Employees shall be entitled to 12 days sick leave, excluding time during which they are not regularly assigned to work, with pay for a calendar year of service, or one day of sick leave with pay for a calendar month of service, on the submission of satisfactory proof thereof as provided by rule of the board. The board shall, by rule, provide for the granting of additional sick leave, with or without pay, or with reduced pay, or for accumulation of sick leave. *For the purpose of computing sick leave, each employee shall be considered to work five and one-half days each week.*

Sec. 4. This act is hereby declared to be an urgency measure within the meaning of Section 1 of Article IV of the State Constitution, necessary for the immediate preservation of the public peace, health and safety. The statement of facts constituting such necessity is as follows: It is important particularly during the present war emergency with increasing manpower shortage that working conditions for State employees be made as uniform and equitable throughout the service as possible, which is not true insofar as computing sick leave and vacation time is concerned, and which would be made so as provided in this act by computing such time in all cases on a five and one-half day week. Similarly, conditions should be maintained as uniformly as possible for those who leave the State service and enter

the military forces which is not true in the case of the possibilities of promotion and can only be made so by permitting as provided in this act the "token" certification of persons on promotional lists who have entered the armed forces. This uniformity should be established as soon as possible and therefore this act should go into effect immediately."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 343—An act to add Section 7421 to the Business and Professions Code, relating to temporary licenses for cosmetologists.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "cosmetologists", and insert "hairdressers and cosmeticians or cosmetologists, declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 11, inclusive, and insert "7421. Notwithstanding any other provision of this chapter, upon application to the board, a person licensed in another State as a hairdresser and cosmetician or cosmetologist shall be granted a temporary certificate and license to practice cosmetology in this State as a hairdresser and cosmetician or cosmetologist for a period of six months but only during the existence of this section, without being required to take an examination therefor if he possesses the qualifications required by subdivisions (a), (b) and (c) of Section 7420. The provisions of Section 7373 do not apply to such temporary licensees.

This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs."

Amendments read and adopted

Bill ordered reprinted and engrossed

Assembly Bill No. 945—An act to add Section 4174 to the Business and Professions Code, relating to temporary licenses to practice pharmacy.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "license to practice pharmacy", and insert "certificates to practice pharmacy, declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of the printed bill, strike out lines 3 to 12, inclusive, and insert "4174. (a) Any member of the board may examine applicants orally or in writing, and issue a temporary certificate to practice pharmacy, which authorizes such practice for a period not to exceed six months from its date.

(b) Only two temporary certificates shall ever be issued consecutively to the same applicant, and no temporary certificate shall be granted to any person whose application has been denied by the board.

(c) This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature, or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede Sections 4170 and 4172, but Sections 4170 and 4172 are not repealed by this section and after this section is no longer effective, Sections 4170 and 4172 shall have the same force as though this section had not been enacted.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of

Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

There is a severe shortage of regularly licensed pharmacists. In order to alleviate this severe shortage this act provides for the immediate issuance of temporary certificates to qualified pharmacists for the duration of the war emergency. If this act does not take effect immediately, the existing shortage will grow more acute and the public peace, health and safety will thereby be endangered."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1605—An act to add Sections 7393.5, 7400 5 and 7442.5 to the Business and Professions Code, relating to schools of cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "and when the"; and strike out lines 5, 6, and 7, and insert "for every 25 students or fraction of that number, as determined by the enrollment averages over a period of three months."

Amendment No. 2

On page 1, line 11, of said bill, strike out "there is no specific", and insert "the".

Amendment No. 3

On page 1, line 13, of said bill, after "materials", insert "15, for a student for a license as a hairdresser and cosmetician or cosmetologist, only 100 and, for a student for a license as a manicurist, only 15".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1264

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 245
Senate Bill No. 272
Senate Bill No. 280
Senate Bill No. 120
Senate Bill No. 128
Senate Bill No. 158
Senate Bill No. 923
Senate Bill No. 924
Senate Bill No. 925
Senate Bill No. 926
Senate Bill No. 927
Senate Bill No. 928
Senate Bill No. 929
Senate Bill No. 930
Senate Bill No. 931

Senate Bill No. 932
Senate Bill No. 933
Senate Bill No. 934
Senate Bill No. 935
Senate Bill No. 936
Senate Bill No. 937
Senate Bill No. 938
Senate Bill No. 939
Senate Bill No. 940
Senate Bill No. 941
Senate Bill No. 942
Senate Bill No. 943
Senate Bill No. 944
Senate Bill No. 184

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 245—An act to amend Section 4 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, relating to the trusts and restrictions heretofore imposed upon said tidelands, and to the use and leasing of the tidelands by the city.

Referred to Committee on Commerce and Navigation.

Senate Bill No. 272—An act validating grants by municipal corporations to the United States of America for military or naval purposes.

Referred to Committee on Municipal and County Government.

Senate Bill No. 289—An act to amend Sections 5439, 5440 and 5450 of the Public Resources Code, relating to public recreation districts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 120—An act to amend Section 4951 of, and to add Sections 4659, 4865, and 4866 to, the Health and Safety Code, relating to the powers of sewer maintenance districts and districts formed under Chapter 2, Part 3, Division 5 of said code

Referred to Committee on Public Health.

Senate Bill No. 128—An act to repeal Section 14407 of the Health and Safety Code, relating to repayment of the cost of furnishing fire-fighting equipment and services.

Referred to Committee on Public Health.

Senate Bill No. 158—An act to amend Section 1028 of the Code of Civil Procedure, relating to award of costs against the State.

Referred to Committee on Judiciary.

Senate Bill No. 923—An act to establish an Education Code, thereby consolidating and revising the law relating to the establishment, maintenance, government and operation of schools, libraries and institutions of learning, arts, and sciences, and to repeal certain acts and parts of acts specified herein

·Referred to Committee on Education

Senate Bill No. 924—An act to add Article 2, comprising Section 5171, to Chapter 2 of Division 3, and to add Section 40006 to Division 20, of the Education Code, thereby consolidating and revising the law relating to payments from State general funds for support of the elementary schools.

Referred to Committee on Education.

Senate Bill No. 925—An act to add Article 1, comprising Sections 5301 to 5303, inclusive, to Chapter 3 of Division 3, and to add Section 40007 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the State High School Fund.

Referred to Committee on Education.

Senate Bill No. 926—An act to add Article 2, comprising Section 5321, to Chapter 3 of Division 3, and to add Section 40008 to Division 20 of the Education Code, thereby consolidating and revising the law relating to payments from State general funds for support of the high schools.

Referred to Committee on Education.

Senate Bill No. 927—An act to add Article 1, comprising Sections 5451 to 5457, inclusive, to Chapter 4 of Division 3, and to add Section 40010 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the State Junior College Fund.

Referred to Committee on Education.

Senate Bill No. 928—An act to add Chapter 5, comprising Sections 5601 to 5605, inclusive, to Division 3, and to add Section 40009 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the support of schools from funds received from potash-bearing lands.

Referred to Committee on Education.

Senate Bill No. 929—An act to add Chapter 6, comprising Sections 5701 to 5727, inclusive, to Division 3, and to add Section 40011 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the Vocational Education Fund.

Referred to Committee on Education.

Senate Bill No. 930—An act to add Chapter 7, comprising Sections 5801 to 5843, inclusive, to Division 3, and to add Section 40012 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the Vocational Rehabilitation Fund.

Referred to Committee on Education.

Senate Bill No. 931—An act to add Article 3, comprising Sections 6951 to 6960, inclusive, to Chapter 13 of Division 3, and to add Section 40013 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the apportionment of the State School Fund to elementary schools.

Referred to Committee on Education.

Senate Bill No. 932—An act to add Article 4, comprising Sections 6971 to 6979, inclusive, and Article 5, comprising Section 6991, to Chapter 13 of Division 3, and to add Section 40014 to Division 20 of the Education Code, thereby consolidating and revising the law relating to apportionments from the State General Fund to elementary schools.

Referred to Committee on Education.

Senate Bill No. 933—An act to add Article 1, comprising Sections 7101 to 7110, inclusive, to Chapter 14 of Division 3, and to add Section 40015 to Division 20 of the Education Code, thereby consolidating and revising the law relating to apportionment of the State High School Fund

Referred to Committee on Education.

Senate Bill No. 934—An act to add Article 2, comprising Sections 7131 to 7141, inclusive, to Chapter 14 of Division 3, and to add Section 40016 to Division 20 of the Education Code, thereby consolidating and revising the law relating to apportionments from the State General Fund to high schools.

Referred to Committee on Education.

Senate Bill No. 935—An act to add Article 12, comprising Sections 9176 to 9178, inclusive, to Chapter 7 of Division 4, and to add Section 40017 to Division 20 of the Education Code, thereby consolidating and revising the law relating to education in connection with National defense.

Referred to Committee on Education.

Senate Bill No. 936—An act to add Sections 14458 and 40018 to the Education Code, relating to the transfer of funds from the State General Fund to the Teachers' Permanent Fund.

Referred to Committee on Education.

Senate Bill No. 937—An act to add Sections 20344 and 40019 to the Education Code, relating to the support of State colleges.

Referred to Committee on Education.

Senate Bill No. 938—An act to add Sections 20461 and 40020 to the Education Code, relating to the State College Summer Session Fund.

Referred to Committee on Education.

Senate Bill No. 939—An act to add Article 9, comprising Sections 20521 to 20523, inclusive, to Chapter 2 of Division 10, and to add Section 40021 to Division 20 of the Education Code thereby consolidating and revising the law relating to the Fresno Summer School of Music.

Referred to Committee on Education.

Senate Bill No. 940—An act to add Sections 20551 and 40022 to the Education Code, relating to the Student Building Fund of State colleges

Referred to Committee on Education

Senate Bill No. 941—An act to add Sections 20796, 20797 and 40023 to the Education Code, relating to the payment of certain expenses of pupils of the California School for the Deaf

Referred to Committee on Education.

Senate Bill No. 942—An act to add Sections 20946, 20947 and 40024 to the Education Code, relating to the payment of certain expenses of pupils of the California School for the Blind.

Referred to Committee on Education.

Senate Bill No. 943—An act to add Sections 21158 and 40025 to the Education Code, relating to payments by students of the California Maritime Academy.

Referred to Committee on Education

Senate Bill No. 944—An act to amend Section 4 of "An act to create a fund to be known as the United States Forest Reserve Fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the Government of the United States, and also to regulate the manner of expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to the apportionment of moneys received by counties from the United States Forest Reserve Fund.

Referred to Committee on Education.

Senate Bill No. 184—An act to provide for the transfer of certain real property of the State in Napa County to the Fish and Game Commission.

Referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 923	Senate Bill No. 934
Senate Bill No. 924	Senate Bill No. 935
Senate Bill No. 925	Senate Bill No. 936
Senate Bill No. 926	Senate Bill No. 937
Senate Bill No. 927	Senate Bill No. 938
Senate Bill No. 928	Senate Bill No. 939
Senate Bill No. 929	Senate Bill No. 940
Senate Bill No. 930	Senate Bill No. 941
Senate Bill No. 931	Senate Bill No. 942
Senate Bill No. 932	Senate Bill No. 943
Senate Bill No. 933	Senate Bill No. 944

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DILWORTH, Chairman

Above reported bills re-referred to Committee on Ways and Means.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 46	Assembly Bill No. 601
Assembly Bill No. 331	Assembly Bill No. 710
Assembly Bill No. 540	Assembly Bill No. 1206
Assembly Bill No. 600	Assembly Bill No. 1352

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1943

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 635	Assembly Bill No. 935
Assembly Bill No. 697	Assembly Bill No. 948
Assembly Bill No. 700	Assembly Bill No. 979
Assembly Bill No. 702	Assembly Bill No. 980
Assembly Bill No. 703	Assembly Bill No. 1063
Assembly Bill No. 704	Assembly Bill No. 1064
Assembly Bill No. 705	Assembly Bill No. 1121
Assembly Bill No. 706	Assembly Bill No. 1124
Assembly Bill No. 709	Assembly Bill No. 1489
Assembly Bill No. 711	Assembly Bill No. 1490
Assembly Bill No. 850	Assembly Bill No. 1588
Assembly Bill No. 929	Assembly Bill No. 1705
Assembly Bill No. 934	Assembly Bill No. 1810

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1943

MR SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 85	Assembly Bill No. 312
Assembly Bill No. 184	Assembly Bill No. 505

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1943

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No. 589

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MALONEY, Chairman

Above reported bill ordered to second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON REPORT OF INTRODUCTION OF BILLS

At 10.53 a.m., on motion of Mr. Evans, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce bills granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1934: By Mr. Guthrie—An act to add Section 3056 to the Business and Professions Code, relating to the admission to practice optometry, to take effect immediately.

Referred to Committee on Public Health.

Assembly Bill No. 1935: By Mr. Lyon—An act to amend Section 107 of the Revenue and Taxation Code, relating to the taxation of real and personal property, including the taxing of possessory interests and mining rights.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Constitutional Amendment No. 34: By Messrs. Lyon and Carlson—Proposed amendment to Article IV, Section 34, of the Constitution, relative to the Governor's Budget.

Request for Unanimous Consent

Mr. Carlson asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 34 be printed, and placed on file for adoption without reference to committee, and that the same be considered engrossed

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 33—Relative to the establishment of a memorial to the veterans of the United States who participated in the campaigns of the Union Army in the Civil War.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

Consideration of House Resolution No. 134

House Resolution No. 134

Resolved. That whenever a bill has been passed twice on third reading file, it shall forthwith be placed upon a special file to be known as the inactive file. When a bill has been placed on the inactive file, it may be returned to the third reading file by a request of the author upon one day's notice; but the bill shall then be placed at the foot of the third reading file.

Resolution read and adopted.

Assembly Bill No. 934—An act to amend Section 643 of the Agricultural Code, relating to the definition for insanitary dairy farms.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan.

Smith, Stream, Thompson, Thorp, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 935—An act to add Section 644.6 to the Agricultural Code, relating to sanitation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Upon request of Mr. Desmond, Mr. Heisinger asked for, and was granted, unanimous consent to defer action on Assembly Bill No. 979 for two days.

The Speaker ordered that the bill retain its place upon the file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 980—An act to amend Section 560 of the Agricultural Code, relating to modified milk

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1810—An act to amend Section 736.15 of the Agricultural Code, relating to local control boards for marketing areas for fluid milk and cream

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 600—An act to add Section 471.5 to the Vehicle Code, relating to signs, declaring the urgency thereof, and providing this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—Evans—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Price, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 601—An act to add Section 650.8 to the Vehicle Code, relating to lighting requirements in "dimout" areas, declaring the urgency thereof, and providing this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 929—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burns, Carlson, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Werdel, Weybret, and Wollenberg—54.

NOES—Call, Carey, Robertson, and Mr. Speaker—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1063—An act to amend Section 54 of the Vehicle Code and Section 1.91 of the School Code, relating to school buses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1064—An act to amend Section 622 of the Vehicle Code, relating to lamps on bicycles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—Armstrong, Bashore, Collins, Sam L., and Field—4.

Bill ordered transmitted to the Senate.

RECESS

At 11.34 a.m., on motion of Mr. Dickey, the Assembly recessed until 11.35 a.m. to hear from Frank Pealatesa, United States Submarine Force, United States Navy.

REASSEMBLED

At 11.35 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 1120—An act making an appropriation for the operation, maintenance, and organization of the State Guard, to take effect immediately.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

Mr. SPEAKER. Your Committee on Judiciary, to which was referred:

Assembly Bill No. 592

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALL, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

Mr. SPEAKER. Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Assembly Bill No. 1394

Has had the same under consideration, and reports the same back with the recommendation Do pass, and be re-referred to Committee on Ways and Means.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

MOTION TO EXCUSE MEMBER

Upon motion of Mr. Sam L. Collins, Mr. Field was granted a leave of absence from sessions of the Assembly from March 22d to March 28th, inclusive.

RECESS

At 11.46 a.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

Mr. PRESIDENT. Your Committee on Education, to which was referred:

Assembly Bill No. 1107

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DILWORTH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

Mr. PRESIDENT. Your Committee on Education, to which was referred

Assembly Bill No. 1502

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DILWORTH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

Mr. SPEAKER: Your Committee on Education, to which were referred.

Assembly Bill No. 521

Assembly Bill No. 1243

Assembly Bill No. 644

Assembly Bill No. 1252

Assembly Bill No. 843

Assembly Bill No. 1314

Assembly Bill No. 906

Senate Bill No. 193

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DILWORTH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 789

Assembly Bill No. 1317

Assembly Bill No. 1318

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DILWORTH, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 697—An act to add a new section to the Agricultural Code to be numbered 30 5, relating to pest and disease surveys and investigations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Werdel, Weybret, and Mr. Speaker—54.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 700—An act to amend Section 111 of the Agricultural Code, relating to the inspection of plants and articles for pests.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Werdel, Weybret, and Mr. Speaker—56.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 702—An act to amend Section 1022 of the Agricultural Code, pertaining to definitions of fertilizing materials.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 703—An act to amend Section 1021 of, and to add Section 1031.1 to, the Agricultural Code, relative to fertilizing materials and the labels thereon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potrer, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Bashore, Dunn, and Lyon:

House Resolution No. 136

Relating to the birthday of Governor Earl Warren

This, the nineteenth day of March, commemorates the birthday anniversary of our Governor, Earl Warren, who has brought to the work of his high office a clear concept of public duty, and to his relationships with this Legislature, a fine spirit of cordial cooperation; be it, therefore,

Resolved by the Assembly of the State of California, That the Members of this Assembly, as an expression of their regard and esteem, send to Earl Warren, Governor of California, sincere felicitations and good wishes upon his birthday; and be it

Resolved, That the Chief Clerk of this Assembly is directed to send a suitable copy of this resolution to Governor Earl Warren.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up House Resolution No. 136, at this time, without reference to committee.

Resolution read and adopted unanimously

Appointment of Select Committee

The Speaker announced the appointment of Messrs. Bashore, Dunn, Field, King, and Mrs. Niehouse as a Select Committee to wait upon the Governor and convey to him the congratulations and best wishes of this Assembly upon his birthday.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 704—An act to amend Section 1038 of the Agricultural Code, relating to fertilizer tonnage license tax

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendment:

Amendment No. 1

In line 20 of the printed bill, strike out "penatly", and insert "penalty"

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed

Assembly Bill No. 705—An act to amend Section 1062 of the Agricultural Code, relating to materials exempt from the economic poisons provisions of said code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Werdel, Weybret, Wollenberg, and Mr. Speaker—55

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Jacob M. Leonard Presiding

At 2.26 p.m., Hon. Jacob M. Leonard, Member of the Assembly from the Thirty-second District, presiding.

Assembly Bill No. 706—An act to amend Section 1066 of, and to add Section 1066.5 to, the Agricultural Code, relative to economic poisons and thallium salts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Werdel, Weybret, and Wollenberg—52

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 709—An act to amend Section 28.5 of the Agricultural Code, relating to refunds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastan, Heisinger, Hollibaugh, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Werdel, Weybret, and Wollenberg—55

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 711—An act to amend Section 215.17 of the Agricultural Code, relating to the payment of moneys into the State treasury and to further provide for the disposition of such moneys in the State treasury.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Kellem,

Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Werdel, Weybret, and Wollenberg—56.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1121—An act to amend Section 401 of the Vehicle Code, relating to the operation of authorized emergency vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Diekey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Werdel, Weybret, and Wollenberg—59

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 850—An act to amend Section 822 of the Agricultural Code, relating to markings on containers of apples.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Werdel, Weybret, and Wollenberg—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1124—An act to amend Sections 812.4 and 829.35 of the Agricultural Code, relating to containers for bunched carrots, declaring the urgency hereof and that this act take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Werdel, Weybret, and Wollenberg—63

NOES—None.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier,

Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Werdel, Weybret, and Wollenberg—63.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2 43 p. m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Assembly Bill No. 948—An act to amend Section 1203.5 of the Fish and Game Code, relating to pigeons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Werdel, and Weybret—60

NOES—None

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1705 re-referred to Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 710—An act to amend Section 323 of the Agricultural Code, relating to the payment of moneys into the State Treasury, and to further provide for the disposition of such moneys in the State Treasury.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Johnson, King, Kraft, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thorp, Watson, Werdel, and Weybret—51.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Francis Dunn, Jr., Presiding

At 2.48 p. m., Hon. Francis Dunn, Jr., Member of the Assembly from the Thirteenth District, presiding.

Assembly Joint Resolution No. 2—Relative to hearing-instruments for persons who are hard of hearing.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L.,

Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Sheridan, Smith, Stream, Thompson, Thorp, Watson, and Werdel—57.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Pelletier:

House Resolution No. 137

Relating to silk production in California

WHEREAS, The silk industry occupies an important position in world trade; and

WHEREAS, The source of silk production has been and is beyond the boundaries of the United States; and

WHEREAS, Approximately three hundred million dollars worth of raw silk was imported annually from Japan before the war; and

WHEREAS, Upon the termination of hostilities there will follow a period of readjustment in which unemployment will constitute a serious problem; and

WHEREAS, The State of California is endowed with a vast and fertile expanse of land; and

WHEREAS, These lands are favored with temperate climate so much so that there can be grown in this State various species of mulberry plants which will remain green throughout the year and thus permit a triannual crop rather than one yearly crop as is obtained in Europe and the Orient; and

WHEREAS, An adequate supply of mulberry plant is a most necessary requirement to the silk industry; and

WHEREAS, The establishment of a silk industry in California would alleviate the anticipated unemployment problem; now, therefore, be it

Resolved by the Assembly of the State of California. That an investigation and appraisal be made of the latent possibilities that lie in the establishment and encouragement of the silk industry in California and that recognition be given to the fact that potentially California, through a sound plan of stimulating such an industry, can supply the greater part of the silk market in the United States; and be it further

Resolved, That the Governor, the State Planning Commission, the Assembly Interim Committee and all those State officials and State agencies that would have jurisdiction over such an industry be urged to initiate such investigation as soon as possible; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, the State Planning Commission and to all those State officials and State agencies that would have jurisdiction over such an industry

Request for Unanimous Consent

Mr. Pelletier asked for unanimous consent to take up House Resolution No. 137, at this time, without reference to committee.

Mr. Lowrey withheld unanimous consent.

Resolution read, and referred to Committee on Rules and House Functions.

ANNOUNCEMENT OF FILM SHOWING

Mr. Johnson announced that a film, directed by Arthur K. Beckley of Cutter Laboratories, showing the processing of human blood collected by the American Red Cross, would be shown in the Empire Room of the Senator Hotel, Tuesday, March 23d. Everyone has been invited to attend the showing of the film.

Speaker Pro Tempore Presiding

At 3 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, March 19, 1943

*Mr. Arthur Ohnimus, Chief Clerk of the Assembly
Sacramento, California*

DEAR SIR: The standing committee of the Capitol Correspondents Association has investigated the following applications for accredited correspondent at the Fifty-fifth Session and recommends that full press privileges be granted.

United Press—Mervin Fahn

San Francisco Examiner—A. Neil Shaw

The name of Ernest Lovass, United Press accredited correspondent, may be removed from the accredited list since he is no longer employed by the bureau.

Yours very truly,

WESLEY E. ROBBINS, Secretary

ANNOUNCEMENT BY THE SPEAKER

There being no objection to the above recommendations of the committee, the Speaker directed the Chief Clerk to issue press credentials to those recommended by the Capitol Correspondents Association.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS**

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 8.5 to Article VI thereof, relating to State officers, including judges of the superior court, and providing for the rights of such officers after service in the armed forces.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkbalter, Burns, Call, Carey, Collins, George D. Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hersinger, Hollibaugh, Johnson, Kellems, King, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Werdel, Weybret, and Mr. Speaker—61.

NOES—None.

~~Resolution ordered transmitted to the Senate.~~

[On March 20, 1943, above action was rescinded, and record ordered expunged whereby Senate Constitutional Amendment No. 10 was this day adopted.]

Speaker Presiding

At 3.09 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 46 re-referred to Committee on Fish and Game.

Assembly Bill No. 1206 re-referred to Committee on Fish and Game.

Assembly Bill No. 331 re-referred to Committee on Finance and Insurance.

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1274
BY UNANIMOUS CONSENT**

Mr. Bashore asked for, and was granted, unanimous consent to have Assembly Bill No. 1274 withdrawn from the Committee on Education, and re-referred to the Committee on Revenue and Taxation.

REQUEST TO PLACE ASSEMBLY BILL NO. 635 ON INACTIVE FILE

Mr. Doyle requested that Assembly Bill No. 635 be withdrawn from the third reading file, and placed upon the inactive file.

Request granted.

ANNOUNCEMENT OF CHANGE IN COMMITTEE MEETING

Mr. Sam L. Collins announced the following change of meeting time for the Committee on Civil Service and State Departments:

From Wednesdays at 8 p m. to Fridays at 3 p.m.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Guthrie, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs George A. Murphy of Visalia

On request of Mr. Debs, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Howard Burrell of Los Angeles.

On request of Speaker Lyon and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Eva Craven Wheeler, President, W. C. T. U. of Southern California.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Luther Anderson of West Los Angeles.

On request of Mr. Evans and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Robert Miller Green of San Francisco.

On request of Messrs. Burkhalter and Beck, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Col. Earl G. Bieg of Sherman Oaks, and Major Thos F McCue of Hollywood.

On request of Mr. Price, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Fred Jacobs of Upland.

On request of Mr. Gaffney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to The Reverend Daniel J. Kelly of Coquille, Oregon

On request of Mr Stream and the San Diego County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Supervisor Harry Warren of San Diego County.

On request of Mr. Bashore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Corp. D. T. Smith, Detroit, Michigan, and Pvt W Nicholson of Big Timber, Montana

On request of Mr. Crichton, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Scotty Dron of Fresno.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Phillip C. Wilkins of Sacramento.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank Pealatera, United States Submarine Force, United States Navy.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sgt. Paul R. Bagula, Corp. Reno Dotson, and Private First Class ----- of Mather Field.

On request of Mr. Dunn, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Gordon C. Donnelly, Olivia, Minnesota; William B. Dyer, Mansfield, Oregon; Robert E. Blackstone, Los Angeles, and William E. Black, Grove City, Pennsylvania.

ADJOURNMENT

At 3.15 p.m., on motion of Mr. Field, the Speaker declared the Assembly adjourned until 11.30 a.m., Saturday, March 20, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-THIRD LEGISLATIVE DAY

SEVENTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Saturday, March 20, 1943

The Assembly met at 11 30 a.m.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heringer, Hollbaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCallister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

O Holy Spirit the Comforter, who, with the Father, and the Son, abidest One God in Trinity; Descend this day into our hearts, that while Thou makest intercession for us, we may with full confidence call upon our Father, saying:

Our Father, who art in heaven, hallowed be Thy name; Thy kingdom come, Thy will be done on earth as it is in heaven; give us this day our daily bread; and forgive us our debts, as we forgive our debtors; and lead us not into temptation, but deliver us from evil; for Thine is the Kingdom, and the power, and the glory, forever. AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Hawkins.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Thurman, on motion of Mr. Leonard.

Mr. O'Day, on motion of Mr. Maloney.

Mr. Thomas, on motion of Mr. Armstrong.

MOTION TO EXCUSE MEMBER

Upon motion of Mr. Sam L. Collins, Mr. Waters was excused for the legislative day of Saturday, March 20th, to attend a joint meeting of the Board of Governors and the State Bar Committee on Legislation, the latter of which Mr. Waters is a member.

REPORTS OF STANDING COMMITTEES**Committee on Social Welfare**

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 62

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1929

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 6

Assembly Bill No. 1224

Assembly Bill No. 399

Assembly Bill No. 1433

Assembly Bill No. 1055

Assembly Bill No. 1531

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 159

Assembly Bill No. 938

Assembly Bill No. 364

Assembly Bill No. 969

Assembly Bill No. 782

Assembly Bill No. 1147

Assembly Bill No. 848

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 47

Assembly Bill No. 215

Assembly Bill No. 53

Assembly Bill No. 237

Assembly Bill No. 88

Assembly Bill No. 231

Assembly Bill No. 119

Assembly Bill No. 355

Assembly Bill No. 179

Assembly Bill No. 356

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 32

Assembly Bill No. 621

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred.

Assembly Bill No. 619

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HAWKINS, Chairman

Above reported bill ordered to second reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Bill No. 58

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SAM L. COLLINS, Chairman

Above reported bill ordered to second reading.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred

Assembly Bill No. 618

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

HAWKINS, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 137

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 461

Assembly Bill No. 493

Assembly Bill No. 594

Assembly Bill No. 595

Assembly Bill No. 626

Assembly Bill No. 647

Assembly Bill No. 686

Assembly Bill No. 768

Assembly Bill No. 886

Assembly Bill No. 924

Assembly Bill No. 983

Assembly Bill No. 992

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

RECESS

At 11.43 a.m., on motion of Mr. Carlson, the Assembly recessed until 11.47 a.m., to hear from Major Jack Pettis and his father, Hon. John Pettis, former Member of the Assembly.

REASSEMBLED

At 11.47 a.m., the Assembly reconvened.
Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

MOTION TO PRINT EDITORIAL IN JOURNAL

Mr. Lyons moved that the following editorial from the San Francisco Chronicle of March 20th be printed in the Journal:

Absenteeism

Henry J. Kaiser, shipbuilder, says bad transportation and housing are among "many" causes of absenteeism in war industries.

Robert P. Patterson, Undersecretary of War, says transportation and housing are not valid excuses for absenteeism. In the Army, he added, if the troops do not have transportation to the front line they march.

Who knows the most about absenteeism, Patterson, who may hire a cook and a parlor maid, or Kaiser, who employs a quarter of a million men?

Kaiser, with shipyards on both coasts and other war plants, says he has been studying absenteeism for some time, but he does not know all the causes and does not believe anyone does. He does not believe in any legislation for compulsory working when we do not know all the facts. Patterson, however, is ready to say dogmatically whether this or that is a valid excuse for absenteeism. He would have the workers compelled to work.

We think Henry J. Kaiser, in spite of his disclaimer, knows far and away more about the subject than does Patterson. Because he is sane enough to know he does not know it all, he is on firmer ground. We think he is right. We have no doubt bad housing and bad transportation are among the essential causes of absenteeism, particularly when the worker, in addition to these troubles, has to stand in line to buy food.

Mr. Patterson's implied suggestion that the workers, if transportation is bad, "march" to the job is nonsense. Workers in Mr. Kaiser's shipyards may live, perforce, six, eight, ten, twenty miles from the job. March, indeed!

We agree also with other things Henry J. Kaiser says about absenteeism. We believe there is a great deal more to it than week-end hangovers. We believe also that it is unfair to try to throw all the blame for it on labor. We do not doubt, as Kaiser says, that management is often at fault. There are causes, we are convinced, for which labor has no responsibility whatever. We believe also that some of the causes of absenteeism trace to Washington fumbling.

We do not believe legal compulsion is the answer. Certainly it is not the answer when the causes of absenteeism have not yet been accurately determined.

COMMUNICATIONS

By Speaker Lyon:

The following communication was received, and ordered printed in the Journal:

CHURCH COUNCIL OF SACRAMENTO
SACRAMENTO, CALIFORNIA, March 18, 1943

The Honorable Charles W. Lyon
Speaker of the California Assembly
State Capitol, Sacramento, California

DEAR SIR: In view of the fact that the war situation as affecting our Country has brought into sharper focus many problems involved in the relation between our various racial groups; and

In view of the further fact that since Pearl Harbor much public antagonism, suspicion, and hatred, previously suppressed, has been released from a background of racial prejudice; and

In view of the still further fact that organizations and groups in our State, and more especially the Members of the California Legislature, are called upon to consider proposals which, if enacted, would clearly discriminate against racial minority groups of American citizens; now, therefore,

The Executive Board of the Sacramento Council of Churches, in regular executive session of March 16, 1943, hereby officially declares its position,

Seriously petitioning the Legislature of the State of California, now in session, and other duly and properly constituted organizations and groups within this State, to oppose any and all discriminatory actions against racial minority groups for the duration, lest a too hasty action on the spur of a "war psychology" impair the name of this great State and become a deterrent to post-war construction.

It is the position of the Executive Board that both democracy and religion have become subjected to a most crucial test; and that in the extraordinary efforts of these historic days to safeguard the human rights, the freedom of the spirit, and all the hard-won principles cherished and nurtured on our American soil, these priceless values must not be canceled out and lost to ourselves by actions shaped and commanded by the abnormalities of our war situation.

Religion would pledge itself to conserve and preserve these ideals and values of democracy despite a global war; and the Executive Board would invite the consideration and action of private organizations and official agencies of our State and democracy to resist all efforts of a racially discriminatory nature, which will jeopardize and seriously impair the very principles which are now at stake across the world.

By order of the Executive Board of the Sacramento Council of Churches

ALFRED TONNESS, Executive Secretary

RECESS

At 11 45 a m., on motion of Mr Sam L. Collins, the Assembly recessed until 2.15 p.m.

REASSEMBLED

At 2.15 p m , the Assembly reconvened

Hon Charles W Lyon, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1027

Assembly Bill No. 1421

Assembly Bill No. 1065

Assembly Bill No. 1527

Assembly Bill No. 1095

Assembly Bill No. 1806

Assembly Bill No. 1128

Assembly Bill No. 1930

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred

Senate Bill No. 923

Senate Bill No. 934

Senate Bill No. 924

Senate Bill No. 935

Senate Bill No. 925

Senate Bill No. 936

Senate Bill No. 926

Senate Bill No. 937

Senate Bill No. 927

Senate Bill No. 938

Senate Bill No. 928

Senate Bill No. 939

Senate Bill No. 929

Senate Bill No. 940

Senate Bill No. 930

Senate Bill No. 941

Senate Bill No. 931

Senate Bill No. 942

Senate Bill No. 932

Senate Bill No. 943

Senate Bill No. 933

Senate Bill No. 944

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 19, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 226	Senate Bill No. 878
Senate Bill No. 275	Senate Bill No. 526
Senate Bill No. 291	Senate Bill No. 378
Senate Bill No. 460	Senate Bill No. 192
Senate Bill No. 512	Senate Bill No. 191
Senate Bill No. 962	Senate Bill No. 371
Senate Bill No. 385	Senate Bill No. 750
Senate Bill No. 896	

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, March 19, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 19

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 226—An act to amend Section 204a of the Code of Civil Procedure, relating to the appointment of a Jury Commissioner in certain counties.

Referred to Committee on Judiciary

Senate Bill No. 275—An act to amend Section 117b of the Code of Civil Procedure, relating to the small claims affidavit and order.

Referred to Committee on Judiciary.

Senate Bill No. 291—An act to provide for suspending the enforcement of certain obligations against the operators of gold and silver mines who have been forced to cease operations because of the war, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 460—An act to amend Section 658.5 of, and to add Section 658.8 to, the Political Code, relating to refund of fees without approval of the Department of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 512—An act to provide for the disposal of certain real property of the State in Sonoma County and for the disposition of the proceeds of such sale.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 962—An act to amend Section 397 of the Penal Code, relating to the sale of intoxicating liquors to common drunkards, Indians, insane or incompetent persons.

Referred to Committee on Public Morals.

Senate Bill No. 385—An act to amend Section 307 of the Agricultural Code, relating to meat.

Referred to the Committee on Live Stock and Dairies.

Senate Bill No. 896—An act to add Section 161 to the Revenue and Taxation Code, relating to contracts for the publication of notices, delinquent lists and other documents.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 878—An act to amend Section 62.5 of the Fish and Game Code, relating to Fish and Game District 1½

Referred to Committee on Fish and Game.

Senate Bill No. 526—An act to add Section 1347 to the Fish and Game Code, relating to elk.

Referred to Committee on Fish and Game

Senate Bill No. 378—An act to repeal Section 64.5 of the Fish and Game Code, relating to districts.

Referred to Committee on Fish and Game.

Senate Bill No. 192—An act to repeal Sections 180 and 181 of the Fish and Game Code, relating to fish refuges.

Referred to Committee on Fish and Game.

Senate Bill No. 191—An act to add Sections 103.9, 615.3 and 615.4 to the Fish and Game Code, relating to creation of new fish and game district and the taking of fish therein.

Referred to Committee on Fish and Game.

Senate Bill No. 371—An act to amend Sections 3, 4, 5, and 10 of The Personal Income Tax Act, and Sections 17052, 17951, 17952, 17953, 18401, 18402, and 18405 of the Revenue and Taxation Code, relating to rates of and exemptions from the personal income tax, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 750—An act to amend Sections 2190 and 3001 of the Revenue and Taxation Code, relating to real property taxes.

Referred to Committee on Revenue and Taxation.

Senate Joint Resolution No. 19—Relative to food shortage.

Referred to Committee on Agriculture.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 332—An act to amend Section 3424 of the Public Resources Code, relating to the recording of oil production charge payments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 85—An act to add Section 2504.5 to the Welfare and Institutions Code, relating to county aid and relief to indigents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 184—An act to add Section 140 to the Welfare and Institutions Code, relating to public assistance, and providing

a procedure for the issue and payment of duplicate warrants therefor, in case of the loss or destruction of the original warrants.

Bill read second time, and ordered engrossed.

Assembly Bill No. 312—An act to amend Section 606 of the Welfare and Institutions Code, relating to the juvenile court, the probation committee or department and the prevention of delinquency.

Bill read second time, and ordered engrossed.

Assembly Bill No. 505—An act to add Section 2161.5 to the Welfare and Institutions Code, relating to residence qualifications of applicants for aid to the aged.

Bill read second time, and ordered engrossed.

Assembly Bill No. 589—An act to amend Section 1 of an act entitled "An act granting to the City of Long Beach the tide and submerged lands of the State of California within the boundaries of the said city," approved May 1, 1911, relating to the purposes for which the lands granted by said act and the revenues from such lands may be used.

Bill read second time, and ordered engrossed.

Assembly Bill No. 381—An act to amend Section 6000 of the Government Code and Section 4460 of the Political Code, relating to newspapers and general circulation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 562—An act to amend Section 17818 of the Health and Safety Code, relating to apartment houses and hotels.

Bill read second time, and ordered to third reading.

Assembly Bill No. 248—An act to amend Section 7 of an act entitled, "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 254—An act to amend Sections 7a and 7c of an act entitled, "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the first and one-half class.

Bill read second time, and ordered to third reading.

Assembly Bill No. 806—An act to amend Section 300 of the Labor Code, relating to the assignment of wages.

Bill read second time, and ordered to third reading.

Assembly Bill No. 810—An act to amend Sections 25 and 78 of the Civil Code and Sections 1433 and 1590 of the Probate Code, relating to minors, and effect of marriage upon minority and guardianship of minors.

Bill read second time, and ordered to third reading.

Assembly Bill No. 811—An act to amend Sections 749, 750 and 751 of the Code of Civil Procedure, relating to the determination of conflicting claims to real property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1281—An act amending Section 2356 of the Civil Code, relating to the revocation of an agent's powers, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 593—An act to amend Sections 701, 777 and 778 of the Welfare and Institutions Code, relating to minors who should be declared free from parental control, and relating to the procedure in such cases.

Bill read second time, and ordered engrossed.

Assembly Bill No. 336—An act to add Section 439.5 to the Political Code, relating to the administration of oaths by employees of the State Controller.

Bill read second time, and ordered engrossed.

Assembly Bill No. 521—An act to amend Sections 5.384 and 5.398 of the School Code and to amend Sections 12755 and 12784 of the Education Code, relating to the revocation of credentials, life diplomas or documents issued by the State Board of Education.

Bill read second time, and ordered engrossed.

Assembly Bill No. 644—An act to add Section 9 to the Community Recreation Enabling Act of 1939 and to add Section 24409.1 to the Education Code, relating to facilities of community recreation centers maintained solely by school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 843—An act to amend Section 6.140 of the School Code and to amend Section 18461 of the Education Code, relating to schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 906—An act to add Sections 6.536 and 6.537 to the School Code and to add Sections 19129 and 19130 to the Education Code, relating to school district libraries.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1243—An act to amend Section 6 of an act entitled "An act to provide for the replacement and/or the reconstruction in whole or in part of all city, county, school district, or other special district buildings wholly or partially destroyed by earthquakes since January, 1933, declaring the urgency thereof and providing that this act shall take effect immediately," approved May 26,

1933, relating to the payment, disposition and expenditure of rentals payable under said act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1252—An act to amend Section 2.971 of the School Code, and to amend Section 2102 of the Education Code, relating to city boards of education.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1314—An act to amend Section 5.120 of the School Code and to amend Section 12001 of the Education Code, relating to authorization of service in the public schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1394—An act to add Parts 3 and 4, comprising Sections 7301 to 8557, inclusive, to Division 6 of the Public Resources Code, and to add Sections 10014, 10015, and 10016 to Division 10 thereof, thereby revising and consolidating the law relating to the natural resources of the State, including the sale and exchange of land, and granting and taking rights and interests therein, and regulating the use thereof, by the State and its political subdivisions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 599—An act to add Sections 403.5 and 459.2 to, and to amend Section 765 of, the Vehicle Code, relating to the effect of the war emergency and Federal and local regulations arising therefrom applicable to vehicles on the provisions of said code, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 459.2".

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 23 to 26, both inclusive, and on page 2, strike out all of lines 1 to 7, both inclusive.

Amendment No. 3

On page 2, line 9, of the printed bill, strike out "Sec. 3", and insert "Sec. 2".

Amendment No. 4

On page 2, line 11, of the printed bill, after "Federal", strike out "and local".

Amendment No. 5

On page 2 of the printed bill, strike out all of lines 28 to 34, both inclusive.

Amendment No. 6

On page 2, line 36, of the printed bill, strike out "Sec. 4", and insert "Sec. 3".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1071—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 2 of the printed bill, strike out all of lines 20 to 27, both inclusive

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 592—An act to amend Sections 224, 226 and 227a of the Civil Code, relating to the adoption of children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 3, line 34, of the printed bill, after "a", and before "probation", insert "county clerk or".

Amendment No. 2

On page 3, line 36, of said bill, after "the", insert "county clerk or"

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 789—An act to amend Sections 3.30 and 3.33 of the School Code and to amend Sections 8121 and 8122 of the Education Code, relating to the closing of schools and postponements of openings, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 6, of the printed bill, after "Instruction", insert ", with the approval of the Governor,"

Amendment No. 2

On page 2, line 6, of the printed bill, after "Instruction", insert ", with the approval of the Governor,".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1317—An act to add Section 5 45-1 to the School Code and to add Section 20379 to the Education Code, relating to employees of State colleges not serving in the State civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 5, of the printed bill, after the first "the", insert "active".

Amendment No. 2

On page 1, line 6, of the printed bill, after "including", insert "active".

Amendment No. 3

On page 1, line 17, of the printed bill, after "service", insert "or has been placed on inactive duty".

Amendment No. 4

On page 2, line 1, of the printed bill, after the first "the", insert "active".

Amendment No. 5

On page 2, line 2, of the printed bill, after "including", insert "active".

Amendment No. 6

On page 2, line 13, of the printed bill, after "service", insert "or has been placed on inactive duty".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1318—An act to amend Sections 5.129, 5.344 and 5.534 of the School Code, and to add Sections 12009.1, 12894.1 and 13204.1 to the Education Code, relating to persons in the military service, including service in uniformed auxiliaries thereof or thereto, of the United States of America or of the State of California, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 5, of the printed bill, after the first "the", insert "active".

Amendment No. 2

On page 1, line 6, of the printed bill, after "including", insert "active".

Amendment No. 3

On page 1 of the printed bill, beginning in line 17, strike out "following the cessation of such National emergency or war", and insert "or has been placed on inactive duty".

Amendment No. 4

On page 2, line 8, of the printed bill, after the first "the", insert "active".

Amendment No. 5

On page 2, line 9, of the printed bill, after "including", insert "active".

Amendment No. 6

On page 2 of the printed bill, beginning in line 20, strike out "following the cessation of such National emergency or war", and insert "or has been placed on inactive duty".

Amendment No. 7

On page 2, line 33, of the printed bill, after "the", insert "active".

Amendment No. 8

On page 2, line 35, of the printed bill, after "including", insert "active".

Amendment No. 9

On page 3, line 5, of the printed bill, after "service", insert "or has been placed on inactive duty".

Amendment No. 10

On page 3, line 5, of the printed bill, after "shall", insert ", subject to the provisions of this section,".

Amendment No. 11

On page 3, line 9, of the printed bill, after the period, insert "If such employee was employed under a lawful contract for a period in excess of one year in a position in which he had not become a permanent employee of the district, he shall be entitled to return to such position for the period his contract of employment had to run at the time he entered such military service. Notwithstanding any provision of this code to the contrary, a person employed to take the place of any such employee shall not have any right to such position following the return of such employee to the position."

Amendment No. 12

On page 3, line 17, of the printed bill, after the first "the", insert "active".

Amendment No. 13

On page 3, line 18, of the printed bill, after "including", insert "active".

Amendment No. 14

On page 3 of the printed bill, beginning in line 29, strike out "following the cessation of such National emergency or war", and insert "or has been placed on inactive duty".

Amendment No. 15

On page 3, line 42, of the printed bill, after the first "the", insert "active".

Amendment No. 16

On page 3, line 43, of the printed bill, after "including", insert "active".

Amendment No. 17

On page 4 of the printed bill, beginning in line 2, strike out "following the cessation of such National emergency or war", and insert "or has been placed on inactive duty".

Amendment No. 18

On page 4, line 15, of the printed bill, after "the", insert "active".

Amendment No. 19

On page 4, line 17, of the printed bill, after "including", insert "active".

Amendment No. 20

On page 4, line 38, of the printed bill, after "service", insert "or has been placed on inactive duty".

Amendment No. 21

On page 4, line 39, of the printed bill, after "shall", insert ", subject to the provisions of this section,".

Amendment No. 22

On page 4, line 43, of the printed bill, after the period, insert "If such employee was employed under a lawful contract for a period in excess of one year in a position in which he had not become a permanent employee of the district, he shall be entitled to return to such position for the period his contract of employment had to run at the time he entered such military service. Notwithstanding any provision of this code to the contrary, a person employed to take the place of any such employee shall not have any right to such position following the return of such employee to the position."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 639—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 29 of, and to add two new sections to be numbered 8.1. and 18.1 to, the Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 3, of the printed bill, after "as", insert "the"; and in line 4, strike out "The".

Amendment No. 2

On page 4 of the printed bill, between lines 5 and 6, insert "(6) The amount of any income of a corporation attributable to the discharge, within the taxable year, of any indebtedness of the taxpayer (or for which a corporation is liable) evidenced by a security (as hereinafter in this paragraph defined) if a corporation makes and files at the time of filing the return, in such manner as the commissioner by regulations prescribes, its consent to the regulations prescribed under Section 12(b) (3). In such case the amount of any income of a corporation attributable to any unamortized premium (computed as of the first day of the taxable year in which such discharge occurred) with respect to such indebtedness shall not be included in gross income and the amount of the deduction attributable to any unamortized discount (computed as of the first day of the taxable year in

which such discharge occurred) with respect to such indebtedness shall not be allowed as a deduction. As used in this paragraph the term "security" means any bond, debenture, note, or certificate, or other evidence of indebtedness, issued by any corporation.

(7) The amount of any income attributable to the discharge, within the taxable year, of any indebtedness of a railroad corporation, as defined in Section 77m of the National Bankruptcy Act, as amended, to the extent that such income is deemed to have been realized by reason of a modification in or cancellation in whole or in part of such indebtedness pursuant to an order of a court in a receivership proceeding or in a proceeding under Section 77 of the National Bankruptcy Act, as amended. In such case the amount of any income of the corporation attributable to any unamortized premium (computed as of the first day of the taxable year in which such discharge occurred) with respect to such indebtedness shall not be included in gross income and the amount of the deduction attributable to any unamortized discount (computed as of the first day of the taxable year in which such discharge occurred) with respect to such indebtedness shall not be allowed as a deduction. Subsection 6(b) (6) shall not apply with respect to any discharge of indebtedness to which this paragraph applies."

Amendment No. 3

On page 5, line 4, of the printed bill, strike out "not"; in line 5, strike out "does not con-"; and in line 6, strike out "stitute", and insert "constitutes".

Amendment No. 4

On page 5, line 11, of the printed bill, strike out "is", and insert "if".

Amendment No. 5

On page 7 of the printed bill, strike out lines 34 to 42; and on page 8, strike out lines 1 to 19.

Amendment No. 6

On page 9, line 13, of the printed bill, after "District," insert "or possession of"; and strike out "or any possession thereof,".

Amendment No. 6(a)

On page 14, line 21, of the printed bill, strike out "charged off or".

Amendment No. 7

On page 21, line 20, of the printed bill, between "any" and "corporation", insert "bank or".

Amendment No. 8

On page 21, between lines 29 and 30, of the printed bill, insert
 "(4) The amount of the amortizable bond premium for the taxable year shall be allowed as a deduction only if a taxpayer has elected to claim such deduction. Such election shall be made in accordance with such regulations as the commissioner shall prescribe. If such election is made with respect to any bond, it shall also apply to all such bonds held by the taxpayer at the beginning of the first taxable year to which the election applies and to all such bonds thereafter acquired by it, and shall be binding for all subsequent taxable years with respect to all such bonds of the taxpayer, unless, upon application by the taxpayer, the commissioner permits him, subject to such conditions as the commissioner deems necessary, to revoke such election".

Amendment No. 9

On page 23 of the printed bill, strike out all of lines 43 and 44, and insert "to the extent that the taxpayer's taxable net income for the year in which the cost was incurred would have been reduced had no such reimbursement been received or accrued."

Amendment No. 10

On page 24 of the printed bill, between lines 17 and 18, insert
 "(g) In any case in which a claim in abatement is filed pursuant to subsection (f), and the commissioner makes such abatement, the tax disclosed by the original return shall, for the purpose of Section 19 of this act, be deemed to be reduced by the amount of the tax so abated."

Amendment No. 11

On page 29, line 51, of the printed bill, add parenthesis around "g".

Amendment No. 12

On page 35, line 40, of the printed bill, strike out "acquired", and insert "acquire".

Amendment No. 13

On page 37 of the printed bill, between lines 3 and 4, insert
 "(17) In the case of stocks or securities received by a taxpayer on or after January 1, 1943, under circumstances described in Section 11(b) (7), the basis of such stocks or securities shall be the same as that of the stocks or securities for the surrender of which they were acquired."

Amendment No. 14

On page 37, line 11, of the printed bill, strike out "erty", and insert "erly".

Amendment No. 15

On page 37 of the printed bill, between lines 34 and 35, insert "(D) In the case of any bond (as defined in Section 7(n)(3)) the interest on which is wholly exempt from the tax imposed by this act, to the extent of the amortizable bond premium disallowable as a deduction pursuant to Section 7(n)(1)(B), and in the case of any other bond (as defined in such section) to the extent of the deductions allowable pursuant to Section 7(n)(1)(A) with respect thereto."

Amendment No. 16

On page 38, line 2, of the printed bill, strike out "(d)": in lines 10 and 14, strike out "(d)(1)"; and insert "(b)(6)".

Amendment No. 17

On page 38, line 20, of the printed bill, strike out "C", and insert "c".

Amendment No. 18

On page 38 of the printed bill, strike out lines 31 to 37, both inclusive.

Amendment No. 19

On page 39, line 38, of the printed bill, strike out "Ownership", and insert "Direct or indirect ownership".

Amendment No. 20

On page 45, lines 5 and 6, of the printed bill, strike out "or of a failure to file a return".

Amendment No. 21

On page 46, line 13, of the printed bill, after the period, insert "If (a) the taxpayer has, within the period prescribed in the preceding sentence, agreed in writing, under the provisions of Section 19, to extend the time within which the commissioner may propose an additional assessment, or (b) if the taxpayer has agreed with the United States Commissioner of Internal Revenue for an extension (or renewals thereof) of the period for proposing and assessing deficiencies in Federal income tax for any year, the period within which a claim for credit or refund may be filed, or credit or refund allowed or made if no claim is filed, shall be the period within which the commissioner may make an assessment under such circumstances, except that the provisions of the preceding sentence shall apply to any claim filed, or credit or refund allowed or made, before the execution of such agreements. If the claim for credit or refund relates to an overpayment on account of the deductibility, under Section 7(e), of a debt as one which became worthless, or an erroneous inclusion of an amount attributable to the recovery of a bad debt, prior tax or delinquency amount, under Section 6(b)(5) due to an adjustment of a bad debt deduction under Section 7(e), in lieu of the period of limitation prescribed in the second preceding sentence, the period shall be seven years from the date prescribed by law for filing the return for the year with respect to which the claim is made."

Amendment No. 22

On page 47, line 40, of the printed bill, strike out "herein", and between "for" and "may", insert "in this section".

Amendment No. 23

On page 54, line 31, of the printed bill, after the period, insert "The foregoing sentence shall not be construed as a limitation upon the right of said banks, corporation or person to file an action in interpleader when a bona fide dispute has arisen as to priority of lien between the tax levied under this act and that of a Federal taxing agency."

Amendment No. 24

On page 56, line 33, of the printed bill, after the comma, insert "6(b)(5)".

Amendments read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 640—An act to amend Sections 4a, 5, 6, 8, 9, 11, 12, 13, 14, 16, 17, 20, 21, 24, 25, 25 1, 27, 28, 29, 30, 31, 32, and 35 of, and to add two new sections to be numbered 9 1 and 24.1 to, the

Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, lines 7 and 8, of the printed bill, after "commissioner", insert ", after public hearing and opportunity given to examine the data on which his determination is based,".

Amendment No. 2

On page 3, line 52, of the printed bill, strike out "The", and insert "the".

Amendment No. 3

On page 4 of the printed bill, between lines 2 and 3, insert
 "(5) The amount of any income of a bank or corporation attributable to the discharge, within the income year, of any indebtedness of the taxpayer (or for which the taxpayer is liable) evidenced by a security (as hereinafter in this paragraph defined) if the taxpayer makes and files at the time of filing the return, in such manner as the commissioner by regulation prescribes, its consent to the regulations prescribed under Section 21(b)(3). In such case the amount of any income of the taxpayer attributable to any unamortized premium (computed as of the first day of the income year in which such discharge occurred) with respect to such indebtedness shall not be included in gross income and the amount of the deduction attributable to any unamortized discount (computed as of the first day of the income year in which such discharge occurred) with respect to such indebtedness shall not be allowed as a deduction. As used in this paragraph the term "security" means any bond, debenture, note, or certificate, or other evidence of indebtedness, issued by any corporation.

(6) The amount of any income attributable to the discharge, within the income year, of any indebtedness of a railroad corporation, as defined in Section 77m of the National Bankruptcy Act, as amended, to the extent that such income is deemed to have been realized by reason of a modification in or cancellation in whole or in part of such indebtedness pursuant to an order of a court in a receivership proceeding or in a proceeding under Section 77 of the National Bankruptcy Act, as amended. In such case the amount of any income of the taxpayer attributable to any unamortized premium (computed as of the first day of the income year in which such discharge occurred) with respect to such indebtedness shall not be included in gross income and the amount of the deduction attributable to any unamortized discount (computed as of the first day of the income year in which such discharge occurred) with respect to such indebtedness shall not be allowed as a deduction. Subsection 6(b)(5) shall not apply with respect to any discharge of indebtedness to which this paragraph applies."

Amendment No. 4

On page 5, line 2, of the printed bill, strike out "not"; and in line 3, strike out "does not constitute", and insert "constitutes".

Amendment No. 5

On page 6, lines 5, 7, 24, 25, 28, and 29 of the printed bill, before "corporation", insert "bank or".

Amendment No. 6

On page 7 of the printed bill, strike out all of lines 31 to 49, inclusive; and on page 8 of the printed bill, strike out all of lines 1 to 19, inclusive.

Amendment No. 7

On page 9, line 9, of the printed bill, after "district," insert "or possession of"; and strike out "or any possession thereof".

Amendment No. 8

On page 16, line 19, of the printed bill, strike out "The", and insert "the".

Amendment No. 9

On page 16, line 34, of the printed bill, before "corporation", insert "bank or".

Amendment No. 9(a)

On page 14, line 18, of the printed bill, strike out "charged off or".

Amendment No. 10

On page 18, line 1, of the printed bill, after "bondholder" and before "the", insert "who makes the election in the method and under the conditions prescribed in Section 8(o) (4)".

Amendment No. 11

On page 18 of the printed bill, between lines 39 and 40, insert

"(4) The amount of the amortizable bond premium for the income year shall be allowed as a deduction only if a taxpayer has elected to claim such deduction. Such election shall be made in accordance with such regulations as the commissioner shall prescribe. If such election is made with respect to any bond, it shall also apply to all such bonds held by the taxpayer at the beginning of the first income year to which the election applies and to all such bonds thereafter acquired by it, and shall be binding for all subsequent income years with respect to all such bonds of the taxpayer, unless, upon application by the taxpayer, the commissioner permits him, subject to such conditions as the commissioner deems necessary, to revoke such election."

Amendment No. 12

On page 20, line 42, of the printed bill, insert a comma between "(A)" and "(B)".

Amendment No. 13

On page 23 of the printed bill, strike out all of lines 48 and 49, and insert "to the extent that the taxpayer's taxable net income for the year in which the cost was incurred would have been reduced had no such reimbursement been received or accrued."

Amendment No. 14

On page 24 of the printed bill, between lines 22 and 23, insert "(g) In any case in which a claim in abatement is filed pursuant to subsection (f) and the commissioner makes such abatement, the tax disclosed by the original return shall, for the purpose of Section 19 of this act, be deemed to be reduced by the amount of the tax so abated."

Amendment No. 15

On page 26, line 16, of the printed bill, strike out "such", and insert "the short".

Amendment No. 16

On page 26, line 17, of the printed bill, strike out "his", and insert "its".

Amendment No. 17

On page 29, line 43, of the printed bill, between "for" and "taxable", strike out "a", and insert "the".

Amendment No. 18

On page 32, line 45, of the printed bill, strike out "Ownership", and insert "Direct or indirect ownership".

Amendment No. 19

On page 33, line 10, of the printed bill, strike out "herein", and between "for" and "may", insert "in this section".

Amendment No. 20

On page 46 of the printed bill, between lines 17 and 18, insert "(18) In the case of stocks or securities received by a taxpayer on or after January 1, 1943, under circumstances described in Section 11 (b) (7), the basis of such stocks or securities shall be the same as that of the stocks or securities for the surrender of which they were acquired"

Amendment No. 21

On page 47 of the printed bill, between lines 2 and 3, insert "(D) In the case of any bond (as defined in Section 8 (o) (3)) to the extent of the deductions allowable pursuant to Section 8 (o) (1) (A) with respect thereto"

Amendment No. 22

On page 47, line 20, of the printed bill, strike out "(d)", in lines 28 and 32, strike out "(d) (1)", and insert "(b) (5)".

Amendment No. 23

On page 47 of the printed bill, strike out all of lines 48 to 50, inclusive.

Amendment No. 24

On page 49 of the printed bill, strike out all of line 11 following "paid"; and strike out all of lines 12 to 16, both inclusive, and insert a period

Amendment No. 25

On page 51, lines 38 and 39 of the printed bill, strike out "or of a failure to file a return".

Amendment No. 26

On page 53 of the printed bill, after the period in line 48, insert "The foregoing sentence shall not be construed as a limitation upon the right of said bank, corporation or person to file an action in interpleader when a bona fide dispute has arisen as to priority of lien between the tax levied under this act and that of a Federal taxing agency."

Amendment No. 27

On page 54, line 24, of the printed bill, after the period and before "A", insert "If (a), the taxpayer has, within the period prescribed in the preceding sentence, agreed in writing, under the provisions of Section 25, to extend the time within which the commissioner may propose an additional assessment, or (b) if the taxpayer has agreed with the United States Commissioner of Internal Revenue for an extension (or renewals thereof) of the period for proposing and assessing deficiencies in Federal income tax for any year, the period within which a claim for credit or refund may be filed, or credit or refund allowed or made if no claim is filed, shall be the period within which the commissioner may make an assessment under such circumstances, except that the provisions of the preceding sentence shall apply to any claim filed, or credit or refund allowed or made, before the execution of such agreements. If the claim for credit or refund relates to an overpayment on account of the deductibility under Section 8 (e) of a debt as one which became worthless, or an erroneous inclusion of an amount attributable to the recovery of a bad debt, prior tax or delinquency amount under Section 6 (b) (4), due to an adjustment of a bad debt deduction under Section 8 (e), in lieu of the period of limitation prescribed in the second preceding sentence, the period shall be seven years from the date prescribed by law for filing the return for the year with respect to which the claim is made."

Amendment No. 28

On page 55, line 49, of the printed bill, strike out "herem"

Amendment No. 29

On page 55, line 50, of the printed bill, between "for" and "may", insert "in this section".

Amendment No. 30

On page 59, line 45, of the printed bill, between "were" and "taxpayer", insert "the"

Amendment No. 31

On page 63, line 26, of the printed bill, strike out "Section", and insert "Sections 6 (b) (4) and".

Amendment No. 32

On page 63, line 31, of the printed bill, strike out "Subsection", and insert "Subsections".

Amendments read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 641—An act to amend Sections 2, 7, 7.1, 8, 9, 9.2, 9.3, 9.4, 9.5, 10, 12, 13, 16, 19 and 20 of, and to add three new sections to be numbered 7.2, 8.1 and 34.2 to, The Personal Income Tax Act, relating to taxes upon the incomes of individuals, estates and trusts and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 4, line 20, of the printed bill, strike out all of the line commencing with "The"; strike out all of lines 21 to 24; and in line 25, strike out "the transferor".

Amendment No. 2

On page 6 of the printed bill, strike out all of lines 25 to 36, inclusive

Amendment No. 3

On page 11, line 7, of the printed bill, strike out "Notwith-"; and strike out all of lines 8 to 21, both inclusive; and in line 22, strike out "made in a taxable year beginning before January 1, 1941."

Amendment No. 4

On page 11, line 48, of the printed bill, strike out "not"; and in line 49, strike out "does not constitute", and insert "constitutes".

Amendment No. 5

On page 13, line 15, of the printed bill, strike out "The", and insert "the".

Amendment No. 6

On page 18, line 31, of the printed bill, strike out "(e)", and insert "(1)".

Amendment No. 7

On page 19, line 22, of the printed bill, strike out "the United States or any possession thereof", and insert "possession of the United States".

Amendment No. 8

On page 24, line 22, of the printed bill, strike out "charged off or".

Amendment No. 9

On page 28, line 21, of the printed bill, strike out ", (5), and (6)", and insert "(1) (C) (D) (E) (F)".

Amendment No. 10

On page 31 of the printed bill, between lines 8 and 9, insert

"(4) The amount of the amortizable bond premium for the taxable year shall be allowed as a deduction only if a taxpayer has elected to claim such deduction. Such election shall be made in accordance with such regulations as the commissioner shall prescribe. If such election is made with respect to any bond, it shall also apply to all such bonds held by the taxpayer at the beginning of the first taxable year to which the election applies and to all such bonds thereafter acquired by it, and shall be binding for all subsequent taxable years with respect to all such bonds of the taxpayer, unless, upon application by the taxpayer, the commissioner permits him, subject to such conditions as the commissioner deems necessary, to revoke such election".

Amendment No. 11

On page 31 of the printed bill, strike out all of lines 24 and 25, and insert "to the extent that the taxpayer's taxable net income for the year in which the cost was incurred would have been reduced had no such reimbursement been received or accrued."

Amendment No. 12

On page 33 of the printed bill, after line 50, insert

"(g) In any case in which a claim in abatement is filed pursuant to subsection (f), and the commissioner makes such abatement, the tax disclosed by the original return shall, for the purpose of Section 19 of this act, be deemed to be reduced by the amount of the tax so abated."

Amendment No. 13

On page 43 of the printed bill, between lines 7 and 8, insert

"(D) In the case of any bond (as defined in Section 8(p)(3)) the interest on which is wholly exempt from the tax imposed by this act, to the extent of the amortizable bond premium disallowable as a deduction pursuant to Section 8(p)(1)(B), and in the case of any other bond (as defined in such section) to the extent of the deductions allowable pursuant to Section 8(p)(1)(A) with respect thereto."

Amendment No. 14

On page 43 of the printed bill, strike out all of lines 36 to 42, both inclusive.

Amendment No. 15

On page 45, line 38, of the printed bill, insert a comma after the parenthesis.

Amendment No. 16

On page 53, line 4, of the printed bill, strike out "(a)".

Amendment No. 17

On page 54, line 23, of the printed bill, strike out "31st", and insert "31".

Amendment No. 18

On page 58, lines 33 and 34, of the printed bill, strike out "or of a failure to file a return".

Amendment No. 19

On page 59, line 28, of the printed bill, strike out "A", and insert "If (a) the taxpayer has, within the period prescribed in the preceding sentence, agreed in writing, under the provisions of Section 19, to extend the time within which the commissioner may propose an additional assessment, or (b) if the taxpayer has agreed with the United States Commission of Internal Revenue for an extension (or renewals thereof) of the period for proposing and assessing deficiencies in Federal income tax for any year, the period within which a claim for credit or refund may be filed, or credit or refund allowed or made if no claim is filed, shall be the period within which the commissioner may make an assessment under such circumstances, except that the provisions of the preceding sentence shall apply to any claim filed, or credit or refund allowed or made, before the execution of such agreements. If the claim for credit or refund relates to an overpayment on account of the deductibility, under Section 8(f)(1), of a debt as one which became worthless, or a loss from worthlessness of a security under Section 8(f)(2), or an erroneous inclusion of an amount attributable to the recovery of a bad debt, prior tax or delinquency amount, under Section 7(b)(9) due to an adjustment of a bad debt deduction under Section 8(f)(1), or a loss deduction from worthlessness of a security under Section 8(f)(2), in lieu of the period of limitation prescribed in the second preceding sentence, the period shall be seven years from the date prescribed by law for filing the return for the year with respect to which the claim is made. A".

Amendment No. 20

On page 63, line 21, of the printed bill, strike out "(g)", and insert "(f)".

Amendment No. 21

On page 64 of the printed bill, strike out all of lines 25 to 33, both inclusive.

Amendment No. 22

On page 64, line 34, of the printed bill, strike out "(e)", and insert "(d)".

Amendment No. 23

On page 64, lines 35 and 36, of the printed bill, strike out "(relating to non-resident beneficiaries), 8(a)(1)(B)." and insert ". 8(a)(1)(B), 94(b)."

Amendment No. 24

On page 64, line 37, of the printed bill, strike out "(f)", and insert "(e)".

Amendment No. 25

On page 64, line 41, of the printed bill, strike out "(g)", and insert "(f)".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 792—An act to add Section 1029.5 to the Code of Civil Procedure, relating to costs in civil actions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out the period, and insert "; and provided further that there shall be included in such costs, in addition to any other items allowed by law, all filing and other fees which would have been incurred by the judgment creditor but for Section 4295 of the Political Code, such costs to be taxed by the court and entered in the judgment."

Amendment read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 1609—An act to amend Section 1161 of the Civil Code, relating to the recordation of instruments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, strike out "the mailing address of the grantee must be indorsed thereon".

Amendment No. 2

On page 1, line 11, of the printed bill, after "deed", insert "the recorder may refuse to record said instrument unless the mailing address of the grantee is endorsed thereon".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1026—An act to add Section 754.5 to the Probate Code, relating to the sales of personal and real property as a unit.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, after "bid", insert "for not less than 90 per cent of the appraised value of the aggregate value of both the personal property and the real estate and otherwise".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1107—An act to amend School Code Sections 5.801, 5.821, 5.830, 5.844, 5.850, 5.851, 5.852, 5.853, 5.860, 5.861, 5.863, 5.871, 5.873 and 5.874, and to add School Code Sections 5.855 and 5.877-1, and to amend Education Code Sections 14265, 14268, 14272, 14274, 14325, 14326, 14327, 14361, 14363, 14427, 14431, 14432, 14433, 14434, 14435, 14436, 14440, 14441, 14442, 14444, 14445, 14446, 14447, 14450, 14452, 14458, 14491, 14492, 14494, 14496, 14523, 14526, 14534, and to add Education Code Sections 14274.1, 14274.2, 14274.3, 14274.4, 14274.5, 14437, 14438, 14458.1, 14458.2, 14458.3, 14469, 14470, 14471, 14472, 14473, 14523.1, 14523.2, 14523.3, 14526.1, and 14542, and to repeal Education Code Sections 14365, 14437, 14438, 14439, and 14456, relating to the California State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 14, line 18, of the printed bill, strike out the period, and insert ", and (d) A State contribution for death benefits, payable annually on October 1, equal to the amount disbursed from the Permanent Fund during the year ending June 30th last preceding in payment of the benefit provided in Paragraph (3) of Section 5.861 of this chapter."

Amendment No. 2

On page 15 of the printed bill, beginning in line 26, strike out "which does not maintain a local fund".

Amendment No. 3

On page 17, line 30, of the printed bill, after "System", insert "after June 30, 1944."

Amendment No. 4

On page 20 of the printed bill, strike out all of lines 16 to 18, both inclusive, and insert "Amount equal to two dollars (\$2) per month multiplied by the number of years of service credited to said member, not to exceed thirty (30) years, or, if the member is retired after having attained an age at which the classification of persons as permanent employees of school districts ceases, and the sum of the three foregoing items is less than an amount equal to two dollars and fifty cents (\$2.50) per month multiplied by the number of years of service credited to said member, not to exceed thirty (30) years, an additional".

Amendment No. 5

On page 30, line 41, of the printed bill, strike out the period, and insert ", and (d) A State contribution for death benefits, payable annually on October 1, equal to the amount disbursed from the Permanent Fund during the year ending June 30th last preceding in payment of the benefit provided in Paragraph (3) of Section 14494 of this chapter."

Amendment No. 6

On page 32, line 4, of the printed bill, strike out "which does not maintain a local fund".

Amendment No. 7

On page 34, line 19, of the printed bill, after "system", insert "after June 30, 1944".

Amendment No. 8

On page 37 of the printed bill, strike out all of lines 14 to 16, both inclusive, and insert "amount equal to two dollars (\$2) per month multiplied by the number of years of service credited to said member, not to exceed thirty (30) years, or, if the member is retired after having attained an age at which the classification of persons as permanent employees of school districts ceases, and the sum of the three foregoing items is less than an amount equal to two dollars and fifty cents (\$2.50) per month multiplied by the number of years of service credited to said member, not to exceed thirty (30) years, an additional".

Amendments read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 1502—An act to amend Section 6.370 of the School Code and to amend Section 11651 of the Education Code, relating to high school textbooks

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In the title of the printed bill, beginning in line 1, strike out "amend Section 6.370 of the School Code and to amend Section 11651 of the Education Code", and insert "repeal Chapter 5 of Part 2 of Division 6 of the School Code, to add Chapter 5 to Part 2 of Division 6 of the School Code, to repeal Chapter 4 of Division 6 of the Education Code and to add Chapter 4 of Division 6 of the Education Code, all".

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 24, both inclusive, and insert

SECTION 1 Chapter 5 of Part 2 of Division 6 of the School Code is repealed.

SEC 2 Chapter 5 is added to Part 2 of Division 6 of the School Code, to read:

CHAPTER 5 HIGH SCHOOL TEXTBOOKS**Article 1. Adoption**

6.370. "District," "school district" and "school districts" mean all school districts maintaining one or more high schools.

6.371. The governing board of each school district shall adopt and purchase such textbooks for use in the high schools under its control as it shall deem desirable to meet the various instructional needs of the pupils in such high schools.

6.372. For the purposes of this chapter textbooks shall be construed to include publications designated by the State Department of Education as basic textbooks, supplementary books, laboratory manuals, workbooks, collections of literary selections, and school editions of literary works and of other books. Instructional

materials not classified as textbooks may be purchased by governing boards of high school districts without reference to the provisions of this chapter.

6373. Only textbooks of those publishers who shall have filed a bond with the State Department of Education as provided elsewhere in this chapter may be adopted and purchased.

Article 2. Furnishing of Textbooks to Pupils

6380. The governing board of a school district may fix a charge not to exceed the cost of such books to the district for books furnished pupils in classes for adults maintained in connection with a high school of the district.

6381. The governing board of each school district shall purchase textbooks for the use of pupils enrolled in the high schools of such district, which textbooks shall at all times be and remain the property of such district, to be supplied to the pupils thereof for use without charge.

6382. It shall be the duty of each governing board to make all necessary provisions and arrangements to place the books purchased within easy reach and accessible for the use of all the pupils in the high schools under its control.

Article 3. Requirements to Be Met by Publishers

6400. Any publisher who desires to offer textbooks for adoption and purchase under this chapter by governing boards of school districts shall file annually with the State Department of Education a catalog or list of all such textbooks showing for each such book the list price, all discounts allowed when new copies of the book are purchased, and the lowest exchange price that will be given when books in the same subject and of like kind and grade but of a different series are received in exchange and shall send immediately to the State Department of Education notice of such information about any new textbook offered by him and notice of any change in price of any textbooks offered by him.

6401. Every publisher desiring to offer one or more textbooks for adoption and purchase hereunder by the governing board of a school district must file with the State Department of Education a bond in a form approved by the Attorney General payable to the State of California.

6402. The sum of such bond for any such publisher shall be two thousand dollars (\$2,000), the bond to be conditioned as follows:

6403. First—That the publisher will furnish all textbooks offered by him to the governing board of any school district at a price which shall not exceed the lowest price the publisher has made for such textbooks offered anywhere in the United States under similar conditions of transportation and marketing.

6404. Second—That the publisher will reduce such price automatically to purchasers within the State of California, whenever reductions are made elsewhere in the United States, so that at no time shall any such textbook be sold to a school district in California at a higher net price than is received for such book elsewhere in the United States under similar conditions of transportation and marketing; and that upon failure or refusal of the publisher to make such reduction all contracts for such book or books shall become null and void.

6405. Third—That copies of any edition of any textbooks sold by the publisher to any school district in the State of California shall be equal in quality as regards paper, binding, print, illustration, subject matter, and all other particulars that may affect its value to the highest quality of such edition of the textbook sold elsewhere.

6406. Fourth—That the publisher will not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in textbooks, and that he will not enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of school books for use in the State of California.

6407. Fifth—That the publisher will maintain an office and warehouse in California or arrange with a depository in California to receive and handle orders for such textbooks.

6408. Sixth—That the publisher will pay the costs in a sum not to exceed five hundred dollars (\$500) of any investigation conducted in accordance with the provisions of this chapter should the State Board of Education as a result of such investigation direct that a textbook of the publisher must not be adopted or purchased by the governing board of any school district.

6409. It shall be a misdemeanor for any publisher or his representative to offer for sale any textbook to a school district of California hereunder unless the publisher has placed on file in the office of the State Department of Education a valid bond, conditioned as provided in this chapter, in full force and effect.

6410. When, in the judgment of the State Board of Education there exists sufficient evidence that a textbook offered by any publisher and adopted by the governing board of a school district contains sectarian or denominational doctrine contrary to law or contains propaganda injurious to the welfare of the public schools, said Board of Education shall cause the book to be investigated by a committee of impartial experts. Such committee shall be constituted and shall conduct its investigation under such rules and regulations as may be prescribed by the State Board of Education. If, in the opinion of the committee such textbook does contain sectarian or

denominational doctrine contrary to law or does contain propaganda injurious to the welfare of the public schools, said Board of Education may direct that such book must not be adopted or purchased by the governing board of any school district.

Article 4. Purchase of Textbooks

6.420. At least once each year the State Department of Education shall publish a complete list of all publishers who shall have filed a bond as provided in this chapter, one copy of which shall be sent to each county superintendent of schools, each city superintendent of schools, each high school principal and each clerk or secretary of the governing board of every school district maintaining a high school and to each such publisher.

6.421. Whenever the State Board of Education shall direct that any textbook must not be adopted or purchased by any school district, it shall be illegal for the governing board of any school district to purchase copies of such textbook or to continue the use of such textbook in the schools of the district, beyond the close of the current school year.

6.422. The governing boards of school districts shall order and purchase textbooks direct from the publisher or from the depository designated by the publisher in accordance with Section 6.407 of this code and shall examine the books when received, and if they are found to be correct and in accordance with the order the board shall draw a warrant for the proper amount, including the cost of transporting the textbooks, against any fund of the school district available for such purpose and shall remit such warrant to the publisher or depository within 30 days after receipt of the books.

Article 5. Penalties for Failure to Furnish Books

6.440. If any publisher who shall have filed a bond as provided in this chapter and who after accepting an order for textbooks from any school district shall fail or refuse to furnish such textbooks to such district upon the terms herein provided within a reasonable time after such order is accepted, the governing board of the district shall at once notify the State Department of Education of such failure or refusal, and the department shall make or cause to be made an investigation of such charge.

6.441. If the State Department of Education finds such charge to be true, it shall notify such publisher and notify the principal of each high school and the clerk or secretary of the governing board of each school district in the State of California maintaining a high school that such book or books shall not thereafter be adopted or purchased by any such district in the State.

6.442. Said publisher shall forfeit and pay to the State of California the sum of one hundred dollars (\$100) for each failure or refusal to furnish said book or books, to be recovered in the name of the State of California in an action to be brought by the Attorney General in any proper court, the amount when collected to be paid into the Treasury to the credit of the State High School Fund.

Article 6. Bribery

6.450. No publisher of school textbooks nor agent of such publisher shall offer or give any emolument, money, or other valuable thing, or any inducement, to any member of the governing board of any school district or to any school official or teacher connected with any of the high schools of California, for his vote, or promise to vote, or for the use of his influence for the adoption of any textbook to be used in any of the high schools of this State.

6.451. No member of the governing board of any school district or any school official or employee or any person connected with any of the public schools of California, shall accept any emolument, money, or valuable thing or any other inducement from any publisher, or agent of any publisher, for his vote, or promise to vote, or for the use of his influence for the adoption of any textbooks.

6.452. Nothing in this article shall be construed to prevent any person, publisher, or publisher's agent from supplying for purposes of examination necessary sample copies of textbooks to any member of a high school board, school district official, to any teacher or other district employee.

6.453. Nothing in this article shall be construed to prevent a member of the governing board of a school district, or school district official or any teacher or other district employee from receiving such sample copies; provided, that all copies of textbooks so received shall be returned within 30 days after the adoption of textbooks in the subject or subjects by the board.

Article 7. Penalties for Violation of This Chapter

6.460. Any publisher of school textbooks, or agent of such publisher, or any other person who violates any of the provisions of this chapter, on conviction thereof, shall be punished as for a misdemeanor; and if any such person occupies a public office or position he shall, in addition be removed from such office or position.

Article 8. Application of This Chapter

6.465. No provision of this chapter or of this code shall be construed as requiring the governing board of any district maintaining a junior college to provide textbooks free of charge, or otherwise, to any student enrolled in such junior college, nor shall

any of the provisions of this chapter be construed as applicable to textbooks required or authorized to be used by students in such junior college.

SEC. 3. Chapter 4 of Division 6 of the Education Code is repealed.

SEC. 4. Chapter 4 is added to Division 6 of the Education Code, to read:

Chapter 4. High School Textbooks

Article 1. Adoption

11651. "District," "school district" and "school districts" mean all school districts maintaining one or more high schools.

11652. The governing board of each school district shall adopt and purchase such textbooks for use in the high schools under its control as it shall deem desirable to meet the various instructional needs of the pupils in such high schools.

11653. For the purposes of this chapter textbooks shall be construed to include publications designated by the State Department of Education as basic textbooks, supplementary books, laboratory manuals, workbooks, collections of literary selections, and school editions of literary works and of other books. Instructional materials not classified as textbooks may be purchased by governing boards of high school districts without reference to the provisions of this chapter.

11654. Only textbooks of those publishers who shall have filed a bond with the State Department of Education as provided elsewhere in this chapter may be adopted and purchased.

Article 2. Furnishing Textbooks to Pupils

11671. The governing board of a school district may fix a charge not to exceed the cost of such books to the district for books furnished pupils in classes for adults maintained in connection with a high school of the district.

11672. The governing board of each school district shall purchase textbooks for the use of pupils enrolled in the high schools of such district, which textbooks shall at all times be and remain the property of such district, to be supplied to the pupils thereof for use without charge.

11673. It shall be the duty of each governing board to make all necessary provisions and arrangements to place the books purchased within easy reach and accessible for the use of all the pupils in the high schools under its control.

Article 3. Requirements to be Met by Publishers

11711. Any publisher who desires to offer textbooks for adoption and purchase under this chapter by governing boards of school districts shall file annually with the State Department of Education a catalog or list of all such textbooks showing for each such book the list price, all discounts allowed when new copies of the books are purchased, and the lowest exchange price that will be given when the books in the same subject and of like kind and grade but of a different series are received in exchange and shall send immediately to the State Department of Education notice of such information about any new textbooks offered by him and notice of any change in price of any textbooks offered by him.

11712. Every publisher desiring to offer one or more textbooks for adoption and purchase hereunder by the governing board of a school district must file with the State Department of Education a bond in a form approved by the Attorney General payable to the State of California.

11713. The sum of such bond for any such publisher shall be two thousand dollars (\$2,000), the bond to be conditioned as follows:

11714. First—That the publisher will furnish all textbooks offered by him to the governing board of any school district at a price which shall not exceed the lowest price the publisher has made for such textbooks offered anywhere in the United States under similar conditions of transportation and marketing.

11715. Second—That the publisher will reduce such price automatically to purchasers within the State of California whenever reductions are made elsewhere in the United States, so that at no time shall any such textbook be sold to a school district in California at a higher net price than is received for such book elsewhere in the United States under similar conditions of transportation and marketing; and that upon failure or refusal of the publisher to make such reduction all contracts for such book or books shall become null and void.

11716. Third—That copies of any edition of any textbooks sold by the publisher to any school district in the State of California shall be equal in quality as regards paper, binding, print, illustration, subject matter and all other particulars that may affect its value to the highest quality of such edition of the textbook sold elsewhere.

11717. Fourth—That the publisher will not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in textbooks, and that he will not enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of school books for use in the State of California.

11718. Fifth—That the publisher will maintain an office and warehouse in California or arrange with a depository in California to receive and handle orders for such textbooks.

11719. Sixth—That the publisher will pay the costs in a sum not to exceed five hundred dollars (\$500) of any investigation conducted in accordance with the

provisions of this chapter should the State Board of Education as a result of such investigation direct that a textbook of the publisher must not be adopted or purchased by the governing board of any school district.

11720. It shall be a misdemeanor for any publisher or his representative to offer for sale any textbook to a school district of California hereunder unless the publisher has placed on file in the office of the State Department of Education a valid bond, conditioned as provided in this chapter, in full force and effect.

11721. When, in the judgment of the State Board of Education there exists sufficient evidence that a textbook offered by any publisher and adopted by the governing board of a school district contains sectarian or denominational doctrine contrary to law or contains propaganda injurious to the welfare of the public schools, said Board of Education shall cause the book to be investigated by a committee of impartial experts. Such committee shall be constituted and shall conduct its investigation under such rules and regulations as may be prescribed by the State Board of Education. If, in the opinion of the committee such textbook does contain sectarian or denominational doctrine contrary to law or does contain propaganda injurious to the welfare of the public schools, said Board of Education may direct that such book must not be adopted or purchased by the governing board of any school district.

Article 4. Purchase of Textbooks

11741. At least once each year the State Department of Education shall publish a complete list of all publishers who shall have filed a bond as provided in this chapter, one copy of which shall be sent to each county superintendent of schools, each city superintendent of schools, each high school principal and each clerk or secretary of the governing board of every school district maintaining a high school and to each such publisher.

11742. Whenever the State Board of Education shall direct that any textbook must not be adopted or purchased by any school district, it shall be illegal for the governing board of any school district to purchase copies of such textbook or to continue the use of such textbook in the schools of the district, beyond the close of the current school year.

11743. The governing boards of school districts shall order and purchase textbooks direct from the publisher or from the depository designated by the publisher in accordance with Section 11718 of this code and shall examine the books when received, and if they are found to be correct and in accordance with the order the board shall draw a warrant for the proper amount, including the cost of transporting the textbooks, against any fund of the school district available for such purpose and shall remit such warrant to the publisher or depository within 30 days after receipt of the books.

Article 5. Penalties for Failure to Furnish Books

11761. If any publisher who shall have filed a bond as provided in this chapter and who after accepting an order for textbooks from any school district shall fail or refuse to furnish such textbooks to such district upon the terms herein provided within a reasonable time after such order is accepted, the governing board of the district shall at once notify the State Department of Education of such failure or refusal, and the department shall make or cause to be made an investigation of such charge.

11762. If the State Department of Education finds such charge to be true, it shall notify such publisher and notify the principal of each high school and the clerk or secretary of the governing board of each school district in the State of California maintaining a high school that such book or books shall not thereafter be adopted or purchased by any such district in the State.

11763. Said publisher shall forfeit and pay to the State of California the sum of one hundred dollars (\$100) for each failure or refusal to furnish said book or books, to be recovered in the name of the State of California in an action to be brought by the Attorney General in any proper court, the amount when collected to be paid into the treasury to the credit of the State High School Fund.

Article 6. Bribery

11776. No publisher of school textbooks nor agent of such publisher shall offer or give any emolument, money, or other valuable thing, or any inducement, to any member of the governing board of any school district or to any school official or teacher connected with any of the high schools of California, for his vote, or promise to vote, or for the use of his influence for the adoption of any textbook to be used in any of the high schools of this State.

11777. No member of the governing board of any school district or any school official or employee or any person connected with any of the public schools of California, shall accept any emolument, money, or valuable thing or any other inducement from any publisher, or agent of any publisher, for his vote, or promise to vote, or for the use of his influence for the adoption of any textbooks.

11778. Nothing in this article shall be construed to prevent any person, publisher, or publisher's agent from supplying for purposes of examination necessary

sample copies of textbooks to any member of a high school board, school district official, to any teacher or other district employee.

11779. Nothing in this article shall be construed to prevent a member of the governing board of a school district, or school district official or any teacher or other district employee from receiving such sample copies; provided, that all copies of textbooks so received shall be returned within 30 days after the adoption of textbooks in the subject or subjects by the board.

Article 7. Penalties for Violation of this Chapter

11791. Any publisher of school textbooks, or agent of such publisher, or any other person who violates any of the provisions of this chapter, on conviction thereof, shall be punished as for a misdemeanor; and if any such person occupies a public office or position he shall, in addition, be removed from such office or position.

Article 8. Application of this Chapter

11801. No provision of this chapter or of this code shall be construed as requiring the governing board of any district maintaining a junior college to provide textbooks free of charge, or otherwise, to any student enrolled in such junior college, nor shall any of the provisions of this chapter be construed as applicable to textbooks required or authorized to be used by students in such junior college.

SEC. 5. Sections 3 and 4 of this act become operative only if the Education Code is enacted by the Legislature at its Fifty-fifth Session, and, in such case, at the same time as said code takes effect; at which time Chapter 5 added by this act to Part 2 of Division 6 of the School Code is hereby repealed."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 193—An act to amend Section 2.173 of the School Code and to amend Section 2593 of the Education Code, relating to the lapsing of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

RECESS

At 2.50 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 3 05 p.m.

REASSEMBLED

At 3.05 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Obnimus at the desk.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 635 FROM INACTIVE FILE

Mr. Doyle moved that Assembly Bill No. 635 be withdrawn from the inactive file, and placed upon the third reading file.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 135
Senate Bill No. 404
Senate Bill No. 237
Senate Bill No. 221
Senate Bill No. 742
Senate Bill No. 722
Senate Bill No. 224
Senate Bill No. 222
Senate Bill No. 637
Senate Bill No. 635

Senate Bill No. 634
Senate Bill No. 633
Senate Bill No. 632
Senate Bill No. 636
Senate Bill No. 631
Senate Bill No. 189
Senate Bill No. 556
Senate Bill No. 673
Senate Bill No. 33
Senate Bill No. 111

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 135—An act to add Chapter 3, comprising Section 2650, to Division 4 of the Welfare and Institutions Code, to repeal certain laws and parts of laws therein specified, relating to relief and public assistance due to and caused by unemployment, abolishing the State Relief Administration, the State Relief Commission and the office of State Relief Administrator and prohibiting the expenditure of money for certain purposes

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 404—An act to amend Section 6021 of the Business and Professions Code, relating to election of officers of the Board of Bar Governors.

Referred to Committee on Judiciary.

Senate Bill No. 237—An act to add Section 7518 to the Business and Professions Code, relating to night watchmen in unincorporated areas.

Referred to Committee on Municipal and County Government.

Senate Bill No. 221—An act to add Article 7.5, comprising Sections 7125 and 7126, to Chapter 9 of Division 3 of, and to add Section 300165 to, the Business and Professions Code, thereby consolidating and revising the law relating to workmen's compensation reports of licensed contractors, and repealing acts and parts of acts therein specified.

Referred to Committee on Judiciary.

Senate Bill No. 742—An act to provide for uniform blackout and dimout regulations throughout the State, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military Affairs

Senate Bill No. 722—An act to amend Section 800 of the Military and Veterans Code, relating to veterans.

Referred to Committee on Military Affairs

Senate Bill No. 224—An act to add Division 4 and Parts 1 and 2 thereof, comprising Sections 10000 to 11018, inclusive, and Section 30042 to the Business and Professions Code, thereby consolidating and revising the law supervised, administered and enforced by the State Division of Real Estate of the Department of Investment regulating transactions affecting interests in real or personal property, licensing brokers and salesmen with respect to dealings in real or personal property, imposing disciplinary and criminal penalties for the violation thereof and repealing acts and parts of acts specified therein.

Referred to Committee on Judiciary.

Senate Bill No. 222—An act to add Chapter 8, comprising Sections 6850 to 6955, inclusive, to Division 3 of, and to add Section 30044 to, the Business and Professions Code, thereby consolidating and revising

the law regulating and licensing collection agencies, penalizing violations thereof and repealing acts and parts of acts specified therein.

Referred to Committee on Judiciary.

Senate Bill No. 637—An act to add a new section, to be numbered 25.2, to the Agricultural Prorate Act, relating to a periodic referendum.

Referred to Committee on Agriculture.

Senate Bill No. 635—An act to amend Section 21 of the Agricultural Prorate Act, relating to the disposition of funds collected under marketing programs.

Referred to Committee on Agriculture.

Senate Bill No. 634—An act to amend Sections 18.1 and 19.1 of the Agricultural Prorate Act, relating to hearings on marketing program modifications and to functions of program committees under marketing programs.

Referred to Committee on Agriculture

Senate Bill No. 633—An act to amend Sections 15 and 18 of the Agricultural Prorate Act, relating to the selection and appointment of marketing program committee members, their terms and duties.

Referred to Committee on Agriculture.

Senate Bill No. 632—An act to amend Section 5 of the Agricultural Prorate Act, relating to meetings of the Agricultural Prorate Advisory Commission.

Referred to Committee on Agriculture.

Senate Bill No. 636—An act to add Section 21.1 to the Agricultural Prorate Act, relating to proceedings for the collection of fees.

Referred to Committee on Agriculture.

Senate Bill No. 631—An act to amend Section 25.1 of the Agricultural Prorate Act, relating to changes in proration zone boundaries.

Referred to Committee on Agriculture.

Senate Bill No. 189—An act to amend Section 369 of the Agricultural Code, relating to estrays.

Referred to Committee on Agriculture.

Senate Bill No. 556—An act to amend Sections 12256 and 12626 of the Revenue and Taxation Code, relating to the State Compensation Insurance Fund.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 673—An act to amend Section 1293 of the Fish and Game Code, relating to damage to crops by animals and the taking of such animals.

Referred to Committee on Fish and Game.

Senate Bill No. 33—An act to amend Section 182 of the Penal Code, relating to criminal conspiracy

Referred to Committee on Judiciary.

Senate Bill No. 111—An act to amend Sections 423, 450 and 452 of the Probate Code, relating to the administration of estates of decedents. Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 310

Assembly Bill No. 497

Assembly Bill No. 343

Assembly Bill No. 524

Assembly Bill No. 353

Assembly Bill No. 630

Assembly Bill No. 472

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1120—An act making an appropriation for the operation, maintenance, and organization of the State Guard, to take effect immediately, and reports that the same has been correctly enrolled, and presented to the Governor on the twentieth day of March, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 704

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON SENATE CONSTITUTIONAL AMENDMENT NO. 10

Mr. Maloney moved to expunge the record, and rescind the action whereby Senate Constitutional Amendment No. 10 was, on March 19, 1943, adopted.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—None.

Senate Constitutional Amendment No. 10 ordered on file for adoption.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON AMENDMENTS TO ASSEMBLY BILL NO. 14

Mr. Evans moved to expunge the record and rescind the action whereby amendments to Assembly Bill No. 14 were, on March 17, 1943, adopted.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle,

Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCallister, Middough, Miller, Nichouse, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Request for Unanimous Consent

Mr. Evans asked for, and was granted, unanimous consent to take up Assembly Bill No. 14 at this time.

Further Consideration of Assembly Bill No. 14

Assembly Bill No. 14—An act to amend Section 18734 of the Business and Professions Code, relating to amateur boxing contests.

Bill read second time.

Motion to Amend

Mr. Evans moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 18734", and insert "Sections 18734, 18739 and 18741".

Amendment No. 2

In line 2 of the title of said bill, after "to", strike out "amateur boxing contests.", and insert "the regulation of boxing and wrestling, declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 1, line 5, of said bill, after "match", insert ", and no person under the age of 17 years shall so compete as a professional".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 9, insert

"SEC. 2. Section 18739 of said code is amended to read.

18739 No boxing contest or sparring match shall be more than [12] 15 rounds or, if any participant therein is under the age of 18 years, more than six rounds. Rounds shall be of not more than three minutes each in length[,] , and there [There] shall be one minute rest between consecutive rounds. No boxer shall be allowed to participate in more than [12] 15 rounds within 12 consecutive hours.

SEC. 3. Section 18741 of said code is amended to read.

18741. (a) No amateur boxing contest or sparring match shall be more than four rounds, of not more than two minutes each, or three rounds of three minutes each, in length.

(b) The interval between each round shall be one minute.

(c) No amateur boxer shall engage in matched bouts more than two times in seven days or, if under the age of 17 years, more than once in seven days. This rule shall not apply to tournaments, but no tournament shall be held except with the approval, and under the supervision, of the commission.

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Amateur boxing is a sport which contributes to the maintenance of the health and strength of the youth of the State. Since the Army is now calling up youths of 18 years and older, the sport will not be able to continue under the present law, which sets the minimum age for contestants at 18 years, and the amateur club devoted to the physical training of youths will be closed."

Amendments read and adopted.

Bill ordered reprinted, and engrossed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Kraft:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:
An act to amend Section 347½ of the Penal Code, relating to the sale and use of drugs.

Respectfully submitted.

FREDERICK H. KRAFT

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Kraft:

An act to amend Section 347½ of the Penal Code, relating to the sale and use of drugs.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A. Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sawalisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1936: By Mr. Kraft—An act to amend Section 347½ of the Penal Code, relating to the sale and use of drugs.

Referred to Committee on Public Health.

Assembly Constitutional Amendment No. 35: By Mr. Lyon—Proposed amendment to Article VI, Section 18, of the Constitution, relative to justices and judges of courts of record.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 38: By Mr. Sargent—Relative to memorializing the President and the Congress of the United States to provide safeguards for elderly people with small incomes.

Referred to Committee on Rules and House Functions.

Assembly Concurrent Resolution No. 42: By Messrs. Johnson, Knight, T. Fenton; and Field—Relative to classification by the Personnel Board of civil service positions established for the duration of the emergency and six months.

Referred to Committee on Rules and House Functions.

COMMUNICATIONS

By Speaker Lyon :

The following communication was received, read, and ordered printed in the Journal :

ANNAPOLIS, MARYLAND, March 20, 1943

Hon. Charles W. Lyon, Speaker, State Capitol

Am very happy to tell you arrangements made for Mr. Anthony Eden, British Secretary State for Foreign Affairs, to speak to all State Legislatures in session throughout Country. This is only major speech Foreign Secretary plans to make in this Country. On March 26th, 9 p.m. eastern war time, he will personally address Joint Session House and Senate here in Annapolis, Maryland, and arrangements call for broadcast to all State Legislatures now meeting, and to entire Country. If this meets with your approval I hope you will make necessary arrangements in your Legislature to receive broadcast speech.

HERBERT R. O'CONNOR, President
Council of State Governments

Referred to Committee on Rules and House Functions.

RESOLUTIONS

The following resolutions were offered :

By Messrs. Lyon and Collins, Sam L. :

House Resolution No. 138

WHEREAS, Honorable Lee T. Bashore of Glendora, our able Member of the Assembly, and Myrtle Ayers of Covina, were married in Long Beach on March 17, 1920, and on that day this good-natured and genial couple celebrated the anniversary of 23 years of marital bliss; and

WHEREAS, This marriage having been consummated on the 17th day of March, it is fitting and proper that the Patron Saint of Ireland, Saint Patrick, watch over the life and happiness of this couple; and

WHEREAS, This charming couple has been blessed with two fine boys, Glenn H. Bashore who is now in the Navy Medical Corps. and Lee T. Bashore, Jr., who is enlisted in the Naval Reserve; and

WHEREAS, The Members of this Assembly extend to these patriotic young men their best wishes for their health, safety and happiness; now, therefore, be it

Resolved, That every Member of the Assembly extends to Myrtle and Lee T. Bashore his sincere congratulations and best wishes upon their twenty-third wedding anniversary; and be it further

Resolved, That it is the wish of this Assembly that Myrtle and Lee T. Bashore have many, many more happy years together; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to prepare a suitably engrossed copy of this resolution for presentation to Myrtle and Lee T. Bashore.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 138, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs. McCollister, Leonard, and Lowrey :

House Resolution No. 139

WHEREAS, In normal times the poultry industry in this State is of paramount importance to the people of California; and

WHEREAS, This importance has been tremendously magnified by reason of the existing shortages of meat and other forms of protein; and

WHEREAS, There annually exists at this time of year a normal surplus of cockerels which in the past have been destroyed because of a lack of available market; and

WHEREAS, This surplus of cockerels could be raised and marketed as broilers within a relatively short time if the ceiling price for broilers would permit the raising and marketing of broilers by poultrymen without incurring a substantial loss; and

WHEREAS, It would appear that the Office of Price Administration and other Federal agencies should do all in their power to encourage and stimulate the raising of broilers for use in California in order to relieve the present meat and protein shortage; and

WHEREAS, Despite the efforts of the poultrymen of the State of California to persuade the Office of Price Administration to realize the uniqueness of the California situation, the Office of Price Administration insists on fixing ceiling prices for California on production costs of other States where labor and feeding costs are much lower; and

WHEREAS, The persistence of the Office of Price Administration in its present conduct will result in the loss of many million pounds of poultry meat for use in California; and

WHEREAS, Local Office of Price Administration officials have refused to take appropriate steps to alleviate present conditions even when they have had power so to do; now, therefore, be it

Resolved by the Assembly of the State of California, That the Honorable Prentiss Brown, Administrator of the Office of Price Administration, and the Honorable Claude Wickard, Secretary of Agriculture, be and they are hereby memorialized to direct their regional representatives for California to establish ceiling prices for poultry in California that will permit making available to the citizens of this State this essential supplement to the meat and protein supply; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit by telegram copies of this resolution to the President, the Vice President, to the Senators and Congressmen from California, and to the Honorable Prentiss Brown, Administrator of the Office of Price Administration, and the Honorable Claude Wickard, Secretary of Agriculture.

Resolution read, and referred to Committee on Rules and House Functions.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 18—Relative to the construction of a dam on the Stanislaus River.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Call, Clarke, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kelless, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Weber, Werdel, Weybret, and Mr. Speaker—52.

NOES—Bashore—1.

Notice of Motion to Reconsider Senate Joint Resolution No. 18

Mr. Bashore gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Joint Resolution No. 18 was this day adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1531—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered 13.11a, relating to building and loan associations, the Building and Loan Commissioner, plans for the rehabilitation, readjustment, reorganization or liquidation of such an association or of all or of any part of the business, properties and assets of such association or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities issuable in connection therewith and exempting such

securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to dissent from a plan as defined in said Section 13.11a, and to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities or properties so received.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

On page 14 of the printed bill, as amended, strike out line 51; on page 15, strike out lines 1 and 2, and insert "be valued at fair market value. The approval by the court".

Amendment No. 2

On page 19 of said bill, strike out lines 8 and 9; and in line 10, strike out "normal conditions", and insert "fair market value".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 621—An act to amend Sections 241 and 242 of the Code of Civil Procedure, relating to the composition and constitution of grand juries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—49.

NOES—Call—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1530—An act to add Section 387 to the Political Code, relating to the acquisition of exclusive jurisdiction over lands in the State of California by the United States.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—54

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller,

Niehuse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—54
 NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 32—An act to amend Sections 595 and 1054 of the Code of Civil Procedure, relating to extensions of time and continuances.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehuse, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—51.

NOES—Hawkins—1.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 979

Mr Heisinger moved that Assembly Bill No. 979 be withdrawn from the file, and re-referred to the Committee on Live Stock and Dairies.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1489—An act to amend Section 489 of the Agricultural Code, relating to the sale of graded milk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehuse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1490—An act to amend Section 498 of, and to add Section 498.5 to, the Agricultural Code, relating to dairy farm building requirements and qualifications for milk and dairy inspectors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Clarke, Collins, George D., Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehuse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dilworth asked for, and was granted, unanimous consent to take up Senate Bills Nos. 923 to 944, inclusive, at this time.

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, March 10, 1943

*To the Honorable Members of the Assembly
Sacramento, California*

GREETINGS:

SENATE BILL No. 923

"An act to establish an Education Code, thereby consolidating and revising the law relating to the establishment, maintenance, government and operation of schools, libraries, and institutions of learning, arts, and sciences, and to repeal certain acts and parts of acts specified herein";

SENATE BILL No. 924

"An act to add Article 2, comprising Section 5171, to Chapter 2 of Division 3, and to add Section 40006 to Division 20, of the Education Code, thereby consolidating and revising the law relating to payments from State general funds for support of the elementary schools";

SENATE BILL No. 925

"An act to add Article 1, comprising Sections 5301, inclusive, to Chapter 3 of Division 3, and to add Section 40007 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the State High School Fund";

SENATE BILL No. 926

"An act to add Article 2, comprising Section 5321, to Chapter 3 of Division 3, and to add Section 40008 to Division 20 of the Education Code, thereby consolidating and revising the law relating to payments from State general funds for support of the high schools";

SENATE BILL No. 927

"An act to add Article 1, comprising Sections 5451 to 5457, inclusive, to Chapter 4 of Division 3, and to add Section 40010 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the State Junior College Fund";

SENATE BILL No. 928

"An act to add Chapter 5, comprising Sections 5601 to 5605, inclusive, to Division 3, and to add Section 40009 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the support of schools from funds received from potash-bearing lands";

SENATE BILL No. 929

"An act to add Chapter 6, comprising Sections 5701 to 5727, inclusive, to Division 3, and to add Section 40011 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the Vocational Education Fund";

SENATE BILL No. 930

"An act to add Chapter 7, comprising Sections 5801 to 5843, inclusive, to Division 3, and to add Section 40012 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the Vocational Rehabilitation Fund";

SENATE BILL No. 931

"An act to add Article 3, comprising Sections 6951 to 6960, inclusive, to Chapter 13 of Division 3, and to add Section 40013 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the apportionment of the State School Fund to elementary schools";

SENATE BILL No. 932

"An act to add Article 4, comprising Sections 6971 to 6979, inclusive, and Article 5, comprising Section 6991, to Chapter 13 of Division 3, and to add Section 40014 to Division 20 of the Education Code, thereby consolidating and revising the law relating to apportionments from the State General Fund to elementary schools";

SENATE BILL No. 933

"An act to add Article 1, comprising Sections 7101 to 7110, inclusive, to Chapter 14 of Division 3, and to add Section 40015 to Division 20 of the Education Code, thereby consolidating and revising the law relating to apportionment of the State High School Fund";

SENATE BILL No. 934

"An act to add Article 2, comprising Sections 7131 to 7141, inclusive, to Chapter 14 of Division 3, and to add Section 40016 to Division 20 of the Education Code, thereby consolidating and revising the law relating to apportionment from the State General Fund to high schools";

SENATE BILL No. 935

"An act to add Article 12, comprising Sections 9176 to 9178, inclusive, to Chapter 7 of Division 4, and to add Section 40017 to Division 20 of the Education Code, thereby consolidating and revising the law relating to education in connection with National defense";

SENATE BILL No. 936

"An act to add Sections 14458 and 40018 to the Education Code, relating to the transfer of funds from the State General Fund to the Teachers' Permanent Fund";

SENATE BILL No. 937

"An act to add Sections 20344 and 40019 to the Education Code, relating to the support of State colleges";

SENATE BILL No. 938

"An act to add Section 20461 and 40020 to the Education Code, relating to the State College Summer Session Fund";

SENATE BILL No. 939

"An act to add Article 9, comprising Sections 20521 to 20523, inclusive, to Chapter 2 of Division 10, and to add Section 40021 to Division 20 of the Education Code thereby consolidating and revising the law relating to the Fresno Summer School of Music";

SENATE BILL No. 940

"An act to add Sections 20551 and 40022 to the Education Code, relating to the Student Building Fund of State Colleges";

SENATE BILL No. 941

"An act to add Sections 20796, 20797 and 40023 to the Education Code, relating to the payment of certain expenses of pupils of the California School for the Deaf";

SENATE BILL No. 942

"An act to add Sections 20946, 20947 and 40024 to the Education Code, relating to the payment of certain expenses of pupils of the California School for the Blind";

SENATE BILL No. 943

"An act to add Sections 21158 and 40025 to the Education Code, relating to payments by students of the California Maritime Academy";

SENATE BILL No. 944

"An act to amend Section 4 of "An act to create a fund to be known as the United States Forest Reserve Fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the Government of the United States, and also to regulate the manner of expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to the apportionment of moneys received by counties from the United States Forest Reserve Fund";

in my opinion constitute emergency bills within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bills Nos. 923 to 944, inclusive, as necessary for the immediate preservation of the public peace, health, or safety and as emergency matters.

Respectfully submitted.

EARL WARREN, Governor

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 923 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section

requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 923

Senate Bill No. 923—An act to establish an Education Code, thereby consolidating and revising the law relating to the establishment, maintenance, government and operation of schools, libraries and institutions of learning, arts, and sciences, and to repeal certain acts and parts of acts specified herein

Bill read second time.

Senate Bill No. 923—An act to establish an Education Code, thereby consolidating and revising the law relating to the establishment, maintenance, government and operation of schools, libraries and institutions of learning, arts, and sciences, and to repeal certain acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 924 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson,

Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56
 NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 924

Senate Bill No. 924—An act to add Article 2, comprising Section 5171, to Chapter 2 of Division 3, and to add Section 40006 to Division 20, of the Education Code, thereby consolidating and revising the law relating to payments from State general funds for support of the elementary schools.

Bill read second time.

Senate Bill No. 924—An act to add Article 2, comprising Section 5171, to Chapter 2 of Division 3, and to add Section 40006 to Division 20, of the Education Code, thereby consolidating and revising the law relating to payments from State general funds for support of the elementary schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56
 NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 925 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56
 NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 925

Senate Bill No. 925—An act to add Article 1, comprising Sections 5301 to 5303, inclusive, to Chapter 3 of Division 3, and to add Section

40007 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the State High School Fund.

Bill read second time.

Senate Bill No. 925—An act to add Article 1, comprising Sections 5301 to 5303, inclusive, to Chapter 3 of Division 3, and to add Section 40007 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the State High School Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr Dilworth:

Resolved, That Senate Bill No. 926 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 926

Senate Bill No. 926—An act to add Article 2, comprising Section 5321, to Chapter 3 of Division 3, and to add Section 40008 to Division 20 of the Education Code, thereby consolidating and revising the law relating to payments from State general funds for support of the high schools.

Bill read second time.

Senate Bill No. 926—An act to add Article 2, comprising Section 5321, to Chapter 3 of Division 3, and to add Section 40008 to Division 20 of the Education Code thereby consolidating and revising the law

relating to payments from State general funds for support of the high schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 927 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 927

Senate Bill No. 927—An act to add Article 1, comprising Sections 5451 to 5457, inclusive, to Chapter 4 of Division 3, and to add Section 40010 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the State Junior College Fund.

Bill read second time.

Senate Bill No. 927—An act to add Article 1, comprising Sections 5451 to 5457, inclusive, to Chapter 4 of Division 3, and to add Section 40010 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the State Junior College Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan

Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56
 NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered :

By Mr. Dilworth :

Resolved. That Senate Bill No. 928 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56
 NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 928

Senate Bill No. 928—An act to add Chapter 5, comprising Sections 5601 to 5605, inclusive, to Division 3, and to add Section 40009 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the support of schools from funds received from potash-bearing lands.

Bill read second time.

Senate Bill No. 928—An act to add Chapter 5, comprising Sections 5601 to 5605, inclusive, to Division 3, and to add Section 40009 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the support of schools from funds received from potash-bearing lands.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.
 NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 929 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dills, Claxton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 929

Senate Bill No. 929—An act to add Chapter 6, comprising Sections 5701 to 5727, inclusive, to Division 3, and to add Section 40011 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the Vocational Education Fund.

Bill read second time.

Senate Bill No. 929—An act to add Chapter 6, comprising Sections 5701 to 5727, inclusive, to Division 3, and to add Section 40011 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the Vocational Education Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 930 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56
NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 930

Senate Bill No. 930—An act to add Chapter 7, comprising Sections 5801 to 5843, inclusive, to Division 3, and to add Section 40012 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the Vocational Rehabilitation Fund.

Bill read second time.

Senate Bill No. 930—An act to add Chapter 7, comprising Sections 5801 to 5843, inclusive, to Division 3, and to add Section 40012 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the Vocational Rehabilitation Fund.

Bill read third time.

The roll was called, and the resolution adopted by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56
NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered :

By Mr. Dilworth :

Resolved, That Senate Bill No. 931 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56
NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 931

Senate Bill No. 931—An act to add Article 3, comprising Sections 6951 to 6960, inclusive, to Chapter 13 of Division 3, and to add Section 40013 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the apportionment of the State School Fund to elementary schools.

Bill read second time.

Senate Bill No. 931—An act to add Article 3, comprising Sections 6951 to 6960, inclusive, to Chapter 13 of Division 3, and to add Section 40013 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the apportionment of the State School Fund to elementary schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 932 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 932

Senate Bill No. 932—An act to add Article 4, comprising Sections 6971 to 6979, inclusive, and Article 5, comprising Section 6991, to Chapter 13 of Division 3, and to add Section 40014 to Division 20 of the Education Code, thereby consolidating and revising the law relating to apportionments from the State General Fund to elementary schools.

Bill read second time.

Senate Bill No. 932—An act to add Article 4, comprising Sections 6971 to 6979, inclusive, and Article 5, comprising Section 6991, to Chapter 13 of Division 3, and to add Section 40014 to Division 20 of the Education Code, thereby consolidating and revising the law relating to apportionments from the State General Fund to elementary schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYLS—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Dove, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 933 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 933

Senate Bill No. 933—An act to add Article 1, comprising Sections 7101 to 7110, inclusive, to Chapter 14 of Division 3, and to add Section 40015 to Division 20 of the Education Code, thereby consolidating and revising the law relating to apportionment of the State High School Fund.

Bill read second time.

Senate Bill No. 933—An act to add Article 1, comprising Sections 7101 to 7110, inclusive, to Chapter 14 of Division 3, and to add Section 40015 to Division 20 of the Education Code, thereby consolidating and revising the law relating to apportionment of the State High School Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley,

Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 934 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 934

Senate Bill No. 934—An act to add Article 2, comprising Sections 7131 to 7141, inclusive, to Chapter 14 of Division 3, and to add Section 40016 to Division 20 of the Education Code, thereby consolidating and revising the law relating to apportionments from the State General Fund to high schools.

Bill read second time.

Senate Bill No. 934—An act to add Article 2, comprising Sections 7131 to 7141, inclusive, to Chapter 14 of Division 3, and to add Section 40016 to Division 20 of the Education Code, thereby consolidating and revising the law relating to apportionments from the State General Fund to high schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered :

By Mr. Dilworth :

Resolved, That Senate Bill No. 935 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 935

Senate Bill No. 935—An act to add Article 12, comprising Sections 9176 to 9178, inclusive, to Chapter 7 of Division 4, and to add Section 40017 to Division 20 of the Education Code, thereby consolidating and revising the law relating to education in connection with National defense.

Bill read second time.

Senate Bill No. 935—An act to add Article 12, comprising Sections 9176 to 9178, inclusive, to Chapter 7 of Division 4, and to add Section 40017 to Division 20 of the Education Code, thereby consolidating and revising the law relating to education in connection with National defense.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered :

By Mr. Dilworth :

Resolved, That Senate Bill No. 936 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56
NOES—None.

Article IV, Section 15, of the Constitution was declared suspended

CONSIDERATION OF SENATE BILL NO. 936

Senate Bill No. 936—An act to add Sections 14458 and 40018 to the Education Code, relating to the transfer of funds from the State General Fund to the Teachers' Permanent Fund.

Bill read second time.

Senate Bill No. 936—An act to add Sections 14458 and 40018 to the Education Code, relating to the transfer of funds from the State General Fund to the Teachers' Permanent Fund

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 937 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.
NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 937

Senate Bill No. 937—An act to add Sections 20344 and 40019 to the Education Code, relating to the support of State colleges.

Bill read second time.

Senate Bill No. 937—An act to add Sections 20344 and 40019 to the Education Code, relating to the support of State colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 938 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 938

Senate Bill No. 938—An act to add Sections 20461 and 40020 to the Education Code, relating to the State College Summer Session Fund.

Bill read second time.

Senate Bill No. 938—An act to add Sections 20461 and 40020 to the Education Code, relating to the State College Summer Session Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 939 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollbaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 939

Senate Bill No. 939—An act to add Article 9, comprising Sections 20521 to 20523, inclusive, to Chapter 2 of Division 10, and to add Section 40021 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the Fresno Summer School of Music.

Bill read second time.

Senate Bill No. 939—An act to add Article 9, comprising Sections 20521 to 20523, inclusive, to Chapter 2 of Division 10, and to add Section 40021 to Division 20 of the Education Code, thereby consolidating and revising the law relating to the Fresno Summer School of Music.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollbaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 940 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley,

Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 940

Senate Bill No. 940—An act to add Sections 20551 and 40022 to the Education Code, relating to the student building fund of State colleges.

Bill read second time.

Senate Bill No. 940—An act to add Sections 20551 and 40022 to the Education Code, relating to the student building fund of State colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 941 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 941

Senate Bill No. 941—An act to add Sections 20796, 20797 and 40023 to the Education Code, relating to the payment of certain expenses of pupils of the California School for the Deaf.

Bill read second time.

Senate Bill No. 941—An act to add Sections 20796, 20797 and 40023 to the Education Code, relating to the payment of certain expenses of pupils of the California School for the Deaf.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam J., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No 942 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam J., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 942

Senate Bill No. 942—An act to add Sections 20946, 20947 and 40024 to the Education Code, relating to the payment of certain expenses of pupils of the California School for the Blind.

Bill read second time.

Senate Bill No. 942—An act to add Sections 20946, 20947 and 40024 to the Education Code, relating to the payment of certain expenses of pupils of the California School for the Blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam J., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 943 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 943

Senate Bill No. 943—An act to add Sections 21158 and 40025 to the Education Code, relating to payments by students of the California Maritime Academy.

Bill read second time.

Senate Bill No. 943—An act to add Sections 21158 and 40025 to the Education Code, relating to payments by students of the California Maritime Academy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 944 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan,

Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.
 NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 944

Senate Bill No. 944—An act to amend Section 4 of "An act to create a fund to be known as the United States Forest Reserve Fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the Government of the United States, and also to regulate the manner of expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to the apportionment of moneys received by counties from the United States Forest Reserve Fund.

Bill read second time.

Senate Bill No. 944—An act to amend Section 4 of "An act to create a fund to be known as the United States Forest Reserve Fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the Government of the United States, and also to regulate the manner of expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to the apportionment of moneys received by counties from the United States Forest Reserve Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Edwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Malonev, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF ASSEMBLY BILL NO. 938

Mr. Thorp moved that Assembly Bill No 938 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1065—An act to amend Sections 619, 625, 645, 665, and 699 of, to add Section 620 5 to, and repeal Section 707 of, the Vehicle Code, relating to lamps and devices on vehicles, elevated wheels and length of loads.

Bill read third time.

Motion to Amend

Mr. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 34, of the printed bill, as amended, after "tail lamp", insert "every signal lamp or signal device and any lamp".

Amendment No. 2

On page 2, line 40, of said bill, after "special", insert "lamp or".

Amendment No. 3

On page 3 of said bill, between lines 26 and 28, insert
 "(b) With any such lamp or device the applicant shall submit a statement as to the adjustment of the same deemed appropriate and the candlepower of the light source intended to be used therewith and any other information relative thereto requested by the department."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 782—An act to amend Sections 1181, 1380, 1381, 1383, 1386, 1387, 1392, and 1410 of, and to add Sections 1384a, 1385a, 1387a, and 1392a to, the Fish and Game Code, relating to fish and game.

Bill read third time

Motion to Amend

Mr. T. Fenton Knight moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "1384a, 1385a, 1387a and 1392a", and insert "1384.5, 1385.5, 1387.5 and 1392.5".

Amendment No. 2

On page 1, line 18, of said bill, strike out "1392a", and insert "1392.5".

Amendment No. 3

On page 2, line 8, of said bill, strike out "1384a", and insert "1384.5".

Amendment No. 4

On page 2, line 9, of said bill, strike out "1384a", and insert "1384.5."

Amendment No. 5

On page 2 of said bill, between lines 13 and 14, insert
 "Sec. 6. Section 1385.5 is added to said code, to read:"

Amendment No. 6

On page 2, line 14, of said bill, strike out "Sec. 6. Section 1385a", and insert "1385.5"

Amendment No. 7

On page 2, line 42, of said bill, strike out "1387a", and insert "1387.5".

Amendment No. 8

On page 2, line 43, of said bill, strike out "1387a", and insert "1387.5."

Amendment No. 9

On page 3, line 15, of said bill, strike out "1392a", and insert "1392.5".

Amendment No. 10

On page 3, line 16, of said bill, strike out "1392a.", and insert "1392.5."

~~Amendments read and adopted.~~

~~Bill ordered reprinted and re-engrossed.~~

[On March 22, 1943, above action was rescinded, and record ordered expunged whereby amendments to Assembly Bill No. 782 were this day adopted.]

Speaker Pro Tempore Presiding

At 3.25 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Assembly Constitutional Amendment No. 34—Proposed amendment to Article IV, Section 34, of the Constitution, relative to the Governor's budget.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Mr. Speaker—56

NOES—None.

Notice of Motion to Reconsider Assembly Constitutional Amendment No. 34

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 34 was this day adopted.

Hon. Nelson S. Dilworth Presiding

At 3.27 p.m., Hon. Nelson S. Dilworth, Member of the Assembly from the Seventy-sixth District, presiding.

Assembly Bill No. 1224—An act to amend Section 791 of the Political Code and Section 8200 of the Government Code, relating to notaries public.

Bill read third time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "Sec. 2", and insert "Sec. 3".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1027—An act to amend Section 801 of the Probate Code, relating to bond on sale of contract to purchase.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Field, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Pelletier, Price, Robertson, Smith, Stream, Thompson, Thorp, Waters, Weber, Weybret, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 768—An act to repeal an act entitled "An act making an appropriation for the administrative expenses of the State Department of Social Welfare and establishing a revolving fund for the purposes of distributing goods and commodities in accordance with Federal goods and commodities distribution plans by the State Department of Social Welfare, declaring the urgency thereof, to take effect immediately," approved July 1, 1941, relating to the operation of Federal stamp and surplus commodities distribution plans by the State Department of Social Welfare, transferring to the State Department of Finance all powers, duties, responsibilities, and jurisdiction, and all records, books, papers, moneys, and property of the Department of

Social Welfare in connection therewith for the purpose of termination thereof, and providing for the disposition of the commodities and other properties transferred.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Field, Fout, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, Price, Rosenthal, Smith, Stream, Thompson, Thorp, Waters, Weber, Weybret, and Mr. Speaker—48

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 88—An act to amend Section 11c of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Bill read third time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, strike out the period, and insert “, declaring the urgency thereof, to take effect immediately.”

Amendment No. 2

On page 2, line 1, of the said bill, strike out “per cent (40%)”, and insert “two and one-half per cent (42½%)”.

Amendment No. 3

On page 2, line 38, of said bill, strike out “county of Sacramento”, and insert “county”.

Amendment No. 4

On page 3, line 6, of said bill, strike out “City of Sacramento established by the Freeholders’ Charter of the city,” and insert “city in which a municipal court is established”.

Amendment No. 5

On page 3, line 9, of said bill, strike out “the Sacramento”, and insert “a”

Amendment No. 6

On page 3, line 29, of said bill, strike out “the Board of Supervisors of Sacramento County have held that”.

Amendment No. 7

On page 3, line 34, of said bill, strike out “court”, and insert “courts”.

Amendment No. 8

On page 3, line 35, of said bill, strike out “Sacramento County.”, and insert “the counties in which such courts are situated, and, further, the county and city budgets for the fiscal year are being prepared and it is necessary for the proper functioning and administration of the municipal courts that said budget be prepared in accordance with the provisions of this act”

Amendments read and adopted

Bill ordered reprinted and re-engrossed

Assembly Bill No. 626—An act to amend Section 41325 of the Political Code, relating to duties of county recorders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley,

Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Pelletier, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1806—An act to amend Section 4312 of the Political Code, relating to the location and office hours of county officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Weybret, and Wollenberg—57.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 3 40 p m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Assembly Bill No. 924—An act to add Section 663.8 to the Political Code, transferring certain powers, duties, jurisdiction, property and personnel from the Department of Finance to the State Board of Control

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined.

Assembly Bill No. 691

Assembly Bill No. 1033

Assembly Bill No. 689

Assembly Bill No. 1109

Assembly Bill No. 945

Assembly Bill No. 1129

And reports the same correctly engrossed

PELLETIER, Chairman

Above reported bills ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Rosenthal:

House Resolution No. 140

Relative to an investigation and report by the Superintendent of Public Instruction as to the advisability of establishing a junior college in the Fortieth Assembly District.

WHEREAS, There is no junior college in the Fortieth Assembly District; and
 WHEREAS, The absence of a junior college within this district is depriving students of this educational asset, due to the long distances they are required to travel to reach a junior college; and

WHEREAS, The establishment of a junior college within this district will reduce the burden now imposed upon transportation facilities and will aid in compliance with gas rationing and the conservation of rubber; now, therefore, be it

Resolved by the Assembly of the State of California, That the Superintendent of Public Instruction be requested to make an investigation and report within 30 days of the passage of this resolution, to the Legislature of the State of California as to the advisability of the establishment of a junior college in the Fortieth Assembly District; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby instructed to forward a copy of this resolution to the Superintendent of Public Instruction.

Resolution read, and referred to Committee on Universities and Colleges.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 364 re-referred to Committee on Military Affairs.

Assembly Bill No 159 re-referred to Committee on Finance and Insurance.

Assembly Bill No. 848 re-referred to Committee on Agriculture.

Assembly Bill No 969 re-referred to Committee on Agriculture.

Assembly Bill No. 1147 re-referred to Committee on Fish and Game.

Assembly Bill No 1109 re-referred to Committee on Judiciary.

Assembly Bill No. 1033 re-referred to Committee on Judiciary.

Assembly Bill No. 691 re-referred to Committee on Judiciary.

Assembly Bill No 945 re-referred to Committee on Public Health.

Assembly Bill No. 353 re-referred to Committee on Judiciary.

Assembly Bill No 343 re-referred to Committee on Public Health.

Assembly Bill No. 310 re-referred to Committee on Ways and Means.

Assembly Bill No. 472 re-referred to Committee on Ways and Means.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr Crichton, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs M. B. Harris, widow of the late Senator M. B. Harris of Fresno, Mrs. A. F Muentner of Berkeley, Janice and Ronald Muentner, Miss Elizabeth Skaggs of Berkeley, and George J Overholt, Sheriff of Fresno County.

On request of Mr Carlson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Major Jack Pettis of San Francisco.

On request of Mr Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Rose Rosbrum of Santa Cruz.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Georgia Crowley of Fairfield.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sheriff N. L. Cornell of Merced.

ADJOURNMENT

At 3.44 p m., on motion of Mr Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a m , Monday, March 22, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-FOURTH LEGISLATIVE DAY
 SEVENTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, March 22, 1943

The Assembly met at 10 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding
 Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Basbore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev Clarence Albert Kircher:

Almighty God, King of Kings, and Lord of Lords, from whom proceeds all power and dominion in heaven and earth; we beseech Thee to look with favor upon Thy servants. Bless and guide the President of the United States, the Governor of this Commonwealth, the Speaker of this Assembly and all who are in authority. Imbue them with the spirit of wisdom, goodness, and truth that law and order, justice and righteousness may prevail. Preserve us from famine, pestilence, and public calamity and grant us victory on land and sea and in the air that we may become a blessing to the nations of the world.

"Our Saviour King, defend us,
 And guide us where we go;
 Forth with Thy message send us,
 Thy love and light to show,
 Till fired with true devotion
 Enkindled by Thy word,
 From ocean unto ocean,
 Our land shall own Thee Lord."

AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the Pledge of Allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Dilworth.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day :

Mr. Lyons, on motion of Mr. Hollibaugh.
 Mr. Kilpatrick, on motion of Mr. Massion.
 Mr. Middough, on motion of Mr. McMillan.
 Mr. Field, on motion of Mr. Sam L. Collins.

MOTION TO EXCUSE MEMBER

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, because of illness.

COMMUNICATIONS

By Mr. Maloney :

The following communication was received, read, and ordered printed in the Journal :

SAN FRANCISCO, March 19, 1943

Hon Thomas A. Maloney
State Capitol, Sacramento, California

DEAR MR MALONEY :

IN RE. Interest free credit for public use

Men in public office can not be true to their trust without carefully considering improved methods of financing and taxation, which promise a better life for all mankind

Remember, man designs and controls everything on this earth except the weather, earthquakes, and death. Therefore, just as we change and improve a machine which fails to work properly, so can our economic system be altered and improved to adequately serve all the people.

Men in public office are the people's chosen engineers to work out and determine these necessary changes.

Present unprecedented war financing should convince you that peace financing can also be simplified and extended to meet every need of the people.

In 1913, Robert L. Owen, working with Senator Carter Glass, prepared the Federal Reserve Act, which seemed to perfectly provide for economic need. Actual operation of the system convinced Mr. Owen of certain imperfections. He has proven himself big enough to admit the error, and has prepared the Patman Bill, which will create interest free credit for public use.

On page "3" of the enclosed resolution, you will find a copy of the Patman Bill, which I hope you will carefully study. The proposed resolution, asking Congress to provide interest free credit for public use, should be passed, even if it is necessary to eliminate the appropriation.

Why pay interest for "Book Entry Credit" when the Government has the power to do otherwise?

President Roosevelt's "Cradle to the Grave" Security Plan, and Governor Warren's hopes for works projects and pensions can not be permanently realized until our money system is first modernized.

If you disagree with ex-Senator Owen, father of the Federal Reserve Act, may we have the benefit of your opinion?

Very sincerely yours,

PAUL F. FRATESSA

TOM: If you find it is not good business to spend a few dollars to save millions then eliminate the appropriation.

PAUL

PROPOSED JOINT RESOLUTION OF SENATE AND ASSEMBLY
FOR ECONOMIC SECURITY

WHEREAS, Earl Warren, the Governor of the State of California, did on October 4, 1942, make a statement on old-age pensions which deserves and commands the attention and consideration of all Americans, which reads as follows:

The senior citizens of California have been deceived and misled long enough. They are entitled to pensions, not as a charity or a dole, but as a matter of right—as something they have earned in their productive years by their contributions to the upbuilding of the community. I do not believe a senior citizen should have to be in need in order to secure a pension. I do not believe he should be forced to relinquish any outside income he may have or any property he may have acquired. I don't believe he should be forced first to look to his children for support. I do not believe that a pension should be longer considered or called "Old Age Charitable Relief."

It is not just the number of years people have lived that should determine their right to a pension, because many people are efficient and able to work to very advanced ages, but rather the limit beyond which they are not permitted to obtain productive employment because of the stern dictates of a machine age. In order to be both realistic and humane, therefore, we must proceed upon the theory that a system which arbitrarily freezes people out of industry and declares them to be obsolete, merely because they have lived a fixed number of years, must make honorable provision for their support during the years of their enforced idleness.

The State of California must proceed upon this principle, and in doing so adopt a new policy of promptness, courtesy and cooperation in dealing with its citizens who are entitled to pensions. There has been too much politics and not enough action in the matter of pensions.

This is an honest program for honest people. Our senior citizens are honest people. They are entitled not only to our consideration but also to our gratitude, because whatever this Country is today has been made possible by their efforts and their sacrifices.

The pension problem must be solved on a social and not on a political basis. We must solve it in accordance with the above principles and the practicality of the situation in the State of California and the Nation.

It all of us who are sincerely interested in the ultimate solution of the pension problem will approach it in this manner, the day will not be far distant when a solution is found, both in California and throughout the Nation.

WHEREAS, Governor Earl Warren on December 11, 1942, in addressing the War Conference of the Northern California Chapter of The Associated General Contractors of America made a further statement, as follows:

We are ready for the leadership which has, from the beginning, been America's destiny. And to the fullest measure of my ability, as Governor of California, I will cooperate with all others, contributing my share of that leadership.

We must provide a job with good living wages for every person wanting work, and from the abundance these enthusiastic workers produce provide adequate pensions for those unable to work.

To meet and solve these problems, when I assume the office of Governor next January, I will ask for legislation to permit overall planning and to cooperate with citizen and municipal planning committees; to survey and plan huge wealth-creating public works projects sufficient to fully develop the natural resources of our State, and to take up the slack of unemployed workers not needed in private industry. This may take the form of either new legislation or an enlargement of the present statutes.

Moreover, I will ask for legislation to carry on economic research and make surveys to assist in the development and maintenance of private industry on a scale in keeping with our fast growing population and our expanding commercial possibilities.

WHEREAS, Neither pensions nor work can be adequately provided without first adopting an economic system which will enable the creation of work for all able-bodied citizens and payment of living-pensions to those unable to work through no fault of their own; and

WHEREAS, Industry is faced with depression and chaos unless purchasing power is stabilized at a level which is neither inflation nor deflation, thereby avoiding the danger of another economic debacle such as that of 1929;

Resolved, That the 78th Congress be, and it is hereby, memorialized to either purchase the Federal Reserve Bank, in order to make possible the creation of unlimited interest-free credit, or to pass the Wright-Patman Act, which was known as H. R. Bill 7230 of the 77th Congress, which bill reads as follows:

H. R. 7230—A bill authorizing the issuance of certificates of indebtedness to the Federal Reserve banks for financing the National defense, and for other purposes.

BE IT ENACTED, ETC. That the Secretary of the Treasury, with the approval of the President, is hereby authorized to issue certificates of indebtedness, PAYABLE WITHOUT INTEREST at such times and in such amounts as may be convenient out of the general fund by the Secretary of the Treasury. Such certificates shall be allocated and deposited by the Board of Governors of the Federal Reserve System with the 12 Reserve banks, in substantial proportion as the assets of each bank bears to the assets of the 12 Reserve banks. Such certificates of debt shall be in amounts required to meet the appropriations of the Congress, in so far as such appropriations may exceed the current income of the Treasury available for such appropriations. The Reserve banks are hereby directed to receive such certificates of indebtedness and give credit therefor to the Treasurer of the United States at the face value thereof.

SEC. 2. From and after the passage of this act the United States shall be RESPONSIBLE FOR ALL LIABILITIES of the 12 Federal Reserve banks and exercise complete supervisory control of such banks and their branches, through the Board of Governors of the Federal Reserve System.

SEC. 3. The Board of Governors of the Federal Reserve System shall require the Federal Reserve banks to purchase on account of the United States any bonds or notes or obligations of the United States which are offered to any of them at or below par, where such bonds or notes or obligations are negotiable under the terms of their issuance.

Be it further

Resolved, That there is hereby created a committee known as the Economic Security Committee and consisting of the Governor, who shall be chairman of the committee, two Members of the Senate and two Members of the Assembly, selected by each house, whose duty it shall be to invite the Governors of every State, and to invite such other persons as to them may be deemed expedient, to join with them on the committee in requesting Congress to pass such legislation; and a National Pension Bill; that there is hereby appropriated from the General Fund the sum of five million dollars (\$5,000,000), to be used by the committee for its general use, and expense of giving proper widespread publicity to the intent and purpose of this resolution and the undertaking of this committee and to the measure which Congress is being requested to enact in order to purchase the Federal Reserve Bank, or to create interest-free credit by means of the Patman Bill, either of which will save untold millions to this State. Be it further

Resolved, That a representative be sent to Washington to secure the enactment of the desired measure together with a National Pension Bill, and that at least ten million (10,000,000) copies of this resolution be printed by the State Printer and distributed throughout the United States, and among Members of Congress.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 39: By Mr. Miller—Relative to memorializing Congress to enact legislation to establish a naval academy on the Pacific Coast.

Referred to Committee on Military Affairs.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 85 | Assembly Bill No. 1217 |
| Assembly Bill No. 184 | Assembly Bill No. 1218 |
| Assembly Bill No. 312 | Assembly Bill No. 1219 |
| Assembly Bill No. 332 | Assembly Bill No. 1220 |
| Assembly Bill No. 336 | Assembly Bill No. 1243 |
| Assembly Bill No. 381 | Assembly Bill No. 1252 |
| Assembly Bill No. 505 | Assembly Bill No. 1314 |
| Assembly Bill No. 521 | Assembly Bill No. 1422 |
| Assembly Bill No. 589 | Assembly Bill No. 1526 |
| Assembly Bill No. 593 | Assembly Bill No. 1528 |
| Assembly Bill No. 644 | Assembly Bill No. 1605 |
| Assembly Bill No. 811 | Assembly Bill No. 1624 |
| Assembly Bill No. 843 | Assembly Bill No. 1857 |
| Assembly Bill No. 906 | |

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 88 | Assembly Bill No. 1224 |
| Assembly Bill No. 1065 | Assembly Bill No. 1531 |

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 62—An act to add Chapter 3, comprising Section 2650, to Division 4 of the Welfare and Institutions Code, to repeal certain laws and parts of laws therein specified, relating to relief and public assistance due to and caused by unemployment, abolishing the State Relief Administration, the State Relief Commission and the office of State Relief Administrator and prohibiting the expenditure of money for certain purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Chapter 3, comprising Section 2650, to Division 4"; and strike out all of lines 2, 3, 4, 5, 6, 7, and 8 of the title, and insert "make an appropriation for the cost of auditing and collecting unemployment relief restitutions, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 12, inclusive; and on page 2, strike out lines 1 to 33, inclusive, and insert

"SECTION 1. There is hereby appropriated from the "State Controller's SRA Restitutions Fund" for the support of the State Controller from June 30, 1943, to February 1, 1945, the sum of ninety-eight thousand five hundred dollars (\$98,500), to be used for the auditing and the collection of refunds, under, and administrative expenses in connection with, the "California Unemployment Relief Act of 1935"

SEC. 2. This act, inasmuch as it makes an appropriation for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 58—An act establishing the “State Commission for Post-War Reconstruction,” prescribing its powers and duties, and authorizing it to conduct hearings and make investigations, analyses, reports, recommendations and plans for a program to promote employment and a stable peacetime economy; making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out “Five”, and insert “Two”

Amendment No. 2

On page 1, line 8, of said bill, strike out “Five”, and insert “Two”.

Amendment No. 3

On page 1, line 10, of said bill, strike out “Twenty-four members”, and insert “Eleven members, of which some shall be veterans.”.

Amendment No. 4

On page 1, line 12, of said bill, strike out “Three”, and insert “Two”.

Amendment No. 5

On page 1 of said bill, strike out line 13, and insert “(2) Two representing agriculture.”.

Amendment No. 6

On page 1 of said bill, strike out line 14, and insert “(3) Two representing labor;”.

Amendment No. 7

On page 1 of said bill, strike out line 15, and insert “(4) Two representing business and industry;”.

Amendment No. 8

On page 1 of said bill, strike out lines 16 to 27, inclusive, and insert
 “(5) One representing real estate or housing,
 (6) One representing the State University,
 (7) One representing owners or operators of small businesses.”

Amendment No. 9

On page 2 of said bill, strike out lines 1 to 6, inclusive, and in line 7 strike out “appointments to the commission.”

Amendment No. 10

On page 2, line 41, of said bill, strike out “Members of the commission shall serve”, and strike out lines 42 to 44, inclusive, and insert “The members of the commission shall receive no compensation for their services under this act, but shall be reimbursed for their actual and necessary expenses, incurred in connection with their duties hereunder or in lieu thereof shall receive mileage and ten dollars (\$10) per day of actual service.”

Amendment No. 11

On page 3, line 10, of said bill, after the period, insert “All compensated services must be authorized by the commission.”

Amendment No. 12

On page 3, between lines 43 and 44, of said bill, insert
 “(i) Carry out the general purposes of this act.”

Amendment No. 13

On page 4 of said bill, strike out lines 9 to 21, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

House Resolution No. 137—Requests investigation into possibilities of silk industry.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 2, line 6, of the typewritten resolution, after "Governor", strike out "the State Planning Commission,"; and on page 2, line 7, after "Committee and", strike out "all those State officials and" and insert "only those"; and on page 2, line 8, after "agencies that", strike out "would".

Amendment No. 2

On page 2, line 11, of the typewritten resolution, after "the Governor", strike out ", the State Planning Commission"; and on page 2, line 12, after "agencies that", strike out "would".

Amendments read and adopted.

Request for Unanimous Consent

Mr. Pelletier asked for, and was granted, unanimous consent to take up House Resolution No. 137, as amended, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 137, AS AMENDED**House Resolution No. 137**

Relating to silk production in California

WHEREAS, The silk industry occupies an important position in world trade; and
WHEREAS, The source of silk production has been and is beyond the boundaries of the United States; and

WHEREAS, Approximately three hundred million dollars worth of raw silk was imported annually from Japan before the war; and

WHEREAS, Upon the termination of hostilities there will follow a period of readjustment in which unemployment will constitute a serious problem; and

WHEREAS, The State of California is endowed with a vast and fertile expanse of land; and

WHEREAS, These lands are favored with temperate climate so much so that there can be grown in this State various species of mulberry plants which will remain green throughout the year and thus permit a triannual crop rather than one yearly crop as is obtained in Europe and the Orient; and

WHEREAS, An adequate supply of mulberry plant is a most necessary requirement to the silk industry; and

WHEREAS, The establishment of a silk industry in California would alleviate the anticipated unemployment problem; now, therefore, be it

Resolved by the Assembly of the State of California, That an investigation and appraisal be made of the latent possibilities that lie in the establishment and encouragement of the silk industry in California and that recognition be given to the fact that potentially California, through a sound plan of stimulating such an industry, can supply the greater part of the silk market in the United States; and be it further

Resolved, That the Governor, the Assembly Interim Committee and only those State agencies that have jurisdiction over such an industry be urged to initiate such investigation as soon as possible; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, and to all those State officials and State agencies that have jurisdiction over such an industry

Resolution, as amended, read and adopted.

CONSIDERATION OF DAILY FILE (RESUMED)**SECOND READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 619—An act to amend Section 7151 of the Labor Code, relating to scaffolding.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor and Capital:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 7151 of", and insert "add Section 7154.1 to".

Amendment No. 2

On page 1, line 1, of said bill, strike out "7151 of the Labor Code is amended", and insert "7154.1 is added to the Labor Code,".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 20, inclusive, and insert "7154.1. The use of lean-to scaffolds, sometimes known as jack scaffolds, as support for scaffolds is hereby prohibited."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON
AMENDMENTS TO ASSEMBLY BILL NO. 782**

Mr. T. Fenton Knight moved to expunge the record and rescind the action whereby amendments to Assembly Bill No. 782 were, on March 20, 1943, adopted.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Clarke, Crichton, Crowley, Debs, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Erwin, Evans, Fout, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton, Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybriet, Wollenberg, and Mr. Speaker—55

NOES—None

Request for Unanimous Consent

Mr. T. Fenton Knight asked for, and was granted, unanimous consent to take up Assembly Bill No. 782, at this time.

Further Consideration of Assembly Bill No. 782

Assembly Bill No. 782—An act to amend Sections 1181, 1380, 1381, 1383, 1386, 1387, 1392, and 1410 of, and to add Sections 1384a, 1385a, 1387a, and 1392a to, the Fish and Game Code, relating to fish and game.

Bill read third time.

Motion to Amend

Mr. T. Fenton Knight moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended, strike out "1384a, 1385a, 1387a and 1392a", and insert "1384.5, 1385.5, 1387.5 and 1392.5".

Amendment No. 2

On page 1, line 15, of said bill, strike out "1392a", and insert "1392.5".

Amendment No. 3

On page 2, line 6, of said bill, strike out "1384a", and insert "1384.5"

Amendment No. 4

On page 2, line 7, of said bill, strike out "1384a.", and insert "1384.5"

Amendment No. 5

On page 2, between lines 10 and 12, of said bill, insert "Sec. 6. Section 1385.5 is added to said code, to read:."

Amendment No. 6

On page 2, line 12, of said bill, strike out "Sec. 6. Section 1385a", and insert "1385.5."

Amendment No. 7

On page 2, line 40, of said bill, strike out "1387a", and insert "1387.5".

Amendment No. 8

On page 2, line 41, of said bill, strike out "1387a", and insert "1387.5".

Amendment No. 9

On page 3, line 14, of said bill, strike out "1392a", and insert "1392.5".

Amendment No. 10

On page 3, line 15, of said bill, strike out "1392a.", and insert "1392.5".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS**

Assembly Bill No. 455—An act to amend Section 3024 of the Penal Code, relating to minimum sentences of imprisonment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Clarke, Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 451—An act to amend Section 817 of the Penal Code, relating to the definition of peace officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Clarke, Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—Evans—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 470—An act to amend Sections 1217, 3600, 3602, and 3603 of the Penal Code, relating to the death penalty.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Motion to Amend Title

Mr. Fourt moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "3603 and", and insert "and 3603".

Amendment read and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Assembly Bill No. 459—An act to amend Sections 2009, 2023 and 2033 of the Penal Code, relating to the transfer of prisoners between prisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, King, Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 460—An act to amend Section 2092 of the Penal Code, relating to prisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By Speaker Lyon:

A communication from United States Senator H. M. Kilgore, relative to United States Senate Bill No. 702, a bill to mobilize the scientific and technical resources of the Nation, to establish an Office of Scientific and Technical Mobilization, and for other purposes, was received and ordered referred to the Committee on Military Affairs.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 464—An act to amend Section 2920 of the Penal Code, relating to credits and terms of imprisonment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Clarke, Collins, George D., Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, King, Knight, John B., Knight, T.

Fenton; Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 466—An act to amend Sections 2681, 2682, 2684 and 2685 and to repeal Section 2683 of the Penal Code, relating to the disposition of insane prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Clarke, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Evans—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 468—An act to amend Section 1557 of the Penal Code, relating to the return of fugitives from justice.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Clarke, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 471—An act to amend Section 1203.2a of the Penal Code, relating to probation and terms of imprisonment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Clarke, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 473—An act to amend Sections 2708, 2709 and 2877 of the Penal Code, relating to the sale of prison-made goods.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burns, Clarke, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dilworth, Doyle, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent,

Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Armstrong, Brady, Dills, Ralph C., Evans, Lowrey, and Miller—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 478—An act to amend Sections 4570, 4571, 4572, 4573 and 4574 of the Penal Code, relating to unauthorized communications with the prisons and prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Clarke, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 453—An act to add Section 2873.1 to the Penal Code, relating to the sale or exchange of animals and fowls raised at the prisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Burkhalter, Collins, George D., Crichton, Debs, Dickey, Dilworth, Doyle, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Maloney, Massion, McMillan, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Thomas, Thompson, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—43.

NOES—Armstrong, Beck, Brown, Burns, Clarke, Crowley, Desmond, Dills, Clayton A., Dills, Ralph C., Erwin, Evans, Hastain, Heisinger, Leonard, McCollister, Miller, Niehouse, Stream, Thorp, and Weybret—20.

Notice of Motion to Reconsider Assembly Bill No. 453

Mr. Thorp gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 453 was this day passed.

RE-REFERENCE OF ASSEMBLY BILL NO. 458

Mr. Fourt moved that Assembly Bill No. 458 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 463—An act to add Section 3041a to the Penal Code and to amend Sections 3043 and 3045 of the Penal Code, relating to paroles.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Anderson, Beck, Berry, Collins, George D., Crowley, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Maloney, Massion, McMillan, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Thomas, Waters, and Wollenberg—26.

NOES—Allen, Armstrong, Bashore, Bennett, Brady, Brown, Burns, Carey, Clarke, Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle,

Dunn, Erwin, Gannon, Guthrie, Knight, T. Fenton, Kraft, Leonard, Lowrey, McCollister, Miller, Niehouse, Potter, Sawallisch, Thompson, Thorp, Watson, Werdel, Weybret, and Mr. Speaker—35.

Notice of Motion to Reconsider Assembly Bill No. 463

Mr. Fourt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 463 was this day refused passage.

REQUEST FOR PRINTING OF HOUSE RESOLUTION NO. 137

Mr. Pelletier requested that the Chief Clerk be instructed to order 1,000 copies of House Resolution No. 137 printed for distribution.

Request referred to the Committee on Rules and House Functions.

NOTICE OF MOTION TO RECONSIDER SENATE JOINT RESOLUTION NO. 18 CONTINUED

By unanimous consent, the consideration of the notice of motion to reconsider the vote whereby Senate Joint Resolution No. 18 was adopted was continued until the next legislative day.

APPOINTMENT OF SELECT COMMITTEE

The Speaker announced the appointment of Messrs. Maloney, Pelletier, and Mrs. Niehouse as a Select Committee to escort Col. Thomas Tchou to the rostrum.

RECESS

At 11.30 a.m., on motion of Mr. Maloney, the Assembly recessed until 12.05 p.m., to hear from Col. Thomas Tchou, famous philosopher and former secretary to Generalissimo Chiang Kai-shek.

REASSEMBLED

At 12.05 p.m., the Assembly reconvened.
Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

RECESS

At 12.06 p.m., on motion of Mr. Desmond, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.
Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 789 | Assembly Bill No. 1071 |
| Assembly Bill No. 792 | Assembly Bill No. 1317 |
| Assembly Bill No. 1000 | Assembly Bill No. 1394 |
| Assembly Bill No. 1026 | |

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1318

Assembly Bill No. 1600

Assembly Bill No. 1609

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF ASSEMBLY BILL NO. 1055

Mr. Maloney moved that Assembly Bill No. 1055 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 456 re-referred to Committee on Ways and Means.

Assembly Bill No. 1531 re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1857 re-referred to Committee on Judiciary.

Assembly Bill No. 1528 re-referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1605 re-referred to Committee on Public Health.

Assembly Bill No. 1394 re-referred to Committee on Ways and Means.

Assembly Bill No. 792 re-referred to Committee on Judiciary.

Assembly Bill No. 1026 re-referred to Committee on Judiciary.

Assembly Bill No. 1609 re-referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT

Mr. Waters asked for, and was granted, unanimous consent to withdraw Assembly Bill 1309 from the inactive file for consideration, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1309

Assembly Bill No. 1309—An act to amend Section 261 of the Code of Civil Procedure, relating to salaries of court commissioners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Carey, Carlson, Clarke, Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hollibaugh, Johnson, King, Knight, John B., Kraft, Leonard, Maloney, McCollister, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—44.

NOES—Bashore, Burkhalter, Heisinger, and Massion—4.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1217—An act to add Division 16, comprising Sections 25000 to 25551, inclusive, to the Streets and Highways Code, and to add Section 50005 to Division 50 of said code, thereby consolidating

and revising the law relating to the creation, organization and government of joint highway districts composed of two or more counties of the State of California, and providing for the issuance of bonds and the levy and collection of all taxes, assessments and other moneys necessary for the retirement and payment thereof, and for the payment of the costs of all acquisitions and improvements and all other expenses hereunder.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Carey, Carlson, Clarke, Crichton, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Maloney, Massion, McColister, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1218—An act to add Part 2, comprising Sections 26000 to 26263, inclusive, to Division 16 of the Streets and Highways Code, and to add Section 50006 to Division 50 of said code, thereby consolidating and revising the law relating to the formation, establishment and government of boulevard districts, and the construction, acquisition, maintenance, control and use of boulevards by such districts, and providing for the voting, issuing and selling of bonds and the levying of taxes to finance such boulevards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Carey, Carlson, Clarke, Crichton, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Maloney, Massion, McColister, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1219—An act to add Part 3, comprising Section 27000 to 27325, inclusive, to Division 16 of the Streets and Highways Code, and to add Section 50007 to Division 50 of said code, thereby consolidating and revising the law relating to the incorporation, organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Carey, Carlson, Clarke, Crichton, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger,

Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Maloney, Massion, McColister, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1220—An act to add Section 50008 to Division 50 of the Streets and Highways Code, thereby repealing certain special statutes, relating to roads, bridges and highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Carey, Carlson, Clarke, Crichton, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Maloney, Massion, McColister, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 689—An act to add Section 6 to an act entitled “An act authorizing the creation of a personnel system, merit system, or civil service system in cities; the creation of the office of a personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions,” approved April 11, 1935, relating to temporary employees, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr Hollibaugh moved the adoption of the following amendments:

Amendment No. 1

In line 9 of the title of the printed bill, as amended, strike out “temporary employees”, and insert “war emergency appointments”.

Amendment No. 2

On page 1, line 5, of the printed bill, as amended, strike out “of the sixth class.”

Amendment No. 3

On page 1, line 6. of the printed bill, as amended, after “may”, insert “during the war emergency”, and strike out “employ.”

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 7, 8, and 9, and insert “provide for the emergency employment of any person or persons, to fill any.”

Amendment No. 5

On page 1, line 16, of the printed bill, as amended, after the period, insert “No such emergency appointee shall acquire civil service or other permanent status because of such emergency appointment. The legislative body may prescribe that if such emergency appointee shall have been selected from an eligible list and was otherwise eligible and qualified for permanent appointment he may acquire such rights as may be expressly provided for under such rules and regulations as may be adopted hereunder.”

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 467—An act to add Article 3, comprising Sections 2400 to 2404, inclusive, to Chapter 2 of Title 1 of Part 3 of the Penal Code, relating to parole.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Maloney, Massion, McCollister, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 461—An act to amend Section 4808 of the Penal Code, relating to the membership of the Advisory Pardon Board.

Bill read third time.

Motion to Amend

Mr. Fourt moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out the comma, and insert "and".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 704—An act to amend Section 1038 of the Agricultural Code, relating to fertilizer tonnage license tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Carey, Carlson, Clarke, Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Miller, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Earl D. Desmond Presiding

At 2.15 p.m., Hon. Earl D. Desmond, Member of the Assembly from the Ninth District, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 20, 1943

MR. SPEAKER: I am directed by the Senate to transmit to your honorable body copies of certain telegrams between officers of the Senate and officials at Washington, D. C.

J. A. BEEK, Secretary of the Senate

SACRAMENTO, CALIFORNIA, March 15, 1943

*Hon. Claude R. Wickard, Secretary of Agriculture
Washington, D. C.*

Lack of Federal cooperation in providing agriculture labor replacement and farm implement priorities is jeopardizing food production in California, discouraging crop planting and creating a state of general confusion among farming interests.

The uncertainty resulting from constant changing in Federal labor personnel and Federal farm policies in this State is such that the farmer fears to venture forward without some assurance of relief.

The Senate of the State of California respectfully requests information as to what is being done to meet the requirements of agriculture in California and what the farmer may expect in the way of labor and priorities.

It is imperative that we be forthwith advised how and when relief may be expected and how and what encouragement you can give the farmer that will enable him to solve his labor and priority problems and encourage him to proceed with food production with assurance that his efforts will not be futile and that farm labor and implements will be available when and as needed.

The situation is acute. Relief must be certain and immediate.

SENATE OF THE STATE OF CALIFORNIA

By FREDERICK F. HOUSLER, Lieutenant Governor, President of the Senate

March 17, 1943

*Hon. Claude R. Wickard, Secretary of Agriculture
Washington, D. C.*

The Senate of the State of California most respectfully asks that you give consideration to the wire of March 15th concerning farm labor and priorities and promptly furnish to the Senate the information requested.

J. A. BEEK, Secretary of the Senate
State of California

SACRAMENTO, CALIFORNIA, March 15, 1943

*Congressman Harry L. Englebright
House Office Building, Washington, D. C.*

Secretary Wickard persistently ignores request for information as to how and when California's requirements for farm labor and priorities will be met. Courtesy to a sovereign State should prompt early compliance with our request. Neglect of Federal bureaus to solve problem has forced special session of Legislature for next Saturday in attempt to meet agricultural demands. Bureaucratic Federal regulations may handicap problem but we should be furnished information requested of Secretary Wickard so Legislature may act advisedly at special session. May we not have cooperation of California Delegation in this regard?

JERROLD L. SEAWELL, President pro tempore
of the Senate of the State of California

WASHINGTON, D. C., March 19, 1943

*Hon. Jerrold Seawell, President pro tempore
California State Senate, Sacramento, California*

Received your wire of March 18th advising me Secretary of Agriculture had not replied to communications sent to him by California Legislature. Secretary now out of town, but his office advises me that no replies have as yet been made to resolution of Legislature. I requested and demanded that immediate reply be sent, and am advised that full information, by telegram, with reference to labor situation will be sent tonight, the same being addressed to Joseph A. Beek, Secretary of Senate. Information with reference to machinery priorities will be given in as full form as can be provided with information on hand. I deeply resent action of Agriculture Department. Kindly advise me if date forwarded by wire meets your requirements. Assure you my full cooperation and am taking matter up with delegation.

HARRY L. ENGLEBRIGHT, M.C.

WASHINGTON, D. C., March 19, 1943

*J. A. Beek, Secretary of the Senate
California Legislature, Sacramento, California*

Due to inadvertent delay in replying to your letter of January 28th, inclosing Senate Joint Resolution No. 6, adopted by the California Legislature, I am quoting following paragraphs from my reply which has been mailed to you. "In promulgating conservation orders for the dual purpose of making sure that supplies will be available for war purposes and, at the same time, that food available for civilians will be stretched over a long enough period to permit new supplies to be produced, it has been necessary to place limits on sales by distributors. While this has not been done, as far as the major food commodities are concerned, on a basis of quotas arrived at through population statistics, the limitations have undoubtedly been felt more sharply in areas of increased population. We have established machinery for dealing with the more acute shortages through the organization of State and area

food industry committees. The functions of these committees are to receive and investigate complaints of such shortages, and, where the complaints are verified, to arrange for the movement of necessary food to alleviate the condition. The committees also determine the causes of the shortages and recommend steps to prevent their recurrence. The meat and other industries are cooperating with us in this work.

We believe that the recently announced rationing programs, when they are put into effect, will go far toward bringing about the necessary adjustments so that no one area will have to put up with more inconveniences than another. Rationing, of course, is actually an allocation to consumers, and probably the only practicable type of allocation under which equitable distribution can be assured."

Regarding labor situation, Secretary Wickard on March 17th sent following telegram to Governor Warren: "Knowing your deep concern for California farmers in farm labor shortage, of which we in the Department of Agriculture are acutely aware, wish to inform you we have ready a unified, coordinated Farm Labor Program subject to Congressional action. Much of this program already under way, including importation Mexican and other foreign workers. Mexican Government yesterday authorized recruitment to be resumed immediately. Department representatives, aided by one or more California growers already in Mexico City, are proceeding immediately with recruitment to fill 6,000 California, Arizona, and other southwestern grower orders already certified for immediate need, and for several thousand more Mexican workers California and Arizona growers need and are ready to order. Possibility of using buses and boats in addition to rail transportation being investigated, in case it should be necessary. New agreement expected concluded soon with Bahaman Government for importation up to 6,000 workers when domestic workers unavailable. Other phases of Federal program include local recruitment and placement of agricultural workers for seasonal and steady work through county agents, United States Employment Service, Office of Civilian Defense, schools, organized women, civic, and voluntary groups. Also recruitment of experienced farmers in less productive areas, with one to three weeks training periods already in operation in approximately 30 States by arrangement with United States Office of Education. This program plans to place 25,000 experienced farmers on Nation's dairy, live stock, and poultry farms by July 1 and 50,000 by end of year. As previously announced, we have arranged with Selective Service for changes in classification of experienced farm workers to halt further drain from agriculture. Up to March 1st 500,000 farm workers had been deferred to Class 2-C and 3-C. It is estimated, under additional regulations announced March 7th, that deferments will reach total of 3,000,000 by the end of 1943 for those above and below age 38. Department plans to recruit, transport, and place large numbers of mobile domestic workers needed in intensive farming areas. These are highlights of the Federal program in close cooperation between U.S.D.A., War Manpower Commission, and other concerned agencies. Much of it already is under way, and remainder ready to go as quickly as Congress approves. We are striving for unified, coordinated program making fullest use of State and local organizations. We pledge California every assistance and cooperation to the end that we may have the complete utilization of Federal, State, and local facilities to place workers on the farms where needed to secure the maximum production of most vital implement of war—food."

Since above telegram sent, word received that first trainload Mexicans leaving for California Monday morning. Others to follow.

This telegram acknowledges also telegram March 15th from Frederick F Houser, Lieutenant Governor, and of March 17th from you. Additional information on farm implements will be sent as available.

R. L. WEBSTER
Assistant to the Secretary of Agriculture

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1600 was taken up.

Assembly Bill No. 1600—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 8, line 45, of the printed bill, as amended, strike out "\$15,178,142.00", and insert "\$15,790,831.00".

Amendment read.

Motion to Temporarily Suspend the Rules

Mr. Lowrey moved, seconded by Mr. Doyle, that the Rules be temporarily suspended for the purpose of extending time of debate on Assembly Bill No. 1600.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Anderson, Beck, Burkhalter, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Heisinger, Johnson, Kilpatrick, Lowrey, Robertson, Rosenthal, and Thomas—17

NOES—Allen, Armstrong, Bashore, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Dunn, Erwin, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Kraft, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—45.

Consideration of Amendments to Assembly Bill No. 1600

The question being on the adoption of the amendment offered by Mr. Johnson to Assembly Bill No. 1600.

Roll Call Demanded

Messrs. Heisinger, Johnson, and Dills, Ralph C., demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Brown, Carey, Collins, George D., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Gaffney, Gannon, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Massion, McCollister, McMillan, Niehouse, Robertson, Rosenthal, and Thomas—29

NOES—Allen, Bashore, Berry, Brady, Burkhalter, Burns, Carlson, Clarke, Crowley, Desmond, Doyle, Erwin, Evans, Fout, Guthrie, Haggerty, Hollibaugh, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, Miller, Pelletier, Potter, Price, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—38

Request for Unanimous Consent

Mr. Heisinger asked for, and was granted, unanimous consent to consider further amendments to Assembly Bill No. 1600, at this time.

Motion to Amend

Messrs. Heisinger and Gaffney moved the adoption of the following amendments:

Amendment No. 1

On page 7, line 23, of the printed bill, as amended, strike out "\$395,876 00", and insert "\$414,909 00".

Amendment No. 2

On page 7, line 25, of said bill, strike out "\$673,646.00", and insert "\$707 212.00".

Amendment No. 3

On page 7, line 30, of said bill, strike out "\$270,080.00", and insert "\$283,153.00".

Amendment No. 4

On page 7, line 35, of said bill, strike out "\$679,017.00", and insert "\$714,067.00".

Amendment No. 5

On page 7, line 40, of said bill, strike out "\$619,657.00", and insert "\$650,707.00".

Amendment No. 6

On page 7, line 46, of said bill, strike out "\$915,442.00", and insert "\$958,835.00"

Amendment No. 7

On page 7, line 51, of said bill, strike out "\$572,549.00", and insert "\$602,436.00".

Amendments read.

Point of Order

Mr. Bashore arose to the following point of order: That the amendments by Messrs. Heisinger and Gaffney are identical to amendments refused adoption by the Committee on Ways and Means, and are, therefore, out of order.

Ruling by Speaker

The Speaker ruled the point of order well taken.

Request for Unanimous Consent

Mr. Robertson asked for, and was granted, unanimous consent to consider further amendments to Assembly Bill No. 1600, at this time.

Motion to Amend

Mr. Robertson moved the adoption of the following amendments:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on March 18, 1943, strike out all of lines 41 to 48, inclusive.

Amendment No. 2

On page 3, line 49, of the printed bill, as amended in the Assembly March 18, 1943, strike out "\$656,768 00", and insert "\$694,170.00".

Amendments read.

Ruling by the Speaker

The Speaker ruled that the amendments by Mr. Robertson were out of order, because they did not show a substantial change from previous amendments offered.

Request for Unanimous Consent

Mr Robertson asked for, and was granted, unanimous consent to consider further amendments to Assembly Bill No. 1600, at this time.

Motion to Amend

Mr. Robertson moved the adoption of the following amendments:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on March 18, 1943, strike out all of lines 41 to 48, inclusive.

Amendment No. 2

On page 3, line 49, of the printed bill, as amended in the Assembly March 18, 1943, strike out "\$656,768.00", and insert "\$694,171 00".

Amendments read.

Point of Order

Mr. Potter arose to the following point of order: That the amendments by Mr. Robertson are out of order, as they do not represent a substantial change from previously offered amendments.

Point of Order Submitted to House

The Speaker submitted the point of order to the House for its decision.

The roll was called, and the House ruled the point of order well taken by the following vote:

AYES—Anderson, Bennett, Brady, Brown, Collins, George D., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Gaffney, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Massion, McMillan, Pelletier, Robertson, Rosenthal, Sawallsch, and Thomas—27.

NOES—Allen, Armstrong, Bashore, Berry, Burkhalter, Burns, Carlson, Clarke, Crowley, Desmond, Doyle, Erwin, Fourt, Gannon, Guthrie, Hollibaugh, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, McCollister, Miller, Niehouse, Potter, Price, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—37.

Request for Unanimous Consent

Mr. Robertson asked for, and was granted, unanimous consent to consider further amendments to Assembly Bill No. 1600, at this time.

Motion to Amend

Mr. Robertson moved the adoption of the following amendments:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on March 18, 1943, strike out all of lines 41 to 48, inclusive.

Amendment No. 2

On page 3, line 49, of the printed bill, as amended in the Assembly March 18, 1943, strike out "\$656,768 00", and insert "\$676,768.00".

Motion for Committee of the Whole

Mr. Robertson moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering the amendments offered by Mr. Robertson to Assembly Bill No. 1600.

Roll Call Demanded

Messrs. Robertson, Bennett, and Dills, Ralph C., demanded a roll call.

The roll was called, and the motion that the Assembly resolve itself into a Committee of the Whole carried by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burkhalter, Carey, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Maloney, Massion, McMillan, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallsch, Thomas, Thompson, and Waters—39.

NOES—Allen, Armstrong, Bashore, Burns, Carlson, Clarke, Desmond, Dilworth, Erwin, Fourt, Gannon, Hastain, Hollibaugh, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Miller, Niehouse, Potter, Smith, Stream, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—29.

IN COMMITTEE OF THE WHOLE

Speaker Charles W. Lyon presiding.

Amendments offered by Mr. Robertson to Assembly Bill No. 1600 considered.

On motion of Mr. Robertson, the committee did arise, and report back to the Assembly.

IN ASSEMBLY

Speaker Charles W. Lyon presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1943

GENTLEMEN: Your Committee of the Whole has considered the amendments offered by Mr. Robertson to Assembly Bill No. 1600.

LYON, Chairman

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1600

Assembly Bill No. 1600—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, to take effect immediately.

Further Consideration of Amendments by Mr. Robertson

Division of Question

Mr. Wollenberg asked for division of the question on the amendments offered by Mr. Robertson to Assembly Bill No. 1600.

Consideration of Amendment No. 1

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on March 18, 1943, strike out all of lines 41 to 48, inclusive.

Amendment read.

Mr. Robertson withdrew Amendment No. 1.

Consideration of Amendment No. 2

Amendment No. 2

On page 3, line 49, of the printed bill, as amended in the Assembly March 18, 1943, strike out "\$656,768.00", and insert "\$676,768.00".

Amendment read.

Roll Call Demanded

Messrs. Robertson, Lowrey, and Dills, Ralph C., demanded a roll call.

The roll was called, and Amendment No. 2 refused adoption by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Collins, George D, Crichton, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Massion, McMillan, O'Day, Pelletier, Robertson, Rosenthal, Sawallisch, Thomas, and Waters—31.

NOES—Allen, Armstrong, Bashore, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Crowlev, Debs, Desmond, Dickey, Dilworth, Doyle, Erwin, Fourt, Hastain, Hollibaugh, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, McCollister, Miller, Niehouse, Potter, Price, Sargent, Smith, Stream, Thompson, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—40.

The question being on the passage of Assembly Bill No. 1600.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowlev, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Explanation of Vote

I was called to San Francisco today to be present at the burial of my aunt, Mrs. Johanna O'Connor, and therefore was not present at the time the Budget Bill, Assembly Bill No. 1600, was voted upon. Had I been present, I would have voted for the Budget Bill.

JOHN C. LYONS

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Waters:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 7618, 7630, to add Section 7632 to and to amend Sections 7640, 7641, 7643, 7647, to add Section 7651 to and to amend Sections 7662, 7665, 7666, 7668, 7669, 7680, 7702, 7726 and 7729 of the Business and Professions Code, relating to funeral directors, embalmers and apprentice embalmers.

Respectfully submitted.

WATERS

Request referred to Committee on Legislative Procedure.

By Mr. McMillan:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:
An act to add Section 6385 to the Revenue and Taxation Code, relating to the imposition of the sales tax.

Respectfully submitted.

LESTER A. McMILLAN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Waters:

An act to amend Sections 7618, 7630, to add Section 7632 to and to amend Sections 7640, 7641, 7643, 7647, to add Section 7651 to and to amend Sections 7662, 7665, 7666, 7668, 7669, 7680, 7702, 7726 and 7729 of the Business and Professions Code, relating to funeral directors, embalmers and apprentice embalmers.

By Mr. McMillan:

An act to add Section 6385 to the Revenue and Taxation Code, relating to the imposition of the sales tax.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following bills were introduced, and read the first time:

Assembly Bill No. 1937: By Mr. Waters—An act to amend Sections 7618, 7630, to add Section 7632 to and to amend Sections 7640, 7641, 7643, 7647, to add Section 7651 to and to amend Sections 7662, 7665, 7666, 7668, 7669, 7680, 7702, 7726 and 7729 of the Business and Professions Code, relating to funeral directors, embalmers and apprentice embalmers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

Assembly Bill No. 1938: By Mr. McMillan—An act to add Section 6385 to the Revenue and Taxation Code, relating to the imposition of the sales tax.

Referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 592

Assembly Bill No. 599

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1033

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WERDEL, Vice Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 647—An act to amend Section 4 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, relating to the trusts and restrictions heretofore imposed upon said tidelands, and to the use and leasing of the tidelands by the city.

Bill read third time.

Motion to Amend

Mr. Kraft moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 4 of", and insert "add Section 4.5 to".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 21, inclusive; and on page 2, strike out lines 1 to 16, inclusive, and insert

"SECTION 1. Section 4.5 is added to the act cited in the title hereof, to read:
Sec 4.5. The City of San Diego or its successor may use the lands mentioned in Section 4 and may lease, rent, or otherwise let said lands in parcels in excess of forty acres to one or more persons, firms, or corporations in accordance with all the powers otherwise granted by Section 4 and subject to all of the limitations otherwise imposed by Section 4."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1421—An act to amend Section 4076a of the Political Code, relating to procedure for audit allowance and payment or rejection of claims in counties.

Bill read third time.

Motion to Amend

Mr. Hollibaugh moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 22, of the printed bill, strike out "claim," and insert "claim:".

Amendment No. 2

On page 2, line 27, of said bill, after "ance", insert "book".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

**NOTICE OF MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL
AMENDMENT NO. 34 CONTINUED**

By unanimous consent, the consideration of the notice of motion to reconsider the vote whereby Assembly Constitutional Amendment No. 34 was adopted was continued until the next legislative day.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Jesse Widman of Los Angeles.

On request of Mr. Massion, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John M. Monaghan of Los Angeles.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Leatha Stockman and her class of Americanization from Vallejo: Victor Anderson, Genevieve Ponterollo, Leona Gunther, Adeline Garibaldi, Sylvia Dinilli, Imelda Ponterolla, Alverda George, Angela George, Joseph George, Gabulla Augusta, Mrs. Holmes, Mrs. Paquette, Jim Nocetti, Lena Capello, Alexander Pazuts, and Rose Giachelli.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Crockett Americanization Class and their teacher, Miss Dorothy Lewis: Mrs. Anita Franchetti, Mrs. Anna Carone, Mrs. Caterina Lucido, Mrs. Josephine Scrosate, Mrs. Giovanna Quilici, Mrs. Cantina Marella, Mrs. Josephine Ruggeri, Mrs. Ida Pedrotti, Mrs. Veronica Moura, Mrs. Rosalia Bottarini, Mrs. Teresa Parini, Mrs. Maria Grassi, Mrs. Theresa Lewis, Mrs. Louise Lopes, Mrs. Caterina Benavide, Mrs. Maria Garcez, Mrs. Maria

Bertani, Mrs. Demetra Gravanis, Mrs. Consuelo Sanchez, Mrs. Speranza Aiello, Mrs. Arminda Sacca, Miss Mary Silva, Mr. Joao de Freitas, Mr. Placido Elorduy, Mr. Phillip Astiz, Mr. Jose Elortegui, and Mr. John Perdigao.

On request of Speaker Lyon and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant and Mrs. Winfield Stevens of Camp White, Oregon.

On request of Mr. Crichton, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Francis C. Huebner and Mr. and Mrs. Walter E. Blanchard of Fresno.

On request of Mr. Brown, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. W. W. Giddings and Mr. and Mrs. C. H. Shackelford of Modesto.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. E. Stanton Daley of Woodland.

On request of Mr. Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Dan C. Egan of Los Angeles.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Neil Locke of Los Angeles, son-in-law and daughter of the Speaker.

On request of Mr. Ralph C. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Domingo Correa of Sacramento.

On request of Messrs. Johnson, Wollenberg, and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Warner Clark of San Francisco.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to George Konkle and William Lowell, United States Navy, decorated for service in South Pacific.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Jacob J. Lieberman of Los Angeles.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to A. K. Stocks, Washington, D. C., and Mr. Arthur Blackman of Sacramento.

ADJOURNMENT

At 5.10 p.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, March 23, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-FIFTH LEGISLATIVE DAY

SEVENTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, March 23, 1943

The Assembly met at 10 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnibus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastau, Hawkins, Heisinger, Hollibaugh, Johnson, Kelles, Kelpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybriet, Wollenberg. and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Heavenly Father, we thank Thee for the safety and comfort of a night to prepare us for the greeting of the morning light with the duties and responsibilities that come with each new day. We thank Thee for the blessings of health, the love of our families and the joy of life. Help us to be workmen that need never be ashamed.

"Give thanks, O heart, for the high souls
That point us to the deathless goals—
For all the courage of their cry
That echoes down from sky to sky;
Thanksgiving for the armed seers,
And heroes called to mortal years—
Souls that have built our faith in man,
And lit the ages as they ran."
We ask in Jesus name,

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Brown.

MOTION TO EXCUSE MEMBER

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, on account of illness.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

Assembly Bill No. 1033—An act to add Section 261b to the Code of Civil Procedure, relating to phonographic reporters for superior courts in counties, or cities and counties, having a population of 900,000 or more, providing for the compensation and fees of such reporters, requiring the payment to the county clerk of such counties, or cities and counties, of certain filing and appearance fees, in addition to any other fees now required by law.

Bill read second time, and ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 346
Assembly Bill No. 685
Assembly Bill No. 1131

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 60
Assembly Bill No. 345

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 28
Assembly Joint Resolution No. 34

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 105
Senate Bill No. 227
Senate Bill No. 294
Senate Bill No. 296
Senate Bill No. 299
Senate Bill No. 312

Senate Bill No. 350
Senate Bill No. 458
Senate Bill No. 504
Senate Bill No. 506
Senate Bill No. 525
Senate Bill No. 699

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 105—An act to amend Section 5252 of the Welfare and Institutions Code, relating to the commitment of feeble-minded persons and epileptics.

Referred to Committee on Social Welfare.

Senate Bill No. 227—An act to amend Section 6361 of the Business and Professions Code, relating to provision of library quarters for law libraries, by counties, by defining such provision.

Referred to Committee on Municipal and County Government.

Senate Bill No. 294—An act to amend Section 4278 of the Political Code, relating to compensation for public services in counties of the forty-ninth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 296—An act to amend Section 737y of the Political Code, relating to the salary of the judge of the superior court in and for the County of Modoc.

Referred to Committee on Judiciary.

Senate Bill No. 299—An act to amend Section 328b of the Civil Code, relating to the transfer by trustees

Referred to Committee on Judiciary.

Senate Bill No. 312—An act to amend Section 581b of the Code of Civil Procedure, relating to dismissal of actions or proceedings for failure to pay transfer fee.

Referred to Committee on Judiciary

Senate Bill No. 350—An act relating to jurisdiction over lands in the Kings Canyon National Park, and to add Section 119 to the Government Code, relating to the jurisdiction over said lands.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 458—An act to amend Section 663b of the Political Code, relating to the collection of taxes and other moneys and empowering the State Board of Control to discharge certain State departments, boards, commissions, officers or employees from accountability for collection of taxes or other moneys, the amount of which does not justify the cost of their collection or where collection is improbable.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 504—An act to amend Section 3.513 of the School Code and to amend Section 9144 of the Education Code, relating to vocational rehabilitation.

Referred to Committee on Education.

Senate Bill No. 506—An act to add Section 156.1 to the Welfare and Institutions Code, relating to travel expenditures by the Department of Institutions.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 525—An act to amend Sections 3 and 7 of "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, relating to noxious or dangerous weeds.

Referred to Committee on Municipal and County Government.

Senate Bill No. 699—An act to add Section 1407 to the Elections Code, relating to the initiative.

Referred to Committee on Elections and Reapportionment.

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 298
BY UNANIMOUS CONSENT**

Mr. John B. Knight asked for, and was granted, unanimous consent to have Assembly Bill No. 298 withdrawn from the Committee on Education, and re-referred to the Committee on Finance and Insurance.

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 347
BY UNANIMOUS CONSENT**

Mr. John B. Knight asked for, and was granted, unanimous consent to have Assembly Bill No. 347 withdrawn from the Committee on Agriculture, and re-referred to the Committee on Finance and Insurance.

**Notice of Motion to Reconsider Withdrawal and Re-reference
of Assembly Bill No. 347**

Mr. Lowrey gave notice that on the next legislative day he would move to reconsider the action of the Assembly whereby Assembly Bill No. 347 was withdrawn from the Committee on Agriculture, and re-referred to the Committee on Finance and Insurance.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day :

Senate Joint Resolution No. 18.

Assembly Bill No. 463.

Assembly Bill No. 453.

UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULES

Mr. McCollister asked for, and was granted, unanimous consent to temporarily suspend Assembly Rule No. 82, for the purpose of considering Assembly Bill No. 1929, at this time.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1929—An act to repeal Chapter 3 of Part 2 of Division 2 of the Military and Veterans Code and Sections 8, 9, 10, 11 and 12 of the California Guard Act of 1942 and to add Chapter 4 to Part 2 of Division 2 of the Military and Veterans Code, relating

to the California State Guard, providing for the pay, privileges, allowances and rights of the California State Guard, for the organization and administration of the California State Guard to permit the efficient operation thereof consistent with such privileges, allowances and rights, permitting school districts to make school buses available for use by the California State Guard, making an appropriation for the operation, maintenance and organization of the California State Guard and providing for the expenditure thereof, declaring the urgency of this act, and providing that it shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—Hawkins—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 540—An act to amend Sections 615.1 and 615.2 of the Fish and Game Code, relating to fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1352—An act to amend Section 661 of the Fish and Game Code, relating to salmon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, Pelletier, Potter, Price,

Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Werdel, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 1264—An act making an appropriation support of the Governor's Office, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1264?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "appropriation", insert "for".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1264 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1065—An act to amend Sections 619, 625, 645, 646, 665, and 699 of, to add Section 620.5 to, and to repeal Section 707 of, the Vehicle Code, relating to lamps and devices on vehicles, elevated wheels and length of loads.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1433 PLACED ON THE INACTIVE FILE

Mr. T. Fenton Knight requested that Assembly Bill No. 1433 be withdrawn from the third reading file, and placed on the inactive file.

Request granted.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1224—An act to amend Section 791 of the Political Code and Section 8200 of the Government Code, relating to notaries public.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dilworth, Doyle, Dunn, Erwin, Fount, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 215—An act to amend Section 1550 of the Probate Code, relating to inventory and appraisalment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dilworth, Doyle, Dunn, Erwin, Fount, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 355—An act to amend Section 354 of the Code of Civil Procedure, relating to the suspension of statutes of limitation during war

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dilworth, Doyle, Dunn, Erwin, Fount, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McMillan, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Bashore, Beck, Collins, Sam L., and Lowrey—4

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 34 WAIVED

Mr. George D. Collins waived his notice of motion to reconsider the vote whereby Assembly Constitutional Amendment No. 34 was passed.

Assembly Constitutional Amendment No. 34 ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 594—An act to amend Section 5050 of the Welfare and Institutions Code, relating to the safekeeping and examination of persons alleged to be mentally ill.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 595—An act to amend Sections 5404 and 5406 of the Welfare and Institutions Code, relating to the commitment of persons addicted to the intemperate use of stimulants, and the parole and discharge thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McMillan, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1930—An act granting certain tidelands, submerged lands, and filled tidelands of the State of California to the City of Avalon, upon certain trusts and conditions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 47—An act amending Section 1 of "An act granting to the City of San Diego certain parcels of the State-owned lands in Mission Bay State Park upon certain trusts and conditions," approved July 24, 1939, relating to tidelands in Mission Bay State Park.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Call, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion,

McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—61
NOES—None

Bill ordered transmitted to the Senate.

Hon. William Clifton Berry Presiding

At 11.10 a.m., Hon. William Clifton Berry, Member of the Assembly from the Twenty-third District, presiding.

Assembly Bill No. 356—An act to amend Sections 1242 and 1243 of the Civil Code, relating to homesteads.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, and Weybret—60

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 983—An act to amend Section 4077 of the Political Code, relating to the allowance or rejection of claims against counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 992—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, by adding thereto Section 7.1, relating to the incurring of indebtedness for the repair or replacement of district works damaged or demolished by reason of fire, flood, earthquake, sabotage, or act of God or the public enemy, the refunding of such indebtedness, the levy and collection of taxes to pay such indebtedness, and providing the manner of adoption of ordinances relating thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1095—An act to amend Sections 864 and 885 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Heisinger, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Price, Rosenthal, Sargent, Sawalisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 53—An act to amend Section 7373 and to amend and renumber Section 7444 of the Business and Professions Code, relating to hairdressers, cosmeticians, cosmetologists and junior electrologists.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawalisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1000—An act to amend Section 4295 of the Political Code and to amend Section 6103 of the Government Code, relating to payment of fees to State, county and township officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Wollenberg—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 630—An act to add Sections 607h and 607i to the Civil Code, relating to corporations and societies for the prevention of cruelty to children and animals.

Bill read third time.

The bill was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Doyle, Dunn, Erwin, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 524—An act to amend Section 1458 of the Penal Code, relating to the fixing, acceptance and forfeiture of bail in justice's courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brown, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Denny, Dickey, Dilworth, Dunn, Erwin, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Massion, McMillan, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Thomas, Thompson, Weber, and Weybret—41.

NOES—Bashore, Burkhalter, Burns, Carlson, Debs, Dills, Ralph C., Doyle, Fount, Haggerty, Kellems, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, McCollister, Robertson, Stream, Thorp, Waters, Werdel, and Wollenberg—23.

Notice of Motion to Reconsider Assembly Bill No. 524

Mr. Debs gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 524 was this day passed.

NOTICE OF MOTION TO RECONSIDER RE-REFERENCE OF ASSEMBLY BILL NO. 347 WAIVED

Mr. Lowrey waived his notice of motion to reconsider the vote whereby Assembly Bill No. 347 was withdrawn from the Committee on Agriculture, and re-referred to the Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 88—An act to amend Section 11c of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson,

Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—64
 NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—64.
 NOES—None.

Bill ordered transmitted to the Senate

Hon. J. G. Crichton Presiding

At 11.43 a.m., Hon. J. G. Crichton, Member of the Assembly from the Thirty-fourth District, presiding.

Assembly Bill No. 1422—An act to amend Section 345 of the Code of Civil Procedure, relating to limitation of actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton: Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—62.
 NOES—Bashore, Collins, Sam L., and Waters—3

Notice of Motion to Reconsider Assembly Bill No. 1422

Mr. Ralph C. Dills gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1422 was this day passed.

Assembly Bill No. 497—An act to amend Sections 5, 6 and 12 of the "Automobile Parking District Act of 1941," relating to public parking districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.
 NOES—Dills, Ralph C.—1.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 12.13 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 1107

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 58
Assembly Bill No. 62
Assembly Bill No. 619

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 461
Assembly Bill No. 647
Assembly Bill No. 659
Assembly Bill No. 782
Assembly Bill No. 1421

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER: Your Committee on Public Morals, to which were referred:
Assembly Bill No. 1417
Assembly Bill No. 1761

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:
Assembly Bill No. 264
Assembly Bill No. 484
Assembly Bill No. 533

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 64
Assembly Bill No. 214
Assembly Bill No. 240
Assembly Bill No. 256
Assembly Bill No. 1559

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman

Above reported bills ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 495

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 229

Assembly Bill No. 284

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 1019

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-fer to the committee.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1943

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 1387

Assembly Bill No. 1418

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-fer to the committee.

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 564

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-fer to the committee.

ROBERTSON, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 14

Assembly Bill No. 1502

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 14 re-referred to Committee on Public Morals.

Assembly Bill No. 1502 re-referred to Committee on Education.

Assembly Bill No. 1107 re-referred to Committee on Education.

Assembly Bill No. 62 re-referred to Committee on Social Welfare.

Assembly Bill No. 619 re-referred to Committee on Labor and Capital.

Assembly Bill No. 58 re-referred to Committee on Rules and House Functions.

RECESS

At 12.19 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 1 50 p.m.

REASSEMBLED

At 1.50 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER. Through error, Senate Bill No. 378 (An act to repeal Sections 180 and 181 of the Fish and Game Code, relating to fish refuges) was transmitted to the Assembly on March 19, 1943.

It is therefore requested that your honorable body return the said bill to the Senate.

J. A. BEEK, Secretary of the Senate

WITHDRAWAL OF SENATE BILL NO. 378 FROM COMMITTEE, BY UNANIMOUS CONSENT

Mr. Watson asked for, and was granted, unanimous consent to withdraw Senate Bill No. 378 from the Committee on Fish and Game.

Motion to Return Senate Bill No. 378 to the Senate

Mr. Watson moved that Senate Bill No. 378 be returned to the Senate pursuant to the above request by the Senate.

Motion carried.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Kraft, Lyon, and Maloney:

House Resolution No. 141

Relating to the birthday of Mrs. Kathryn T. Niehouse

WHEREAS, But a few brief years ago a proud mother gave birth to a sweet blue eyed colleen; and

WHEREAS, From that day of birth the child bore on her dear little face a sweet smile, so constant that it has by now molded upon her features a permanent expression of good cheer; and

WHEREAS, This child, now grown to womanhood, has gained from her life in many communities a knowledge of civics which has brought upon her the urge to become a public official with the interests of all of the people of her beloved State and Country at heart; and

WHEREAS, Upon her declaration of entrance into public life the urge of the people of her district to have her represent them in the Legislature of the State of California was irresistible and she was selected as the official representative of the Seventy-ninth Assembly District, in the County of San Diego, of the State of California; and

WHEREAS, There exists the fortunate circumstance that on one of her birthdays she is gracing the halls of fame in the Assembly Chamber at Sacramento; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly and the individual members hereof do on this twenty-third day of March express to Mrs. Kathryn T. Niehouse our hearty felicitations and congratulations on her birthday; and be it further

Resolved, That the Chief Clerk of the Assembly is requested to transmit a suitable copy of this resolution to Mrs. Niehouse.

Request for Unanimous Consent

Mr. Kraft asked for, and was granted, unanimous consent to take up House Resolution No. 141, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr. Sam L. Collins:

House Resolution No. 142

Resolved, That the following named person be stricken from the list of Assembly attaches, and her name be stricken from the pay roll of the Assembly, to take effect upon the completion of the work on Saturday, March 20, 1943:

	<i>Per day</i>
Mrs. Ernest Crowley, Assistant Sergeant-at-Arms.....	\$6 00

and be it further

Resolved, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrant in favor of the respective person for the said respective amount, and the Treasurer is hereby directed to pay the same; said compensation to be upon a seven-day week basis beginning Sunday, March 21, 1943:

	<i>Per day</i>
Georgia Crowley, Assistant Sergeant-at-Arms.....	\$6 00

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 142, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Doyle, Dunn, Erwin, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, and Mr. Speaker—59.

NOES—None.

CHIEF CLERK INSTRUCTED TO PREPARE RESOLUTION

The Speaker instructed the Chief Clerk to prepare a suitable resolution commending Mrs. Crowley for her work as Assistant Sergeant-at-Arms of the Assembly, and congratulating her upon her appointment as justice of the peace.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Haggerty:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 3466d to the Political Code, relating to reclamation districts

Respectfully submitted

GERALD P. HAGGERTY

Request referred to Committee on Legislative Procedure.

By Mr. Robertson:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:
An act to amend Section 4247 of the Political Code, relating to salaries and expenses of officers.

Respectfully submitted.

ALFRED W. ROBERTSON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR SPEAKER Your Committee on Legislative Procedure, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them:

By Mr. Haggerty

An act to add Section 3466d to the Political Code, relating to reclamation districts.

By Mr. Robertson:

An act to amend Section 4247 of the Political Code, relating to salaries and expenses of officers.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A, Dills, Ralph C, Dilworth, Doyle, Dunn, Erwin, Fount, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, and Mr. Speaker—64.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1939: By Mr. Haggerty—An act to add Section 3466d to the Political Code, relating to reclamation districts.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 1940: By Mr. Robertson—An act to amend Section 4247 of the Political Code, relating to salaries and expenses of officers.

Referred to Committee on Municipal and County Government.

Assembly Joint Resolution No. 40: By Messrs. Thomas, Massion, Dilworth, Watson, Miller, and Mrs. Niehouse—Relative to memorializing Congress to enact legislation to establish a military and a naval academy on the Pacific Coast.

Request for Unanimous Consent

Mr. Dilworth asked for unanimous consent to take up Assembly Joint Resolution No. 40, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

Mr. Call withheld unanimous consent.

Resolution referred to Committee on Rules and House Functions.

Assembly Joint Resolution No. 41: By Messrs. Maloney, Call, and Wollenberg—Relative to the returning of the State Employment Agency to the State of California upon termination of hostilities.

Referred to Committee on Rules and House Functions.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 399—An act to amend Section 43 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for the carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to powers of the board.

Bill read third time.

Motion to Amend

Mr. Middough moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "the president and countersigned by the clerk, or other officer", and insert "any two officers"

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 886—An act to add Section 1756.5 to the Welfare and Institutions Code, relating to the Youth Correction Authority, and authorizing the Authority to return persons committed thereto who are found to be mentally abnormal to the committing court for recommitment to the Department of Institutions for placement in State institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 281—An act to amend Section 10 of the Municipal Court Act of 1925, relating to clerks and attaches.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley,

Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, and Mr. Speaker—65.

NOES—Anderson, Bashore, and Massion—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 689—An act to add Section 6 to an act entitled “An act authorizing the creation of a personnel system, merit system, or civil service system in cities; the creation of the office of a personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions,” approved April 11, 1935, relating to war emergency appointments, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 237 PLACED ON THE INACTIVE FILE

Upon the request of Mr. Johnson, Assembly Bill No. 237 was ordered placed upon the inactive file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 332—An act to amend Section 3424 of the Public Resources Code, relating to the recording of oil production charge payments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Hag-

gerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 184—An act to add Section 140 to the Welfare and Institutions Code, relating to public assistance, and providing a procedure for the issue and payment of duplicate warrants therefor, in case of the loss or destruction of the original warrants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Duna, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Wollenberg, and Mr. Speaker—56.

NOES—Armstrong, Carey, Clarke, Collins, Sam L., Desmond, Gannon, Leonard, Lowrey, Potter, Waters, Werdel, and Weybret—12

Bill ordered transmitted to the Senate

Assembly Bill No. 505—An act to add Section 2161.5 to the Welfare and Institutions Code, relating to residence qualifications of applicants for aid to the aged

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burns, Carey, Clarke, Collins, George D., Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—57.

NOES—Beck, Call, Carlson, Crichton, Denny, Dickey, Johnson, Kellems, King, Lowrey, McCollister, Smith, and Weybret—13.

Notice of Motion to Reconsider Assembly Bill No. 505

Mr. Carlson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 505 was this day passed.

ASSEMBLY BILLS NOS. 589 AND 119 PLACED ON THE INACTIVE FILE

Mr. Middough requested that Assembly Bill No. 589 be withdrawn from the third reading file, and placed upon the inactive file.

Request granted.

Mr. Middough requested that Assembly Bill No. 119 be withdrawn from the third reading file, and placed upon the inactive file.

Request granted.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 568—An act to add Section 2710.3 to the Penal Code, relating to the Prison Camp Revolving Fund, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Fourt moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out lines 7 and 8, and insert "Board of Prison Directors to meet the expenses necessary in".

Amendment No. 2

On page 1 of the printed bill, after line 22, insert "Nothing in this section shall apply to prison road camps established under Article 4 of this chapter."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 570—An act to add Section 2710.1 to the Penal Code, relating to the Folsom Working Revolving Fund, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Fourt moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 and 7, and insert "Fund to be used to meet the expenses necessary in the purchasing of".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 843—An act to amend Section 6.140 of the School Code and to amend Section 18461 of the Education Code, relating to schools.

Bill read third time.

Motion to Amend

Mr. Werdel moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Section 6.140 of the School Code and to amend".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Section 6.140 of the School Code is hereby"; and strike out lines 2 to 14, inclusive.

Amendment No. 3

On page 1, line 16, of said bill, strike out "Sec. 2."

Amendment No. 4

On page 2 of said bill, strike out lines 6 to 10, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1252—An act to amend Section 2.971 of the School Code, and to amend Section 2102 of the Education Code, relating to city boards of education.

Bill read third time.

Motion to Amend

Mr. Werdel moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Section 2.971 of the School Code and to amend".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Section 2.971 of the School Code is amended to"; and strike out lines 2 to 10, inclusive.

Amendment No. 3

On page 1, line 12, of said bill, strike out "Sec. 2."

Amendment No. 4

On page 1, line 20, of said bill, strike out "unless"; and strike out line 21.

Amendment No. 5

On page 1 of said bill, strike out lines 23 to 27, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REQUEST TO CONTINUE BILLS ON FILE

Mr. Johnson requested that on the next legislative day the consideration of bills on the third reading file begin with Assembly Bill No. 381, or No. 59 on today's file.

Request granted.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Bashore:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 17 to Division 3 of the Business and Professions Code, regulating auctioneers, establishing an Auction Commission, and prescribing its powers, duties, jurisdiction, and providing for the issuance of licenses.

Respectfully submitted.

LEE T. BASHORE

Request referred to Committee on Legislative Procedure

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Bashore:

An act to add Chapter 17 to Division 3 of the Business and Professions Code, regulating auctioneers, establishing an Auction Commission, and prescribing its powers, duties, jurisdiction, and providing for the issuance of licenses.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister,

McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdell, Weybret, Wollenberg, and Mr. Speaker—70.
 NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
 OF ASSEMBLY BILLS (RESUMED)**

The following bill was introduced, and read the first time:

Assembly Bill No. 1941: By Mr. Bashore—An act to add Chapter 17 to Division 3 of the Business and Professions Code, regulating auctioneers, establishing an Auction Commission, and prescribing its powers, duties, jurisdiction, and providing for the issuance of licenses.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 871

Assembly Bill No. 872

Assembly Bill No. 1799

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 873

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bill ordered to second reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Louise Gridly of Berkeley.

On request of Messrs. Price and Armstrong, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Rex B. Goodecell of San Bernardino.

On request of Mr. Robertson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mayor Patrick Maher of Santa Barbara.

On request of Mr. Gaffney and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. Edwin Mattox of San Francisco.

On request of Mr. Wollenberg and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. J. Rufus Klawans and Tom Larke of San Francisco.

On request of Mr. Carlson and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Milton Dobozenky of Alameda.

On request of Mr. Wollenberg, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Jerry Thompson, John Regan, and Bill Vaughan.

On request of Mr. Denny, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Helen McBride and Miss Genevieve McBride of Etna, whose father was a Member of the Assembly in 1873 and 1874.

On request of Mr. Maloney and the San Francisco County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ralph E. Moyse of San Francisco.

On request of Messrs. Rosenthal and Bennett, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. J. Morgan of Los Angeles.

On request of Mr. Berry, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private Stephen A. Hofs and Mrs. E. Schwartz of Chicago.

On request of the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Corporal and Mrs. Ed Pecealumas of Ableman, Wisconsin.

ADJOURNMENT

At 2.30 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, March 24, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-SIXTH LEGISLATIVE DAY

EIGHTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, March 24, 1943

The Assembly met at 10 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Blady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Almighty God, our Heavenly Father, we thank Thee for the heritage and privileges of our beloved Country, and for the wisdom with which Thou hast led it from its perilous beginnings to this day of grace. We humbly pray that our Nation may be delivered from every evil and kept in the highway of Thy divine vocation.

"O God, beneath Thy guiding hand
Our exiled fathers crossed the sea;
And when they trod the wintry strand,
With prayer and psalm they worshipped Thee

And here Thy name, O God of Love,
Their children's children shall adore;
While human eyes can look above
And human hearts Thy love implore."

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Thompson.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Field, on motion of Mr. Sam L. Collins.

Mr. Crowley, on motion of Mr. Rosenthal.

MOTION TO EXCUSE MEMBER

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, on account of illness.

REPORTS OF STANDING COMMITTEES**Committee on Rules and House Functions**

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 133

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 690

Assembly Bill No. 364

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 1886

Assembly Bill No. 431

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and re-refer to Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bills ordered re-referred to Committee on Ways and Means.

MOTION TO EXCUSE MEMBERS

Upon motion by Mr. Sam L. Collins, Messrs. Potter, Dickey, Mid-dough, Burns, O'Day, and Knight, T. Fenton; were excused to hold a meeting of the Committee on Youth Correction in the regular committee room.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

Assembly Bill No. 1417—An act to add a new section to be numbered 55.9 to the Alcoholic Beverage Control Act, relating to crediting terms.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1761—An act to add Section 36c to the Alcoholic Beverage Control Act, relating to the destruction and use of emptied distilled spirits bottles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 264—An act to amend Sections 2.02, 2.04 and 12.06 of the Building and Loan Association Act, relating to building and loan associations, names and articles, and restrictions on advertising.

Bill read second time, and ordered engrossed.

Assembly Bill No. 484—An act to amend Sections 9.09 and 9.18 of the Building and Loan Act, relating to building and loan associations and the making of loans by such associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 553—An act to amend Sections 12625 and 12682 of the Revenue and Taxation Code, relating to insurance taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 64—An act to repeal Section 4535 of the Elections Code, relating to the filing of vouchers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 214—An act to amend Sections 675, 684, 685, 686 and 687 of, and to repeal Section 662 of, the Elections Code, relating to precinct boards.

Bill read second time, and ordered engrossed.

Assembly Bill No. 240—An act to amend Sections 45 and 46 of the Elections Code, relating to petitions and papers signed by voters.

Bill read second time, and ordered engrossed.

Assembly Bill No. 256—An act to amend Sections 2798.5, 2807, 2808, 2820, 2821, 2822, and 2827 of the Elections Code, relating to the State central committee.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1559—An act to amend Sections 501, 502, 503, 504, and 505 of the Elections Code, relating to election precincts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 873—An act to add Sections 1324, 1325, 1326, 1327, 1328, and 1329 to the Fish and Game Code, relating to fur dealers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 495—An act to add Section 43.5 to the Alcoholic Beverage Control Act, relating to suspension and revocation of licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 43.5 to", and insert "amend Section 53 of".

Amendment No. 2

Strike out all of line 2 of the title of said bill, after "Act", and insert "relating to restrictions on sales and places thereof".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert
 "SECTION 1. Section 53 of the Alcoholic Beverage Control Act is amended to read:

Sec. 53. Every person who sells, serves or otherwise disposes of any alcoholic beverage, except beer which may be so sold, served or disposed of, over or at any public bar or in any *public saloon* or public barroom, for consumption on the premises, shall be guilty of a misdemeanor.

A hotel, restaurant, cafe, cafeteria, railroad dining or club car, passenger ship or other public eating place or club after such club has been lawfully operated for not less than one year, prepared during its usual business hours for meals to furnish meals or prepared foodstuffs to be consumed on the premises in the event such service is requested by a patron, is *bona fide* and shall not be held to be a public bar, public saloon or public barroom regardless of the fact that such hotel, restaurant, cafe, cafeteria, railroad dining or club car, passenger ship or other public eating place or club, over any given period of time, may realize and receive a greater amount of cash or return from the sale of alcoholic beverages than from the sale of such meals or prepared foodstuffs."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 229—An act to add Sections 30a to 30r to the Bank Act and to add Section 3081 to the Civil Code, relating to the disposal of unclaimed contents of safe deposit boxes rented by banks or other corporations and relating to unclaimed items of personal property left with a bank for safekeeping.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In the last line of the title of the printed bill, strike out the period, and insert "or storage."

Amendment No. 2

On page 1, line 7, of the printed bill, strike out the period, and insert "and those of safekeeping and storage depositors."

Amendment No. 3

On page 4, line 42, of the printed bill, following "safekeeping", insert "or storage".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 284—An act to amend Section 80.1 of the Bank Act, relating to loans by banks which are covered by guarantees or agreements to purchase made by any Federal Reserve Bank or by the United States or any department or agency thereof, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 17, of the printed bill, following "loan", insert "heretofore or hereafter".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 871—An act to amend Sections 421, 490.5, 698, 698.1, 698.5, 699, 700, 701, 702, 705, 708, 711 and 724.3 of the Fish and Game Code, relating to fish.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 8, of the printed bill, after "spotfin croaker", insert "ten-pounder (Elops affinis),".

Amendment No. 2

On page 1, line 10, of the printed bill, after the first word "bass," strike out "Kentucky", and insert "spotted".

Amendment No. 3

On page 1, line 21, of the printed bill, after "spotfin croaker", insert "ten-pounder (Elops affinis),".

Amendment No. 4

On page 1, line 23, of the printed bill, strike out the first word "Kentucky", and insert "spotted".

Amendment No. 5

On pages 2 and 3 of the printed bill, lines 2, 8, 13, 19, 24, 30, 34, and 12, in each instance, strike out "Kentucky", and insert "spotted".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 872—An act amending Sections 1230, 1310, 1311, 1315, 1316, 1318 and 1321 of, and adding Sections 1311.1 and 1312.1 to the Fish and Game Code, relating to mammals.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 20, of the printed bill, after "badger", insert a comma.

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1799—An act to add Section 1290.5 to the Fish and Game Code, relating to deer skins, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out " , firm, or corporation".

Amendment No. 2

On page 1, line 4, of said bill, strike out " , at any time,".

Amendment No. 3

On page 1, line 5, of said bill, strike out "within the boundaries".

Amendment No. 4

On page 1 of said bill, strike out line 6.

Amendment No. 5

On page 1 of said bill, strike out line 7.

Amendment No. 6

On page 1 of said bill, strike out line 8.

Amendment No. 7

On page 1, line 9, of said bill, strike out "removed from a lawfully taken deer.", and insert ", and".

Amendment No. 8

On page 1, line 9, of said bill, strike out the capital "S" in "Such", and insert a lower case "s".

Amendment No. 9

On page 1, line 9, of said bill, strike out "of".

Amendment No. 10

On page 1, line 10, of said bill, strike out "deer. lawfully taken,".

Amendment No. 11

On page 1, line 11, of said bill, strike out "garments", and insert "articles".

Amendment No. 12

On page 1, line 12, of said bill, strike out the period, and insert a semicolon; and "except that these provisions shall not be construed to permit any person or agency other than the commission to sell the skins or hides of deer killed under special permits as protection to crops."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 564—An act to amend the heading of Article 3 of Chapter 1 of Division 4, and Sections 1511, 1512, and 1513 of, and to add Sections 1509.5 and 1511.5 to the Elections Code, relating to digests of measures submitted to voters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "and 1513", and insert "1513, and 1514".

Amendment No. 2

In line 3 of the title of said bill, strike out "and 15011.5", and insert ", 1511.5, and 1514.5".

Amendment No. 3

In line 4 of the title of said bill, strike out "digest of measures submitted to voters.", and insert "ballot pamphlet."

Amendment No. 4

On page 2, line 27, of said bill, strike out "ballot titles hereinafter provided for", and insert "the headings of the ballot titles hereinafter provided for".

Amendment No. 5

On page 2, line 36, of said bill, strike out "ballot titles", and insert "headings of the ballot titles".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being inclosed within brackets.

Amendment No. 6

On page 2 of said bill, after line 44, insert

"SEC. 7. Section 1514 of said code is amended to read:

1514. All measures submitted to the voters shall be printed in the ballot pamphlet, so far as possible, in the same order, manner and form in which they are designated upon the ballot. The ballot titles shall be numbered consecutively and printed in the ballot pamphlets immediately prior to the [particular measure] *digest and explanation* to which each refers. [there shall also be printed in the pamphlet the copy of the ballot title as it will appear on the ballot.] *There shall also be*

printed in the pamphlet a table of contents. The certification of the correctness of the pamphlet by the Secretary of State shall be printed therewith.

SEC. 8. Section 1514.5 is added to said code to read:

1514.5. The ballot pamphlet need not contain:

- (a) An index to the arguments;
- (b) An index to the measures;
- (c) A list of the ballot titles as they will appear on the ballot;
- (d) A recapitulation of amendments to the Constitution, new laws and amendments to existing laws;
- (e) A summary of measures submitted to electors; or
- (f) A list showing the order of measures on the ballot and page in the pamphlet."

Amendment No. 7

On page 1, line 13, of the printed bill, after "measures.", insert "A member of the committee shall select as his appointee only a person under his jurisdiction."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1387—An act to add Sections 38.3, 53.55, 53.65 and 59.6 to the Alcoholic Beverage Control Act, relating to credit rules and regulations, containers, cartons, bottles and closing hours, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 59.6", and after "53.55", insert "and".

Amendment No. 2

Strike out lines 2, 3, and 4 of the title of said bill, and insert "holic Beverage Control Act, relating to credit, containers, cartons and bottles".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 7, inclusive, and insert "SEC. 38.3. Alcoholic beverages sold to a retailer other than a common carrier, city, county, city and county or any branch of the military forces of the United States, shall be for cash, and no credit upon such sale shall be granted. All outstanding accounts for alcoholic beverages sold to a retailer other than those above excepted and unpaid at the time of the effective date of this section must be paid in cash by such retailer at such time and in not less than a sufficient amount to equal, at any time thereafter, a one-sixth part of such account for every 30 days following such date of passage. Two hundred days from the effective date of this section every licensee shall report to the board any unpaid account owed by a retailer, other than those above excepted, for alcoholic beverages and thereafter no sales of alcoholic beverages shall be knowingly made to such retailer by any licensee until such account is paid in full. No license of any retailer who has not complied herewith, after written notice from the board so to do, shall be renewed."

Amendment No. 4

On page 1 of said bill, line 11, strike out from and including the word "respecting", down to and including the word "thereof" in line 13; and insert "with respect to corrugated paper cartons commonly known as single trip cartons and used as a package for beer".

Amendment No. 5

On page 1 of the bill, strike out all of line 19 from and including the word "single", and insert "corrugated paper".

Amendment No. 6

On page 1, line 24, of said bill, strike out "wood containers or".

Amendment No. 7

On page 1, line 25, of said bill, after "cartons", insert "made of wood or fibre board"

Amendment No. 8

On page 2, line 7, of said bill, strike out "licensee", and insert "licensee".

Amendment No. 9

On page 2 of said bill, between lines 19 and 20, insert

"As used in this section "single trip beer bottles" shall mean any bottle as described in Exhibit B-12 and B-13 in Limitation Order L-103 of the War Production Board as such order was amended January 4, 1943, and as set forth in Volume 8 Number 2 Pages 117 to 119 inclusive of the Federal Register, and shall also mean any bottle of a different shape than those designated as steine, export or select, or if of such steine, export or select shape having a pressure resistance or weight of glass less than that of the corresponding shape and capacity size bottle used generally to bottle beer in the brewing industry in California on January 4, 1943. Ale bottles as described in Exhibits B-10 and B-11 of said order L-103 or as generally in use to bottle ale in the brewing industry in California on January 4, 1943 shall not be held to be "single trip beer bottles"."

Amendment No. 10

Strike out all of said bill from and including line 21 on page 2 thereof, to and including the end of said bill.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1418—An act to amend Section 14.5 of the Alcoholic Beverage Control Act, relating to licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "manufac.", and in line 4, strike out "turer's license, nor more than one".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1019—An act to amend Sections 916 and 918 and repeal Section 10487 of. to add Sections 10150.1, 10478 and 10479 to, and to add Article 3a to Chapter 1 and Article 3a to Chapter 5 of Part 2, Division 2, of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance.

Amendment No. 1

In line 2 of the title of the printed bill, strike out "and 10479", and insert "10479, 10488 and 10489".

Amendment No. 2

On page 2, line 1, of the printed bill, strike out "Sections", and insert "Section".

Amendment No. 3

On page 2, lines 35 and 36, of the printed bill, strike out "as to which Article 3, Chapter 1, Part 2, Division 2, is applicable", and insert "prior to the operative date as to such risks of Article 3a, Chapter 1, Part 2, Division 2".

Amendment No. 4

On page 2 of the printed bill, strike out lines 46 to 48, inclusive, and insert "on or after the operative date as to such policies of Article 3a, Chapter 1, Part 2, Division 2."

Amendment No. 5

On page 3 of the printed bill, strike out lines 3 to 15, inclusive, and insert "10159.1. This article is applicable only to policies and contracts issued on or after the operative date as to such policies or contracts of this article.

10159.2. After December 31, 1943, any insurer may file with the commissioner a written notice of its election to comply with the provisions of this article as to any

or all of its policies after a specified date before January 1, 1948. After the filing of such notice, then upon such specified date, this article shall become operative with respect to the policies specified in the notice and which are thereafter issued by such insurer. As to all of its policies with respect to which an insurer makes no such election, the operative date of this article shall be January 1, 1948."

Amendment No. 6

On page 3, line 22, of the printed bill, after "payment", insert "after premiums have been paid for at least one full year".

Amendment No. 7

On page 3, line 51, of the printed bill, strike out "table", and insert "schedule".

Amendment No. 8

On page 4 of the printed bill, strike out line 6, and insert "account of or secured by the policy. At the option of the insurer such schedule may also show such values and benefits for any year or years beyond the twentieth policy year."

Amendment No. 9

On page 4, line 7, of the printed bill, after "A", insert "brief and general".

Amendment No. 10

On page 4, line 9, of the printed bill, after "anniversary", insert "beyond the last anniversary for which such values and benefits are consecutively shown in the policy".

Amendment No. 11

On page 4, line 13, of the printed bill, after "on", insert "account of or secured by".

Amendment No. 12

On page 5 of the printed bill, strike out lines 20 to 22, inclusive, and insert "amount equivalent thereto."

Amendment No. 13

On page 5 of the printed bill, strike out line 39, and insert "nonforfeiture benefits; except that in calculating the present value of".

Amendment No. 14

On page 5, line 44, of the printed bill, strike out ". For", and insert "; and except that for".

Amendment No. 15

On page 6 of the printed bill, strike out lines 49 and 50, and insert "tracts issued prior to the operative date as to such policies or contracts of Article 3a, Chapter 1, Part 2, Division 2."

Amendment No. 16

On page 7, line 23, of the printed bill, after "jurisdiction", insert "SEC. 7. Section 10488 is hereby added to Article 3, Chapter 5, Part 2, Division 2 of the Insurance Code, to read as follows:

10488. Reserves for all policies and contracts to which this article applies may be calculated, at the option of the insurer, according to any standards which produce greater aggregate reserves for all such policies and contracts than the minimum reserves required by this article.

SEC. 8. Section 10489 is hereby added to Article 3, Chapter 5, Part 2, Division 2 of the Insurance Code, to read as follows:

10489. Any insurer which at any time shall have adopted any standard of valuation producing greater aggregate reserves than those calculated according to the minimum standard provided in this article or Article 3a of this chapter may, with the approval of the commissioner, adopt any lower standard of valuation, but not lower than the minimum therein provided."

Amendment No. 17

On page 7, line 25, of the printed bill, strike out "7", and insert "9".

Amendment No. 18

On page 7 of the printed bill, strike out lines 31 to 34, inclusive, and insert "10489.1. This article and Sections 10479, 10480, 10481, 10483, 10484, 10486 and 10489 shall apply only to the valuation of policies and contracts issued on or after the operative date as to such policies or contracts of Article 3a, Chapter 1, Part 2, Division 2."

Amendment No. 19

On page 7, line 37, of the printed bill, strike out "commissioner", and insert "commissioners".

Amendment No. 20

On page 9 of the printed bill, strike out lines 4 to 9, inclusive, and insert "10489 5."

Amendment No. 21

On page 9 of the printed bill, strike out lines 29 to 34, inclusive.

Amendment No. 22

On page 9 of the printed bill, strike out line 48, and insert "SEC. 10. Section 10487 of the Insurance Code is hereby".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 726
Senate Bill No. 265
Senate Bill No. 123
Senate Bill No. 110
Senate Bill No. 116
Senate Bill No. 140
Senate Bill No. 1027

Senate Bill No. 300
Senate Bill No. 369
Senate Bill No. 744
Senate Bill No. 109
Senate Bill No. 765
Senate Bill No. 338
Senate Bill No. 231

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 726—An act to amend Section 4041.11 of the Political Code, relating to control of dogs and predatory animals.

Referred to Committee on Municipal and County Government.

Senate Bill No. 265—An act to amend Section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to deposit of public moneys, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 123—An act to amend Section 4244 of the Political Code, relating to the compensation of public personnel in counties of the fifteenth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 110—An act to amend Section 1340.6 of the Fish and Game Code, relating to bear.

Referred to Committee on Fish and Game.

Senate Bill No. 116—An act to add Section 4101b to the Political Code, relating to deposits by county clerk in county treasury.

Referred to Committee on Judiciary.

Senate Bill No. 140—An act to amend Section 8 and to repeal Section 4 of, and to add Sections 4, 10a, 10b, 10c, and 11a to, an act entitled "An act relating to the rights, powers and disabilities of

aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," approved by the electorate November 2, 1920, relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to contracts for the use, leasehold or other interest in real property less than the fee, including cropping contracts, providing for escheats in certain cases, prescribing the procedure therein, defining the powers and duties of the Attorney General or the district attorney of the proper county in reference thereto, providing as to the duties, powers and authority of any alien appointed by any court as guardian of his native-born minor child or children, or as guardian of any other person, or persons, and prescribing the procedure in such cases, and to provide a penalty.

Referred to Committee on Judiciary.

Senate Bill No. 1027—An act to add Section 103½ to the Code of Civil Procedure, relating to clerks in justices' courts of Class A.

Referred to Committee on Judiciary.

Senate Bill No. 300—An act to amend Section 2261 of the Civil Code and Section 105 of the Bank Act, relating to the investment of trust funds by trustees.

Referred to Committee on Finance and Insurance.

Senate Bill No. 369—An act to amend Section 2351 of the Welfare and Institutions Code, relating to organizations maintaining homes for the aged.

Referred to Committee on Social Welfare.

Senate Bill No. 744—An act to amend Section 2350 of the Welfare and Institutions Code, relating to life care contracts.

Referred to Committee on Social Welfare.

Senate Bill No. 109—An act to amend Section 453 of the Agricultural Code, relating to the inspection and condemnation of milk, cream, and products thereof.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 765—An act to amend Section 70 of and to add Sections 70.1 and 70.2 to the Streets and Highways Code, relating to the California Highway Commission and providing for the organization thereof.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 338—An act to amend Section 227 of, and to add Section 227aa to, the Civil Code, relating to adoption by a stepparent.

Referred to Committee on Judiciary.

Senate Bill No. 231—An act to add Section 4.350-1 to the School Code and to add Section 6114 to the Education Code, relating to the

payment of school district employees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 381—An act to amend Section 6000 of the Government Code and Section 4460 of the Political Code, relating to newspapers and general circulation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Hensing, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Kraft, T. Penton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.16 a. m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

RECESS

At 10.18 a. m., on motion of Mr. Lyon, the Assembly recessed until 10.19 a. m., to hear from Miss Georgette Hatfield, daughter of Senator George Hatfield.

REASSEMBLED

At 10.19 a. m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 562—An act to amend Section 17818 of the Health and Safety Code, relating to apartment houses and hotels.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, Sam L., Crichton, Debs, Dilworth, Doyle, Dunn, Erwin, Fourt, Guthrie, Haggerty, Hastain, Hensing, Hollibaugh, Johnson, Kellem, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—51.

NOES—Anderson, Dills, Ralph C., Evans, Hawkins, Kilpatrick, and Massion—6.

Bill ordered transmitted to the Senate.

Hon. Lee T. Bashore Presiding

At 10.22 a. m., Hon. Lee T. Bashore, Member of the Assembly from the Forty-ninth District, presiding.

Assembly Bill No. 248—An act to amend Section 7 of the Municipal Court Act of 1925, relating to municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 254—An act to amend Section 7c of the Municipal Court Act of 1925, relating to municipal courts in cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, McCollister, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—56.

NOES—Carlson, Evans, and Massion—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 806—An act to amend Section 300 of the Labor Code, relating to the assignment of wages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 810—An act to amend Sections 25 and 78 of the Civil Code and Sections 1433 and 1590 of the Probate Code, relating to

minors, and effect of marriage upon minority and guardianship of minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, George D., Crichton, Debs, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Massion, McMillan, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, and Wollenberg—52

NOES—Collins, Sam L., Denny, Erwin, Knight, T. Fenton; Kraft, Lowrey, Maloney, McCollister, Pelletier, Stream, and Watson—11.

Bill ordered transmitted to the Senate.

Assembly Bill No. 811—An act to amend Sections 749, 750 and 751 of the Code of Civil Procedure, relating to the determination of conflicting claims to real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1281—An act amending Section 2356 of the Civil Code, relating to the revocation of an agent's powers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton, A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Mid-dough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—57.

NOES—Anderson, Beck, Collins, George D., Dills, Ralph C., Massion, O'Day, Rosenthal, and Thomas—8.

Bill ordered transmitted to the Senate.

Hon. Edward J. Carey Presiding

At 10.55 a.m., Hon. Edward J. Carey, Member of the Assembly from the Seventeenth District, presiding.

Assembly Bill No. 593—An act to amend Sections 701, 777 and 778 of the Welfare and Institutions Code, relating to minors who should be declared free from parental control, and relating to the procedure in such cases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—66
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 521—An act to amend Sections 5.384 and 5.398 of the School Code and to amend Sections 12755 and 12784 of the Education Code, relating to the revocation of credentials, life diplomas or documents issued by the State Board of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 336—An act to add Section 439.5 to the Political Code, relating to the administration of oaths by employees of the State Controller.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—67.
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.24 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Assembly Bill No. 644—An act to add Section 9 to the Community Recreation Enabling Act of 1939 and to add Section 24409.1 to the Education Code, relating to facilities of community recreation centers maintained solely by school districts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Gannon, Guthrie, Haggerty, Hastain, Johnson, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, McMillan, Miller, Niehouse, Potter, Price, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Weber, Weybret, and Wollenberg—47.

NOES—Anderson, Burkhalter, Debs, Doyle, Evans, Fourt, Gaffney, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, Knight, T. Fenton; Massion, McCollister, Middough, O'Day, Pelletier, Robertson, Rosenthal, Waters, Watson, and Werdel—23.

Notice of Motion to Reconsider Assembly Bill No. 644

Mr. Doyle gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 644 was this day passed.

Hon. Kathryn T. Niehouse Presiding

At 11.40 a.m., Hon. Kathryn T. Niehouse, Member of the Assembly from the Seventy-ninth District, presiding.

Assembly Bill No. 906—An act to add Sections 6.536 and 6.537 to the School Code and to add Sections 19129 and 19130 to the Education Code, relating to school district libraries.

Bill read third time.

Motion to Amend

Mr. Burkhalter moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Sections 6.536 and 6.537 to the School Code and to add".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Section 6.536 is added to the School Code, to"; and strike out lines 2 to 16, inclusive.

Amendment No. 3

On page 1, line 18, of said bill, strike out "SEC. 3".

Amendment No. 4

On page 2, line 1, of said bill, strike out "SEC. 4", and insert "SEC. 2".

Amendment No. 5

On page 2 of said bill, strike out lines 11 to 15, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 524 WAIVED

Mr. Debs waived his notice of motion to reconsider the vote whereby Assembly Bill No. 524 was passed.

Reconsideration of Assembly Bill No. 524 Continued

Mr. Werdel moved that the reconsideration of the vote whereby Assembly Bill No. 524 was passed be continued to the next legislative day.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1314—An act to amend Section 5.120 of the School Code and to amend Section 12001 of the Education Code, relating to authorization of service in the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Wollenberg—67.

NOES—None

Bill ordered transmitted to the Senate.

RECESS

At 11 52 a. m. on motion of Mr. Sam L. Collins, the Assembly recessed until 11 53 a. m. to hear from Sergeant Alfred Robertson, son of Assemblyman Robertson.

REASSEMBLED

At 11.53 a m, the Assembly reconvened.

Hon Kathryn T. Niehouse, Member of the Assembly from the Seventy-ninth District, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 599—An act to add Section 403.5 and to, and to amend Section 765 of, the Vehicle Code, relating to the effect of the war emergency and Federal and local regulations arising therefrom applicable to vehicles on the provisions of said code, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—63.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond,

Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 1422.
 Assembly Bill No. 453.
 Assembly Bill No. 463.
 Assembly Bill No. 505.
 Senate Joint Resolution No. 18.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Armstrong:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 12.16 to the County Water District Act, authorizing county water districts to establish, maintain and operate recreational facilities and to lease district property for such purposes.

Respectfully submitted.

DOUGLAS P. ARMSTRONG

Request referred to Committee on Legislative Procedure.

By Mr. Clayton A. Dills:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 1294.5 to the Labor Code, relating to the employment of minor females.

Respectfully submitted.

CLAYTON A. DILLS

Request referred to Committee on Legislative Procedure.

By Mr. Heisinger:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 10452 of the Revenue and Taxation Code, relating to the disposition of money in the Motor Vehicle Transportation Tax Fund.

Respectfully submitted.

S. L. HEISINGER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them:

By Mr. Armstrong:

An act to add Section 12.16 to the County Water District Act, authorizing county water districts to establish, maintain and operate recreational facilities and to lease district property for such purposes.

By Mr. Clayton A. Dills:

An act to add Section 1294.5 to the Labor Code, relating to the employment of minor females.

By Mr. Heisinger:

An act to amend Section 10452 of the Revenue and Taxation Code, relating to the disposition of money in the Motor Vehicle Transportation Tax Fund.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam. L. Crichton, Denny, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Fout, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1942: By Mr. Armstrong (By request)—An act to add Section 12.16 to the County Water District Act, relating to the powers of county water districts as to recreational facilities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1943: By Mr. Clayton A. Dills—An act to add Section 1294.5 to the Labor Code, relating to the employment of minor females.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1944: By Mr. Heisinger—An act to amend Section 10452 of the Revenue and Taxation Code, relating to the disposition of money in the Motor Vehicle Transportation Tax Fund.

Referred to Committee on Revenue and Taxation.

Speaker Pro Tempore Presiding

At 11.56 a. m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:
 Assembly Bill No. 1414
 Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THORP, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Assembly Bill No. 232

Assembly Bill No. 417

Assembly Bill No. 315

Assembly Bill No. 1487

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THORP, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred.
 Assembly Bill No. 297
 Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to Committee on Live Stock and Dairies.

THORP, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:
 Assembly Bill No. 314
 Assembly Bill No. 784
 Assembly Bill No. 786
 Assembly Bill No. 788
 Assembly Bill No. 1505
 Assembly Bill No. 1771
 Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Agriculture, to which was referred:
 Senate Joint Resolution No. 19
 Has had the same under consideration, and reports the same back with the recommendation: Be adopted

WEYBRET, Chairman

Above reported resolution ordered on file for adoption.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:
 Assembly Bill No. 865
 Assembly Bill No. 1066
 Assembly Bill No. 1125
 Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 148

Assembly Bill No. 855

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 896

Assembly Bill No. 1604

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 516

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 399

Assembly Bill No. 843

Assembly Bill No. 568

Assembly Bill No. 1252

Assembly Bill No. 570

And reports the same correctly re-engrossed

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

Assembly Concurrent Resolution No. 42

House Resolution No. 139

House Resolution No. 135

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 42: By Mr. Sam L. Collins—Relative to memorializing the Congress of the United States to propose an amendment to the Constitution of the United States prohibiting a President of the United States from serving more than two terms.

Referred to Committee on Rules and House Functions.

Assembly Concurrent Resolution No. 43: By Mr. Sam L. Collins—Relative to amending Joint Rule No. 35 of the Joint Rules of the Senate and the Assembly.

Referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Concurrent Resolution No. 43
Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

RECESS

At 12.10 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Concurrent Resolution No. 42
And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 639
And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 1264—An act making an appropriation for support of the Governor's Office, to take effect immediately;
And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fourth day of March, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Joint Resolution No. 28—Relating to destruction of crops by ducks.
Assembly Joint Resolution No. 34—Relative to memorializing the President and Congress to enact legislation to secure to all employees of the Post Office Department an increase in wages commensurate with the increased cost of living and other benefits;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of March, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 346—An act to amend Sections 261a and 1744 of the Code of Civil Procedure, relating to the appointment, compensation, and expenses of superior court employees in counties, or cities and counties, having a population of 900,000 inhabitants and over;

Assembly Bill No. 685—An act to amend Section 1034 of the Political Code, relating to date of receipt of communications by mail;

Assembly Bill No. 1131—An act to repeal Section 905 of the Political Code, relating to oaths of office of the Governor and Lieutenant Governor; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of March, 1943, at 2 p.m.

PELLETIER, Chairman

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 1747

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BURNS, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 911

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 639 re-referred to Committee on Revenue and Taxation.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of the Speaker and Messrs. Pelletier, Bashore, and Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Georgette Hatfield, daughter of Senator Hatfield.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to a group of pupils and teachers of the Galt Elementary School, as follows: Betty Angele, Calvin Adolph, Virginia Bello, Jim Caldwell, Herold Coupe, Melba Crosson, Frank Ettlin, Lester Fachner, Herbert Fassler, Jeanette Geiger, Paul Kennedy, Raymond Konrad, Irvin Melhaff, Wallace Meyers, Dan Mingo, George Mingo, Wayne Spencer, Janet Thomas, Aleene Witherspoon, Alice Epp, Dolores Brunmeier, Ramona Rieger, Glenn Berreth, Arthur Schulz, Shirley Biederman, Barbara Prather, and Doris Heinle; and Mrs. Mary Greene, Miss Gladyce Strickland, Mrs. Joe Epp, Mrs. Orval Crosson, and Mrs. Fred Thomas.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Thomas McCarthy, Treasurer of San Francisco.

On request of Mrs. Niehouse, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Edward Petty of San Diego.

On request of Mr. Ralph C. Dills, the Los Angeles County Delegation, and Mr. Guthrie, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John R. Quinn of Los Angeles.

On request of Mr. Berry and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John Fixa, George Higgins, and Joseph Tierney of San Francisco.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Jacob M. Leonard and Miss Barbara Leonard of Hollister.

On request of Mr. Johnson, the Alameda and San Francisco Delegations, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Honorable James G. Quinn, Superior Judge of Alameda County.

On request of Mrs. Niehouse and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private Austin M. Connelly of Jamestown, New York.

On request of Mr. Evans and the Democratic Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant Alfred Robertson, U. S. Army, son of Assemblyman Robertson.

ADJOURNMENT

At 2.10 p. m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a. m., Thursday, March 25, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-SEVENTH LEGISLATIVE DAY
EIGHTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, March 25, 1943

The Assembly met at 10 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Eternal God and Father of Mankind, help us lift our eyes to Thee amid the confusion and sorrows of the day. We are thankful that in times of transition and uncertainty, we can look to One who is the same, yesterday, today, and forever, for a thousand years in Thy sight are but as yesterday when it is past, and as a watch in the night.

“Under the shadow of Thy throne
Still may we dwell secure:
Sufficient is Thine arm alone,
And our defense is sure.”

We ask it in Thy holy name.

AMEN.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. McMillan.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:
Mr. Field, on motion of Mr. Sam L. Collins.

MOTION TO EXCUSE MEMBER

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, because of illness.

COMMUNICATIONS

By Speaker Lyon:

The following communication was received and ordered printed in the Journal:

LOS ANGELES, CALIFORNIA, March 23, 1943

*Hon. Charles Lyon, Speaker of Assembly
Sacramento, California*

WHEREAS, The proper organization and equipment of the California State Guard has been of prime importance to and sponsored by the American Legion, Department of California, and,

WHEREAS, Senate Bill No 1071, now pending before the Legislature of the State of California provides for a State Guard patterned after the National Guard, and

WHEREAS, Senate Bill No. 1071 is in conformity with the mandates and program of the Legion National defense program; now, therefore, be it

Resolved by the Seventeenth District of the American Legion, Department of California, That the Legislature and the Governor of the State of California be urged to adopt the said bill; and, be it further

Resolved, That copies of this resolution be forwarded to the Governor, State of California, and to the members of the Legislature now in session.

The above resolution was unanimously adopted March 20, 1943, by the Seventeenth District, American Legion, Department of California.

SAM ROBINSON, Commander, Seventeenth District

Also:

LOS ANGELES, CALIFORNIA, March 23, 1943

*Hon. Charles Lyon
Speaker of the House, Sacramento, California*

All California sportsmen and especially we of the south wish you to use your influence to defeat Assemblyman Call Bill No. 1683. Make no new regulations on fish and game bills while sportsmen are in service.

PACIFIC COAST FIELD TRIAL CLUB

H. P. CUNNINGHAM, Secretary

Communication referred to Committee on Fish and Game.

Also:

A communication from Mr. Malcolm McEachin, Secretary of State, State of Nevada, relative to Assembly Joint Resolution No. 10, adopted by the Nevada Legislature, was received, and referred to the Committee on Roads and Highways.

By Mr. Sam L. Collins:

The following communication was received, and ordered printed in the Journal:

SEAL BEACH, CALIFORNIA, March 22, 1943

DEAR SAM AND CLYDE: I am just recovering from the high compliment paid me by the Assembly on my seventy-fifth birthday. If I could have it in concrete form, would have it framed and hung in my den, alongside of Presidents of the United States and other celebrities, from constables up. It is memories such as these that keep me up and going strong.

The Long Beach Press Telegram carried the story, which I am enclosing. This was the handiwork of Mrs. Arrington, publisher of the Seal Beach Post, whom you probably know. She is a very bright woman and a good friend.

I could say much more, but my typist is in a war plant, the cook has struck, and I am mad.

I only wish I were able to go to Sacramento. Would like to see the new crowd in the old places. I can assure you they meet with my approval. I try to keep posted by the newspapers and radio.

People here call me a miracle man, recovering from illness after illness.

If and when I can be of service, I am at your command.
Please thank Mr. Speaker and the members for their courtesy.
Mrs. Stanton joins me in thanking you all.
Sincerely,

P. A. STANTON

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Bashore:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Sections 2981, 2982, 2983 and 2984 to the Civil Code, relating to conditional sales contracts; defining certain words and terms; prescribing the form and contents of conditional sales contracts; prescribing certain rights and obligations of buyers, sellers, and other persons; and providing civil and criminal penalties

Respectfully submitted.

LEE T. BASHORE

Request referred to Committee on Legislative Procedure

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Bashore:

An act to add Sections 2981, 2982, 2983 and 2984 to the Civil Code, relating to conditional sales contracts; defining certain words and terms; prescribing the form and contents of conditional sales contracts; prescribing certain rights and obligations of buyers, sellers, and other persons; and providing civil and criminal penalties.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kelleins, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—61.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1945: By Mr. Bashore—An act to add Sections 2981, 2982, 2983 and 2984 to the Civil Code, relating to conditional sales contracts; defining certain words and terms; prescribing the form and contents of conditional sales contracts; prescribing certain rights and obligations of buyers, sellers, and other persons; and providing civil and criminal penalties.

Referred to Committee on Judiciary.

Assembly Concurrent Resolution No. 44: By Mr. Sam L. Collins—Relative to adjournment sine die of the Fifty-fifth Session of the Legislature of the State of California.

Referred to Committee on Rules and House Functions.

Assembly Concurrent Resolution No. 45: By Messrs. Call, Fourn, Knight, T. Fenton; Watson, and McCollister—Relative to a Fact-Finding Committee on Old-Age Pension Advocacy and Promotion, and defining its powers and duties.

Referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 906

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 43

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 64

Assembly Bill No. 214

Assembly Bill No. 240

Assembly Bill No. 256

Assembly Bill No. 264

Assembly Bill No. 484

Assembly Bill No. 553

Assembly Bill No. 873

Assembly Bill No. 1417

Assembly Bill No. 1559

Assembly Bill No. 1761

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 465

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 787

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEYBRET, Chairman

Above reported bill ordered to second reading.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Bill No. 126

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 690—An act to amend Section 1171 and to add Section 1184 to the Military and Veterans Code, relating to exemption of memorial districts from the provisions of the District Investigation Act of 1933.

Bill read second time, and ordered engrossed.

Assembly Bill No. 364—An act to add Section 557.1 to the Military and Veterans Code, relating to the organization of licensed military companies.

Bill read second time, and ordered to third reading.

Assembly Bill No. 865—An act to add Section 459.2 to the Vehicle Code, relating to traffic on road approaches to private airports, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1066—An act to amend Sections 251, 252, 267, 302, 305, 307, 310, 353, 414, 415, 416, 417 and 418 of the Vehicle Code, relating to driver's licenses and proof of ability to respond in damages.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1125—An act to amend Section 276 of the Vehicle Code, relating to operators' licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 314—An act to amend Section 20 of the "California Water District Act," relating to the redemption of bonds of water districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 784—An act to amend Section 92 of the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs.

Bill read second time, and ordered engrossed.

Assembly Bill No. 786—An act to add Section 4041i to the Political Code, relating to the transfer of county property used for fair purposes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 788—An act to amend Section 88 of the Agricultural Code, relating to property transfers by district agricultural associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1505—An act to amend Section 1196 of the Agricultural Code, relating to articles of incorporation of cooperative marketing associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1771—An act to amend Section 87 of the Agricultural Code, relating to agricultural societies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1414—An act to add Section 471.5 to the Agricultural Code, relating to cream.

Bill read second time, and ordered engrossed.

Assembly Bill No. 232—An act to amend Section 643 of the Agricultural Code, relating to dairy sanitation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 643", and insert "Sections 643 and 644".

Amendment No. 2

On page 1, lines 11 and 12, of the printed bill, strike out "or other means equally effective and acceptable to the department", and insert "or by a chlorine sterilization process the methods by which same shall be used to be established by regulation of the director."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being inclosed within brackets.

Amendment No. 3

On page 2 of the printed bill, following line 33, insert

"SEC. 2. Section 644 of said code is hereby amended to read:

644. A milk products plant is insanitary in the following cases:

(a) If milk or cream or any product of either is received that has reached an advanced stage of fermentation, or that shows a state of putrefactive fermentation, or contains foreign substances detrimental to the quality of the manufactured product.

(b) If the utensils and apparatus that come in contact with milk or its products are not thoroughly washed and sterilized by means of boiling water or superheated steam [or other means equally effective and acceptable to the department], or by a chlorine sterilization process the methods by which same shall be used to be established by regulation of the director, immediately following the completion of any processing operations and if the cans or containers in which the milk or cream or products of either is received, transported or delivered are not thoroughly washed, sterilized and dried after emptying and before being sent out to be used again or if any containers, utensils, or apparatus, or equipment are used for any purpose other than that of handling milk and the products of milk.

(c) If the floor is not constructed of nonabsorbent material acceptable to the department or if the floor is so constructed as to permit the flowing of water, milk or other liquids underneath or among the interstices of such floor, where fermentation and decay can take place, or if such floor can not be readily kept free from dirt.

(d) If floor drains are not provided that will convey refuse milk, water and sewage away to a point at least 50 yards distant from such milk products plant or if any cesspool, privy vault, hog yard, slaughterhouse, manure or any decaying vegetable or animal matter shall be so located as to permit foul odors to reach such milk products plant or storeroom or depot where milk or its products are sold or handled; or if such milk products plant is not adequately and conveniently supplied with water free of pollution with sewage or contamination with pathogenic bacteria unless said water be subjected to efficient chlorination or otherwise treated to make it safe for use in connection with the manufacture of food products.

(e) If such milk products plant does not permit access of light and air sufficient to secure good ventilation.

(f) If in any building used in connection with any milk products plant any species of animal life are permitted. If upon the floor or walls any milk or its products or any filth is allowed to accumulate or ferment, or decay, or if the bodies or

wearing apparel of persons employed, or coming in contact with any milk or its products in any milk products plant are unclean and not washed from time to time with reasonable frequency, or if suitable toilet and lavatory facilities and clean towels are not provided for employees.

(g) If tight, sound and cleanable walls and ceilings are not provided so as to exclude flies, insects and dust."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 315—An act to amend Section 506 of the Agricultural Code, relating to the making of ice cream and ice milk.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In the title of the printed bill, after "506", insert "and to add a new section numbered 509 (a)".

Amendment No. 2

On page 2 of the printed bill, after line 29, insert "509. (a) Notwithstanding any of the provisions of the foregoing Sections 506, 507, 508 and 509, until the ninety-first day after the final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever shall occur first, ice cream shall contain not less than 8 per cent of milk fat and not less than 1.4 pounds of food solids per gallon; French custard ice cream, cooked ice cream, ice custard, parfaits and all similar frozen products shall contain not less than 8 per cent of milk fat; and ice milk shall contain not less than 1.1 pounds of food solids per gallon."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 417—An act to amend Sections 1299.1, 1299.6 and 1299.8 and to add Sections 1299.13, 1299.14 and 1299.15 to the Agricultural Code, relating to marketing of milk and other dairy products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 4, line 45, of the printed bill, strike out "constitute a", and insert "be paid into the Department of Agriculture".

Amendment No. 2

On page 4 of the printed bill, beginning in line 46, after the period, strike out all of the remainder of the bill to and including line 8 on page 5, and insert

"At the close of each fiscal year, any amounts which have been collected and which the director finds are in excess of those which may reasonably be required for the administration and enforcement of this chapter shall be refunded pro rata, subject to the provisions of this chapter, to all manufacturers from whom such sums were due and collected pursuant to the provisions of this section."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1487—An act to amend Sections 737.5, 737.6, 737.8, and 737.11 of the Agricultural Code, relating to licensing and

bonding of distributors of fluid milk and fluid cream, and the fees therefor; providing for records of purchases, and for proceedings to refuse, revoke or suspend such licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "736.3".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "737 5", and insert "736 3".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being inclosed within brackets

Amendment No. 3

On page 1 of the printed bill, between lines 2 and 3, insert

736.3. Any stabilization and marketing plan shall contain the following provisions:

(a) Provisions for prohibiting distributors and retail stores from engaging in the unfair practices hereinafter set forth:

(1) The payment, allowance or acceptance of secret rebates, secret refunds, or unearned discounts by any person, whether in the form of money or otherwise.

(2) The giving of any milk, cream, dairy products, services or articles of any kind, except to bona fide charities, for the purpose of securing or retaining the fluid milk or fluid cream business of any customer.

(3) The extension to certain customers of special prices or services not made available to all customers who purchase fluid milk or fluid cream of like quantity under like terms and conditions

(4) The false or misleading advertising of fluid milk or fluid cream as defined in Section 654a of the Penal Code

(5) The purchase of any fluid milk in excess of 200 gallons monthly from any producer or association of producers unless a written contract has been entered into with such producer or association of producers stating the amount of fluid milk to be purchased for any period; the quantity of such milk to be paid for as Class 1, and the price to be paid for [each of the several classes] *all milk received*, but in any marketing area where an equalization pool is a part of a stabilization and marketing plan, such contract need not specify the quantity of milk in any one class. The contract shall also state the date and method of payment for *such fluid milk, which shall not be later than the last day of the month following the month during which the fluid milk was purchased*, the charges for transportation if hauled by the distributor, and may contain such other provisions as are not in conflict with this chapter, and shall contain a proviso to the effect that the producer shall not be obligated to deliver in any calendar month fluid milk to be paid for at the minimum price for fluid milk that is used for Class 4, as said class is defined in Section 735.3 of this code. A signed copy of such contract shall be filed by the distributor with the director within five days from the date of its execution.

(6) The purchasing, processing, bottling, transporting, delivering or otherwise handling in any marketing area of any fluid milk or fluid cream which is to be or is sold or otherwise disposed of by such distributor at any place in the geographical area within the outer, outside and external boundaries or limits of such marketing area, whether such place is a part of the marketing area or not, at less than the minimum wholesale and minimum retail prices effective in such marketing area

(7) The payment of a lesser price by a distributor to any producer for fluid milk or fluid cream which is distributed to any person, including agencies of the Federal, State or local government, located upon property within the geographical limits of any marketing area for less than the minimum prices established by the director to be paid by distributors to producers for fluid milk or fluid cream for said marketing area.

(8) The purchasing or receiving of any fluid milk or fluid cream by distributors from producers within a marketing area wherein a stabilization and marketing plan is in effect for less than the minimum prices established in such plan, regardless

of whether such milk or cream is subsequently sold or distributed within or without such marketing area, or within or without the jurisdiction of the State of California; provided, however, that if such fluid milk or fluid cream is subsequently sold or distributed in another marketing area within the State of California where a stabilization and marketing plan is in effect, then the distributor shall pay the producer thereof not less than the minimum prices established in such plan in the marketing area wherein such milk or cream is sold or distributed; and provided further, that in the event such fluid milk or fluid cream is subsequently sold or distributed in any place within the jurisdiction of the State of California where no stabilization and marketing plan is in effect, then such milk or cream may be paid for by the distributor to the producer thereof at not less than the average price paid by distributors to producers for milk or cream of similar grade and quality at the plants in the vicinity where such milk or cream is so sold or distributed, as such prices are determined by the director from contracts required to be filed with him pursuant to this section.

(b) Provisions whereby the director designates and prescribes or provides methods for designating or prescribing minimum prices to be paid by distributors to producers, for fluid milk in one or more of the various classes; provided, however, that the prices so designated or prescribed shall be based upon the economic relationship of the price of fluid milk for the marketing area involved to the price of manufacturing milk, taking into consideration the additional costs incurred in producing and marketing fluid milk over and above costs incurred in producing and marketing manufacturing milk; and provided further, the director finds that such prices will tend to effectuate the purposes and policy of this chapter and will insure consumers a sufficient quantity of pure and wholesome milk.

Any stabilization and marketing plan may contain the following provisions:

(c) Provisions whereby distributors shall report to each producer from whom fluid milk is secured, the volume of fluid milk received from such producer in pounds of milk, the milk fat test of such milk and the amount of fluid milk in milk fat pounds paid for in the several classes and the prices paid for the various classes for each month.

(d) Provisions whereby the director designates and prescribes or provides methods for designating or prescribing minimum prices to be paid by distributors to producers for fluid cream; provided, that the prices so designated or prescribed shall be based upon the economic relationship of the price of fluid cream for the marketing area involved to the price of manufacturing cream, taking into consideration the additional costs incurred in producing and marketing fluid cream over and above costs incurred in producing and marketing manufacturing milk; and provided further, that the director finds that such prices will tend to effectuate the purposes and policy of this chapter and will insure consumers a sufficient quantity of pure and wholesome cream.

(e) Provisions whereby the director designates or prescribes methods to provide uniform prices to be paid to all producers supplying fluid milk to distributors for pasteurization purposes in the marketing area involved by pooling the returns of all such fluid milk; provided, that no equalization pool shall be established unless the director, after hearing, determines that producers who supply distributors with not less than sixty-five (65) per cent of the total volume of fluid milk used for pasteurization purposes and who represent not less than sixty-five (65) per cent of the total number of such producers desire the establishment of such pool, but no hearing shall be necessary if said sixty-five (65) per cent, by volume and production, of such producers petition the director in writing to establish such equalization pool as a part of the plan. If the director finds that an equalization pool is necessary to carry out the provisions of this chapter he shall make provision therefor. The director may designate the local control board for the marketing area as his agency to operate the equalization pool and may permit such local board to employ a pool manager and such other necessary personnel and to incur such expenses incidental to the operation of the pool as the director finds are necessary. The director is hereby empowered to require distributors to make reports to the pool manager at such intervals and in such detail as he finds is necessary for the operation of the pool which reports shall be kept confidential as to any individual distributor but shall be available to the director or his agents and the pool manager, and such employees of the pool as are necessary to the operation of the equalization pool.

No provision of any pooling program shall prevent any distributor from paying premiums for quality; provided, all producers supplying fluid milk of like quality to such distributor are paid similar premiums, nor shall any provision prohibit the paying of different prices to producers based on differentials in transportation, adjustments or deductions made by a cooperative association of producers to its members, including the blending of proceeds received from the sale of fluid milk by such cooperative in other markets. Distributors who purchase fluid milk from producers for pasteurization purposes shall deduct from payments due such producers at such time and in such manner such sums as the director determines are sufficient to insure uniform prices to all producers subject to the

provisions of the equalization pool, irrespective of the usage of such fluid milk by the distributors. Distributors shall make, in addition to the deductions herein prescribed, such additional deductions per pound milk fat as the director finds necessary to pay all expenses incidental to the operation of the equalization pool, including the establishment of a reserve account to insure prompt payments to producers. The deductions herein prescribed are in addition to any other deductions prescribed by this chapter.

(f) Provision whereby sales stimulation or consumer educational programs may be formulated and administered to increase the consumption of fluid milk and fluid cream, or other dairy products, provided, that such programs shall be carried on without reference to a particular brand or trade name; and provided further, that no such sales stimulation or consumer educational program shall be carried on which shall make use of false or unwarranted claims on behalf of such products or which disparages the quality, value, sale or use of any fluid milk or fluid cream or any other agricultural commodity authorized by law to be marketed within such marketing area.

Before any stabilization and marketing plan may provide for sales stimulation and consumer educational programs, not less than 65 per cent of the producers and who produce not less than 65 per cent of the total volume of fluid milk consumed in any marketing area shall petition the director in writing for the inclusion of such a program as part of the stabilization and marketing plan. If such a program is requested by distributors it shall be necessary that not less than 65 per cent of the total number of distributors and who distribute not less than 65 per cent of the total volume of fluid milk for consumption in the marketing area shall petition the director in writing for the inclusion of such a program as part of the stabilization and marketing plan.

The petition shall bear the signatures of petitioners, their addresses and the approximate daily volume of fluid milk handled in gallons and milk-fat pounds and the type of product distributed, together with the estimated cost of the program each month and the number of months the program is to continue in operation.

A sales stimulation and consumer educational program instituted by producers shall be financed by all producers supplying fluid milk to the marketing area. Such program, if instituted by distributors, shall be financed by all distributors supplying fluid milk to the marketing area. If such program is instituted by both producers and distributors, both producers and distributors shall finance the program equally.

If the program is instituted by producers the director is hereby empowered to require producers to pay assessments of not more than two mills per pound milk fat, or if the program is instituted upon a gallonage basis not more than seven mills for each 10 gallons of fluid milk received by distributor, including the production of distributors who are also producers.

If the program is instituted by distributors the director is hereby empowered to require distributors to pay assessments of not more than two mills per pound milk fat, or if the program is instituted upon a gallonage basis not more than seven mills for each 10 gallons of fluid milk received by distributors, including the production of distributors who are also producers.

If the program is instituted by both producers and distributors, the director is hereby empowered to require both producers and distributors to pay assessments for the purpose of providing funds for formulating, administering, and carrying on such program. The assessments to be paid by distributors shall not exceed two mills per pound milk fat, or if the program is instituted upon a gallonage basis not more than seven mills for each 10 gallons of fluid milk received by distributors including the production of distributors who are likewise producers. Assessments of not more than two mills per pound milk fat, or if the program is instituted upon a gallonage basis, not more than seven mills for each 10 gallons of fluid milk produced by producers and received by distributors, shall likewise be paid by producers. In no instance shall the combined assessments exceed four mills per pound milk fat, or if the program is instituted upon a gallonage basis not more than 14 mills for each 10 gallons of fluid milk received from producers and processed by distributors for distribution in the marketing area in the form of whole milk, fluid cream, or manufactured dairy products derived from fluid milk.

Before a program may be instituted a public hearing shall be called by the director, the procedure for which public hearing is to be the same as that required for the institution of a stabilization and marketing plan for fluid milk. At such public hearing testimony and evidence shall be taken to determine the necessity of such a program, the estimated costs of the program, the time during which the program is to be continued, and such other matters as are necessary in the institution of the program.

If, after public hearing and consideration of the testimony and evidence presented at said hearing, the director finds that a sales stimulation and consumer educational program will tend to effectuate the purposes of this chapter, he shall issue an order

making effective such program. Such order shall state the number of months the program shall continue in operation, the rate of assessment per pound milk fat or per gallon to be paid by those petitioning for the program, the names, addresses and business locations of the persons appointed to administer the program and such order may contain other provisions which are necessary and incidental to the operation of the program.

The person named in the order to administer the program shall be selected by the director in the following manner and in the following number:

(a) If the program was instituted by producers the director shall name five representative producers from nominations made at the public hearing by the petitioners.

(b) If the program was instituted by distributors the director shall name five representative distributors from nominations made at the public hearing by the petitioners.

(c) If the program was instituted by both producers and distributors the director shall name three representative producers from nominations made at the public hearing by the petitioning producers and three representative distributors from nominations made at the public hearing by petitioning distributors.

(d) Distributors who are also producers shall be eligible to nomination for service on, and may be named by the director to serve on the committee to administer any program for which they will be required to pay assessments, and at least one of the persons named by the director to serve on any committee to administer any program for which distributors who are also producers will be required to pay assessments shall be a distributor who is also a producer.

All programs shall be administered by the persons named in the order of the director making the program effective, and shall be administered subject to the approval of the director. All amounts required to be paid to the director under this section by producers or distributors shall be paid to such director on or before the fifteenth day of the month following the month during which such fluid milk was received by distributors and all distributors receiving milk from producers in any area where the provisions of this section are in effect whereby the director is empowered to require payments from producers shall deduct and pay to the director such payments provided for under this section from the payments due for such distributors to such producers for fluid milk.

Upon the termination of any program, if there are any obligations arising thereunder, the final accrual or ascertainment of which requires further acts by any producer or distributor or by the persons appointed to administer the program or by the director, the power or duty to perform such further acts shall continue, notwithstanding such termination.

All moneys received by the director pursuant to this section shall be deposited in the Department of Agriculture Fund in the State treasury allocated to each separate marketing area from which they are collected and disbursed only for the purposes specified subject to the approval of the director.

Any money received by the director in excess of the amount required for any program shall be returned at such time as the director may determine on a pro rata basis to the persons from whom such funds were collected.

Sec. 15. Section 737.5 of said code is amended to read:"

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 148—An act to amend Section 277 of the Vehicle Code, relating to chauffeur's licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 5, of the printed bill, after the period, insert "Every chauffeur's license heretofore issued shall expire at the date fixed in the license as issued or six months after the cessation of hostilities in the present war in which the United States is engaged, as declared by the President or the Congress of the United States, whichever time is later."

Amendment read and adopted

Bill ordered reprinted and engrossed

Assembly Bill No. 855—An act to amend Sections 452, 525, and 528 of, and to add Section 459.1 to, the Vehicle Code, relating to traffic regulations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section 459.1", and insert "Sections 459.1 and 459.2".

Amendment No. 2

On page 1 of the printed bill, after line 23, insert "Sec. 3. Section 459.2 is added to the Vehicle Code, to read: 459.2. Establishment of Crosswalks. The provisions of this division shall not prevent local authorities, by ordinance, from establishing crosswalks between intersections."

Amendment No. 3

On page 2, line 1, of the printed bill, strike out "Sec. 3", and insert "Sec. 4"

Amendment No. 4

On page 2, line 41, of the printed bill, strike out "Sec. 4", and insert "Sec. 5".

Amendment No. 5

In line 1 of the title of the printed bill, strike out the word "and" after "525," and insert "and 596" after "528".

Amendment No. 6

On page 3 of the printed bill, after line 9, insert "SEC. 5. Section 596 of the Vehicle Code is amended to read: 596 Obstruction to Driver's View or Driving Mechanism. No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle. *The provisions of this section shall not apply to the loading of passenger common carrier vehicles subject to the regulations of the California Railroad Commission, but as to such vehicles specific rules and regulations of that commission shall apply.*"

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1747—An act to add Section 44.2 to the Vehicle Code, relating to authorized emergency vehicles, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "Society and other organizations having similar purposes,".

Amendment No. 2

On page 1 of said bill, strike out line 14, and insert "signs or flags of a type approved by the director, and when such signs or flags".

Amendment No. 3

On page 1, line 16, of said bill, after "vehicle", insert "and when such vehicle displays an emergency lamp, mounted on the front thereof, the illuminated portion of which said lamp shall display a translucent red cross on a frosted white glass or plastic background, which such emergency lamp when illuminated shall be plainly visible at a distance of not less than fifty (50) feet from the front of said vehicle

and which such lamp shall conform to specifications which shall be prescribed by the Director of Motor Vehicles. No siren or red light shall be authorized for any vehicle designated herein as an "authorized emergency vehicle," except on vehicles normally used exclusively for ambulance purposes".

Amendment No. 4

On page 1, lines 17 and 18, of said bill, strike out "person operates such vehicle so owned by him", and insert "vehicle is operated by the American National Red Cross".

Amendment No. 5

On page 1, line 20, of said bill, strike out "the siren", and insert "the flags must be removed or furled and the siren, if any,".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 911—An act making an appropriation for administrative expenses of the Department of Social Welfare, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "(\$72,500 00)", and insert "\$50 000.00"

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 516—An act to amend Sections 10490, 10500, 10971 and 10972 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 10490, 10500, 10971 and 10972 of", and insert "add Section 10971.7 to".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 31, inclusive; also strike out all of page 2, and insert

"SECTION 1. Section 10971.7 is added to the Insurance Code, to read: 10971.7. A labor union having all of the following characteristics is exempt from the provisions of this code.

1 It is composed of members of one craft or industry or allied crafts or industries.

2 It is organized for the purpose of collective bargaining concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work and for the mutual benefit of its members and not for profit.

4 Either (a) it does not issue policies but provides for payment of such benefits in its bylaws, constitution or rules and regulations; or (b) it limits its membership to one hazardous occupation.

5 Such payment of benefits is incidental to the purposes of such union."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 896—An act to amend Section 758 of the Vehicle Code, relating to presumptions as to the character of residence and business districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 758 of", and insert "Sections 739.1 and 758 of, and to add Section 759 to,".

Amendment No. 2

At the beginning of line 2 of the title of the printed bill, before "presumptions", insert "waiver of filing of written complaint and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 1 to 23, both inclusive, and insert

"SECTION 1. Section 739.1 of the Vehicle Code is hereby amended to read as follows:

739.1. Waiver of Filing of Written Complaint. Whenever a written notice to appear in court has been delivered to, and signed by a defendant, as provided in Section 739 hereof, or whenever notice of illegal parking has been given pursuant to the provisions of Section 591 hereof, an exact and legible duplicate copy of said notice shall, as soon as practicable, be filed with the magistrate specified therein and shall, notwithstanding the provisions of Section 1426 of the Penal Code, constitute a complaint to which the defendant may plead "guilty."

If, however, the defendant shall violate his promise to appear in court or shall fail to deposit lawful bail, [as required by law,] or if the defendant shall not plead "guilty" of the offense charged, [an amended] a complaint shall be filed which shall conform to the provisions of said Section 1426 and which shall be deemed to be an original complaint, and thereafter [such] proceeding shall be had [as may be] according to law; provided, that a defendant may, by an agreement in writing, subscribed by him and filed with the court, waive the filing of a verified complaint and elect that the prosecution may proceed upon the written notice mentioned in Section 739 hereof.

SEC. 2. Section 758 of the Vehicle Code is amended to read:

758. [Presumption as to Character of District. Every highway shall be conclusively presumed to be outside of a business or residence district unless such district is duly signposted when and as required by this code. Whenever speed restriction signs have been erected upon any highway as authorized in this code, the prima facie speed upon such highway so signposted shall be presumed to be that displayed upon such signs unless it is established by clear and competent evidence that the nature of the district or the provisions of this code do not substantiate the speed restrictions as set forth upon such signs.]

Establishing Existence of Business or Residence District. In any action involving the question of unlawful speed of a vehicle upon a highway alleged to be within a business or residence district the prima facie existence of such district may be established by competent evidence either that such highway is signposted indicating that it is within a business or residence district or that a business or residence district exists in fact as defined in this code; but in either event such street or highway shall be conclusively presumed to be outside a business or residence district if it be established by competent evidence that the district does not in fact qualify as a business or residence district as defined in this code, or, in respect to a State highway or a street or highway determined by local ordinance or resolution to be a principal street or highway, that the appropriate signs were not in place as required under Section 468 of this code.

SEC. 3. Section 759 is added to the Vehicle Code, to read:

759. Presumption of Validity of Official Signs and Traffic Control Devices. (a) Whenever traffic signs or traffic control devices are placed in a position approximately conforming to the requirements of this code, such signs or traffic control

devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

(b) Any sign or traffic control device placed pursuant to the provisions of this code and purporting to conform to the lawful requirements pertaining to such sign or device shall be presumed to comply with the requirements of this code unless the contrary shall be established by competent evidence."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1604—An act to amend Section 258 of the Vehicle Code, relating to chauffeurs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 9, of the printed bill, after "plants," insert "and other merchandise vital to the war effort and necessary for the preservation of food and the transportation and delivery of heating fuel,".

Amendment No. 2

On page 1, line 11, of the printed bill, strike out "or preservation of such goods", and insert "of agricultural products and war material and to protect the health of the armed forces of the United States and the civilian population".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 297—An act to amend Sections 611 and 612 of the Agricultural Code, relating to licenses and reports of substitutes for butter and cheese.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 611 and 612", and insert "Section 611".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "licenses and reports of substitutes for butter and cheese", and insert "oleomargarine".

Amendment No. 3

On page 2 of said bill, strike out lines 13 to 26, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 725
Senate Bill No. 567
Senate Bill No. 117

Senate Bill No. 959
Senate Bill No. 584
Senate Bill No. 173

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 725—An act to repeal Section 5.63 of the School Code, and to repeal Section 20431 of the Education Code, relating to the admission of persons not residents of California to the State colleges.

Referred to Committee on Universities and Colleges.

Senate Bill No. 567—An act to amend Section 1346 of the Fish and Game Code, relating to antelope, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

Senate Bill No. 117—An act to amend Sections 203 and 231 of, and to add Section 204f to, the Code of Civil Procedure, relating to the preparation of jury lists by the jury commissioner.

Referred to Committee on Judiciary.

Senate Bill No. 959—An act to amend Section 4280 of the Political Code, relating to the compensation of public personnel.

Referred to Committee on Municipal and County Government.

Senate Bill No. 584—An act to amend Sections 3, 9, and 9½ of the California Toll Bridge Authority Act, relating to the employment of legal counsel.

Referred to Committee on Judiciary.

Senate Bill No. 173—An act to add Chapter 7 to Division 4 of the Public Resources Code, relating to the cutting of immature trees for lumber.

Referred to Committee on Conservation, Natural Resources, and Planning.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 686—An act to amend Sections 103 and 107 of the Health and Safety Code, relating to the State Department of Public Health.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "103 and 107 of", and insert "101, 102, 104, 106, 107, 110, and 113 and to repeal Section 111 of, and to add Section 107.5 to".

Amendment No. 2

On page 1, line 1, of said bill, strike out "103", and insert "101".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 15, both inclusive, and insert "101. [The Department is under the control of the State Board of Public Health.] *The Department shall consist of the State Board of Health, the State Director of Health and such divisions as are or may be necessary for the prevention of disease, the prolongation of life and the promotion of the physical health and mental efficiency of the people of the State.*

SEC. 2. Section 102 of said code is amended to read:

102. The State Board of Public Health consists of the Director of Public Health and seven other members. *The board shall advise the director in the performance of his duties and formulate general policies affecting public health. It shall have power to adopt, promulgate, repeal and amend rules and regulations consistent with law for the protection of the public health. The director shall issue licenses and permits as prescribed by law and by rules and regulations of the board. It may hold hearings and subpoena witnesses and documents pursuant to Section 353 of the Political Code. The board shall have no administrative or executive functions other than those set forth in this code.*

SEC. 3. Section 104 of said code is amended* to read:

104. [The director and six of the other members of the board shall be duly licensed and practicing physicians of the State. The other] *One* member of the board shall be a duly licensed and practicing dentist of the State. *The other members shall be duly licensed and practicing physicians of the State.*

SEC. 4. Section 106 of said code is amended to read:

106. The director is the executive officer of the [board] department. *He shall administer the laws and regulations of the board pertaining to public health and shall vigilantly observe sanitary and public health conditions throughout the State and shall take all necessary precautions to protect it in its sanitary and public health relations with other States and countries. He shall perform such other duties as may be prescribed by law, and such other administrative and executive duties as have by other provisions of law been imposed upon the board.*

Amendment No. 4

On page 1, line 17, of said bill, strike out "2", and insert "5".

Amendment No. 5

On page 1 of said bill, strike out lines 18 to 24, inclusive, and insert "107. *The director shall be a doctor of medicine eligible to license to practice in the State of California. He shall have had in addition at least one year's post-graduate training in public health approved by the State Board of Health, and a minimum of five years' practical experience as an administrative officer in a well organized health department.*

SEC. 6. Section 110 of said code is amended to read:

110. Subject to the [approval of the board] *State Civil Service Act* the director shall appoint such assistants, deputies, agents, experts and other employees as are necessary for the administration of the affairs of the department, shall prescribe their duties, and fix their salaries, and shall require them to execute to the State such official bonds as [the board may require] *may be required.*

SEC. 7. Section 111 of said code is repealed

SEC. 8. Section 113 of said code is amended to read:

113. Notwithstanding anything in this code as enacted, the [board] director, except with respect to the bureau of venereal diseases, may, subject to the approval of the Governor, create such divisions and subdivisions of the State department as may be necessary and may consolidate, divide, or abolish them from time to time.

SEC. 9. Section 107.5 is added to said code, to read:

107.5. The director shall be appointed by the Governor for a term of four years and shall hold office until the appointment and qualification of his successor. The term of the director in office when this section takes effect shall expire January 1, 1944. The Governor may remove the director for misconduct, incompetency, or neglect of duty, after an opportunity to be heard on written charges. A vacancy shall be filled by appointment for the unexpired term. The director shall receive a salary of ten thousand dollars (\$10,000) per annum and necessary expenses incurred in the performance of his duties."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 143

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

H S Crocker Company (Supplies)-----	\$3 83
Department of Finance (Work on voting machine)-----	1 28
Department of Finance (Work on ventilating system—February)---	55 39
Department of Finance (Work on voting machine—February)---	4 20
Department of Finance (Construction device—numbers on file)---	11 90
Shorrock's Hardware (Supplies)-----	8 19
Carithers Sign Company (Numbering rolls for index machine)---	9 00
Carithers Sign Company (Lettering one sign in gold and card signs)-----	15 00
Carithers Sign Company (Lettering two signs in gold)-----	21 50
Walter M. Dunphy (Assembly ventilating system)-----	57 26
Capital City Planing Mill (Device indicating numbers on file)---	64 01
Pacific Telephone & Telegraph Company (Tolls—January)-----	29 50

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Gaffney, Johnson, Carlson, Carey, Robertson, Wollenberg, Collins, George D., Burns, Kellems, Bashore, Waters, O'Day, and Maloney:

House Resolution No. 144

Relating to the Diamond Jubilee of the University of California

WHEREAS, Seventy-five years ago a charter was granted to an institution remote from the then accepted centers of culture which institution has within this span of life grown to be the greatest of State universities and the peer of any university in the world in the eminence of its faculty members and in the number of its students; and

WHEREAS, Prior to the establishment of this institution various States of the Union had accepted the bitterly opposed idea that all education should be free; and

WHEREAS, California from the beginning adopted a system of universally free public education and in 1868 established the University of California as the final step in that system, and thereby committed itself to the tradition of giving free education from the primary classes to the college degree; now, therefore, be it

Resolved by the Assembly of the State of California, That the best wishes of the Assembly are hereby extended to the University of California and to its president, the Honorable Robert Gordon Sproul, on the occasion of its Diamond Jubilee; and be it further

Resolved, That the Assembly takes this means of expressing its pride and satisfaction in common with the citizens of California on the occasion of this noble event; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to send a copy of this resolution to the Honorable Robert Gordon Sproul

Resolution read, and referred to Committee on Rules and House Functions

By Messrs. McMillan and Hawkins:

House Resolution No. 145

Relative to creation of a Committee to Investigate the Establishment of Nursery Schools and Child Care Centers

WHEREAS, The Federal Government has passed legislation providing for the establishment of child care centers in defense industrial areas, part of the cost of which is to be borne by the Federal Government, and part by the States, their agencies, subdivisions, or by corporations or associations; and

WHEREAS, Other States have established programs whereby they undertake to participate in the establishment of child care centers; and

WHEREAS, The present program of the Federal Government may be changed; and

WHEREAS, There has been legislation passed in this State for the purpose of enabling the State to participate in the benefits of the Federal program; and

WHEREAS, The State, in order to receive the benefits of the Federal program, may have to participate in financing the program; and

WHEREAS, It is necessary to the welfare of the State and the successful participation by the State in the war effort, that the Members of the Legislature be advised as to the status of and changes in the Federal program; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created a committee to investigate all problems connected with the establishment and operation of child care centers for children of working parents and the securing for the State of the greatest benefits from the Federal program providing such centers; and be it further

Resolved, That said committee shall consist of five Members of the Assembly, to be appointed by the Speaker; and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have: (1) all the powers conferred upon legislative committees by Article 5, Chapter 2, Title 1, Part 3 of the Political Code; (2) all the powers conferred upon committees by the Rules of the Assembly, the Rules of the Senate, and the Joint Rules of the Senate and Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full; (3) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To make a complete study, survey, and investigation of all matters connected with any phase of the subject of this resolution;

(2) To adopt and from time to time amend such rules governing its procedure as may to it appear appropriate;

(3) To meet at any time during the sessions of the Fifty-fifth Session of the Legislature or any recess thereof, but not after the final adjournment of the Fifty-fifth Session of the Legislature sine die;

(4) To report its findings to the Assembly;

(5) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

Resolution read, and referred to Committee on Rules and House Functions.

RECONSIDERATION OF SENATE JOINT RESOLUTION NO. 18

In compliance with a notice given on a previous day, Mr. Bashore moved that the vote whereby Senate Joint Resolution No. 18 was passed be reconsidered.

Senate Joint Resolution No. 18 reconsidered by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastun, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Lowrey—1.

Senate Joint Resolution No. 18 ordered on file for adoption

RECONSIDERATION OF ASSEMBLY BILL NO. 463

In compliance with a notice given on a previous day, Mr. Fourt moved that the vote whereby Assembly Bill No. 463 was passed be reconsidered.

Assembly Bill No. 463 reconsidered by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 463 ordered to third reading.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 453 WAIVED

Mr. Thorp waived his notice of motion to reconsider the vote whereby Assembly Bill No. 453 was passed.

Assembly Bill No. 453 ordered transmitted to the Senate.

RECONSIDERATION OF ASSEMBLY BILL NO. 524

In compliance with a notice given on a previous day, Mr. Werdel moved that the vote whereby Assembly Bill No. 524 was passed be reconsidered.

Assembly Bill No. 524 refused reconsideration by the following vote:

AYES—Bashore, Burns, Carlson, Clarke, Collins, Sam L., Dills, Ralph C., Doyle, Fourt, Gaffney, Guthrie, Kellems, King, Knight, T. Fenton; Leonard, Maloney, McCollister, Miller, Niehouse, O'Day, Robertson, Stream, Thompson, Waters, Watson, Werdel, Weybret, and Wollenberg—27.

NOES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dunn, Erwin, Haggerty, Heisinger, Hollibaugh, Kraft, Lowrey, Massion, Middough, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thorp, and Mr. Speaker—33.

Bill ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 1422.

Assembly Bill No. 505.

UNFINISHED BUSINESS**Consideration of Senate Amendments**

Assembly Bill No. 60—An act to amend Section 1161 of the Code of Civil Procedure, relating to unlawful detainer.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 60?

Amendment No. 1

On page 1, line 5, of the printed bill, after "estate", insert "heretofore qualified and now acting or hereafter to be qualified and act,".

Amendment No. 2

On page 2, line 42, of the printed bill, after "estate", insert "heretofore qualified and now acting, or hereafter to be qualified and act,"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 60 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Holibaugh, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered enrolled.

Assembly Bill No. 345—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 345?

Amendment No. 1

On page 1, line 11, of the printed bill, as amended, strike out "500,000", and insert "600,000".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 345 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Holibaugh, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered enrolled.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 644 WAIVED

Mr. Doyle waived his notice of motion to reconsider the vote whereby Assembly Bill No. 644 was passed.

Assembly Bill No. 644 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1071—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read third time.

Motion to Amend

Mr. Burns moved the adoption of the following amendment:

Amendment No. 1

On page 2 of said bill, between lines 19 and 20, insert
 "(j) A motor vehicle owned by the State and operated by a regularly employed inspector of the Division of Narcotic Enforcement, in the performance of his duties under Division 10 of the Health and Safety Code."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Hon. Lothrop Smith Presiding

At 11.01 a.m., Hon. Lothrop Smith, Member of the Assembly from the Fifty-third District, presiding.

Assembly Bill No. 592—An act to amend Sections 224, 226 and 227a of the Civil Code, relating to the adoption of children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, and Werdel—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 789—An act to amend Sections 3.30 and 3.33 of the School Code and to amend Sections 8121 and 8122 of the Education Code, relating to the closing of schools and postponements of openings, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, and Wollenberg—62.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, and Wollenberg—62.

NOES—Beck, Kilpatrick, and McMillan—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1317—An act to add Section 5.45-1 to the School Code and to add Section 20379 to the Education Code, relating to employees of State colleges not serving in the State civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier,

Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Wollenberg—63
 NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1318—An act to amend Sections 5.129, 5.344 and 5.534 of the School Code, and to add Sections 12009.1, 12894.1 and 13204.1 to the Education Code, relating to persons in the military service, including service in uniformed auxiliaries thereof or thereto, of the United States of America or of the State of California, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, McCollister, McMillan, Middough, Miller, Nicheuse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—64
 NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, McCollister, McMillan, Middough, Miller, Nicheuse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—64.
 NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Wollenberg asked for, and was granted, unanimous consent to take up Assembly Bill No. 911, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 911

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Wollenberg:

Resolved, That Assembly Bill No. 911 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day,

Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—63
 NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 911—An act making an appropriation for administrative expenses of the Department of Social Welfare, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 911:

STATE OF CALIFORNIA
 GOVERNOR'S OFFICE, SACRAMENTO, March 25, 1943

*To the Honorable Members of the Assembly
 Sacramento, California*

GREETINGS:

ASSEMBLY BILL NO. 911

"An act making an appropriation for administrative expenses of the Department of Social Welfare, to take effect immediately".

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 911 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berrv, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Wollenberg—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.26 a. m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CHIEF CLERK INSTRUCTED TO ARRANGE FOR BROADCAST

Mr. Sam L. Collins moved that the Chief Clerk be instructed to arrange for reception of the broadcast of Anthony Eden on March

26th, and that he invite the Members of the Senate to join with the Members of the Assembly in hearing the broadcast.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 133

House Resolution No. 133

Resolved by the Assembly of the State of California, That there is hereby made available to the Interim Committee to study the location and availability of camps and camp sites which might be used for juvenile delinquents, created by House Resolution No. 89, from the Contingent Fund of the Assembly the sum of one hundred eighty-six dollars (\$186), which said sum shall be in addition to all other sums heretofore made available, and shall be available for disbursement by the committee to meet the expenses of the committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Watson, Weber, Werdell, Wollenberg, and Mr. Speaker—61

NOES—None.

RECESS

At 11 31 a. m., the Assembly recessed until 11.36 a. m., to hear from Dr. E. C. Farnham, Executive Secretary of the Church Federation of Los Angeles.

REASSEMBLED

At 11 36 a. m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By Mr O'Day:

The following communication was received, read, and ordered printed in the Journal:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES, WASHINGTON, D. C., February 18, 1943
Honorable Edward F. O'Day and Honorable John W. Evans
1353 Church Street, San Francisco, California

DEAR EDDIE AND JOHNIE I have your letter with the very kind sentiments which you were permitted to express under House Resolution No. 45. It sort of warms me up a little, Ed and John I felt sort of lonesome back here anyway.

I have thought ever so many times of the session and of the probably discouraging job our boys have on their hands this time. I feel, at least from a legislative standpoint, there are very important things to do in Sacramento. One sees them more clearly after leaving. Here one is destined to be an orphan for an altogether too lengthy a period for comfort; however, the work and interest are increasing now day by day.

The weather is bad—and certainly so, for those of us from Southern California. Transportation is terrible, restaurants and places of recreation are all but impossible. One certainly must have a keen interest or determination here to be anything but miserable; however, I understand since I left California in October, things have not been so pleasant there either.

I was glad that you were the ones requested to convey this pleasant thought to me, and wish to thank you again. Wishing you the very best of everything, I am

Very cordially yours,

CECIL R. KING, M. C.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 568—An act to add Section 2710.3 to the Penal Code, relating to the Prison Camp Revolving Fund, declaring the urgency thereof, to take effect immediately

Bill read third time.

Motion to Amend

Mr. Fourt moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "necessary", and insert "including an inmate wage as set by the board, necessary".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 570—An act to add Section 2710.1 to the Penal Code, relating to the Folsom Working Revolving Fund, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Fourt moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "necessary in the purchasing of", and insert "including an inmate wage as set by the board, necessary in the purchasing of".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 782—An act to amend Sections 1181, 1380, 1381, 1383, 1386, 1387, 1392, and 1410 of, and to add Sections 1384.5, 1385.5, 1387.5 and 1392.5 to, the Fish and Game Code, relating to fish and game.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Leonard, Maloney, McCollister, McMillan, Niehouse, Pelletier, Potter, Rosenthal, Sargent, Smith, Stream, Thomas, Thorp, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—51.

NOES—Debs, Denny, Dills, Ralph C., King, O'Day, and Thompson—6.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Call:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 1305 and 1306 of the Penal Code, relating to bail.
Respectfully submitted

H. W. CALL

Request referred to Committee on Legislative Procedure.

By Mr. Evans:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 3435 to the Agricultural Code, relating to inspection of cattle.

Respectfully submitted.

JOHN W. EVANS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them

By Mr. Call

An act to amend Sections 1305 and 1306 of the Penal Code, relating to bail.

By Mr. Evans:

An act to add Section 3435 to the Agricultural Code, relating to inspection of cattle

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hiesinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Porter, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following bills were introduced, and read the first time:

Assembly Bill No. 1946: By Mr. Call—An act to amend Sections 1305 and 1306 of the Penal Code, relating to bail.

Referred to Committee on Judiciary.

Assembly Bill No. 1947: By Mr. Evans—An act to add Section 343.5 to the Agricultural Code, relating to inspection of cattle.

Referred to Committee on Live Stock and Dairies.

RESOLUTIONS

The following resolution was offered:

By the Committee on Rules and House Functions:

House Resolution No. 146

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth, with the compensation set opposite his name payable weekly, on a seven-day per week basis, and the Controller is hereby directed to draw his warrant in favor of said person for said amount, and the Treasurer is hereby directed to pay the same:

<i>Commencing Thursday, March 25, 1943:</i>	<i>Per day</i>
Fred J. Harris, Assistant Sergeant-at-Arms.....	\$6 00

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 146, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dieby, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Fourt, Gafney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

REPORTS OF STANDING COMMITTEES**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1035

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CARLSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 729

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CARLSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 529

Assembly Bill No. 914

Assembly Bill No. 591

Assembly Bill No. 915

Assembly Bill No. 632

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 90

Assembly Bill No. 919

Assembly Bill No. 442

Assembly Bill No. 1054

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CARLSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 525

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CARLSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 559
Assembly Bill No. 774

Assembly Bill No. 890
Assembly Bill No. 1254

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CARLSON, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER. Your Committee on Judiciary, to which were referred:

Senate Bill No. 214	Senate Bill No. 223
Senate Bill No. 215	Senate Bill No. 275
Senate Bill No. 216	Senate Bill No. 912
Senate Bill No. 217	Senate Bill No. 913
Senate Bill No. 218	Senate Bill No. 914
Senate Bill No. 219	Senate Bill No. 915
Senate Bill No. 220	Senate Bill No. 916
Senate Bill No. 221	Senate Bill No. 917

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 93	Assembly Bill No. 548
Assembly Bill No. 94	Assembly Bill No. 1631
Assembly Bill No. 940	Senate Bill No. 918
Assembly Bill No. 1551	Senate Bill No. 920
Assembly Bill No. 1552	Senate Bill No. 958

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 54
Senate Bill No. 222
Senate Bill No. 224

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CALL, Chairman

Above reported bills re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 615

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Revenue and Taxation.

CALL, Chairman

Above reported bill re-referred to Committee on Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 378	Assembly Bill No. 328
Assembly Bill No. 526	Assembly Bill No. 92
Assembly Bill No. 717	Assembly Bill No. 807
Assembly Bill No. 227	

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALL, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 229	Assembly Bill No. 495
Assembly Bill No. 284	Assembly Bill No. 872

And reports the same correctly engrossed

PELLETIER, Chairman

Above reported bills ordered to third reading.

RECESS

At 12.05 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2.16 p.m.

REASSEMBLED

At 2.16 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By Speaker Lyon:

A communication from Walter C. Peterson, City Clerk of the City of Los Angeles, relative to resolution adopted by the Los Angeles City Council, was received, and ordered referred to Mr. Potter.

By Speaker Lyon:

The following communication was received, and ordered printed in the Journal:

CITY OF LONG BEACH
LONG BEACH, CALIFORNIA, March 24, 1943

Honorable Charles W. Lyon

Speaker of the Assembly, Sacramento, California

DEAR SIR: In accordance with a motion adopted by the city council of the City of Long Beach, at its meeting of March 23, 1943, I am submitting to you herewith, a certified copy of an extract of the minutes of a meeting of the city council, held January 29, 1943, when the council went on record opposing Assembly Bill No. 589.

This is for your information.

Yours very truly,

FRANK J. BEGGS, City Clerk

Certified copy of minutes of City Council of Long Beach referred to Committee on Commerce and Navigation.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Middough:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows: An act to add Section 643 to the Streets and Highways Code, relating to State highways.

Respectfully submitted,

LORNE D. MIDDOUGH

Request referred to Committee on Legislative Procedure.

By Mr. Lyon:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows: An act to amend Section 14 of The Personal Income Tax Act and to add Section 18552.5 to the Revenue and Taxation Code, relating to the time, place and method of payment of tax.

Respectfully submitted.

CHARLES W. LYON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them:

By Mr. Lyon:

An act to amend Section 14 of The Personal Income Tax Act and to add Section 18552.5 to the Revenue and Taxation Code, relating to the time, place and method of payment of tax.

By Mr. Middough:

An act to add Section 643 to the Streets and Highways Code, relating to State highways.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hersinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1948: By Mr. Lyon—An act to amend Section 14 of The Personal Income Tax Act and to add Section 18552.5 to the Revenue and Taxation Code, relating to the time, place and method of payment of tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1949: By Mr. Middough—An act to add Section 643 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Concurrent Resolution No. 46: By Mr. Watson—Relative to the creation of a Joint Committee to Investigate Fish and Game Problems.

Referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 564

Assembly Bill No. 1387

Assembly Bill No. 871

Assembly Bill No. 1418

Assembly Bill No. 1019

Assembly Bill No. 1799

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 18—Relative to the construction of a dam on the Stanislaus River.

Resolution read.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 8 and 9, of the printed measure, strike out "and would provide a source of electric power".

Amendment No. 2

On page 1, line 10, of said measure, after "emergency", insert ", and would provide a source of electrical power".

Amendments read and adopted.

Resolution ordered reprinted.

Senate Bill No. 193—An act to amend Section 2.173 of the School Code and to amend Section 2593 of the Education Code, relating to the lapsing of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 29

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 29—Relative to approving certain amendments to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on May 18, 1942.

Request for Unanimous Consent

Mr. Miller asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 29, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 29

Senate Concurrent Resolution No. 29—Relative to approving certain amendments to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on May 18, 1942.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dalworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Joint Resolution No. 19—Relative to food shortage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 399—An act to amend Section 43 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for the carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to powers of the board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 6—An act to amend Sections 2493 and 2494 of the Business and Professions Code, relating to license fees of the Board of Osteopathic Examiners

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 461—An act to amend Section 4808 of the Penal Code, relating to the membership of the Advisory Pardon Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1128—An act to amend Section 96 of the State Civil Service Act, relating to reemployment lists.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1527—An act to add Section 152.6 to the State Civil Service Act, relating to the effect of time spent in the military service by civil service employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 647—An act to add Section 4.5 to an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, relating to the trusts and restrictions heretofore imposed upon said tidelands, and to the use and leasing of the tidelands by the city.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXCUSE MEMBER

Mr. Kilpatrick moved that he be excused from the sessions of Monday, March 29th, and Tuesday, March 30th, for the purpose of performing other duties for the State.

Motion carried.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Smith:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 7100, 7101, 7103, 7104, 7105, 7110 of, and to add Sections 7025 and 7113 to, the Health and Safety Code, relating to the disposition and autopsy of human remains.

Respectfully submitted.

LOTHROP SMITH

Request referred to Committee on Legislative Procedure.

By Mr. Sargent:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 256.5 to the Revenue and Taxation Code, relating to exemptions from real property taxation, declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

WILLIS SARGENT

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them:

By Mr. Smith:

An act to amend Sections 7100, 7101, 7103, 7104, 7105, 7110 of, and to add Sections 7025 and 7113 to, the Health and Safety Code, relating to the disposition and autopsy of human remains.

By Mr. Sargent:

An act to add Section 256.5 to the Revenue and Taxation Code, relating to exemptions from real property taxation, declaring the urgency thereof, to take effect immediately.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1950: By Mr. Smith—An act to amend Sections 7100, 7101, 7103, 7104, 7105, 7110 of, and to add Sections 7025 and 7113 to, the Health and Safety Code, relating to the disposition and autopsy of human remains.

Referred to Committee on Public Health.

Assembly Bill No. 1951: By Mr. Sargent—An act to add Section 256.5 to the Revenue and Taxation Code, relating to exemptions from real property taxation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 144

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 144

House Resolution No. 144

Relating to the Diamond Jubilee of the University of California

WHEREAS, Seventy-five years ago a charter was granted to an institution remote from the then accepted centers of culture, which institution has within this span of life grown to be the greatest of State universities and the peer of any university in the world in the eminence of its faculty members and in the number of its students; and

WHEREAS, Prior to the establishment of this institution various States of the Union had accepted the bitterly opposed idea that all education should be free; and

WHEREAS, California from the beginning adopted a system of universally free public education and in 1868 established the University of California as the final step in that system, and thereby committed itself to the tradition of giving free education from the primary classes to the college degree; now, therefore, be it

Resolved by the Assembly of the State of California, That the best wishes of the Assembly are hereby extended to the University of California and to its President, the Honorable Robert Gordon Sproul, on the occasion of its Diamond Jubilee; and be it further

Resolved, That the Assembly takes this means of expressing its pride and satisfaction in common with the citizens of California on the occasion of this noble event; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to send a copy of this resolution to the Honorable Robert Gordon Sproul.

Resolution read and adopted unanimously.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 229—An act to add Sections 30a to 30r to the Bank Act and to add Section 3081 to the Civil Code, relating to the disposal of unclaimed contents of safe deposit boxes rented by banks or other corporations and relating to unclaimed items of personal property left with a bank for safekeeping or storage

Bill read third time.

Motion to Amend

Mr. Debs moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 and 2, and insert "SECTION 1 Section 30a is added to the Bank Act to read".

Amendment No. 2

On page 1 of the printed bill, between lines 7 and 8, insert "SEC 2 Section 30b is added to said act to read:".

Amendment No. 3

On page 1 of the printed bill, between lines 15 and 16, insert
"SEC. 3. Section 30c is added to said act to read:"

Amendment No. 4

On page 1 of the printed bill, between lines 23 and 24, insert
"SEC. 4. Section 30d is added to said act to read:"

Amendment No. 5

On page 2 of the printed bill, between lines 13 and 14, insert
"SEC. 5. Section 30e is added to said act to read:"

Amendment No. 6

On page 2 of the printed bill, between lines 37 and 38, insert
"SEC. 6. Section 30f is added to said act to read:"

Amendment No. 7

On page 2 of the printed bill, between lines 42 and 43, insert
"SEC. 7. Section 30g is added to said act to read:"

Amendment No. 8

On page 3 of the printed bill, between lines 10 and 11, insert
"SEC. 8. Section 30h is added to said act to read:"

Amendment No. 9

On page 3 of the printed bill, between lines 18 and 19, insert
"SEC. 9. Section 30i is added to said act to read:"

Amendment No. 10

On page 3 of the printed bill, between lines 27 and 28, insert
"SEC. 10. Section 30j is added to said act to read:"

Amendment No. 11

On page 4 of the printed bill, between lines 13 and 14, insert
"SEC. 11. Section 30k is added to said act to read:"

Amendment No. 12

On page 4 of the printed bill, between lines 21 and 22, insert
"SEC. 12. Section 30l is added to said act to read:"

Amendment No. 13

On page 4 of the printed bill, between lines 32 and 33, insert
"SEC. 13. Section 30m is added to said act to read:"

Amendment No. 14

On page 4 of the printed bill, between lines 45 and 46, insert
"SEC. 14. Section 30n is added to said act to read:"

Amendment No. 15

On page 5 of the printed bill, between lines 2 and 3, insert
"SEC. 15. Section 30o is added to said act to read:"

Amendment No. 16

On page 5 of the printed bill, between lines 12 and 13, insert
"SEC. 16. Section 30p is added to said act to read:"

Amendment No. 17

On page 5 of the printed bill, between lines 26 and 27, insert
"SEC. 17. Section 30q is added to said act to read:"

Amendment No. 18

On page 6 of the printed bill, between lines 15 and 16, insert
"SEC. 18. Section 30r is added to said act to read:"

Amendment No. 19

On page 6 of the printed bill, strike out lines 21 and 22, and insert
"SEC. 19. Section 3081 is added to the Civil Code to read:"

~~Amendments read and adopted.~~

~~Bill ordered reprinted and re-engrossed.~~

[On March 26, 1943, above action was rescinded, and record ordered expunged whereby amendments to Assembly Bill No. 229 were this day adopted.]

Assembly Bill No. 1129—An act to amend Section 57 of an act entitled "An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution," approved July 1, 1937, relating to employees of the Attorney General's Office.

Bill read third time.

Motion to Amend

Mr. Gannon moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Assembly on March 19, 1943, after "position", insert "; within 90 days after receiving an honorable discharge therefrom, or after having been released from active duty under other honorable conditions,".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1387—An act to add Sections 38.3, 53.55 and 53.65 to the Alcoholic Beverage Control Act, relating to credit, containers, cartons and bottles.

Bill read third time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "38.3,".

Amendment No. 2

In line 5 of the title of said bill, strike out "credit,".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 22, inclusive; and on page 2, strike out lines 1 to 4, inclusive, and insert
"SECTION 1. Section 53 55 is added to the Alcoholic Beverage".

Amendment No. 4

On page 2, line 26, of said bill, after "SEC.", strike out "3", and insert "2".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 564 re-referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1418 re-referred to Committee on Public Morals.

Assembly Bill No. 1019 re-referred to Committee on Finance and Insurance.

MOTION TO APPROVE JOURNALS

On motion of Mr. Sam L. Collins, the Journals of Monday, March 15th; Tuesday, March 16th; Wednesday, March 17th; Thursday, March 18th; Friday, March 19th, and Saturday, March 20th, were approved as corrected by the Minute Clerk.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private First Class A. H. Currey, Salem, Oregon; and Private First Class N. E. Gray, Zalma, Missouri.

On request of Mr. Kraft, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John Blake of San Diego.

On request of Mr. Bashore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Elma Pierini and Mrs. Virgil A. Pierini of Sacramento.

On request of Messrs. Potter, Sargent, and the Southern California Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to McIntyre Faries of Los Angeles.

On request of Messrs. Evans, Debs, and Bennett, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Gemond Jewel, U. S. Army.

On request of Messrs. Middough and Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Alex Volkoff, George Dominguez, Jr., and Robert Corella, U. S. Army.

On request of the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Rev. E. C. Farnham, D.D., of Los Angeles.

On request of Messrs. Middough, Maloney, and Denny, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Privates Carter Boswell of Long Beach, Clarence Czaia of South Pasadena, and Perry Engle and Harold Penhale of Long Beach.

On request of Mr. Carey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Dulcie Horton and Mrs. H. E. Rilea of Alameda.

On request of Mr. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Cliff May of Los Angeles.

On request of Messrs. Beck, McMillan, and Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dorothy Melrose, Mary E. Frick, and Albert E. Bullock of Los Angeles.

On request of Mr. Carlson and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Howard Welty, Paul Thomas, and Vincent Hiden of Oakland.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Nelson E. Evans, Jr., and Richard N. Dumont, U. S. Army.

On request of the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. J. C. Shaffer of Folsom and Miss Priest of Indiana.

On request of Messrs. Johnson and Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. George Zarzana and Mrs. Don Lunardi of Sacramento.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James Sullivan and Frank O'Brien of San Francisco.

ADJOURNMENT

At 3.25 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Friday, March 26, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-EIGHTH LEGISLATIVE DAY
EIGHTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, March 26, 1943

The Assembly met at 10 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names :

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, Knight, T. Penton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—73

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher :

O Gracious Holy Spirit, we invoke upon this Assembly Thy blessing and Thy presence Thy word is a lamp unto our feet and a light unto our path. Make us day by day more Christlike in every thought, word, and deed. Make us glad for the privilege of word and grateful for our opportunities of service. We seek Thy blessing upon our President, our Governor, all leaders in places of authority, our defenders and our loved ones.

"God of the earth, the sky, the sea!
Maker of all above, below!
Creation lives and moves in Thee,
Thy present life through all doth flow.
We give Thee thanks, Thy name we sing,
Almighty Father, heavenly King."

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Haggerty.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Field, on motion of Mr. Sam L. Collins.

Mr. Thorp, on motion of Mr. Clarke.

Mr. Weybret, on motion of Mr. Miller.

Mr. King, on motion of Mr. Thompson.

Mr. John B. Knight, on motion of Mr. Middough.

MOTION TO EXCUSE MEMBER

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, because of illness.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, and ordered printed in the Journal:

CITY OF LOS ANGELES
OFFICE OF CITY CLERK, March 24, 1943

*Clerk of the Assembly
Sacramento, California*

DEAR SIR: I am transmitting herewith certified copy of a resolution adopted by the council of the City of Los Angeles at its meeting held March 24, 1943, urging that the Legislature approve the Governor's recommendation of a budget of \$755,000 for the biennium 1943-1945 for the support of the Youth Correction Authority.

Very truly yours,

WALTER C. PETERSON, City Clerk

RESOLUTION

WHEREAS, Juvenile delinquency has greatly increased in Los Angeles County and other counties throughout the State, and

WHEREAS, The cities and counties have no adequate correctional schools and juvenile detention homes or institutions;

WHEREAS, The Youth Correction Authority was established by the Legislature in 1941 and started operation in March, 1942, for the purpose of dealing with youthful offenders under a unified and coordinated control for a specific approach in the treatment of juvenile offenders;

WHEREAS, The Governor has recommended a budget of \$755,000 for the biennium 1943-1945 for the support of the Youth Correction Authority; therefore, be it

Resolved, That the council believes that the service of the Youth Correction Authority will be of great saving to the City of Los Angeles and therefore petitions the Legislature to approve the Governor's recommendation. Be it further

Resolved, That copies of this resolution be given the Governor, the Speaker of the Assembly, Charles W. Lyon, and the Clerk of the Assembly.

I HEREBY CERTIFY that the foregoing resolution was adopted by the council of the City of Los Angeles at its meeting held March 23, 1943.

[SEAL]

WALTER C. PETERSON, City Clerk

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Maloney:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1160.5 to, and to amend Section 1162 of, the Harbors and Navigation Code, relating to pilots, to take effect immediately.

Respectfully submitted.

THOMAS A. MALONEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Maloney:

An act to amend Section 1160.5 to, and to amend Section 1162 of, the Harbors and Navigation Code, relating to pilots, to take effect immediately.

PELLETIER, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Maloney moved a call of the Assembly.

Motion carried. Time, 10.07 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 314

Assembly Bill No. 1066

Assembly Bill No. 690

Assembly Bill No. 1125

Assembly Bill No. 784

Assembly Bill No. 1414

Assembly Bill No. 786

Assembly Bill No. 1505

Assembly Bill No. 788

Assembly Bill No. 1771

Assembly Bill No. 865

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 912

Assembly Bill No. 1337

Assembly Bill No. 1173

Assembly Bill No. 1338

Assembly Bill No. 1175

Assembly Bill No. 1455

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POTTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER. Your Committee on Public Health, to which were referred:

Assembly Bill No. 1335

Assembly Bill No. 326

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

POTTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Public Health, to which was referred.

Assembly Bill No. 1093

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

POTTER, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 421

Assembly Bill No. 1291

Assembly Bill No. 1440

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DILWORTH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 827

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

DILWORTH, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 278

Assembly Bill No. 443

Assembly Bill No. 1316

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DILWORTH, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS****Assembly Bill No. 126**—An act to amend Sections 5245 and 5252 of the Streets and Highways Code, relating to special assessment proceedings and the calling for bids.

Bill read second time, and ordered engrossed.

Assembly Bill No. 93—An act to amend Section 117d of the Code of Civil Procedure, relating to small claims court and the time for appearance therein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 94—An act to amend Section 117 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court.

Bill read second time, and ordered engrossed.

Assembly Bill No. 940—An act relating to municipal court fees and costs.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1551—An act to amend Section 41 of the Probate Code, relating to bequests to charity and charitable use.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1552—An act to amend Section 1 of an act entitled "An act to provide for the establishing and quieting of title

to real property in case of the loss or destruction of public records," approved June 16, 1906, relating to destruction of such records as the result of enemy action or from any other cause

Bill read second time, and ordered engrossed.

Assembly Bill No. 548—An act to add Section 24b to the Bank Act, relating to the preservation of bank records by preparation of photographic copies thereof and providing for the admissibility in evidence of such copies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1631—An act to amend Section 1 of an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts," approved July 1, 1937, relating to retirement of judges.

Bill read second time, and ordered engrossed

Assembly Bill No. 529—An act to repeal Section 5 of an act entitled "An act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation," approved April 14, 1913, relating to the reconversion of registered bonds into coupon bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 591—An act to amend Section 14230 of the Health and Safety Code, relating to fire protection districts in unincorporated areas.

Bill read second time, and ordered engrossed.

Assembly Bill No. 632—An act amending Section 4300c of the Political Code, relating to the fees of county recorders.

Bill read second time, and ordered engrossed.

Assembly Bill No. 914—An act to amend Section 4891 of the Health and Safety Code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 915—An act to amend the title of the Municipal Improvement Act of 1913, and to add Section 1f thereto, relating to the formation of maintenance districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 787—An act to amend Section 86 of the Agricultural Code, relating to the powers of district agricultural associations.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, after "associations", insert ", declaring the urgency of this act, to take effect immediately"

Amendment No. 2

On page 1, line 26, of said bill, strike out "any of its facilities", and insert "its premises".

Amendment No. 3

On page 2 of said bill, after line 6, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Many district agricultural associations throughout the State own property conveniently located for the establishment of agricultural labor camps and susceptible to other uses beneficial to the agricultural industry of the State. In the interest of aiding agriculture in the production of essential products for civilian and military purposes all of the resources of the State must be made available for the maximum possible use. This act removes certain restrictions on the use of publicly owned property and the removal of such restrictions will tend to promote the war effort and the production of essential farm products for the benefit of the people of the State."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 90—An act to add Chapter 3, consisting of Sections 8330 and 8331, to Part 3, Division 9, of the Streets and Highways Code, relating to the vacation of city streets and providing for the reservation of certain easements therein.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 18, of the printed bill, after "telephone lines," insert "railroad lines,".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 442—An act to repeal Section 17 of an act approved March 22, 1941, entitled "An act creating a public airport district designated 'Monterey Peninsula Airport District'; defining its boundaries; providing for its organization, government and maintenance; prescribing its powers, duties, and liabilities; providing for the alteration of its boundaries, and the dissolution of said district."

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 17 of the act cited in the title hereof is amended to read: Sec. 17. District Airport Acquisition and Improvements. All public improvements of said district, including the acquisition of land for district airport purposes,

or the improvement thereof, or the acquisition of lands for airport approaches, or the improvement thereof, may be made or done in pursuance of general laws of the State empowering municipalities to acquire lands for any public purpose or to make local improvements and to assess the costs thereof upon the frontage or district of lands benefited thereby; [or said acquisitions or improvements may be made and done in pursuance of local improvement and assessment ordinances adopted by the board of directors, or the electors of said district, and the whole or any portion of the cost thereof paid out of the district treasury, or assessed on the property fronting thereon or the district of lands benefited thereby;] provided, however, that whenever it is proposed to include the whole or any part of the lands within a municipality in said district in the frontage, or within the district of lands, to be assessed for such acquisition or improvement, the formal consent of the legislative body of such municipality shall first be obtained before the institution of such proceeding; provided further, that such consent shall be dispensed with in any local improvement proceeding or proceeding to acquire land, or make improvements, for district purposes where all lots and lands within the airport district are included in the assessment district and all assessments proposed or levied upon the taxable property in said district are computed on an ad valorem basis. In addition to other acts mentioned herein, the provisions of that certain act, entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities -----" etc., approved April 7, 1911, and the acts amendatory thereto; and the provisions of that certain act, entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements -----" etc., approved June 11, 1915, and of acts amendatory thereto, are hereby made applicable to the "Monterey Peninsula Airport District" and local airport district work and improvements therein; provided, however, that the words "city council" and "council" used in said, and other such, acts, shall be understood to mean the board of directors of said airport district; the words "city" and "municipality" shall be understood to mean the "Monterey Peninsula Airport District"; the words "clerk" and "city clerk" shall be understood to mean "secretary" of said board of directors; the words "superintendent of streets" and "street superintendent" and the words "city engineer" shall be understood to mean the manager and the engineer, respectively, of said airport district; the words "tax collector" and the words "treasurer" or "city treasurer" shall be understood to mean the county tax collector and the county treasurer, respectively, of the County of Monterey; and provided further, that all of the powers and duties conferred by the provisions of said acts, and the acts amendatory or supplementary thereto, upon city councils, superintendents of streets, clerks and city clerks, tax collectors, treasurers and engineers, are hereby conferred and imposed upon respective officers and boards above specified [.] ; provided, however, that, notwithstanding anything herein contained, if protest against the proposed work is made by the owners of a majority of the property fronting on the proposed work or by the owners of more than one-half of the area of the property included within the assessment district to be assessed for the improvement (as the case may be) as provided in Section 5222 of the Streets and Highways Code, then and in either of such events the board of directors shall have no right or authority to overrule such majority protests and the proceedings for the making of such improvement shall thereupon terminate and no further proceedings shall thereafter be instituted within a period of one year from the date of filing of such majority protest."

Amendments read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 919—An act to add Section 57.2 to, and to amend Sections 62, 93, 95, 96, 131, and 132 of, the County Employees Retirement Act of 1937, relating to retirement.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 6, of the printed bill, strike out the period, and insert "or in registered warrants of any political subdivision of this State."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1054—An act to amend Section 862.6 of and to add Section 862.29 to an act entitled “An act to provide for the organization, incorporation, and government of municipal corporations,” approved March 13, 1883, relating to powers of a city council in cities of the sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out “to amend Section 826.6 of and”.

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 11, inclusive.

Amendment No. 3

On page 1, line 12, of the printed bill, strike out “Sec. 2.”, and insert “Section 1.”

Amendment No. 4

On page 1, line 15, of the printed bill, after “of”, strike out “extreme emergency”, and insert “great public calamity such as extraordinary fire, flood, storm, epidemic, earthquake, sabotage, or enemy attack.”

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1035—An act to provide for the formation of districts within municipalities for the acquisition, construction, maintenance, and operation of parking places, garages and other improvements for the parking of motor vehicles, levy and collection of assessments upon property in said districts, the issuance, sale and payment of bonds secured by such assessments, the collection of rentals, fees, and charges for the use of such parking places, garages or other improvements, the administration thereof, and the levy of taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the comma following “maintenance”.

Amendment No. 2

In line 4 of the title of the printed bill, strike out the comma, and insert “; the”.

Amendment No. 3

In line 5 of the title of the printed bill, strike out the first comma, and insert a semicolon.

Amendment No. 4

In line 6 of the title of the printed bill, strike out the comma, and insert a semicolon.

Amendment No. 5

In line 8 of the title of the printed bill, following “improvements”, strike out the comma, and insert a semicolon.

Amendment No. 6

In line 9 of the title of the printed bill, strike out “, and”, and insert a semicolon.

Amendment No. 7

In the last line of the title of the printed bill, next preceding the period, insert “; and the powers and duties of cities relating thereto”.

Amendment No. 8

Strike out all of pages 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, of the printed bill; and strike out lines 1 to 21, inclusive, of page 1, and insert

"PART 1

SECTION 1. Any portion of a municipality incorporated under the laws of this State may be formed into a vehicle parking district for the purpose of acquiring, constructing, maintaining and operating parking lots, garages and other improvements for the parking of motor vehicles. The words "parking places," as used in this act, include parking lots, garages, and buildings for the parking of motor vehicles. The things authorized to be done under this act, in addition to any things specified elsewhere in this act, include the following:

1. The formation of districts
2. The acquisition of lands, property, and rights of way necessary or convenient for use as parking places.
3. The acquisition of lands, property, and rights of way necessary or convenient for the opening, widening, straightening or extending of streets or alleys necessary or convenient for ingress to or egress from any parking place.
4. Any acquisition herein authorized may be by condemnation, purchase, or gift of property or any interest therein. Any lands or property necessary or convenient for parking places may be acquired in fee simple by condemnation or otherwise.
5. The improvement of any lands acquired by the construction thereon of garages or other buildings or improvements necessary or convenient for parking purposes.
6. The improvement by grading, paving, draining, lighting, or otherwise improving any parking places and any streets or alleys necessary or convenient for ingress to or egress from parking places.
7. The levy and collection of assessments to pay the cost and expenses of any acquisition or improvement herein authorized, and the issuance, sale and payment of bonds representing and secured by such assessments.
8. The administration, maintenance, operation and repair of parking places acquired under this act.
9. The collection of fees or charges to pay all or any part of the cost of improving, repairing, maintaining and operating parking places.
10. The levy of taxes to pay all or any part of the cost of improving, repairing, maintaining and operating parking places.
11. The employment of engineers, attorneys and any other persons necessary or convenient for the doing of any of the acts authorized by this act.
12. The doing of all acts and things necessary or convenient for the accomplishment of any of the purposes of this act. The enumeration of specific authority in this act shall not be deemed to limit in any way the general authority granted by this paragraph.

SEC. 2. The formation of a vehicle parking district hereunder may be proposed by petition signed by owners of land in the proposed district, as shown by the last equalized assessment roll of the county in which the proposed district lies, owning lands of an assessed value not less than twenty per cent (20%) of the total assessed value of all lands in said district as shown by said assessment roll, or signed by twenty (20) owners of land in said district as shown by said assessment roll.

SEC. 3. The petition shall contain (1) a general description of the exterior boundaries of the proposed district, (2) a general description of the lands to be acquired for parking places, which lands may lie wholly or partially outside or inside the boundaries of the proposed district, (3) a general description of any lands or rights of way to be acquired as streets or alleys for ingress to or egress from the parking places, or any thereof, (4) a general description of the improvements proposed to be made or constructed, (5) a request that bonds be issued under Part 4 or Part 5 of this act and the term of and interest rate or maximum interest rate to be paid on such bonds, and (6) a statement that it is filed under this act. No defect or informality in the petition shall invalidate any proceedings hereunder.

SEC. 4. The petition may consist of any number of separate instruments. It shall be filed in the office of the clerk of the legislative body of the city in which the proposed district lies. When said petition has been filed, said clerk shall check the petition, or cause it to be checked. If the petition is signed by the requisite number of qualified signers, the clerk shall make his certificate to that effect and present the petition and said certificate to the legislative body. No defect in the certificate shall invalidate any proceeding hereunder.

SEC. 5. After the certificate and petition have been presented to the legislative body, said legislative body, if it finds and declares in the ordinance of intention that the public interest and necessity require the acquisition and improvement described in the petition and that the property to be acquired as described in the petition is necessary therefor, may adopt an ordinance declaring its intention to form the vehicle parking district and to acquire the lands and rights of way, if any, and construct the improvements proposed in the petition.

Said ordinance shall also contain (1) the number of the proposed vehicle parking district and a general description of the exterior boundaries thereof, (2) a general

description of the lands to be acquired for parking places, which lands may lie wholly or partially outside or inside the boundaries of the proposed district, (3) a general description of any lands or rights of way to be acquired as streets or alleys for ingress to or egress from the parking places, or any thereof, (4) a general description of the improvements proposed to be made or constructed, (5) an estimate of the cost and expense of the proposed acquisition and improvement, (6) a statement that an assessment will be levied as provided in this act to pay the costs and expenses of the acquisition and improvement, (7) if bonds are to be issued, a statement that bonds to represent unpaid assessments will be issued under Part 4 or Part 5 of this act, as the case may be, and the interest rate or maximum interest rate, and term of any such bonds, and (8) a date, hour and place for the hearing of protests and objections.

SEC. 6. Said ordinance shall be published once a week, for two successive weeks, in some newspaper published in such municipality. The first publication of said ordinance shall be not less than fifteen (15) days prior to the date fixed for the hearing of protests. Such ordinance, unless otherwise provided by charter of the municipality, shall take effect upon the completion of said publication. In municipalities where no such newspaper is published, copies of said ordinance shall be posted in three public places in the proposed district at least two (2) weeks before the date of hearing and said ordinance shall take effect two (2) weeks after the date the copies are posted. No defect in said publication shall invalidate any proceeding hereunder, provided the notice actually given thereby is not invalid under the Constitutions of the United States of America or the State of California. Copies of said ordinance headed "Notice of Formation of Vehicle Parking District," in letters at least one (1) inch in height, shall be posted upon all open streets within the proposed district. Said notices shall be not more than three hundred (300) feet apart and shall be posted at least fifteen (15) days prior to the hearing. No defect, error or mistake in the posting of said notices shall affect the validity of any proceedings hereunder.

SEC. 7. At any time not later than the hour set for hearing protests or objections, any owner of or person interested in any land within the boundaries of the proposed district as described in said ordinance may severally, or with other such owners, file with the clerk of the legislative body conducting the proceedings written objection to the thing or things proposed to be done or to the extent of the proposed district or to any or all of the foregoing. At such hearing all objections and protests shall be heard and considered. If upon said hearing it appears that the owners of more than one-half of the area of the taxable land included within the proposed district have made objection in writing to the doing of the thing or things proposed to be done in their entirety, the legislative body, by a resolution to be entered upon its minutes, shall so find and thereupon such legislative body shall have no power to proceed further under said ordinance of intention, and the said proceeding shall be thereby terminated.

In order that any such protests or objections shall operate as a bar and terminate the proceedings, such protests or objections must specifically state that they are to the doing of the thing or things proposed to be done in their entirety and not merely to some item, class, kind or part of the thing or things proposed to be done or to the boundaries of the proposed district. If the owners of more than one-half of the area of the property included within the district have not made written objections or protests to the thing or things proposed to be done as an entirety, the legislative body may so find orally, or otherwise, and proceed with the hearing. At such hearing the legislative body may modify the boundaries of the district and may exclude from the district described in the ordinance of intention any land which it may find will not be benefited by the doing of the thing or things proposed to be done. Said hearing may be continued from time to time by order entered on the minutes.

SEC. 8. Any objections or protests not made at the time and in the manner hereinbefore provided shall be deemed to be waived voluntarily by any person who might have made such objection or protest and, except in the case of a majority protest, the legislative body may sustain or deny any or all objections and protests, and its determination thereon shall be final and conclusive. Said determination shall be entered upon the minutes. No proceeding hereunder may be attacked after the hearing hereinabove provided upon any ground not stated in an objection or protest filed as hereinbefore provided, and any landowner or person interested in any lands within said district shall be estopped to attack the proceedings upon any ground not stated in a protest filed by him in accordance with the foregoing provisions of this act.

SEC. 9. Unless the power to proceed has been terminated as hereinbefore provided, the legislative body at the conclusion of the hearing may find and determine that the public interest and necessity require and may order the acquisition and improvement described in the ordinance of intention. If said acquisition and improvement are ordered, the legislative body shall fix and establish the boundaries of the district and shall declare that the same has been duly formed under the provisions of this act. Such determination and order shall be by ordinance. Each

vehicle parking district formed hereunder shall be numbered and the designation of such district shall be substantially (using appropriate number) "Vehicle Parking District No.----- of the City of -----"

PART 2

SEC. 10. The legislative body in its ordinance ordering the things proposed to be done and forming said district shall direct an action to be brought by the city attorney, or other attorney directed by it, in the proper superior court in the name of the municipality for the condemnation of the property necessary and proposed to be acquired as described in said ordinance of intention. The fee simple title of any lands to be acquired for parking places may be condemned.

The legislative body may contract for the purchase of any of said lands. Any part of said lands acquired by purchase or by gift need not be included in the condemnation action or, if included therein, need not be condemned.

SEC. 11. Except as herein otherwise provided, the condemnation action shall be filed and the condemnation proceedings taken substantially as provided in the Street Opening Act of 1903 and particularly in Chapters 7, 8, 9, and 10 thereof, and the provisions of Chapters 7, 8, 9, and 10 of said Street Opening Act of 1903 relating to the condemnation of property and the fixing of compensation and damages therefor are hereby adopted as the procedure to be followed under this act; provided, however, that failure to fully comply with the provisions of said chapters shall not invalidate any proceeding under this act.

PART 3

SEC. 12. Upon the entry of the interlocutory judgment or upon the purchase price of the property to be acquired being fixed by contract, the legislative body shall order the engineer to make and deliver to the street superintendent a diagram of the acquisition and improvement and of the property within the vehicle parking district as finally established. The diagram shall show the land and any rights of way to be acquired, the proposed improvement, and also each separate lot or parcel of land within the vehicle parking district, the dimensions of each such lot or parcel of land and its relative location to the proposed acquisition and improvement. Said diagram shall be delivered to the street superintendent who shall endorse thereon the date of such delivery.

SEC. 13. The street superintendent upon receiving the diagram shall proceed to assess the total cost and expense of the proposed acquisition and improvement against the lands within the vehicle parking district, subject to assessment as provided in Section 14 hereof. The total cost and expense shall include the following:

(1) The amounts awarded the defendants in the condemnation action, together with their costs.

(2) Any amounts fixed by contract for the purchase of any lands or rights of way to be acquired.

(3) All costs and expenses of plaintiff in the condemnation action, attorneys' fees, fees of expert witnesses, service of process, and any other costs or expenses.

(4) The expenses of making the diagram and assessment.

(5) The estimated expense of issuing and selling bonds.

(6) The estimated costs and expenses of the proposed improvement.

(7) All expenses of the proceedings under this act, including engineers' and attorneys' fees, title searches, certificates of title, publication and posting of ordinances or notices, maps, plans, and the estimated expenses of the proceedings thereafter to be taken.

SEC. 14. Except as provided in this section, all lands within the vehicle parking district shall be assessed to pay the costs and expenses of the acquisition and improvement. No lands owned by the United States and no streets, alleys or high-ways or property to be acquired for parking places under this act shall be assessed.

Any lot or parcel of land in any other public use belonging to the State or to any county, city, district or other public corporation, public agent, mandatory of the government, school board, educational, penal or reform institution, or institution for the feeble-minded or insane, in use in the performance of a public function and included within the boundaries of a parking district as described in the petition, in the discretion of the legislative body may be omitted from the assessment and from the parking district. Such omission shall be stated in the ordinance of intention and, if not so stated, such lands shall be included within the district and shall be subject to assessment in the same manner as other lands therein.

Any assessment upon public property shall be paid by the officer or board having charge of the disbursement of the funds of such owner and said assessment shall be an enforceable obligation against the owner of or the governing body controlling said property.

If for any reason there are no moneys available for the payment of said assessment, then the board or officer whose duty it is to levy taxes for the owner of said public property shall include in the next tax levy an amount, in addition to moneys for all other purposes, sufficient to pay said assessment and the interest thereon from the date the assessment is recorded at the rate established for the bonds, and

when the moneys received from said tax levy are available said assessment and interest thereon shall be paid by the officer or board having charge of the disbursement of the funds of the owner of such land.

Any duty imposed by this section may be enforced by action, mandamus or other proceeding.

SEC. 15. The assessment shall be made, notice given, hearing held, and the assessment confirmed and recorded substantially in the manner provided in Chapter 11 of the Street Opening Act of 1903, and the provisions of Chapter 11 of the Street Opening Act of 1903, relating to the method of making or spreading the assessment, the giving of notice, the holding of the hearing, and the confirmation and recordation thereof, are hereby adopted as the procedure to be followed under this act, and all of the powers and authority granted in Chapter 11 of said Street Opening Act of 1903 shall be applicable to any assessment to be levied hereunder, except that the property to be assessed shall be as defined in Section 14 hereof and assessments upon public property shall be enforced as provided in said Section 14.

SEC. 16. From the date of such recording, all persons shall be deemed to have notice of the contents of such assessment roll. Immediately upon such recording, the several assessments contained in such assessment roll shall become due and payable, and each of such assessments shall be a lien upon the property against which it is made. Said lien shall continue until the assessment and all interest and penalties thereon are paid or until it is discharged of record.

SEC. 17. Said lien shall be superior to and have priority over all special assessment liens created against the same property subsequent to the date of such recordation. Any deed issued in the foreclosure of said assessment lien or sale of property for said lien shall convey the said property to the purchaser free and clear of all encumbrances, except taxes, and such special assessment liens as are, at the date of creation of said lien, equal or superior to said assessment lien.

SEC. 18. No action or proceeding to set aside, cancel, avoid, annul or correct any assessment or reassessment, or to review any of the proceedings, acts, or determinations therein, or to question the validity of, or to enjoin the collection of any assessment or reassessment, or to enjoin the issuance of bonds to represent any assessment or reassessment, shall be maintained by any person unless such action or proceeding is commenced within thirty (30) days after the recording of the diagram and assessment or reassessment, and thereafter all persons shall be barred from any such action or proceeding or any defense of invalidity of the assessment or of bonds issued thereon or of any reassessment and of bonds issued thereon.

SEC. 19. The officer with whom said assessment is recorded shall give notice by publication twice in a daily or weekly newspaper of general circulation printed and published in the county in which the lands assessed lie that said assessment has been recorded in his office and that all sums assessed therein became due and payable upon the recordation of said assessment, stating the date of such recordation and that the payment of the said sums is to be made to him within thirty (30) days after the date of such recordation. Said notice shall also contain a statement that bonds to represent assessments remaining unpaid after said thirty (30) days will issue in the manner and form provided in Part ----- (designating the part as fixed by the ordinance of intention) of this act and shall state the period over which said bonds shall extend and the rate or rates of interest which shall be payable thereon.

SEC. 20. Notice shall also be given by mailing a post card to the owner of each lot, piece or parcel of land assessed according to the name and address appearing on the last equalized assessment roll for county taxes prior thereto or as known to the officer giving such notice; provided, that a failure of the officer with whom the assessment is recorded to give such notice by mailing or of the person addressed to receive the same shall not affect the validity of the proceedings or the validity of the lien of any assessment or of any bond issued thereon.

SEC. 21. When any assessment is paid the street superintendent shall mark opposite such assessment the word "Paid," the date of payment, and the name of the person by or for whom the assessment is paid, and shall, if so requested, give receipt therefor.

SEC. 22. After the full expiration of thirty (30) days from the date of recording said assessment, the superintendent of streets shall make a complete list of all assessments unpaid and the amounts thereof unpaid, excepting therefrom unpaid assessments upon public property. All unpaid assessments upon public property shall be collected as provided in Section 14 hereof but if the property is not in use in the performance of a public function the lien of the assessment may be foreclosed.

PART 4

SEC. 23. In the event bonds are to be issued as provided in this part, the list of unpaid assessments shall be certified and filed with the city treasurer. The city treasurer, upon the filing of the list, shall make out and sign a separate bond representing upon each lot or parcel of land on the list the total amount of the unpaid assessment against the same, as shown on said list.

SEC. 24 The legislative body shall sell said bonds for cash for not less than the amount of the assessments represented by said bonds. At any time after the assessment is recorded, said legislative body may call for sealed bids on the bonds proposed to be issued. Notice inviting bids shall be given by two publications in a newspaper published in the city, the first publication to be at least ten (10) days before the bids are to be opened. The bonds shall be sold for cash to the best responsible bidder. The bonds may be sold at any rate of interest not exceeding that stated in the ordinance of intention.

The legislative body may sell said bonds at private sale.

SEC. 25. Upon the award of the bonds to a purchaser or purchasers, the treasurer shall issue bonds representing the liens of the unpaid assessments as shown on the list filed under Section 23 hereof and bearing interest at the rate fixed by the legislative body. The treasurer shall deliver the bonds to the purchaser or purchasers thereof upon receiving the purchase price bid therefor. The purchase price shall be deposited in the improvement fund of the district.

SEC. 26 Except as otherwise provided in this part, the bonds to be issued under this part shall be issued under the provisions of Part 5 of the Improvement Act of 1911 and, except as herein modified, the provisions of said Part 5 are hereby adopted for the issuance, collection and enforcement of bonds issued under this part, and, except as herein otherwise provided, all of the provisions of said Part 5 shall apply to bonds issued under this part.

SEC. 27. Said bonds shall be dated and bear interest from the date of recordation of the assessment, and shall be substantially in the following form:

VEHICLE PARKING DISTRICT No.-----
 (Number of District)
 OF THE CITY OF -----
 IMPROVEMENT BOND

§----- No.-----

Under and by virtue of the Vehicle Parking District Act of 1943, I, out of the fund for the above designated Vehicle Parking District No.----- of the City of ----- bonds, will pay to ----- or order, the sum of \$-----, with interest at the rate of ----- per cent per annum, all as is hereinafter specified, and at the office of the treasurer of the City of -----, State of California.

This bond is issued to pay the cost of the acquisition and improvement of certain parking places in the City of ----- as the same is more fully described in assessment number ----- issued by the street superintendent of said city and recorded in his office. Its amount is the amount assessed in said assessment against the lot or parcel of land numbered therein, and in the diagram attached thereto, as number -----, and which now remains unpaid, but until paid, with accrued interest, is a lien upon the property affected thereby, as the same is described herein, and in said recorded assessment with its diagram, to wit: The lot or parcel of land in said City of -----, County of -----, State of California, described as follows. -----

This bond is payable exclusively from said fund, and neither the city nor any officer thereof is to be helden for payment otherwise of its principal or interest. The term of this bond is ----- years from the second day of January next succeeding the next October 15th following its date, and at the expiration of said time the whole sum then unpaid shall be due and payable; but on the second day of January of each year, following the next October 15th after its date, an even annual proportion of its whole amount is due and payable, upon presentation of the coupon therefor, until the whole is paid, with all accrued interest at the rate of ----- per centum per annum.

The interest is payable semiannually, to wit: On the second days of January and of July in each year hereafter, upon presentation of the coupons therefor, hereto attached, the first of which is for the interest from date to the next second day of -----, and thereafter the interest coupons are for semiannual interest.

This bond may be redeemed by the owner or any person interested in any lot or parcel of land described herein, in the manner provided in said act, at any time before maturity, and before commencement of proceedings for sale, upon payment to the treasurer, for the holder of this bond, of the amount then unpaid on the principal thereof, with interest thereon calculated up to the due date of the next maturing interest coupon, and all penalties accrued and unpaid.

Should default be made in the annual payment upon the principal, or in any payment of interest from the owner of said lot or parcel of land, or anyone in his behalf, the holder of this bond is entitled to declare the whole unpaid amount to be due and payable, and to have said lot or parcel of land advertised and sold forthwith, in the manner provided by law; provided, however, that any bond may be reinstated after such default in the manner provided in said act. In case of such default there shall be immediately added to such defaulted amount 1 per cent of the amount thereof, and on the first day of each month following such default there shall be added a further penalty of 1 per cent of such defaulted amount.

The 1 per cent penalty first imposed and all subsequent penalties shall be paid to the holder of the bond along with and as a part of such defaulted payment.

At said City of _____, this _____ day of _____, in the year one thousand, nine hundred and _____.

Treasurer of the City of _____

PART 5

SEC. 28. In the event bonds are to be issued as provided in this part, the list of unpaid assessments shall be certified and filed with the city clerk.

The legislative body shall issue bonds in the total principal sum of the assessments unpaid as shown on said list, less any assessments paid prior to the adoption of the resolution determining the amount of the unpaid assessments.

At any time prior to the adoption of said resolution, any assessment on said list may be paid to the street superintendent, together with a five per cent (5%) penalty for delinquency.

The legislative body shall pass a resolution determining the amount of the unpaid assessments and order refunding bonds in said amount issued. The legislative body shall prescribe the denomination of such bonds, which shall be in convenient amounts, not necessarily equal, and provide for the issuance of the same.

SEC. 29 All bonds issued under this part shall mature on July 2d. Said bonds shall be issued to mature in series and an even annual proportion of the aggregate principal sum thereof shall be payable on the second day of July of every year until the whole is paid, the first series or installment being payable on the second day of July next succeeding the first ten (10) months after their date. The final series or installment of said bonds shall mature and be payable on a date which shall not exceed nineteen (19) years from the second day of July next succeeding ten (10) months from their date. Said bonds shall be dated as of the date of the recordation of the assessment. Said bonds shall bear interest at such rate or rates as may be determined by the legislative body but not to exceed six per cent (6%) per annum from the date of recordation of the assessment until the whole of said principal sum and interest is paid. The interest shall be payable semiannually by coupon on the second days of January and July, respectively, of each year, and the first coupon shall be payable on the second day of January next succeeding the first four months after the date of the bonds and shall be for the interest accrued to that time.

SEC. 30. Said bonds and interest shall be paid at the office of the treasurer of the city in which the district lies. Said treasurer shall keep a redemption fund designated by the name of said bonds into which he shall place all sums received by him from the collections of the assessments upon the security of which said bonds are issued, and all interest and penalties thereon. From such fund he shall disburse and pay said bonds and the interest thereon upon presentation of the proper bonds and interest coupons, and neither said bonds nor the interest thereon shall be paid out of any other fund. Said treasurer shall keep a register in his office which shall show the series, numbers, date, amount, rate of interest, last known holder of each bond, and the number and amount of each interest coupon paid by him, and shall cancel and file each bond and coupon so paid.

SEC. 31. Said bonds shall be issued in substantially the following form:

VEHICLE PARKING DISTRICT NO. _____
OF THE CITY OF _____
IMPROVEMENT BOND

\$ _____

Series _____

No _____

Under and by virtue of an act of the Legislature of the State of California entitled "Vehicle Parking District Act of 1943," the City of _____ will, on the second day of July, 19____, out of the redemption fund for the payment of bonds issued upon the assessments levied to acquire and improve public parking places for Vehicle Parking District No _____ of the City of _____ pay to the bearer the sum of _____ dollars (\$_____), with interest thereon from the _____ day of _____, 19____, at the rate of _____ per cent per annum until this bond is paid, at the office of the treasurer of the City of _____, State of California.

This bond is one of an issue of bonds of like date, tenor and effect issued by the City of _____ under said act for the purpose of providing public parking places for Vehicle Parking District No. _____ of the City of _____, and is secured by the moneys in said redemption fund and by the unpaid assessments made for the purpose of providing said parking places and, including principal and interest, is payable exclusively out of said fund.

The interest is payable semiannually, to wit, on the second days of January and July in each year hereafter upon presentation of the proper coupons therefor; provided, that the first of said coupons is for the interest to the second day of

January, 19____, and thereafter the interest coupons are for the semiannual interest. This bond will continue to bear interest after maturity at the rate above stated, provided it is presented at maturity, or within 10 days thereafter, and payment thereof is refused on the ground that there is not sufficient money in said redemption fund with which to pay same. If it is not so presented, interest thereon will run until maturity.

This bond may be redeemed and paid in advance of maturity upon the second day of January or July in any year by giving the notice provided in said act and by paying principal and accrued interest to such date of redemption.

It is hereby certified, recited, and declared that all proceedings, acts, and things required by law precedent to or in the issuance of this bond have been regularly had, done and performed, and this bond is by law made conclusive evidence thereof.

IN WITNESS WHEREOF, said City of _____ has caused this bond to be signed by the _____ (mayor or other chief executive of the city) and by the treasurer of said city, and attested by its clerk, and has caused its clerk to affix thereto the seal of said city, all on the _____ day of _____, 19_____.

Mayor of the City of _____

Treasurer

Attest:

Clerk

SEC. 32. Said bonds shall be signed by the mayor or other chief executive of the city and by the treasurer of said city and attested by the clerk of said city, and the seal of the city shall be affixed thereto. The interest coupons affixed to said bonds shall be signed by the city treasurer and may be signed by the printed, lithographed or engraved facsimile signature of said treasurer. Said bonds shall have interest coupons attached thereto payable semiannually on January 2d and July 2d, and the first coupon shall be payable on the second day of January next succeeding the first four (4) months after the date of the bonds and shall be for the interest accrued to that time. The bonds so issued shall be payable to bearer and shall bear interest at the rate specified in the resolution ordering the bonds issued. The bonds maturing in any year shall constitute the annual series of that year and the aggregate principal of the bonds in such series shall equal the even annual proportion of the aggregate principal sum of the entire bond issue hereinbefore referred to. Said bonds by their issuance shall be conclusive evidence of the regularity of all proceedings had prior thereto and of the validity of such bonds, and shall be negotiable. Any of said bonds may be surrendered by the holder to the city treasurer for registration in accordance with the provisions of any law applicable to the registration of bonds issued by the city. Thereafter the principal and interest thereon shall be paid to the proper registered owner thereof.

In case any officer whose signature or countersignature or attestation appears on any bonds or interest coupons thereof, issued under the provisions of this act, shall cease to be such officer before the delivery of the bonds to the purchaser, such signature or countersignature or attestation, either on the bonds or interest coupons, or both, shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until the delivery of the bonds, and the signature upon the coupons of the person who is treasurer at the date of such bonds shall be valid although the bonds themselves may be signed by a different person who is treasurer at the time of delivery of such bonds.

SEC. 33. The bonds to be issued may be sold at any time after the assessment is recorded and in such manner as the legislative body may provide. Said bonds may be sold for cash to the best responsible bidder after public bidding, and bids may be received upon an interest rate basis or upon the interest rate stated in the ordinance of intention. Notice inviting bids shall be given by publication by two insertions in a newspaper of general circulation in the city, the first publication of such notice to be at least ten (10) days before the date the bids are to be opened. If bids are received on an interest rate basis, bidders shall be invited in the notice to state the rate or rates of interest at which they will purchase the bonds, not exceeding the rate stated in the ordinance of intention. Notwithstanding the statement of the rate in the ordinance of intention and in any notices subsequent thereto, said bonds may be issued and sold at a lower rate of interest than stated therein. If the legislative body has adopted its resolution ordering the bonds issued and fixing the interest rate of said bonds therein, it may nevertheless sell said bonds at a lower rate of interest and by resolution fix and establish said lower rate of interest thereon. The ordinance of intention and all notices may provide that the rate or rates of interest stated therein shall be maximum rates of interest. All moneys derived from the sale of said bonds shall be paid into the improvement fund of said district.

SEC. 34. In the event bonds are issued under this part, the assessments unpaid as shown by the resolution determining the same, and any reassessments which may

be issued thereon, or in lieu thereof, together with interest and penalties thereon, shall remain and constitute a trust fund for the redemption and payment of said bonds and for the interest which may be due thereon. Such assessments and reassessments and each installment thereof and the interest and penalties thereon shall be and shall continue to constitute a lien against the lots or parcels of land on which made, until the same be paid or discharged of record; provided, however, that the unmaturing installments, interest and penalties shall not be deemed to be within the terms of any general warranty of title.

SEC. 35. A copy of the resolution of the legislative body determining the assessments unpaid shall be filed in the office of the city auditor, if the city taxes are collected by city officials, but if the city taxes are collected by county officials the copy shall be filed in the office of the county auditor. The auditor shall keep a record in his office showing the several installments of principal and interest on said assessments which are to be collected in each year during the term of said bonds. The auditor shall annually enter in his assessment roll on which taxes will next become due, opposite each lot or parcel of land affected, in a space marked "Vehicle Parking District No. --- Assessment," or by other suitable designation, the several installments of such assessment coming due during the fiscal year covered by such assessment roll, including in each case the interest due on such total unpaid assessments as herein provided. In the event that such collections are made by the county officials the county auditor shall at the close of the tax collecting season promptly render to the city auditor a detailed report showing the amounts of such installments, interest and penalties so collected for each district and from what property collected. Taxpayers shall have the like right to pay such assessment as so entered with interest, and any penalties thereon, under protest as they have to pay general municipal taxes under protest, but in making such payment under protest must accompany the payment with their written protest. In the event of the lot or parcel of land affected by any assessment not being separately assessed on said roll so that the installment to be collected can be conveniently entered thereon, then said auditor shall enter on said roll a description of the lot or parcel affected, with the name of the owners if known, but otherwise described as "unknown owners," and extend the proper installment opposite same.

SEC. 36. Any owner may release and pay any such unpaid assessment by depositing with the city treasurer the total unpaid balance of any such assessment, together with the total interest which would become due on such assessment were it paid in the regular way. If and when such funds are used in whole or in part to call a like principal amount of bonds, the person paying the assessment shall be entitled to credit and reimbursement of his proportion of the interest saved by such call, less his proportion of any costs incurred for publishing or serving any notice of call for redemption.

SEC. 37. The unpaid assessments shall be payable in annual series corresponding in number to the number of series of bonds issued, and an even annual proportion of each assessment shall be payable in each year preceding the date of maturity of each of the several series of bonds so issued. Such annual proportion of each assessment coming due in any year, together with the annual interest on such assessment, shall in turn be payable in annual or semiannual installments according as the general taxes of such city on real property are payable in annual or semiannual installments. Such installments and said interest shall be payable and become delinquent at the same times and in the same proportionate amounts and bear the same proportionate penalties and interest after delinquency as do the general taxes on real property in said city.

SEC. 38. Upon default the lands securing said installments and assessments shall be sold in the same manner in which real property in such city is sold for the nonpayment of general taxes and be subject to redemption within one year from date of sale in the same manner as such real property is redeemed from such delinquent sale, and upon failure of such redemption shall pass, in like manner, to the purchaser or be sold to a purchaser. The city must be the purchaser at any delinquent sale in like manner in which it becomes or may become the purchaser of property sold for nonpayment of the general property tax, and shall pay and transfer into said redemption fund in lawful money the amount of the delinquent assessment and the delinquent interest thereon for which said sale is made. Where the municipal property tax is collected by county officials and sales for nonpayment of such taxes are made to the State, the State shall be the purchaser at any such sale hereunder, but shall hold the title acquired at such sale upon behalf of the city, and shall account to the city for any moneys received upon redemption or from the sale of such property, the city for the purposes of this act being deemed the real purchaser. In the event of there being no available funds in the treasury with which to make such payment, the tax collector shall delay entry of the certificate of sale until such funds are available, making demand in the meantime upon the legislative body that a suitable amount be included in the next tax levy for the purpose of providing funds with which to make such payment; provided, however, that the period of redemption from such tax sale shall not be extended thereby nor the rights or privileges of the property owner be thereby in any wise affected. In

the event of such purchase being made and of any succeeding installment of such assessment or of such interest not being paid in any future year, the property shall not be sold unless there has previously been a redemption from such sale or unless under the law it is then being sold for delinquent taxes. The city shall nevertheless, unless a resale has been made by it, from time to time when due, pay and transfer into said redemption fund the amount of any such future delinquent assessment and interest pending redemption, and no redemption shall be made until any such subsequent payment, with interest and penalties, shall also be paid. The purchaser, whether at tax collector's sale or at resale by the city, in the event of the city having become the purchaser, or at foreclosure sale by order of court, shall take the property subject to all unpaid installments, interest and penalties under the same proceeding.

SEC. 39 The legislative body may, and in the event that property has been sold to the city, or to the State for delinquent assessments or installments thereof or interest thereon (the city being deemed the real purchaser), and funds are not available to make payment therefor, must, at the time of fixing the annual rate and levying the taxes for general municipal purposes, levy a special tax upon the taxable property in the city for the purpose of paying for the lands purchased or to be purchased at said tax sales. Also, unless funds will be otherwise available therefor, the city must annually, at the time of fixing the annual rate and levying the taxes for general municipal purposes, levy a special tax upon the taxable property in said city for the purpose of paying installments of the assessment and of interest which the city is required to pay under the provisions of Section 38 hereof. Such special tax for each district shall not exceed annually ten cents (\$0.10) on each hundred dollars (\$100) of assessable property in the city. Such special tax shall be in addition to all other taxes levied for city purposes, and shall be computed, entered and collected in the same manner and by the same persons and at the same time and with the same penalties and interest as are other taxes of the city.

SEC. 40 The city shall have the right to advance and pay any other taxes wherever necessary to protect its interest in property against which there is a delinquent assessment. It may also at its discretion temporarily transfer moneys into the redemption fund from other funds in which such moneys are not immediately needed, the moneys so transferred to be used to pay sums due from such redemption fund and to be retransferred therefrom out of the first available receipts.

SEC. 41. If any lot or parcel of land is sold for nonpayment of taxes and of any installment of the assessment thereon, or of the penalties, interest or costs on the same, or for the nonpayment of any installment, or penalties, interest or costs, any certificate of such sale and any deed issued shall be primary evidence of the regularity of all proceedings had prior thereto, and shall be conclusive evidence of all things of which bonds issued upon the security of the assessments are conclusive evidence, and prima facie evidence of the regularity of all proceedings subsequent to the issuance of the bonds, and such deed conveys to the grantee the absolute title to the lands described therein, free of all incumbrances, except the lien for other State, county and city taxes and unpaid installments, interest and penalties under the same proceeding and except all public improvement assessments which may have priority thereover.

SEC. 42 As a cumulative remedy, if any assessment or reassessment or installment thereof, or of any interest thereon, together with any penalties and other charges accruing under the taxation ordinance of the city, are not paid when due, the legislative body may, not later than four years after the delinquent date of the last installment of principal of the assessment, order that the same be collected by an action brought in the superior court to foreclose the lien thereof.

SEC. 43 Costs in the action shall be fixed and allowed by the court and shall include a reasonable attorney's fee, interest, penalties and other charges or advances authorized under this act, and when so fixed and allowed by the court the costs shall be included in the judgment.

SEC. 44. The court shall have the power to adjudge and decree a lien against the lot or parcel of land covered by the assessment or reassessment for the amount of the judgment and to order the premises to be sold on execution as in other cases of the sale of real property by the process of the court, with the same rights of redemption.

The foreclosure action shall be governed and regulated by the provisions of this act and also, where not in conflict with this act, by the codes of this State.

The amount of penalties, costs and interest due shall be calculated up to the date of the judgment.

SEC. 45. When any foreclosure actions are ordered, the tax collector shall be credited upon the assessment roll then in his hands with the amount charged against him on account of the assessments or reassessments, or installments thereof, to be sued on and he shall be relieved of further duty to collect the same.

SEC. 46 The foreclosure action shall be brought in the name of the city, and may be brought at any time prior to the expiration of four years subsequent to the

date of delinquency of the last installment due or to become due upon the assessment or reassessment sued on. The complaint may be brief and include substantially only the following allegations with reference to the assessment or reassessment sought to be collected:

(a) That on a date stated, the legislative body passed its ordinance ordering certain acquisition and improvement, without describing the same

(b) That the acquisition and improvement was made pursuant to the ordinance.

(c) That an assessment to pay the cost and expense of the acquisition and improvement was duly given and made.

(d) That certain property (describing it) was therein assessed a stated amount and that bonds upon the security of such assessment were duly issued under this part, giving the date of said bonds, their interest rate, and the number of years the last installment of same was to run, but it shall not be necessary to state the amount, number, denomination or other terms of the bonds.

(e) That on a date stated a certain sum came due against the described property on the assessment and had not been paid and that the legislative body had ordered the action to foreclose.

SEC. 47. No bond, coupon, assessment or installment thereof or of the interest or penalties thereon, or certificate of sale or deed shall be held invalid for any error in the computation of the proper amount due on the same, if the error is found to be comparatively negligible, or is found to be in favor of the owner of the real property affected thereby.

SEC. 48. If any lot or parcel of land, upon which there is an unpaid assessment against which a bond has been issued under this part, is subdivided, or the ownership of a portion of such lot or parcel of land is transferred to another person, the legislative body may order the street superintendent to file with the clerk an amended assessment of the original parcel of land affected by such subdivision or transfer of ownership segregating and apportioning the unpaid installments of the original assessment in accordance with the benefits to the several parts of the original lot or parcel.

The street superintendent shall file with the clerk a report and an amended assessment of the lots or parcels of land described in the order of the legislative body, together with a map or plat showing how such lots or parcels have been divided. The total amount of the assessments of the several portions of any one original lot or parcel shall be equal to the unpaid assessments upon that original lot or parcel of land.

SEC. 49. Upon the filing of the street superintendent's report and amended assessment, the clerk shall fix a time and place for a hearing upon the amended assessment and shall give notice of the hearing by publication. The notice shall contain a statement of the time fixed for the hearing upon the amended assessment and any objections thereto, which time shall not be less than fifteen (15) days from the first publication of the notice. The notice shall contain a reference to the original assessment and to the improvement proceedings and shall refer to the report and map or plat of the amended assessment for particulars, and no other description of the lots or parcels of land affected thereby shall be necessary.

SEC. 50. All persons interested in the original assessment, or in the lands affected thereby or in the bonds secured thereby, may, at the time of the hearing or at any time to which the hearing may be continued, appear and protest against the amended assessment. At the hearing the legislative body shall hear and determine all objections to the division of the assessments and shall confirm or modify the same. All determinations and decisions of the legislative body shall be conclusive upon all persons entitled to object under the provisions of this section. Final action of the legislative body upon the report and amended assessment shall be taken on or before the fifteenth day of July of any year.

SEC. 51. The clerk shall file the amended assessment, as confirmed or modified by the legislative body, with the auditor who shall annually thereafter enter upon the assessment roll the installments becoming due on each component part of the original parcel opposite a description of the respective parcels so assessed.

When a city is conducting the proceedings and collections upon the assessments are made by county officials, the city clerk shall transmit a copy of the amended assessment to the county auditor.

SEC. 52. By proceeding in accordance with the provisions of this part, the treasurer may advance the maturity of any bond to the second day of January or July in any year and pay and cancel the same whenever there are sufficient surplus moneys in the redemption fund for its retirement.

In selecting bonds for retirement, the treasurer shall choose the bond of earliest maturity that is feasible for retirement but shall make provision for returning to owners releasing and paying unpaid assessments under Section 36 hereof all interest not accrued less the interest paid on the bonds retired and the cost of giving notice of advanced maturity.

SEC. 53. Notice of advanced maturity may be given in writing to the holder or owner of the bond by registered mail or personal service, or it may be addressed "To Whom It May Concern" and be given by publication. If the notice is given by publication, a copy of the notice shall be mailed to the last known holder or owner of

the bond at his last known address at least sixty (60) days prior to the date of advanced maturity. If the notice is given:

(a) By personal service, service thereof shall be made at least sixty (60) days before the date fixed for advanced maturity.

(b) By registered mail, the mailing shall be made at least sixty (60) days before the date fixed for advanced maturity.

(c) By publication, the first publication shall be made at least sixty (60) days before the date fixed for advanced maturity.

More than one bond may be covered in a single notice of advanced maturity.

The cost of serving or publishing the notice of advanced maturity shall be paid from the redemption fund.

SEC. 54. If notice of advanced maturity is given, the bond or bonds shall mature and become payable on the date fixed for maturity in the notice. The holder or owner of any bond called may, prior to the date of advanced maturity, surrender it and receive the principal and interest thereon to the date of payment. If the bond has not been sooner surrendered, then on the date fixed for advanced maturity, the treasurer shall set aside to the credit of the owner of the bond the amount of principal and accrued interest then due on the bond, and the bond shall then be deemed to have matured and interest shall cease to accrue on the bond. The amount so set aside shall, upon demand and upon the surrender and cancellation of the bond, be paid to the holder or owner of the bond.

SEC. 55. Prior to the surrender of any bond or the setting aside of any funds, the treasurer may waive and vacate any notice of advanced maturity upon being tendered for cancellation some other bond or bonds of an equivalent amount and of a maturity not earlier than that noticed, if ten (10) days' notice of his intention so to do is first given by mail or otherwise to the holder or owner of the bond noticed for advanced maturity, and such holder or owner has not objected to such action.

PART 6. ACQUISITION AND IMPROVEMENT

SEC. 56. The street superintendent, from time to time, shall pay over to the treasurer all moneys collected by him on account of any assessment levied under this act. The treasurer, on receipt thereof, shall place said moneys in a special fund, designated the improvement fund of the vehicle parking district for which the assessments were levied. All proceeds of any bonds issued hereunder likewise shall be placed in said special fund.

SEC. 57. As soon as there is sufficient money in the special fund devoted to the proposed acquisition and improvement to pay the amounts awarded to the defendants by the interlocutory judgment in the condemnation action, said amounts shall be paid to the parties entitled thereto or into court for their benefit.

If any property is being acquired by private purchase, the amounts fixed by the contract of purchase shall be paid to the parties entitled thereto upon the delivery to the city of a good and sufficient deed conveying to the city the property or the interest in property to be so acquired.

SEC. 58. When satisfactory proof is made to the court of payment of the amounts awarded by the interlocutory judgment to the respective parties entitled thereto, or into court for their benefit, the court shall direct the interlocutory judgment to be satisfied and shall make and enter a final judgment condemning the lands described in the complaint to the use of the plaintiff for the purposes specified in the complaint.

SEC. 59. If the proceedings provided for any improvements to be constructed, contracts for the construction of said improvements shall be let by the legislative body of the city in the same manner and with the same faithful performance or labor and material bonds as provided by law for contracts payable from the general funds of said city. The contractor shall be paid from the special improvement fund.

SEC. 60. In case of a deficiency in the special fund for such improvement, the legislative body in its discretion may provide for such deficiency by an appropriation out of the general fund of the treasury, or by ordering a supplementary assessment to be made by the street superintendent upon the property in the vehicle parking district in the same manner and form, and subject to the same procedure as provided in Part 3 hereof for the original assessment. In order to avoid delay in event of a supplementary assessment, the legislative body may advance such deficiency out of the treasury and reimburse the treasury from the collections under the supplementary assessment. In case of a surplus in the special fund for the improvement, such surplus shall be used for the repair of the improvements constructed.

PART 7. REASSESSMENT

SEC. 61. A reassessment shall be issued in any of the following events:

Whenever any assessment heretofore or hereafter made, issued or filed in the office of the clerk, or whenever any bonds issued to represent the amounts of any such assessments in accordance with this act have been set aside by any court of competent jurisdiction or such court has refused to enforce any assessment or has decreed any such bonds issued under this act not to constitute or represent valid and subsisting liens against the lots or parcels of land upon which the assessments

represented by them have been levied; or if for any reason such assessments or bonds, or both, are not effective through the curative and waiver provisions of this act or any curative act now or hereafter passed by the Legislature in relation thereto to make them valid and enforceable.

SEC. 62. The true intent and meaning of this part is to make the cost and expense of the acquisition and improvement made or attempted to be made through an attempted compliance with this act payable by the real property benefited by such acquisition and improvement by making a reassessment therefor. Such power of reassessment embraces both a full and partial reassessment and is not exhausted by a single attempted exercise thereof.

SEC. 63. A reassessment shall be ordered under any one of the following circumstances:

(a) Whenever the owner or holder of any bonds issued to represent or be secured by assessments requests the legislative body to order a reassessment and the legislative body is of the opinion that the bonds in question are not enforceable, it shall order the making and issuing of a reassessment covering only the assessments represented by or securing the bonds owned or held by the petitioner.

(b) Whenever any court of competent jurisdiction in any suit involving the validity of the obligation of any bond or assessment has for any reason held the lien of the assessment or bond to be unenforceable, then it shall in and by its decree direct the making of a reassessment to cover the assessments involved in such suit.

(c) Whenever any court of competent jurisdiction, in any suit to set aside the lien of any assessment or of any bond representing any assessment or in any suit to quiet title against the lien of any such assessment or bond or in any suit to enjoin the making, filing, confirmation or issuance of any assessment or bond to pay for the cost and expenses of any acquisition and improvement under this act, shall in its judgment decree such assessments or bonds to be void or unenforceable or shall enjoin the making, filing or issuance or confirmation of any such assessment or bond, then it shall in and by its decree direct the making of a reassessment to cover the assessments involved in such suit.

(d) Whenever the lien of any assessment or bond is foreclosed or attempted to be foreclosed by sale as provided in this act, and thereafter any court of competent jurisdiction in any suit contesting the validity and legal force and effect of such sale decrees such sale to be void or unenforceable for any reason, then it shall in and by its decree direct the making of a reassessment to cover the assessments involved in such suit.

SEC. 64. Upon the entering of a decree of court directing a reassessment or upon the making of an order by the legislative body directing a reassessment, the street superintendent shall proceed to make a reassessment in the following manner:

If the reassessment is a partial one only, then it shall not be necessary for the diagram to show any lots other than the ones covered by such partial reassessment. If it is a full reassessment, then the street superintendent shall prepare and file with the reassessment a diagram showing the lots or parcels of land deemed by him to have been benefited by the improvement.

SEC. 65. The reassessment shall assess upon and against each of the lots or parcels of land contained therein an amount arrived at as follows: The benefits derived, or to be derived, by each of the lots or parcels of land from the acquisition and improvement estimated as of the date of the filing in the clerk's office of the original assessment shall first be listed. Then there shall be added thereto interest thereon from the date of recording of the original assessment at the rate of seven per cent (7%) per annum, and the total sum shall constitute and be the amount of the proposed several assessments in such reassessment. The total of such reassessment, however, exclusive of interest, shall not exceed the cost and expenses of the acquisition and improvement.

SEC. 66. Such reassessment need not be in any prescribed form, but shall refer to the original assessment filed, giving the date of filing of the original assessment, and state that it is made pursuant to the order of the legislative body or decree of the court, as the case may be, and shall be accompanied by a diagram showing the lots or parcels of land to be reassessed and their relation to the improvement.

SEC. 67. The reassessment shall then be presented to the legislative body, which shall fix a time for hearing before it, which shall be at least twenty (20) days after the reassessment is so presented. The clerk shall then advertise the time of such hearing by publishing a notice in the newspaper in which the ordinance of intention for the acquisition and improvement was published unless the legislative body directs publication in some other newspaper. If the reassessment is to be against the property in a district, then this fact shall be set forth and the reassessment diagram referred to for particulars. Such notice shall be published for five (5) insertions, if the newspaper is a daily, or by two (2) insertions if the newspaper is published less frequently.

SEC. 68. At the time fixed for the hearing, or at any time to which the hearing is adjourned, the legislative body shall consider the objections to the reassessment and in its discretion informally direct the revision, correction and modification of such reassessment in such manner as is most equitable to apportion to each lot or parcel of land thereby benefited the amount of the actual benefits derived from the acquisition

and improvement. When the reassessment is revised or corrected or modified to comply with the judgment of the legislative body, it shall pass a resolution confirming the reassessment.

SEC. 69. The street superintendent shall thereupon record the reassessment with a certificate at the end thereof by the clerk that it is the reassessment approved by the legislative body. He shall also note opposite the several assessments in the original assessment that have been displaced by the reassessment the fact that the reassessment has been made, giving its date, and shall credit upon such reassessment all payments theretofore made upon the original assessment, or upon the bonds issued to represent the original assessment, together with interest on such payments at the rate of seven per cent (7%) per annum from and after the date of such payments.

SEC. 70. The reassessment shall be collectible and payable in the same manner as an original assessment and shall be enforceable in the same manner provided for enforcing an original assessment, and shall have the same weight in evidence. If bonds were issued under or upon the security of the original assessment, they shall also issue upon the reassessment for such sum as may be reassessed against the lots or parcels of land covered thereby.

SEC. 71. When the reassessment is recorded, the original assessment shall be canceled by the street superintendent so far as it affects the particular assessments involved. New bonds shall not be issued until the original bonds are delivered up to the treasurer who shall cancel them. The lien of the reassessment shall hold its relative rank as to other special assessment liens as of the date of filing of the original assessment.

PART 8

SEC. 72. Whenever in any city a vehicle parking district is created under this act, the legislative body of the city, immediately upon the acquisition of the parking places to be acquired pursuant to the petition for the formation of the district, shall appoint a commission which shall have charge of all of the parking places theretofore or thereafter acquired and constructed and to be paid for by taxes or assessments upon lands in that vehicle parking district. The commission shall consist of three members. Each commissioner shall be a resident and qualified elector of the city.

The commissioners shall hold office for the term of three years from the date of their appointment and qualification and until their successors are appointed and qualified, except that members of the first board appointed shall classify themselves by lot so that one member holds office for one year, one for two years, and one for three years, and, in each instance, until a successor has been appointed and qualified.

SEC. 73. The board of parking place commissioners appointed to manage the parking places acquired or constructed under proceedings for a vehicle parking district shall have possession and control of all parking places acquired and constructed and paid for or to be paid for by taxes or assessments upon lands in the district, and the said board shall operate, manage and control all of said parking places and shall make and enforce all necessary rules and regulations for the use thereof. It shall fix, regulate and collect rentals, rents or charges for the parking of vehicles therein and may provide different rates for different classes of customers or users. It shall appoint such employees as it deems necessary and shall have complete charge, supervision and control of all parking places acquired and constructed through taxation or assessment upon lands in such district.

SEC. 74. On or before June 30th of each year the board shall prepare an annual estimate of the expenditures required for the maintenance, operation, repair and improvement of the parking places under its charge for the ensuing fiscal year and shall estimate the amount of revenues to be derived from rentals, fees or charges for the use of said parking places and the amount, if any, to be raised by taxation. This estimate shall be filed with the legislative body of the city, and said legislative body at the time and in the manner for levying general municipal taxes shall levy and collect upon and against all of the taxable land within the vehicle parking district a special ad valorem tax sufficient to raise the sum of money estimated as required to be raised by taxation. Said special tax shall be levied and collected at the same time and in the same manner and by the same officers and with the same interest and penalties as general city taxes levied by the legislative body. The proceeds of said tax shall be placed in the district maintenance and operation fund and expended only for the maintenance, operation, repair and improvement of parking places acquired and constructed from taxes or assessments upon land in said district.

All revenues from fees, charges or rentals for the use of any parking place acquired and constructed by taxes or assessments upon lands in any vehicle parking district shall be turned over to the city treasurer and by him placed in the proper district maintenance and operation fund from which payment shall be made, upon order of the board of parking place commissioners, for the maintenance, operation, repair and improvement of said parking places.

PART 9

SEC. 75. Whenever any property acquired for parking places is not needed for that public use, the legislative body of the city is authorized to sell the same.

Any moneys received from the sale of such property shall be placed in the maintenance and operation fund of the district taxed or assessed for the acquisition of the land sold and may be used for the improvement or repair of any parking places acquired by assessments or taxes upon the property in said district.

SEC. 76. Upon request of the legislative body of a city or of any bondholder, the Superintendent of Banks shall make an examination into the regularity of the issuance of any bonds issued under Part 5 hereof and the sufficiency of the security provided for the payment thereof and, if satisfied therewith, may certify the same as legal for investments of savings banks and trustees, and when so certified such bonds shall be legal investments for savings deposits and trust funds.

SEC. 77. All real property shall be acquired or condemned in the name of the city and title to such property shall be in the city. All contracts for the purchase of real property hereunder shall be made by the legislative body of the city.

SEC. 78. Whenever the commission in charge of the parking places acquired or constructed by taxes or assessments upon land in a vehicle parking district determines by resolution that additional parking places should be acquired by taxation or by assessment upon lands in said district, a certified copy of the resolution shall be filed with the legislative body of the city, and said legislative body may thereafter proceed to acquire such additional parking places and to provide for the payment therefor by an ad valorem tax levied upon all lands in the vehicle parking district or by a special assessment upon the lands therein levied in accordance with benefits. The legislative body may use any procedure in this act or in the Street Opening Act of 1903 for the levy of said special assessments.

SEC. 79. After the improvements to be made under the initial proceeding inaugurated by petition have been completed, any further improvement of any parking place shall be made by the board of parking place commissioners in charge thereof.

SEC. 80. As an alternative method of administration, upon request made to the legislative body of the city by the owners of fifty per cent (50%) of the assessed value of taxable land in any vehicle parking district, as shown by the last equalized assessment roll of the county, the parking places acquired and constructed by taxes or assessments upon land in such district shall be managed, operated and controlled by a commission appointed by the legislative body of the city to have charge of all parking places in such city acquired under this act.

SEC. 81. Except as otherwise provided herein, all legislative authority and jurisdiction hereunder shall be exercised by the legislative body of the city in which the district or proposed district lies. Whenever any notice is to be given or posted under this act and the officer to give or post said notice is not designated, such notice shall be given or posted by the clerk of the legislative body. No notice or posting shall be invalidated because given or done by an officer other than the one whose duty it is to give such notice or perform such posting.

SEC. 82. No proceedings taken, assessment levied, or bond issued under this act shall be held invalid for failure to comply with the provisions hereof; provided the acts done and proceedings taken are not invalid under the provisions of the State and Federal Constitutions. Any procedure not herein expressly set forth but deemed necessary or convenient to carry out any of the purposes of this act is hereby authorized. The remedies herein provided for the enforcement of any assessment levied or bond issued under the provisions of this act are not exclusive and additional remedies may be provided at any time. The curative clauses of this act are cumulative and each of them is to be given full force and effect.

SEC. 83. Any proceeding for the creation of a vehicle parking district and the acquisition and improvement of parking places under this act may be abandoned by the legislative body of the city prior to the issuance of bonds for the acquisition and construction of such parking places.

SEC. 84. This act shall be known as and, whenever cited, referred to or amended, may be designated as the "Vehicle Parking District Act of 1943."

This act and all proceedings hereunder shall be exempt from any and all provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," but the protest of the owners of a majority in area of the land in the district, filed at any time prior to the adoption of the ordinance ordering the acquisition and improvement, shall terminate the proceeding.

SEC. 85. This act shall be liberally construed. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature declares that it would pass this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof be declared unconstitutional.

SEC. 86. This act shall in nowise affect any other act or acts now existing or which may hereafter be passed relating to the same or any similar subject, but is intended to provide an alternative authority and procedure for the subject to which it relates. When proceeding under the authority of this act, its provisions and none other need be followed.

SEC. 87. Whenever any official or board designated in this act is not and can not be provided for by a charter city using this act, then all acts hereunder to be done by such official or board shall be done and performed by, and all jurisdiction and authority given herein to such official or board shall be vested in, the official, board or other body of such charter city empowered by the charter to perform said acts and exercise said jurisdiction and authority."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 729—An act to amend the County Water District Act approved June 10, 1913, as amended, by amending Section 14, relating to duties of district boards and officers; and by adding new Sections 14.5, relating to liability of district directors, officers, agents, and employees; 14.6, relating to claims against districts, their directors, officers, agents, and employees and actions thereon; 14.7, relating to liability of districts, their directors, officers, agents, and employees; and 14.8, relating to judgments against district directors, officers, agents, and employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section", and insert "Sections 3, 4, 5, 6, 8, 12a and".

Amendment No. 1a

In line 3 of the title of said bill, strike out "duties of district boards and officers", and insert "county water districts".

Amendment No. 1b

In line 4 of the title of said bill, after "Sections", insert "12.16, relating to payment of expenses of organization of districts;"

Amendment No. 1c

In line 8 of the title of said bill, after the semicolon, strike out "and".

Amendment No. 1d

In line 10 of the title of said bill, after "employees", insert "; and 22d, relating to the use of various improvements acts in district improvements".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

Amendment No. 2

On page 1 of said bill, after the enacting clause, and immediately preceding line 1, insert

"SECTION 1. Section 3 of the County Water District Act is amended to read:

Sec. 3. A petition, which may consist of any number of separate instruments, shall be presented at a regular meeting of the board of supervisors of the county in which the proposed water district is located, signed by the registered voters within the boundaries of the proposed water district, equal in number to at least 10 per centum of the number of votes cast in said proposed county water district for the office of Governor of this State at the last general election prior to the presenting of the petition; provided, that where one or more municipal corporations or part thereof is included in such proposed water district, such petition must be signed by at least 10 per centum of the qualified electors of each such municipal corporation or part thereof and of the unincorporated territory included in such proposed water district so voting at such election. Such petition shall set forth and describe the proposed boundaries of such water district, and shall pray that the same be incorporated under the provisions of this act, and *the county clerk shall cause the text of such petition [shall] to be published once a week for at least two weeks before the time at which the same is to be presented, in at least one, but not to exceed three, newspapers printed and published in such county [,]. [together with a notice stating the time of the meeting at which same will be presented.]* When

contained upon more than one instrument, one copy only of such petition need be published. No more than five of the names attached to said petition need appear in such publication of said petition and notice, but the number of signers shall be stated.

With such publication [there] *the county clerk* shall also *cause to be published* a notice of the time of the meeting of the board when such petition will be considered and that all persons interested therein may then appear and be heard. At such time the board of supervisors shall hear the petition and those appearing thereon together with such written protests as shall have been filed with the clerk of the board prior to such hearing by or on behalf of owners of taxable property situated within the boundaries of the proposed district and may adjourn such hearing from time to time, not exceeding four weeks in all. No defect in the contents of the petition or in the title to or form of the notice or signatures, or lack of signatures, thereto shall vitiate any proceedings thereon; provided, such petition or petitions have a sufficient number of qualified signatures attached thereto. On the final hearing said board shall make such changes in the proposed boundaries as may be deemed advisable and shall define and establish such boundaries. But said board shall not modify said boundaries so as to exclude from such proposed district any territory which would be benefited by the formation of such district; nor shall any lands which will not, in the judgment of said board, be benefited by such district be included within such proposed district. Any person whose lands are benefited by such district may upon his application, in the discretion of said board, have such lands included within said proposed district.

Upon such hearing of said petition, the board of supervisors shall determine whether or not said petition complies with the requirements of the provisions of this act, and for that purpose must hear all competent and relevant testimony offered in support of or in opposition thereto. Such determination shall be entered upon the minutes of said board of supervisors. A finding of the board of supervisors in favor of the genuineness and sufficiency of the petition and notices shall be final and conclusive against all persons except the State of California upon suit commenced by the Attorney General. Any such suit must be commenced within one year after the order of the board of supervisors declaring such district organized as herein provided, and not otherwise. Upon the final determination of the boundaries of the district the board of supervisors shall give notice of an election to be held in said proposed water district for the purpose of determining whether or not the same shall be incorporated, the date of which election shall be not more than 60 days from the date of the final hearing of such petition. Such notice shall describe the boundaries so established and shall state the proposed name of the proposed incorporation (which name shall contain the words "----- County Water District"), and [this] *the county clerk shall cause such notice* [shall] *to be published once a week for* at least two weeks prior to such election in at least one, but not to exceed three, newspapers printed and published in said county. At such election the proposition to be submitted shall be: "Shall the proposition to organize ----- County Water District under (naming the chapter containing this act) of the acts of the Fortieth Session of the California Legislature and amendments thereto be adopted?" And the election thereupon shall be conducted, the vote canvassed and the result declared in the same manner as provided by law in respect to general elections, so far as they may be applicable, except as in this act otherwise provided. No person shall be entitled to vote at any election under the provisions of this act unless such person possesses all the qualifications required of electors under the general election laws of the State. Within four days after such election the vote shall be canvassed by the board of supervisors. If a majority of the votes cast at such election in each municipal corporation or part thereof and in the unincorporated territory included in such proposed water district shall be in favor of organizing such county water district, said board shall by an order entered on its minutes declare the territory enclosed within the proposed boundaries duly organized as a county water district under the name theretofore designated, and the county clerk shall immediately cause to be filed with the Secretary of State and shall cause to be recorded in the office of the county recorder of the county in which such district is situated, each, a certificate stating that such a proposition was adopted. Upon the receipt of such last mentioned certificate the Secretary of State shall, within 10 days, issue his certificate reciting that the county water district (naming it) has been duly incorporated according to the laws of the State of California. A copy of such certificate shall be transmitted to and filed with the county clerk of the county in which such county water district is situated. From and after the date of such certificate, the district named therein shall be deemed incorporated as a county water district, with all the rights, privileges and powers set forth in this act and necessarily incident thereto. In case less than a majority of the votes cast are in favor of said proposition the organization fails but without prejudice to renewing proceedings at any time in the future.

Sec. 2. Section 4 of said act is amended to read:

Sec. 4. Within 90 days after the date of filing with the county clerk of the copy of the certificate of the Secretary of State, provided for in Section 3 of this act, the

board of supervisors of the county in which the county water district is located shall make and cause to be entered upon its minutes at a regular meeting thereof an order calling an election in such county water district for the election of a board of directors for the county water district consisting of five members, each of whom shall be a resident of and qualified to vote at elections of the district.

The order of the board of supervisors shall fix the date of the election which shall not be more than 60 days after the date of the order calling the election. The order shall also create one or more voting precincts within the district and establish a polling place in each precinct and appoint a board of election, consisting of one inspector, one judge and two clerks, to hold, conduct and make returns of the election.

The county clerk shall give notice of the election by publishing notice thereof *once a week* for at least two weeks in one but not to exceed three newspapers published in the county. The notice of election so published shall state the purpose for which the election is to be held, describe the voting precincts, state the location of the polling place for each precinct, the name and position of the persons appointed election officers and the date on which the election will be held.

The election shall be conducted in accordance with the General Election Laws of the State so far as the same may be applicable and the returns canvassed by the board of supervisors of the county at its regular meeting next succeeding the date of the election.

All directors elected or appointed shall hold office until the election and qualification of their successors. The term of office of directors elected under the provisions of this act shall be four years from and after the date of their respective election; provided, that the directors first elected after the incorporation of the county water district shall classify themselves by lot so that two of them shall hold office until the election and qualification of their successors at the first succeeding general water district election, and three of them shall hold office until the election and qualification of their successors at the second succeeding general water district election.

All vacancies occurring in the office of directors shall be filled by appointment by the remaining directors elected and the person so appointed shall have all of the qualifications necessary to be elected a director, and shall hold office during the unexpired term.

The election of directors of the district shall be held in every second year after its organization, on the fourth Tuesday in March, and shall be known as the general water district election. [A second election shall be held, when necessary, as herein-after provided, on the third Tuesday after such general election and shall be known as the second water district election.] All other elections which may be held by authority of this act, or of the general laws, shall be known as special water district elections. All the expenses of holding the elections provided for by this section or by succeeding sections of this act, except Sections 25 and 25a, shall be borne by the district.

[The directors elected in any district, now existing, at the first election held in said district after the year 1933, shall, at the first meeting of the board, classify themselves by lot so that two of them shall hold office until the election and qualification of their successors at the first succeeding general water district election and three of them shall hold office until the election and qualification of their successors at the second succeeding general water district election.]

Sec 3. Section 5 of said act is amended to read:

Sec 5 (1) The mode of nomination and election of all directors of such water district to be voted for at any water district election shall be as follows and not otherwise:

(2) The name of a candidate shall be printed upon the ballot when a certificate of nomination shall have been filed in his behalf in the manner and form and under the conditions hereinafter set forth.

(3) The certificate of nomination shall consist of one or more parts, signed by not less than 25 qualified electors residing within said district. Said certificate shall read substantially as follows:

CERTIFICATE OF NOMINATION

State of California }
County of _____ } ss.

We, the undersigned, certify that we do hereby join in a certificate of nomination of _____, whose residence is at _____, in said county and State, for the office of director of _____ County Water District to be voted for at the election to be held in said district on the _____ day of _____, 19____ and each of us further certifies that he is a qualified elector residing within said district and is not at this time a signer of any other certificate nominating any other candidate for the above named office, or, in case there are several places to be filled in said office, that he has

not signed more certificates than there are places to be filled in said office; that his residence and occupation are as hereinafter stated.

Signature	Residence	[Occupation]
-----	-----	[-----]
-----	-----	[-----]

Verification Deputy's Affidavit

State of California }
County of ----- } ss.

I, -----, solemnly swear that I have been appointed according to provisions of the County Water District Act as a verification deputy to secure signatures to a certificate of nomination of ----- as a candidate for election to the office of director, of ----- County Water District; that all the signatures on this section of said certificate were made in my presence and that to my knowledge and belief each of said signatures is the genuine signature of the person whose name it purports to be.

----- Verification deputy
Subscribed and sworn to before me this ----- day of -----, 19-----.

Notary Public (or other official)

The certificate of nomination of which this section forms a part shall, if found [sufficient,] *insufficient*, be returned to said verification deputy at No. ----- Street, -----, California.

(4) It shall be the duty of the county clerk to furnish upon application a reasonable number of forms of certificate of nomination. All certificates must be of uniform size as determined by the county clerk. Each signer of a certificate must not at the time of signing a certificate have his name signed to any other certificate for any other candidate for the same office, nor, in case there are several places to be filled in the same office, signed to more certificates for candidates for said office than there are places to be filled in such office. In case an elector has signed two or more conflicting certificates, all his signatures shall be rejected.

(5) The candidate or any five qualified electors of the district may appoint verification deputies to secure the signatures to certificates of nomination and the document in which such verification deputies are appointed, as herein provided, shall be filed with the county clerk at or before the time the certificate of nomination is left with the county clerk for filing or for examination. Said document shall be in substantially the following form:

Form for Appointment

The undersigned hereby appoint the following qualified electors of ----- County Water District as verification deputies to obtain signatures to a certificate of nomination nominating ----- as a candidate for the office of director of said district at an election to be held in said district on the ----- day of -----, 19-----.

Name	Address
-----	-----
-----	-----
-----	-----

Dated this ----- day of -----, 19-----.

Residence	Signature
-----	-----

(6) The certificate of nomination consisting of one or more parts may be presented to the county clerk not earlier than 45 days nor later than 30 days before the election. The county clerk shall endorse thereon the date upon which the certificate was presented to him and shall forthwith examine the same and ascertain whether or not it conforms to the provisions of this section. If found not to conform thereto, he shall immediately, in writing, designate on said petition the defect or omission or reason why such certificate can not be filed and shall return the certificate to the person therein designated. The certificate may then be amended and again presented to the clerk as in the first instance and he shall forthwith examine the same. If necessary the board of supervisors shall provide extra help to enable the clerk to perform satisfactorily and promptly the duties imposed by this section.

(7) Any signer of a certificate of nomination may withdraw his name from the same by filing with the county clerk a written revocation of his signature before the certificate is filed by the clerk and not otherwise. He shall then be at liberty to sign a certificate for another candidate for the same office.

(8) Any person who has been nominated under this section as a candidate may not later than 25 days before the day of election, cause his name to be withdrawn from nomination by filing with the county clerk a written request therefor. No name so withdrawn shall be printed upon the ballot. If, upon such withdrawal, the number of candidates remaining does not equal the number to be elected, then other

nominations may be made by filing certificates therefor not later than 25 days prior to such election.

(9) If either the original or amended certificate of nomination be found sufficiently signed, the clerk shall file the same 25 days before the date of the election. When a certificate of nomination shall be filed with the clerk it shall not be withdrawn nor added to.

(10) The county clerk shall preserve in his office, for a period of two years, all certificates of nomination filed under this section.

(11) Immediately after such certificates are filed, the county clerk shall enter the names of the candidates in a list, with the offices to be filled, and shall, not later than 20 days before the election, certify such list as being the list of candidates nominated, and the board of supervisors shall cause said certified list of names and the offices to be filled to be published in a proclamation calling an election at least once a week for two successive weeks [next] before the date of the election in some newspaper of general circulation published in the district and designated by the board of directors of the district. In case there is no newspaper of general circulation published in the district, such board of directors may designate any newspaper of general circulation published in the county. Such proclamation shall conform in all respects to the [general State law] provisions of the *Elections Code* governing the conduct of general elections now or hereafter in force, applicable thereto, except as otherwise herein provided.

(12) The county clerk shall cause the ballots to be printed and bound and numbered as provided by said [general State law,] *Elections Code*, except as otherwise required in this act. The ballots shall contain the list of names and the respective offices as published in the proclamation and shall be in substantially the following form.

GENERAL (OR SPECIAL) DISTRICT ELECTION,
----- COUNTY WATER DISTRICT
(Insert date thereof)

Instructions to Voters: To vote, stamp or write a cross (X) opposite the name of the candidate for whom you desire to vote. All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void. If you wrongly mark, tear or deface this ballot, return it to the inspector of election, and obtain another.

(13) All ballots printed shall be precisely on the same size, quality, tint of paper, kind of type, and color of ink, so that without the number it would be impossible to distinguish one ballot from another; and the names of all candidates printed upon the ballot shall be in type of the same size and style. A column may be provided on the right hand side for questions to be voted upon at water district elections, as provided for under this act. The names of the candidates for each office shall be arranged in alphabetical order, and nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate.

(14) The ballot shall contain the following instructions: "For director vote for (giving number)."

(15) A half-inch square shall be provided at the right of the name of each candidate wherein to mark the cross.

(16) Half-inch spaces shall be left below the printed names of candidates for each office equal in number to the number to be voted for, wherein the voter may write the name of any person or persons for whom he may wish to vote.

(17) The county clerk shall cause to be printed sample ballots, identical with the ballot to be used at the election, and shall furnish copies of the same on application to registered voters at his office at least five days before the date fixed for such election, and shall mail one such ballot to each voter entitled to vote at such election, so that all of said sample ballots shall have been mailed at least three whole days before said election.

(18) In case there is but one person to be elected to an office, the candidate receiving [a majority] the highest number of the votes cast for the candidates for that office shall be declared elected; in case there are two or more persons to be elected to an office, then those candidates equal in number to the number to be elected, who receive the highest number of votes for such office shall be declared elected [; provided, however, that no person shall be declared elected to any office at such first election unless the number of votes received by him shall be greater than one-half the number of ballots cast at such election]. *The secretary shall immediately make out and deliver to each person elected a certificate of election signed by him and authenticated with the seal of the district.*

(19) If at any election held as above provided there be any office to which the required number of persons was not elected, then as to such office the said first election shall be considered to have been a primary election for the nomination of candidates, and a second election shall be held to fill said office. The candidates not elected at such first election, equal in number to twice the number to be elected to any given office, or less if so there be, who receive the highest number of votes for the respective offices at such first election, shall be the only candidates at such second election; provided, that if there be any person who, under

the provisions of this subdivision, would have been entitled to become a candidate for any office, except for the fact that some other candidate received an equal number of votes therefor, then all such persons receiving such equal number of votes shall likewise become candidates for such office. The candidates equal in number of the persons to be elected who shall receive the highest number of votes at such second election shall be declared elected to such office.

(20) The said second election, if necessary to be held, shall be held three weeks after the first election.

(21) All the provisions and conditions above set forth as to the conduct of an election, so far as they may be applicable, shall govern the second election, except that notice of election need be published twice only; and provided, also, that the same precincts and polling places shall, if possible, be used.

(22) [19] Every officer of the district before entering upon the duties of his office shall take and subscribe the official oath and file the same with the secretary. Such oath of office may be taken before the secretary or any member of the board of directors or any officer authorized by law to administer oaths. If a person elected fails to qualify, the office shall be filled as if there were a vacancy in such office, as provided in Section 4 of this act.

[(23)] (20) No informality in conducting district elections shall invalidate the same.

(21) A candidate at district elections is not required to file a statement of expenditures used in aid of his campaign.

Sec. 4. Section 6 of said act is amended to read:

Sec. 6. The provisions of the [law] *Elections Code* relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of general elections, so far as they may be applicable, shall govern all water district elections, except as in this act otherwise provided; provided, that the board of supervisors shall canvass the returns of the first election and that thereafter, except as herein provided, the board of directors shall meet as a canvassing board and duly canvass the returns within [four] seven days after any water district election, including any water district bond election.

Sec. 5. Section 8 of said act is amended to read:

Sec. 8. The board of directors shall be the governing body of such county water district. It shall hold its first meeting [on the sixth Monday] within 30 days after the general election for the election of directors as herein provided; it shall choose one of its members president, and shall thereupon provide for the time and place of holding its meetings and the manner in which its special meetings may be called. All legislative sessions of the board of directors whether regular or special shall be open to the public. A majority of the board of directors shall constitute a quorum for the transaction of business. The board of directors shall establish rules for its proceedings.

Sec. 6. A new section is added to said act, to read:

Sec. 12.16. To cause taxes to be levied for the purpose of paying, and to pay, the expenses of organization of the district, including fees of attorneys and others employed to conduct the organization proceedings. The board may issue warrants of the district to pay such expenses, bearing interest at 6 per cent per annum from date of issue until funds shall be available to pay such warrants.

Sec. 7. Section 12a of said act is amended to read:

Sec. 12a. Any district organized under the provisions of this act may be annexed to or included within the territory of any municipal utility district organized under the provisions of that certain act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, and such annexation or inclusion shall not destroy the identity or legal existence of any district organized under this act, notwithstanding the identity of purpose or substantial identity of purpose of the municipal utility district to which or into which any district organized under this act is included or annexed.

Any such annexation may be effected pursuant to the provisions of any law now or hereafter enacted providing for the annexation of county water districts to municipal utility districts, and all such laws are hereby incorporated herein and made a part hereof. The legislative body of any county water district may agree in writing with the board of directors of said municipal utility district upon the terms and conditions of such annexation, which agreement (among other things) may provide for the payment of special taxes within the county water district to be annexed in addition to the taxes elsewhere in said municipal utility district act provided for, the fixing of rates, rentals and charges differing from those fixed or existing elsewhere within said municipal utility district, the incurring or assumption of indebtedness or the making of a payment or payments or the transfer of property, real and personal, and other assets to said municipal utility district in consideration of the annexation of such county water district to said municipal utility district.

If a proposition for the annexation of such county water district to said municipal utility district, in accordance with and subject to all of the terms and conditions of such agreement of annexation, is approved by a majority of the voters of such county water district at an election called and held as required by the terms of the act under which said municipal utility district is organized, said proposition and all of the terms and conditions of said agreement of annexation shall be deemed to have been carried and approved by the electors, and the legislative body of such county water district shall be empowered to comply with the terms and conditions of said agreement of annexation and to execute and deliver any and all contracts, agreements, deeds and other instruments as may be required to carry out the terms and conditions of said annexation agreement. If such agreement of annexation provides for the transfer of any property or assets of the county water district the same shall be automatically transferred to and vest in said municipal utility district by operation of law upon the annexation of said county water district.

If such annexation or inclusion shall be made pursuant to any agreement or contract entered into in accordance with the provisions of this act whereby the properties or assets of any district organized under this act are transferred such district shall, nevertheless, in the case of such annexation or inclusion, continue its legal existence, with all powers of a county water district under the terms of this act, until otherwise dissolved pursuant to any law now or hereafter enacted for that purpose.

If a county water district has issued bonds to pay the cost of water mains or other works and has, in connection with its annexation to a municipal utility district, transferred such works to the latter district, which has contracted to pay to the former district an amount of money to be paid on such bonds for each active water connection added to its system during a certain period of years and if such period has expired, but such bonds have not been fully paid, it shall be lawful for such districts to agree for the extension of the period of such payments until such payments have fully retired such bonds, or for any shorter period

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "Section 1", and insert "Sec. 8".

Amendment No. 4

On page 2, line 18, of the printed bill, strike out "2", and insert "9".

Amendment No. 5

On page 2, line 32, of the printed bill, strike out "3", and insert "10".

Amendment No. 6

On page 2, line 33, of the printed bill, after "person", insert "has been injured,".

Amendment No. 7

On page 2, line 34, of the printed bill, strike out "injured or damaged", and insert "taken, injured, damaged, or destroyed".

Amendment No. 8

On page 2, line 42, of the printed bill, strike out "or injury or damage", and insert ", injury, taking, damage, or destruction".

Amendment No. 9

On page 2, line 44, of the printed bill, strike out "or injury or damage," and insert ", injury, taking, damage, or destruction,".

Amendment No. 10

On page 2, line 49, of the printed bill, after "injury", strike out "or", and insert ", taking,".

Amendment No. 11

On page 2, line 50, of the printed bill, after the comma following "damage", insert "or destruction,".

Amendment No. 12

On page 3, line 1, of the printed bill, strike out "4", and insert "11".

Amendment No. 13

On page 3, line 18, of the printed bill, strike out "5", and insert "12".

Amendment No. 14

On page 3, line 21, of the printed bill, after "capacity", insert a comma and "unaccompanied by actual fraud or actual malice,".

Amendment No. 15

On page 3 of the printed bill, following line 23, insert "SEC. 13. Section 22d is added to said act, to read:
Sec. 22d. The Municipal Improvement Act of 1913, approved June 6, 1913, as now or hereafter amended, and the Street Opening Act of 1903, as codified in Sec-

tions 4000 and following of the Streets and Highways Code, as now existing or hereafter amended, are also applicable to districts formed under this act. The Improvement Bond Act of 1915 as codified in Sections 8500 and following of said code, as now existing or hereafter amended, is also so applicable for use in conjunction with the Improvement Act of 1911 as codified in Sections 500 and following of said code, as now existing or hereafter amended, or with other improvement acts. Such acts or any of them may be used in the discretion of the board of directors in the construction of any work to be done or improvements made under this act and in the levying of assessments and reassessments and the issuing of bonds to pay for costs and expenses of the work and improvements done or to be done hereunder. The definitions and terms provided in Section 22c hereof shall apply to such proceedings. As additional notice a certified copy of any assessment and the diagram attached thereto issued under any of said acts shall be recorded in the office of the county surveyor if the improvement district or any part thereof is in unincorporated territory and with the superintendent of streets of the city or cities if the improvement district or any part thereof is in incorporated territory and shall remain an official record in the office in which it may be filed. Such filing, however, shall not affect or qualify the district record thereof."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 378—An act providing for the preparation and publication of the California Administrative Register and the California Administrative Code, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, after line 17, insert "Sec. 3. The publication date shall be determined by the Codification Board, and all rules and regulations thereafter filed and all rules and regulations theretofore filed and in effect on the publication date shall be published."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 526—An act to amend Section 189 of the Code of Civil Procedure, relating to the destruction of records, files and exhibits in justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, after "judgment" and before the period, insert "provided that in criminal cases the consent of either the district attorney or prosecuting attorney shall first be obtained".

Amendment No. 2

On page 1, line 10, of said bill, strike out "notice", and insert "In civil cases notice".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 717—An act to amend Section 2 of the act entitled "An act relating to the liability of irrigation districts, their officers and employees," approved July 20, 1935, relating to filing of verified claims with the officers, employees and secretary of the board

of directors of irrigation districts as a condition precedent to the filing or maintaining of actions against irrigation districts, their officers and employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2", and insert "Sections 22727, 22728, 22729, and 22730 of the Water Code and Sections 2 and 3".

Amendment No. 2

In line 7 of the title of said bill, after "employees", insert "and the payment of claims".

Amendment No. 3

On page 1, line 8, of said bill, strike out "negligence or carelessness", and insert "act or omission".

Amendment No. 4

On page 1 of said bill, strike out lines 9 and 10, and insert "irrigation district, a verified claim".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, after line 20, insert

"SEC. 2. Section 3 of the act cited in the title hereof is amended to read:

SEC. 3. In any case where an officer of an irrigation district shall be held liable for any act or omission done or omitted in his official capacity and any judgment shall be rendered thereon, the district [shall] *may* pay such judgment without obligation for repayment thereof by such officer.

SEC. 3. Section 22727 of the Water Code is amended to read:

22727. Whenever it is claimed that any person *has been injured* or any property has been *taken*, injured, [or] damaged or *destroyed* as a result of any dangerous or defective condition of any property under the control of any district or its officers or employees or the [negligence] *act or omission* of any officer or employee of a district, a verified claim for damages shall be presented in writing and filed with the officers or employees involved and the secretary within 90 days after the accident, [or] injury, *destruction or taking* has occurred.

SEC. 4. Section 22728 of the Water Code is amended to read:

22728. Claims filed pursuant to Section 22727 shall specify the name and address of the claimant, the date and place of the accident, [or] injury, *taking, damage, or destruction* and the nature and extent of the taking, injury, [or] damages, *or destruction* claimed.

SEC. 5. Section 22729 of the Water Code is amended to read:

22729. Compliance with Sections 22727 and 22728 is a condition precedent to the filing or maintaining of any action for the injury, *taking*, [or] damages *or destruction*.

SEC. 6. Section 22730 of the Water Code is amended to read:

22730. When an officer of a district is held liable for any act or omission done or omitted in his official capacity and any judgment is rendered thereon, the district [shall] *may* pay the judgment without obligation for repayment by the officer.

SEC. 7. Sections 3, 4, 5 and 6 of this act become operative only if the Water Code is enacted by the Legislature at its Fifty-fifth Session, and, in such case, at the same time as said code takes effect; at which time Sections 2 and 3 of the act cited in the title hereof amended by this act are hereby repealed."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 227—An act to amend Sections 1859 and 1860 of the Civil Code, relating to the liability of innkeepers, to include hospitals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, after "keeper," insert "operator of a hospital,".

Amendment No. 2

On page 1, line 5, of said bill, strike out ", hospital,".

Amendment No. 3

On page 1, line 16, of said bill, after "keeper," insert "operator of a hospital,".

Amendment No. 4

On page 1, lines 16 and 17, of said bill, strike out ", hospital,".

Amendments read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 328—An act to add Sections 3066a, 3066b, 3066c, 3066d and 3066e to Chapter 6 of Title 14 of Division 3 of the Civil Code, to provide for liens in favor of private hospitals in this State upon all causes of action for damages accruing to an injured person therein or to the legal representatives of such person for the reasonable charges for hospital care, treatment and maintenance necessitated by the injuries giving rise to such causes of action.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "person, partnership, association, corporation,"; strike out line 4; and in line 5, strike out "parts thereof," and insert "public and private hospital".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 92—An act to amend Section 1425 of the Penal Code, relating to criminal jurisdiction of justices' courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, substitute a comma for the period, and insert "and to add a new section to said code to be numbered Section 1425a, relating to justices of the peace acting as court commissioners of juvenile courts in misdemeanor cases involving traffic violations".

Amendment No. 2

On page 1, after line 13 of the printed bill, insert
"SEC. 2. A new section is hereby added to the Penal Code, to be numbered Section 1425a, and to read as follows:

1425a. Notwithstanding any other provision of law, the superior court of any county or city and county sitting as a juvenile court may appoint any justice or justices of the peace within said county or city and county as a court commissioner or commissioners to assist said court in disposing of its business connected with the administration of justice in misdemeanor cases involving citations and/or complaints for traffic violations. Each such commissioner shall be empowered and it shall be his duty to hear evidence and examine witnesses, issue subpoenas to compel the attendance of witnesses, administer oaths, make and report findings of fact,

do all other necessary acts and make and report recommendations to the juvenile court so appointing him. No additional compensation shall be paid to any such justice or justices for the performance of such duties."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 807—An act to amend Section 690.11 of the Code of Civil Procedure, relating to the exemption of the earnings of judgment debtors for their personal services from execution or attachment.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 21, of the printed bill, as amended on March 12th, after "proceeding", strike out the period, and insert "after such earnings have actually been withheld by the employer for any of the purposes mentioned."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 559—An act to amend Section 4252 of the Political Code, relating to compensation for public services in counties of the twenty-third class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 17, of the printed bill, after the period, insert "In addition, mileage fees shall be allowed trial jurors for attendance in court at the rate of fifteen cents (\$0.15) per mile for each mile traveled in going only, payable only once in any three days."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 774—An act to add Section 5326 to the Business and Professions Code, relating to outdoor advertising license fees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "within an unincorporated area containing 100 or more people to the square mile", and insert "placed within the business district, as the same is defined in Section 89 of the Vehicle Code, of an unincorporated area".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 890—An act to amend Section 4240 of the Political Code, relating to compensation for public services in counties of the eleventh class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1, line 6, of the printed bill, after the word "[three]", strike out "four", and insert "three".

On page 1, line 6, of the printed bill, after the word "[six]", strike out "two", and insert "six".

Amendment No. 2

On page 1, line 7, of the printed bill, after "[(\$3,600)]", strike out "(\$4,200)", and insert "(\$3,600)".

Amendment No. 3

On page 1, line 13, of the printed bill, strike out "six" and the following word "hundred"; and in line 13, after the figures "[\$2,550]", strike out "(\$3,600)", and insert "(\$3,000)".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1254—An act to provide a method for the dissolution of Orange County Water District, a district organized and existing under an act of the Legislature of the State of California, approved June 14, 1935, and to provide for the distribution of its assets.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2 of the printed bill, strike out lines 4 to 7, inclusive, and insert "the time of presenting said petition, there is sufficient money in the hands of the county treasurer of Orange County to the credit of Orange County Water District to pay all indebtedness against Orange County Water District which has not been barred by the statute of limitations, and said petition sets out the fact that there is sufficient money in the hands of the county treasurer of Orange County to the credit of Orange County Water District to pay all indebtedness against Orange County Water District not barred by the statute of limitations"

Amendment read and adopted.

Bill ordered reprinted and engrossed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON INTRODUCTION OF A BILL

At 10.23 a.m., on motion of Mr. Maloney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill granted to Mr. Maloney by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denuy, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn,

Erwin, Fourt, Gaffney, Guthrie, Haggetty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Stream, Thomas, Thompson, Waters, Watson, Wollenberg, and Mr. Speaker—60.
NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 1952: By Mr. Maloney—An act to amend Section 1160.5 to, and to amend Section 1162 of, the Harbors and Navigation Code, relating to pilots, to take effect immediately.

Without reference to committee.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 402
Assembly Bill No. 96
Assembly Bill No. 163

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 375
Senate Bill No. 406
Senate Bill No. 904
Senate Bill No. 759
Senate Bill No. 400

Senate Bill No. 649
Senate Bill No. 803
Senate Bill No. 808
Senate Bill No. 535

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 375—An act to amend Sections 2893, 2896, 2897, and 2898 of the Elections Code, relating to ballots in case of the death or disqualification of a candidate.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 466—An act to amend Sections 2271, 2274, and 2275 of the Public Resources Code, relating to the Ore Buyer's License Fund.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 904—An act to add Chapter 3 5, comprising Sections 4852.01 to 4852.2, inclusive, to Title 6 of Part 3 of the Penal Code, relating to persons convicted of felony, providing a procedure whereby such persons may, after completion of their sentences, demonstrate their rehabilitation, obtain restoration of rights of citizenship, and apply for

pardon; prohibiting the solicitation or acceptance of fees for representing such persons in such proceedings and in applications for pardon; declaring the urgency of this act and providing that it shall take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 759—An act to amend Section 125 of the Code of Civil Procedure, relating to secrecy of proceedings in certain actions.

Referred to Committee on Judiciary.

Senate Bill No. 400—An act to add Section 689.7 to the Political Code, relating to Department of Finance membership in building management associations.

Referred to Committee on Finance and Insurance.

Senate Bill No. 649—An act granting to the County of Sonoma certain lands of the State of California located in the County of Sonoma, upon certain trusts and conditions.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 803—An act to add Section 473.5 to the Political Code, relating to the employment of attorneys by the State and to the powers and duties of the Attorney General in connection with such employment.

Referred to Committee on Judiciary.

Senate Bill No. 808—An act to abolish the Waste Utilization Commission and to provide for the transfer of its property, powers, and duties to the Department of Agriculture, and to repeal certain acts specified herein.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 535—An act to amend Section 540 of the Political Code, relating to State printing.

Referred to Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF SENATE BILLS

Senate Bill No. 465—An act to add Sections 89.5, 89.6 and 89.6a to the Agricultural Code, relating to the powers and duties of district agricultural associations, and declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 214—An act to add Section 30022.2 to the Business and Professions Code, relating to money collected under the California Terminal Weighing Act.

Bill read second time, and ordered to third reading.

Senate Bill No. 215—An act to add Section 30031.5 to the Business and Professions Code, repealing an act entitled "An act to prohibit prize-fighting," approved March 9, 1893.

Bill read second time, and ordered to third reading.

Senate Bill No. 216—An act to add Section 30034.5 to the Business and Professions Code, repealing Chapter 436 of the Statutes of 1933, relating to horse racing.

Bill read second time, and ordered to third reading.

Senate Bill No. 217—An act to add Section 30045 to the Business and Professions Code, repealing certain acts and parts of acts therein specified, relating to auctioneers.

Bill read second time, and ordered to third reading.

Senate Bill No. 218—An act to add Section 30022.1 to the Business and Professions Code, repealing certain laws relating to the tare on baled hops.

Bill read second time, and ordered to third reading.

Senate Bill No. 219—An act to add Article 4, comprising Section 12925, to Chapter 9 of Division 5 of the Business and Professions Code, and to add Section 30022.4 to the Business and Professions Code, relating to wool products and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 220—An act to add Article 3, comprising Sections 12915 to 12921, inclusive, to Chapter 9 of Division 5 of the Business and Professions Code, and to add Section 30022.3 to the Business and Professions Code, thereby codifying and revising the law relating to the baling and pressing of hay and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 221—An act to add Article 7.5, comprising Sections 7125 and 7126, to Chapter 9 of Division 3 of, and to add Section 30016.5 to, the Business and Professions Code, thereby consolidating and revising the law relating to workmen's compensation reports of licensed contractors, and repealing acts and parts of acts therein specified.

Bill read second time, and ordered to third reading.

Senate Bill No. 223—An act to add Chapter 2, comprising Sections 11500 to 11628, inclusive, and Chapter 3, comprising Sections 11650 to 11658, inclusive, to Part 2 of Division 4 of the Business and Professions Code, to add Section 30043 to the Business and Professions Code, and to amend Section 325 of the Revenue and Taxation Code, thereby consolidating and revising the law relating to the surveying, subdividing and mapping of real estate; the sale and disposal of real estate by reference to maps; the powers and duties of cities, counties and towns with reference to the surveying, subdividing and mapping of real estate, and the preparation of official maps; prescribing penalties for violations thereof and repealing acts and parts of acts specified therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 275—An act to amend Section 117b of the Code of Civil Procedure, relating to the small claims affidavit and order

Bill read second time, and ordered to third reading.

Senate Bill No. 912—An act to amend Section 528 of the Political Code, relating to the printing and distribution of laws.

Bill read second time, and ordered to third reading.

Senate Bill No. 913—An act to amend Section 4316 of the Political Code, relating to the privileges of public officers.

Bill read second time, and ordered to third reading.

Senate Bill No. 914—An act to amend Section 4022 of the Political Code, relating to official bonds of county and township officers.

Bill read second time, and ordered to third reading.

Senate Bill No. 915—An act to amend Section 665.5 of the Political Code, relating to deductions from the salaries and wages of officers and employees of the State for the purpose of buying United States bonds or similar United States obligations.

Bill read second time, and ordered to third reading.

Senate Bill No. 916—An act to add Section 1184e to the Code of Civil Procedure, relating to claims against public agencies, including claims against those persons rendering services or supplying personal property to public agencies.

Bill read second time, and ordered to third reading.

Senate Bill No. 917—An act to amend Section 2 of an act entitled "An act to provide for wage and salary deductions for public officers and employees for the purpose of purchasing United States savings bonds or similar United States obligations, including the adding of Section 665 5 to the Political Code, declaring the urgency thereof, and providing that this act shall take effect immediately," approved January 26, 1942, relating to wage and salary deductions for public officers and employees for the purpose of purchasing United States bonds or similar United States obligations.

Bill read second time, and ordered to third reading.

Senate Bill No. 918—An act to amend Section 4141 of the Political Code, relating to recording fee.

Bill read second time, and ordered to third reading.

Senate Bill No. 920—An act to repeal Section 3235 of the Political Code, relating to the products of Mongolian labor.

Bill read second time, and ordered to third reading.

Senate Bill No. 958—An act to establish a Government Code, thereby consolidating and revising the law relating to the organization, operation, and maintenance of a system of State and local government, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 525—An act to amend Sections 3 and 7 of "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within

municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, relating to noxious or dangerous weeds.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out the dotted line.

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

THIRD READING OF SENATE BILLS

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 8.5 to Article VI thereof, relating to State officers, including judges of the superior court, and providing for the rights of such officers after service in the armed forces.

Resolution read.

Motion to Amend

Mr. Clarke moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed measure, strike out "8.5", and insert "3.5".

Amendment No. 2

In the title of said measure, strike out lines 4 to 6, inclusive, and insert "Article XX thereof, relating to public officers and employees, and authorizing the Legislature to provide for the rights of such officers and employees after service in the armed forces."

Amendment No. 3

On page 1 of said measure, strike out lines 7 to 19, inclusive, and insert "be amended by adding Section 3.5 to Article XX thereof, to read.

Sec. 3.5. Notwithstanding any other provision of this Constitution, the Legislature by general law may provide for the reinstatement and reentry into public office within the terms for which they were elected, and the reinstatement in public employment, respectively, of public officers and employees who have resigned or who resign their offices or employments to serve or to continue to serve in the armed forces of the United States or in the armed forces of this State. The Legislature may determine the extent to which such provisions shall be given retroactive effect.

As used in this section, "public officers and employees" includes all of the following:

- (a) Members of the Senate and of the Assembly.
- (b) Justices of the Supreme Court and the district courts of appeal, judges of the superior courts and of the municipal courts, and all other judicial officers.
- (c) All other State officers and employees, whether or not within the State civil service, including all officers for whose selection and term of office provision is made in the Constitution and laws of this State.
- (d) All officers and employees of any county, city and county, city, township, district, political subdivision, authority, commission, board, or other public agency within this State.

Every person elected or appointed to any public office or employment within this State holds such office or employment subject to the right of reentry or reinstatement which may be granted to a former holder of the office or employment pursuant to this section.

All laws enacted prior to the adoption of this section providing for the right of public officers and employees to reenter office or to be reinstated in employment after

service in the armed forces of the United States or of this State shall have the same force and effect as if they had been enacted after the adoption of this section."

Amendments read and adopted.

Resolution ordered reprinted, and on file for adoption.

COMMUNICATIONS

By Mr. Ralph C. Dills:

The following communication was received, read, and ordered printed in the Journal:

OFFICE OF LEGISLATIVE COUNSEL
STATE CAPITOL, SACRAMENTO, CALIFORNIA, March 23, 1943

*Honorable Ralph C. Dills, Assembly Chamber
State Capitol, Sacramento, California*

EFFECT OF ASSEMBLY BILL NO. 1422 ON LIMITATION OF ACTION—#8298

DEAR MR. DILLS: You have asked our opinion whether or not Assembly Bill No. 1422 actually extends the statute of limitations or enacts a new statute of limitation to cover the specific situation which is to fix the limitation in county actions to recover money due on account of support of patients.

The only effect the proposed amendment has is to clarify the statute (Code of Civil Procedure, Section 345) so that counties are expressly named in the code section instead of being included by means of interpretation.

You will observe that the section in its present form mentions the "State" only. Some might misconstrue the effect of that wording. In law, the county being a State agency comes within the expression "State" as used in the present law. The proposed amendment merely eliminates the argument such as was made in the case of *State Board of Health vs. Alameda County* (1919), 42 Cal. A. 166; 183 Pac. 455, where it was claimed that the word "State" in such cases should be construed strictly. The court rejected that contention and held that the proper interpretation is that the word "State" included its agencies. It is well settled that a county is a State agency.

Briefly, in conclusion, the proposed measure does not either extend the statute of limitations nor does it enact a new statute. Its effect is merely to clarify the present law and thus avoid future argument.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By FRANK V. KINGTON, Assistant Counsel

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1422 WAIVED

Mr. Ralph C. Dills waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1422 was passed.

Assembly Bill No. 1422 ordered transmitted to the Senate.

RECONSIDERATION OF ASSEMBLY BILL NO. 505

In compliance with a notice given on a previous day, Mr. Carlson moved that the vote whereby Assembly Bill No. 505 was passed be reconsidered.

Assembly Bill No. 505 reconsidered by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourn, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—55.

NOES—None.

Motion to Re-refer Assembly Bill No. 505

Mr. Dilworth moved that Assembly Bill No. 505 be re-referred to the Committee on Social Welfare.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1421—An act to amend Section 4076a of the Political Code, relating to procedure for audit allowance and payment or rejection of claims in counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Waters, Watson, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Debs moved to expunge the record and rescind the action whereby amendments to Assembly Bill No. 229 were, on March 25, 1943, adopted.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Waters, Watson, Wollenberg, and Mr. Speaker—60.

NOES—None.

Further Consideration of Assembly Bill No. 229

Assembly Bill No. 229—An act to add Sections 30a to 30r to the Bank Act and to add Section 3081 to the Civil Code, relating to the disposal of unclaimed contents of safe deposit boxes rented by banks or other corporations and relating to unclaimed items of personal property left with a bank for safekeeping or storage.

Bill read third time.

Motion to Amend

Mr. Debs moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 1 and 2, and insert "SECTION 1. Section 30a is added to the Bank Act, to read:".

Amendment No. 2

On page 1 of said bill, between lines 8 and 9, insert "SEC. 2. Section 30b is added to said act, to read:".

Amendment No. 3

On page 1 of said bill, between lines 16 and 17, insert "SEC. 3. Section 30c is added to said act, to read:".

Amendment No. 4

On page 2 of said bill, before line 1, insert "SEC. 4. Section 30d is added to said act, to read:".

Amendment No. 5

On page 2 of said bill, between lines 15 and 16, insert "SEC. 5. Section 30e is added to said act, to read:".

Amendment No. 6

On page 2 of said bill, between lines 39 and 40, insert "SEC. 6. Section 30f is added to said act, to read:."

Amendment No. 7

On page 2 of said bill, between lines 44 and 45, insert "SEC. 7. Section 30g is added to said act, to read:."

Amendment No. 8

On page 3 of said bill, between lines 12 and 13, insert "SEC. 8. Section 30h is added to said act, to read:."

Amendment No. 9

On page 3 of said bill, between lines 20 and 21, insert "SEC. 9. Section 30i is added to said act, to read:."

Amendment No. 10

On page 3 of said bill, between lines 29 and 30, insert "SEC. 10. Section 30j is added to said act, to read:."

Amendment No. 11

On page 4 of said bill, between lines 15 and 16, insert "SEC. 11. Section 30k is added to said act, to read:."

Amendment No. 12

On page 4 of said bill, between lines 23 and 24, insert "SEC. 12. Section 30l is added to said act, to read:."

Amendment No. 13

On page 4 of said bill, between lines 34 and 35, insert "SEC. 13. Section 30m is added to said act, to read:."

Amendment No. 14

On page 4 of said bill, between lines 47 and 48, insert "SEC. 14. Section 30n is added to said act, to read:."

Amendment No. 15

On page 5 of said bill, between lines 4 and 5, insert "SEC. 15. Section 30o is added to said act, to read:."

Amendment No. 16

On page 5 of said bill, between lines 14 and 15, insert "SEC. 16. Section 30p is added to said act, to read:."

Amendment No. 17

On page 5 of said bill, between lines 28 and 29, insert "SEC. 17. Section 30q is added to said act, to read:."

Amendment No. 18

On page 6 of said bill, between lines 17 and 18, insert "SEC. 18. Section 30r is added to said act, to read:."

Amendment No. 19

On page 6 of said bill, strike out lines 23 and 24, and insert "SEC. 19. Section 30S1 is added to the Civil Code, to read:."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1526—An act to add Section 359e to the Political Code, relating to sick leave for employees exempt from civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robert-

son, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Waters, Watson, Weber, and Wollenberg—59.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Douglas P. Armstrong Presiding

At 10.50 a.m., Hon. Douglas P. Armstrong, Member of the Assembly from the Seventy-third District, presiding.

ASSEMBLY BILL NO. 1624 PLACED ON THE INACTIVE FILE

Mr. Stream requested that Assembly Bill No. 1624 be withdrawn from the third reading file, and placed on the inactive file.

Request granted.

ASSEMBLY BILL NO. 85 PLACED ON THE INACTIVE FILE

Mr. Bennett requested that Assembly Bill No. 85 be withdrawn from the third reading file, and placed upon the inactive file.

Request granted.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 312—An act to amend Section 606 of the Welfare and Institutions Code, relating to the juvenile court, the probation committee or department and the prevention of delinquency.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Waters, Watson, and Wollenberg—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 906—An act to add Sections Sections 19129 and 19130 to the Education Code, relating to school district libraries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fout, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Waters, Watson, Weber, Werdel, and Wollenberg—58.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1243—An act to amend Section 6 of an act entitled "An act to provide for the replacement and/or the reconstruction in whole or in part of all city, county, school district, or other special district buildings wholly or partially destroyed by earthquakes

since January, 1933, declaring the urgency thereof and providing that this act shall take effect immediately," approved May 26, 1933, relating to the payment, disposition and expenditure of rentals payable under said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Waters, Watson, Weber, and Werdel—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1252—An act to amend Section 2102 of the Education Code, relating to city boards of education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Waters, Watson, Weber, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 11.25 a.m., on motion of Mr. Desmond, the Assembly recessed until 11.33 a.m. to hear from Gaven J. Coyne, C. P. O., U. S. Navy.

REASSEMBLED

At 11.33 a.m., the Assembly reconvened.

Hon. Douglas P. Armstrong, Member of the Assembly from the Seventy-third District, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 42—Relative to classification by the Personnel Board of civil service positions established for the duration of the emergency and six months.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Leonard, Lowrey,

Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Waters, Watson, Weber, and Wollenberg—62.

NOES—None.

Resolution ordered transmitted to the Senate.

Hon. Glenn M. Anderson Presiding

At 11.34 a.m., Hon. Glenn M. Anderson, Member of the Assembly from the Forty-sixth District, presiding.

Consideration of House Resolution No. 135

House Resolution No. 135

WHEREAS, Certain acts of Congress, to wit, the acts of October 10, 1940 and October 16, 1941, did authorize the President of the United States to requisition property required for the defense of the United States, and

WHEREAS, The President, pursuant to said acts did issue Executive Order No. 8942, dated November 11, 1941, vesting in the Office of Production Management the authority to requisition such property and vesting in the Secretary of Agriculture the authority to initiate action leading to the requisition of such property by the submission of proposals for such requisition to the Office of Production Management; and

WHEREAS, The President did issue Executive Order No. 9040, dated January 24, 1942, vesting in the War Production Board the authority to exercise all powers theretofore vested in the Office of Production Management, and

WHEREAS, The President did issue Executive Order No. 9102, dated March 18, 1942, establishing the War Relocation Authority and directing the Director of said War Relocation Authority to formulate a program for the removal of certain persons from designated military areas, some of which are located in California, and to assist said persons removed in the management and disposal of their property; and

WHEREAS, A substantial quantity of farm equipment belonging to persons removed from military areas in California has been stored on their behalf by the War Relocation Authority and that agency has no power to compel them to sell said farm equipment; and

WHEREAS, There exists in California a steadily increasing shortage of such farm equipment which will impede the efforts of California's farmers to meet the agricultural goals set by the Secretary of Agriculture for 1943; and

WHEREAS, The Regional Office of the War Production Board desires to requisition said stored farm equipment in order that it may be placed in active use and relieve the existing shortage but can not do so until the Secretary of Agriculture, pursuant to the authority vested in him by Executive Order No. 8942, does request the War Production Board to requisition said stored farm equipment; now, therefore, be it

Resolved by the Assembly of the State of California, That the Honorable Claude Wickard, Secretary of Agriculture, be and is hereby respectfully requested to exercise the power granted to him by Executive Order No. 8942, by requesting the War Production Board, through its Regional Office in San Francisco, California, to requisition any and all farm equipment now stored in the State of California and belonging to evacuees, to provide for payment of a fair price therefor, and to make it available to the farmers of California in order that they may be assisted in meeting the agricultural goals set by the Honorable Secretary for 1943; and be it further

Resolved, That the Clerk of the Assembly be directed to transmit copies of this resolution to the Honorable Franklin D. Roosevelt, President of the United States, to the Honorable Claude Wickard, Secretary of Agriculture, to the Honorable Wayne Jackson, Chief of the Requisitioning Branch, War Production Board, and to the Honorable Milton Eisenhower, Director, War Relocation Authority at Washington, D. C.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L.

Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMullan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Weber, and Wollenberg—65.

NOES—None.

Consideration of House Resolution No. 139

House Resolution No. 139

WHEREAS, In normal times the poultry industry in this State is of paramount importance to the people of California; and

WHEREAS, This importance has been tremendously magnified by reason of the existing shortages of meat and other forms of protein; and

WHEREAS, There annually exists at this time of year a normal surplus of cockerels which in the past have been destroyed because of a lack of available market; and

WHEREAS, This surplus of cockerels could be raised and marketed as broilers within a relatively short time if the ceiling price for broilers would permit the raising and marketing of broilers by poultrymen without incurring a substantial loss; and

WHEREAS, It would appear that the Office of Price Administration and other Federal agencies should do all in their power to encourage and stimulate the raising of broilers for use in California in order to relieve the present meat and protein shortage; and

WHEREAS, Despite the efforts of the poultrymen of the State of California to persuade the Office of Price Administration to realize the uniqueness of the California situation, the Office of Price Administration insists on fixing ceiling prices for California on production costs of other States where labor and feeding costs are much lower; and

WHEREAS, The persistence of the Office of Price Administration in its present conduct will result in the loss of many million pounds of poultry meat for use in California; and

WHEREAS, Local Office of Price Administration officials have refused to take appropriate steps to alleviate present conditions even when they have had power so to do; now, therefore, be it

Resolved by the Assembly of the State of California, That the Honorable Prentiss Brown, Administrator of the Office of Price Administration, and the Honorable Claude Wickard, Secretary of Agriculture, be and they are hereby memorialized to direct their regional representatives for California to establish ceiling prices for poultry in California that will permit making available to the citizens of this State this essential supplement to the meat and protein supply; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit by telegram copies of this resolution to the President, the Vice President, to the Senators and Congressmen from California, and to the Honorable Prentiss Brown, Administrator of the Office of Price Administration and the Honorable Claude Wickard, Secretary of Agriculture.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dvle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMullan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, and Wollenberg—59.

NOES—None.

Speaker Pro Tempore Presiding

At 11 55 a m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Rosenthal:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 672 of the Vehicle Code, relating to escorts, declaring the urgency hereof, to take effect immediately.

Respectfully submitted.

WILLIAM H. ROSENTHAL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Rosenthal:

An act to amend Section 672 of the Vehicle Code, relating to escorts, declaring the urgency hereof, to take effect immediately.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Cuchton, Crowley, Denny, Dickev, Dills, Clayton A. Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 1953: By Mr. Rosenthal—An act to amend Section 672 of the Vehicle Code, relating to escorts, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Motor Vehicles.

WITHDRAWAL OF ASSEMBLY BILL NO. 313 FROM COMMITTEE, BY UNANIMOUS CONSENT

Mr. Bashore asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 313 from the Committee on Public Health, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 313

Assembly Bill No. 313—An act to add Section 7432, and Article 8.5, comprising Sections 7402 to 7409, inclusive, to Chapter 10 of Division 3 of the Business and Professions Code, relating to minimum price schedules for services licensed under the chapter on cosmetology.

Bill read second time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 52, of the printed bill, after "county", insert "actively engaged in the profession".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 1066—An act to amend Sections 251, 252, 267, 302, 305, 307, 310, 353, 414, 415, 416, 417 and 418 of the Vehicle Code, relating to driver's licenses and proof of ability to respond in damages.

Bill read third time.

Motion to Amend

Mr. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 5, line 31, of the printed bill, after "Damages.", insert "Proof of ability to respond in damages when required by this code means proof of ability to respond in damages resulting from the ownership or operation of a motor vehicle, and arising by reason of personal injury to, or death of, any one person, of at least five thousand dollars (\$5,000), and, subject to the limit of five thousand dollars (\$5,000) for each person injured or killed, of at least ten thousand dollars (\$10,000) for such injury to, or the death of, two or more persons in any one accident, and for damage to property (in excess of one hundred dollars (\$100)) of at least one thousand dollars (\$1,000) resulting from any one accident. Such proof of ability to respond in damages may be given by any of the following:"

Amendment No. 2

On page 5 of said bill, after line 39, insert "The department shall not accept any certificate or certificates unless the same cover all motor vehicles registered in the name of the person furnishing such proof, except that this provision shall not apply to vehicles in storage, provided the current license plates and registration cards are surrendered to the Department of Motor Vehicles in Sacramento"

Amendment No. 3

On page 5 of said bill, after line 48, insert

"(b) The bond of a surety company duly authorized to do business within the State, or a bond of individual sureties each owning unencumbered real estate, approved by a judge of a court of record. Such bond shall be conditioned for the payment of the amount specified in this section, and shall provide for the entry of judgment on motion of the State in favor of any holder of any final judgment on account of damage to property over one hundred dollars (\$100) in amount, or injury to any person caused by the operation of such person's motor vehicle, in the same manner as provided in Section 942 of the Code of Civil Procedure for the entry of judgment upon appeal bonds

(c) Evidence presented to the department of a deposit by such person with the State Treasurer of eleven thousand dollars (\$11,000). The department shall not accept a deposit of money where any judgment or judgments theretofore recovered against such person as a result of damages arising from the operation of any motor vehicle shall not have been paid in full. The Treasurer of the State shall accept any such deposit and issue a receipt therefor"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 865—An act to add Section 459.2 to the Vehicle Code, relating to traffic on road approaches to private airports, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Burkhalter moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "459.2", and insert "459.3".

Amendment No. 2

On page 1, line 1, of said bill, strike out "459.2", and insert "459.3"

Amendment No. 3

On page 1, line 3, of said bill, strike out "459.2", and insert "459.3".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REPORTS OF STANDING COMMITTEES**Committee on Public Morals**

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 14

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

Assembly Bill No. 1323

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HAWKINS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which were referred:

Assembly Bill No. 619

Assembly Bill No. 839

Assembly Bill No. 295

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HAWKINS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

Assembly Bill No. 50

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HAWKINS, Chairman

Above reported bill ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 1777

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

POTTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1943

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1094

Assembly Bill No. 1787

Assembly Bill No. 1171

Assembly Bill No. 945

Assembly Bill No. 1174

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

POTTER, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Senate Bill No. 350

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 1331

Assembly Bill No. 1904

Assembly Bill No. 1564

Assembly Bill No. 1406

Assembly Bill No. 1903

Assembly Bill No. 1412

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 1902

Assembly Bill No. 1409

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 1293

Assembly Bill No. 1304

Assembly Bill No. 1623

Assembly Bill No. 1855

Assembly Bill No. 1294

Assembly Bill No. 1856

Assembly Bill No. 1299

Assembly Bill No. 1127

Assembly Bill No. 1300

Assembly Bill No. 1299

Assembly Bill No. 1301

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 763

Assembly Bill No. 1474

Assembly Bill No. 1472

Assembly Bill No. 1475

Assembly Bill No. 1473

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

- Assembly Bill No. 131
- Assembly Bill No. 1126

Has had the same under consideration, and reports the same back with the recommendation: Re-refer to the Committee on Judiciary.

BASHORE, Chairman

Above reported bills re-referred to Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

- Assembly Bill No. 350
- Assembly Bill No. 771

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BASHORE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred: Assembly Bill No. 174

Has had the same under consideration, and reports the same back with the recommendation: Re-refer to the Committee on Ways and Means.

BASHORE, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 147 | Assembly Bill No. 444 |
| Assembly Bill No. 1008 | Assembly Bill No. 693 |
| Assembly Bill No. 1745 | Assembly Bill No. 716 |
| Assembly Bill No. 1274 | Assembly Bill No. 1106 |
| Assembly Bill No. 1176 | Assembly Bill No. 498 |
| Assembly Bill No. 1592 | |

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BASHORE, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER. Your Committee on Social Welfare, to which was referred:

- Assembly Bill No. 62

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

- Assembly Bill No. 1263
- Assembly Bill No. 1382
- Assembly Concurrent Resolution No. 30

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bills ordered to second reading

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 640

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 568

Assembly Bill No. 1129

Assembly Bill No. 570

Assembly Bill No. 1387

Assembly Bill No. 1071

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1061

Assembly Bill No. 766

Assembly Bill No. 279

Assembly Bill No. 772

Assembly Bill No. 280

Assembly Bill No. 967

Assembly Bill No. 1595

Assembly Bill No. 1395

Assembly Bill No. 643

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BASHORE, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 168

Assembly Bill No. 1925

Assembly Bill No. 353

Assembly Bill No. 1026

Assembly Bill No. 668

Assembly Bill No. 532

Assembly Bill No. 1350

Senate Bill No. 142

Assembly Bill No. 1007

Senate Bill No. 342

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 889

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 485

Assembly Bill No. 1047

Assembly Bill No. 1083

Assembly Bill No. 718

Assembly Bill No. 541

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALL, Chairman

Above reported bills ordered to second reading.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 641

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 640 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1387 re-referred to Committee on Public Morals.

Assembly Bill No. 641 re-referred to Committee on Revenue and Taxation.

RECESS

At 12.12 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 1.15 p.m.

REASSEMBLED

At 1.15 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Maloney suggested the absence of a quorum.
The roll was called.

Call of the Assembly

Mr. Maloney moved a call of the Assembly.

Motion carried. Time, 1.16 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT****CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Concurrent Resolution No. 43—Relative to amending Joint Rule 35 of the Joint Rules of the Senate and Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourn, Gaffney, Hawkins, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sheridan, Thompson, Waters, Watson, and Mr. Speaker—41.

NOES—None.

Resolution ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Call, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of call of the Assembly on all bills considered under the quorum call of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1761—An act to add Section 36c to the Alcoholic Beverage Control Act, relating to the destruction and use of emptied distilled spirits bottles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Haggerty, Hawkins, Hollibaugh, Johnson, Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Thompson, Waters, Watson, Weber, and Mr. Speaker—50.

NOES—Dilworth—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 264—An act to amend Sections 2.02, 2.04 and 12 06 of the Building and Loan Association Act, relating to building and loan associations, names and articles, and restrictions on advertising.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Thompson, Weber, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR PERMISSION TO USE ASSEMBLY CHAMBER

The Speaker announced the receipt of a communication from J. P. Hall, President of the Western Mining Council, transmitted by Governor Warren to the Assembly, in which the council asked for the use of the Assembly Chamber on April 15th. It was the decision of the Assembly that, inasmuch as there would be a session of the Assembly on April 15th, the use of the Assembly Chamber could not be granted for that date, but the use of one of the Assembly committee rooms was offered for the meeting.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 484—An act to amend Sections 9.09 and 9.18 of the Building and Loan Act, relating to building and loan associations and the making of loans by such associations

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Sheridan, Smith, Stream, Thompson, Waters, Weber, and Mr. Speaker—49.

NOES—None.

Motion to Amend Title

Mr. Middough moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, after "Loan", insert "Association".

Bill ordered reprinted, and transmitted to the Senate.

Hon. Julian Beck Presiding

At 1.43 p.m., Hon. Julian Beck, Member of the Assembly from the Forty-first District, presiding.

Assembly Bill No. 553—An act to amend Sections 12625 and 12682 of the Revenue and Taxation Code, relating to insurance taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollbaugh, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Stream, Thompson, Waters, Watson, Weber, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 64—An act to repeal Section 4535 of the Elections Code, relating to the filing of vouchers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sheridan, Smith, Stream, Thompson, Waters, Watson, Weber, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 214—An act to amend Sections 675, 684, 685, 686 and 687 of, and to repeal Section 662 of, the Elections Code, relating to precinct boards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion,

McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Stream, Thompson, Waters, Watson, and Weber—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 256—An act to amend Sections 2798.5, 2807, 2808, 2820, 2821, 2822, and 2827 of the Elections Code, relating to the State central committee.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Brady, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourn, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kraft, Leonard, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Sawallsch, Sheridan, Smith, Stream, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—48.

NOES—Anderson, Bennett, Berry, Brown, Carlson, Collins, George D., Dilworth, Heisinger, Lowrey, Massion, O'Day, and Rosenthal—12.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1559—An act to amend Sections 501, 502, 503, 504, and 505 of the Elections Code, relating to election precincts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sawallsch, Sheridan, Smith, Stream, Thompson, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 147

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth, with the compensation set opposite his name payable weekly, on a 7-day per week basis, and the Controller is hereby directed to draw his warrant in favor of said person for said amount, and the Treasurer is hereby directed to pay the same:

Commencing Friday, March 26, 1943

	<i>Per day</i>
Alvin W. Miller, Assistant Sergeant-at-Arms.....	\$6 00

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs, Burns, Call, Clarke, Collins, Sam L., Desmond, Hastain, Leonard, McCollister, and Stream:

House Resolution No. 148

Relating to restrictions on horse racing in California

WHEREAS, Breeding of fine race horses is a major industry of the State of California; and

WHEREAS, Horse racing in the State of California has contributed materially to the advancement not only of the breeding of thoroughbred horses, but the State's

share of the pari-mutuel fund is used exclusively for the benefit of the agricultural, horticultural, floricultural, viticultural and livestock industries of this State in the operation of county, district and State fairs; and

WHEREAS, Such fairs have contributed materially to the advancement and improvement of the food and fiber products of this State; and

WHEREAS, The continuance of these fairs is of vital interest to the said industries so benefited and race meetings in addition provide wholesome outdoor morale building, entertainment and recreation for the people of this State at a time when such recreation and entertainment are essential to their well-being; and

WHEREAS, There has been no formal announcement of a National policy concerning the attitude of the Federal Government towards racing in the various States of this Nation and in particular in California where a meet is presently in progress at Bay Meadows Race Track; and

WHEREAS, There has been announced through the various racing journals a program of race meetings scheduled throughout several States, and in two other States meets are presently in progress; and

WHEREAS, It is the apparent intention of a majority of the California Racing Commission to order the Bay Meadows meet discontinued because it is the opinion of said majority that such closing is desired by the Federal Government; and

WHEREAS, Such discontinuance will work a severe hardship not only upon those engaged in racing but upon the agricultural, horticultural, floricultural, viticultural and livestock industries of this State, and

WHEREAS, To stop this meet while other meetings are to be held elsewhere in this Nation would be an unfair discrimination; and

WHEREAS, It is the desire of the Racing Commission and the officials of this State to be properly informed formally of the Federal Government's attitude toward racing in general; and

WHEREAS, It is also the belief of such officials that no unfair discrimination should be indulged in or permitted either against racing in this as compared with other States or any discrimination against racing as compared with other forms of sport or entertainment; now, therefore, be it

Resolved by the Assembly of the State of California, That the Federal Government is hereby respectfully requested to express a formal policy with regard to horse racing in this Nation so that those interested in that industry may be properly informed; and be it further

Resolved, That in the expression of such policy if racing is permitted, the Federal Government prevent any discrimination against the racing industry in this State so that the industries benefited therefrom shall not unduly and needlessly suffer; and be it further

Resolved, That the Chief Clerk of the Assembly forward a copy of this resolution to Mr. Donald Nelson, Chairman of the War Production Board, to Mr. William Jeffers, Chairman of the Office of Defense Transportation, to the President of the United States, and to each Senator and Representative from the State of California in the Congress of the United States

Resolution read, and referred to Committee on Rules and House Functions.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 873—An act to add Sections 1324, 1325, 1326, 1327, 1328, and 1329 to the Fish and Game Code, relating to fur dealers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney,

Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thompson, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—59.
 NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 284—An act to amend Section 80.1 of the Bank Act, relating to loans by banks which are covered by guarantees or agreements to purchase made by any Federal Reserve Bank or by the United States or any department or agency thereof, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—60.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 1952, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1952

Assembly Bill No. 1952—An act to amend Section 1160.5 to and to amend Section 1162 of, the Harbors and Navigation Code, relating to pilots, to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Maloney:

Resolved, That Assembly Bill No. 1952 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Holli-
baugh, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Waters, Watson, Weber, and Wollen-
berg—60.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 1952—An act to amend Section 1160.5 to and to amend Section 1162 of, the Harbors and Navigation Code, relating to pilots, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Holli-
baugh, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Waters, Watson, Weber, and Wollen-
berg—60.

NOES—None.

Assembly Bill No. 1952—An act to amend Section 1160.5 to and to amend Section 1162 of, the Harbors and Navigation Code, relating to pilots, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Holli-
baugh, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Waters, Watson, Weber, and Wollen-
berg—60.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By Mr. Miller:

The following communication was received, and ordered printed in the Journal:

SAN JOSE, CALIFORNIA, March 23, 1943

Mr. Raup Miller, Sacramento, California

DEAR SIR: Townsend Clubs Nos. 9 and 10, in a joint session, adopted the following resolution:

WHEREAS, Owing to the increase in the cost of living expenses, and,

WHEREAS, The elderly people are not able to live on present pension, be it

Resolved, That we urge the passage of Assembly Bill 660 by the California Senate and Assembly now in session, and that a copy of these resolutions be sent to the Assembly and Senate.

Thanking you in advance, I am

Yours very sincerely,

ELIZABETH RAYBOURN
Secretary, Club No. 9

MOTION TO EXCUSE MEMBERS TEMPORARILY

Upon motion of Mr. Bashore, Messrs. Hawkins, Price, and Bashore were excused temporarily to hold a meeting of the Subcommittee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 871—An act to amend Sections 421, 490.5, 698, 698.1, 698.5, 699, 700, 701, 702, 705, 708, 711, 724.3 of the Fish and Game Code, relating to fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Rosenthal, Sheridan, Smith, Stream, Thomas, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 872—An act amending Sections 1230, 1310, 1311, 1315, 1316, 1318, and 1321 of, and adding Sections 1311.1 and 1312.1 to the Fish and Game Code, relating to mammals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Hawkins, Heisinger, Hollibaugh, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Sheridan, Smith, Stream, Thomas, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Ernest E. Debs Presiding

At 2.34 p.m., Hon. Ernest E. Debs, Member of the Assembly from the Fifty-sixth District, presiding.

Assembly Bill No. 1799—An act to add Section 1290.5 to the Fish and Game Code, relating to deer skins, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Hawkins, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Rosenthal, Sheridan, Smith, Stream, Thomas, Waters, Watson, Weber, and Wollenberg—56.

NOES—None.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Hawkins, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Rosenthal, Sheridan, Smith, Stream, Thomas, Waters, Watson, Weber, and Wollenberg—56

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER Your Committee on Rules and House Functions, to which was referred.

House Resolution No. 147

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 147

House Resolution No. 147

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth, with the compensation set opposite his name payable weekly, on a 7-day per week basis, and the Controller is hereby directed to draw his warrant in favor of said person for said amount, and the Treasurer is hereby directed to pay the same.

<i>Commencing Friday, March 26, 1943</i>	<i>Per day</i>
Alvin W. Miller, Assistant Sergeant-at-Arms-----	\$6 00

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Rosenthal, Sheridan, Smith, Stream, Thomas, Waters, Watson, Weber, and Wollenberg—54.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER Your Committee on Rules and House Functions, to which was referred :

House Resolution No. 148

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 148

House Resolution No. 148

Relating to restrictions on horse racing in California

WHEREAS, Breeding of fine race horses is a major industry of the State of California; and

WHEREAS, Horse racing in the State of California has contributed materially to the advancement not only of the breeding of thoroughbred horses, but the State's share of the pari mutuel fund is used exclusively for the benefit of the agricultural,

horticultural, floricultural, viticultural and livestock industries of this State in the operation of county, district and State fairs; and

WHEREAS, Such fairs have contributed materially to the advancement and improvement of the food and fiber products of this State; and

WHEREAS, The continuance of these fairs is of vital interest to the said industries so benefited and race meetings in addition provide wholesome outdoor morale building, entertainment and recreation for the people of this State at a time when such recreation and entertainment are essential to their well-being; and

WHEREAS, There has been no formal announcement of a National policy concerning the attitude of the Federal Government towards racing in the various States of this Nation and in particular in California where a meet is presently in progress at Bay Meadows Race Track; and

WHEREAS, There has been announced through the various racing journals a program of race meetings scheduled throughout several States, and in two other States meets are presently in progress; and

WHEREAS, It is the apparent intention of a majority of the California Racing Commission to order the Bay Meadows meet discontinued because it is the opinion of said majority that such closing is desired by the Federal Government; and

WHEREAS, Such discontinuance will work a severe hardship not only upon those engaged in racing but upon the agricultural, horticultural, floricultural, viticultural and livestock industries of this State; and

WHEREAS, To stop this meet while other meetings are to be held elsewhere in this Nation would be an unfair discrimination; and

WHEREAS, It is the desire of the Racing Commission and the officials of this State to be properly informed formally of the Federal Government's attitude toward racing in general; and

WHEREAS, It is also the belief of such officials that no unfair discrimination should be indulged in or permitted either against racing in this as compared with other States or any discrimination against racing as compared with other forms of sport or entertainment; now, therefore, be it

Resolved by the Assembly of the State of California, That the Federal Government is hereby respectfully requested to express a formal policy with regard to horse racing in this Nation so that those interested in that industry may be properly informed; and be it further

Resolved, That in the expression of such policy if racing is permitted, the Federal Government prevent any discrimination against the racing industry in this State so that the industries benefited therefrom shall not unduly and needlessly suffer; and be it further

Resolved, That the Chief Clerk of the Assembly forward a copy of this resolution to Mr. Donald Nelson, Chairman of the War Production Board, to Mr. William Jeffers, Chairman of the Office of Defense Transportation, to the President of the United States, and to each Senator and Representative from the State of California in the Congress of the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Hawkins, Heisinger, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, and Wollenberg—53.

NOES—None.

RESOLUTIONS

The following resolutions were offered:

By Mr. Denny:

House Resolution No. 149

Relating to the birthday of Mrs. O. V. Green

WHEREAS, Mrs. O. V. Green, a pioneer resident of Etna, Siskiyou County, today, the twenty-sixth of March, celebrates her one hundred and second birthday; and

WHEREAS, Mrs. Green arrived in California as a small girl of 11 years during the memorable year of 1852, and has ever since been an honored resident of this State, and has enjoyed the rich experience of a life span paralleling much of the glorious history of our beloved State; now, therefore, be it

Resolved by the Assembly of the State of California, That the members of this Assembly send sincere felicitations to Mrs. Green upon her birthday, as an expression of their esteem for her as one of the early and honored pioneers of California, and congratulate her upon her long and interesting life; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby authorized and directed to transmit a suitably engrossed copy of this resolution to Mrs. O. V. Green.

Request for Unanimous Consent

Mr. Denny asked for, and was granted, unanimous consent to take up House Resolution No. 149, at this time, without reference to committee.

Resolution read and adopted unanimously.

House Resolution No. 150

By Messrs. Brown and Maloney:

WHEREAS, This week commemorates the one hundred twenty-second anniversary of the national Greek independence; and

WHEREAS, The national fortune of the Greeks is now at low ebb under the Nazi heel, and yet the courage of the people remains high in their hearts; and

WHEREAS, The land is ancient and the tradition of culture and civilization have been formed in centuries of victory and defeat; and

WHEREAS, The people of this small nation have shown a fidelity and honor sufficient to entitle it to high rank among the great nations, while paying the price of faith by their suffering; be it

Resolved, That the Fifty-fifth Session of the Assembly of the Legislature of the State of California does hereby recognize and commend the Greeks throughout the world on this, the week of the one hundred twenty-second anniversary of their independence, and upon their example of courage which all freedom loving people will forever treasure.

Request for Unanimous Consent

Mr. Brown asked for, and was granted, unanimous consent to take up House Resolution No. 150, at this time, without reference to committee.

Resolution read and adopted.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 568—An act to add Section 2710.3 to the Penal Code, relating to the Prison Camp Revolving Fund, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 568:

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, March 24, 1943

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL No. 568

"An act to add Section 2710.3 to the Penal Code, relating to the Prison Camp Revolving Fund, declaring the urgency thereof, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 568 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Collins, George D., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMullan, Middough, Miller, O'Day, Pelletier, Potter, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, and Wollenberg—54

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Collins, George D., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMullan, Middough, Miller, O'Day, Pelletier, Potter, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, and Wollenberg—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 570—An act to add Section 2710.1 to the Penal Code, relating to the Folsom Working Revolving Fund, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 570:

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, March 24, 1943

*To the Honorable Members of the Assembly
Sacramento, California*

GREETINGS:

ASSEMBLY BILL No. 570

"An act to add Section 2710.1 to the Penal Code, relating to the Folsom Working Revolving Fund, declaring the urgency thereof, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 570 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Collins, George D., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMullan, Middough, Miller, O'Day, Pelletier, Potter, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, and Wollenberg—54.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Collins, George D., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Leonard,

Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, and Wollenberg—54.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 686

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 686—An act to amend Sections 101, 102, 104, 106, 107, 110, and 113 and to repeal Section 111 of, and to add Section 107.5 to of the Health and Safety Code, relating to the State Department of Public Health.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "of".

Amendment No. 2

On page 1, line 8, of said bill, strike out "Health, the State Director of", and insert "Public Health, the State Director of Public".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

MOTION TO EXCUSE MEMBERS TEMPORARILY

On motion of Mr. T. Fenton Knight, Messrs. Gannon, Berry, Brady, Hawkins, Johnson, Maloney, Stream, Thompson, and Knight, T. Fenton, were excused temporarily for the purpose of holding a meeting of the Committee on Civil Service and State Departments.

Speaker Presiding

At 3.15 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 493—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2,

1920, as amended, by adding Section 7.5, relating to sales of real property by the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Sheridan, Smith, Thomas, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 179—An act to amend Section 51 of the Bank Act, relating to deposit of moneys in banks by executors and other fiduciaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sheridan, Smith, Thomas, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 690—An act to amend Section 1171 and to add Section 1184 to the Military and Veterans Code, relating to exemption of memorial districts from the provisions of the District Investigation Act of 1933.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sheridan, Smith, Thomas, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 3 32 p.m. on motion of Mr. Rosenthal, the Assembly recessed until 3.33 p.m. to hear from Mrs. Rena Brewster, Chief of the Division of Industrial Welfare.

REASSEMBLED

At 3.33 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 364—An act to add Section 557.1 to the Military and Veterans Code, relating to the organization of licensed military companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Heisinger, Hollibaugh, Johnson, Leonard, Lowrey, Lyons, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sheridan, Thomas, Waters, Weber, Wollenberg, and Mr. Speaker—44.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1125—An act to amend Section 276 of the Vehicle Code, relating to operators' licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Heisinger, Hollibaugh, Johnson, Leonard, Lowrey, Lyons, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sheridan, Smith, Thomas, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 314—An act to amend Section 20 of the "California Water District Act," relating to the redemption of bonds of water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourn, Heisinger, Hollibaugh, Johnson, Leonard, Lowrey, Lyons, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sheridan, Smith, Thomas, Waters, Weber, Wollenberg, and Mr. Speaker—44.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 786—An act to add Section 4041i to the Political Code, relating to the transfer of county property used for fair purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Fourn, Heisinger, Hollibaugh, Johnson, Leonard, Lyons, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Thomas, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—44.

NOES—Denny and Evans—2.

Notice of Motion to Reconsider Assembly Bill No. 786

Mr. Desmond gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 786 was this day passed.

Assembly Bill No. 788—An act to amend Section 88 of the Agricultural Code, relating to property transfers by district agricultural associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Heisinger, Hollibaugh, Johnson, Leonard, Lowrey, Lyons, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sheridan, Smith, Thomas, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1771—An act to amend Section 87 of the Agricultural Code, relating to agricultural societies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Heisinger, Hollibaugh, Johnson, Leonard, Lyons, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Thomas, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 232—An act to amend Sections 643 and 644 of the Agricultural Code, relating to dairy sanitation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Brown, Call, Carey, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Heisinger, Hollibaugh, Johnson, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Thomas, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—44.

NOES—Bennett, Burns, Collins, George D., and Desmond—4.

Bill ordered transmitted to the Senate.

Hon. Michael J. Burns Presiding

At 4 p.m., Hon. Michael J. Burns, Member of the Assembly from the First District, presiding.

Assembly Bill No. 1487—An act to amend Sections 736.3, 737.5, 737.6, 737.8, and 737.11 of the Agricultural Code, relating to licensing and bonding of distributors of fluid milk and fluid cream, and the fees therefor; providing for records of purchases, and for proceedings to refuse, revoke or suspend such licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Heisinger, Hollibaugh, Johnson, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Thomas, Wateis, Watson, Weber, Wollenberg, and Mr. Speaker—49.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 148—An act to amend Section 277 of the Vehicle Code, relating to chauffeurs' licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Thomas, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—52.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 463—An act to add Section 3041a to the Penal Code and to amend Sections 3043 and 3045 of the Penal Code, relating to paroles.

Bill read third time.

Motion to Amend

Mr. Fourt moved the adoption of the following amendment :

Amendment No. 1

On page 1 of the printed bill, strike out lines 12 and 13, and insert "States."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered :

Assembly Concurrent Resolution No. 47: By Messrs. Dills, Ralph C., Pelletier, Rosenthal, Beck, Burkhalter, Field, Doyle, Anderson, Sargent, Knight, T. Fenton; Bashore, Erwin, Bennett, Hollibaugh, Smith, Knight, John B., Kilpatrick, Debs, Potter, Waters, Lyon, Kellems, McMillan, Hawkins, Allen, Lyons, Evans, Massion, Dills, Clayton A., and Middough—Relative to the death of Judge Ben B. Lindsey.

Request for Unanimous Consent

Mr. Ralph C. Dills asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 47, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 47

Assembly Concurrent Resolution No. 47—Relative to the death of Judge Ben B. Lindsey.

Resolution read, and unanimously adopted by a rising vote of the Assembly.

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 4.13 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

**WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 606,
BY UNANIMOUS CONSENT**

Mr. Evans asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 606 from the Committee on Roads and Highways for the purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 606

Assembly Bill No. 606—An act to add Section 486 to the Streets and Highways Code, relating to State highways.

Bill read second time.

Motion to Amend

Mr. Evans moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "to Anaheim Boulevard in Long Beach paralleling the course of the Los Angeles River", and insert "generally paralleling the course of the Los Angeles River to the intersection of Long Beach Boulevard and the Los Angeles County flood control channel in Long Beach, and thence generally along the west bank of said flood control channel to a terminus at Pico Avenue and Ocean Boulevard in Long Beach. Said route shall include such portions of all intersecting highways as are necessary to provide for traffic interchanges with Route 186".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

**WITHDRAWAL FROM COMMITTEE OF ASSEMBLY JOINT RESOLUTION
NO. 16, BY UNANIMOUS CONSENT**

Mr. Burkhalter asked for, and was granted, unanimous consent to have Assembly Joint Resolution No. 16 withdrawn from the Committee on Roads and Highways for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 16

Assembly Joint Resolution No. 16—Relative to Federal participation in the construction of the highway known as the Los Angeles Freeway.

Resolution read.

Motion to Amend

Mr. Burkhalter moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 12, of the printed measure, after "Los Angeles", insert "County".

Amendment No. 2

On page 1, lines 15, 16, and 17, of said measure, strike out "to the Los Angeles Harbor in the vicinity of Long Beach and San Pedro", and insert "generally along

and adjacent to the course of the Los Angeles River to the intersection of Long Beach Boulevard and the Los Angeles County flood control channel in Long Beach, and thence generally along the west bank of said channel to a terminus at Pico Avenue and Ocean Boulevard in Long Beach".

Amendment No. 3

On page 1, line 19, of said measure, after "Los Angeles", and before "Freeway", insert "County".

Amendment No. 4

On page 2, line 2, of said measure, after "Los Angeles", insert "County".

Amendments read and adopted.

Resolution ordered reprinted and engrossed.

COMMUNICATIONS

By Speaker Lyon:

The following communication was received, read, and ordered printed in the Journal:

SENATE CHAMBER, SACRAMENTO, March 26, 1943

*Mr. Charles Lyon, Speaker of Assembly
State Capitol, Sacramento, California*

DEAR MR. LYON: I have a suggestion to offer to your Rules Committee that I believe would be of assistance to us as the session progresses in bringing about a better understanding in the handling of Assembly bills in the Senate and Senate bills in the Assembly.

If each house would dedicate at least 30 minutes during the daily session to bills pending on the daily file that originated in the other house, it would make the members feel that their bills were receiving some attention by the opposite house, as you know every session as we come to the end of our work, a misunderstanding always arises; that Senate bills are not being passed by the Assembly and Assembly bills are not being passed by the Senate. You and I know that this is not done intentionally, but it is hard to make members understand, and if we adopt this procedure, I feel sure that a better feeling will exist between the two houses.

I would also like to have you announce to the Assembly that bills pending on the Senate file, originating in the Assembly, can only remain on file three days without action. They are then automatically transferred to the inactive file, and can only be restored to second reading on motion of a Senator. If the members of the Assembly will designate a Senator to handle these bills before the time limit expires, it will expedite our business and prevent confusion in the minds of the authors of Assembly bills.

If you believe the suggestions I have offered herein are of any value, I would appreciate your opinion of the same.

Sincerely,

JERROLD L. SEAWELL

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Senate Bill No 742

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 60—An act to amend Section 1161 of the Code of Civil Procedure, relating to unlawful detainer;

Assembly Bill No. 345—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants;
And same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of March, 1943, at 2 p.m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1487

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 417

Assembly Bill No. 855

Assembly Bill No. 896

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 148

Assembly Bill No. 315

Assembly Bill No. 232

Assembly Bill No. 1604

Assembly Bill No. 297

Assembly Bill No. 1747

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1604 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 297 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 896 re-referred to Committee on Motor Vehicles.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Brady and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Thomas Mitchell of San Francisco.

On request of Mr. Collins and the Los Angeles County and Orange County Delegations, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Isidore B. Dockweiler of Los Angeles.

On request of Mr. O'Day, and the San Francisco and Los Angeles County Delegations, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Justice Paul Peek of San Francisco.

On request of Mr. Beck and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Alexander L. Edgar, Chatham, New Jersey, and Private Robert E. Ware of Birmingham, Alabama.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Roy J. Sandegren of Tacoma, former Member, State Legislature of Washington.

On request of Mr. Price, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Jack A. Salisbury, United States Navy, of Indianapolis, Indiana

On request of Mr. Bashore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant William M. Jones of Glendale.

On request of Mr. Dunn, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Edith Banta of Oakland.

On request of Messrs. Anderson and Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Walter Mayer, United States Coast Guard.

On request of Mr. Robertson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Booth Goodwin, Chairman, Board of Prison Terms and Paroles.

On request of Messrs. Gannon and Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Chief Petty Officer G. J. Coyne, United States Navy, of Sacramento.

On request of Messrs. Collins, Sam L., Beck, and Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Cadets John A. McCafferty, Thomas Jones, and Samuel Acquaviva of Mather Field.

On request of Messrs. Johnson, Knight, T. Fenton; and Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Beverly Ottem, Miss June Wilde, of Sacramento, and Miss Nan McLaren of Long Meadow, Massachusetts.

On request of Messrs. Potter and Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Rena Brewster, Chief of Division of Industrial Welfare.

On request of Mr. Waters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Major L. E. Davis, United States Army, and Mrs. A. B. Cahn.

ADJOURNMENT

At 4.25 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 11 a.m., Monday, March 29, 1943, out of respect to the memory of the late Hon. Ben B. Lindsey.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-NINTH LEGISLATIVE DAY
EIGHTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, March 29, 1943

The Assembly met at 11 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellens, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Our loving Heavenly Father, we thank Thee for watching over us while helpless in sleep and for waking us to the sunlight and hope of a new day. We thank Thee for strength for the tasks entrusted to us, for Thy mercies bestowed upon our kindred and friends, for Thy tender care upon those who serve as defenders of our Country. Guide and bless our President, or Governor, those in places of leadership and authority that the day of peace on earth and good will among men may be hastened.

"O beautiful for heroes proved
In liberating strife,
Who more than self their Country loved
And mercy more than life!
America! America!
May God thy gold refine,
Till all success be nobleness,
And every gain divine!

AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the Pledge of Allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Robertson:

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day: Mr. Allen, on motion of Mr. Evans.

MOTION TO EXCUSE MEMBER

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, because of illness.

COMMUNICATIONS

By Speaker Lyon:

The following resolutions were received and ordered printed in the Journal:

RESOLUTION

WHEREAS, The opportunity rarely presents itself in governmental circles to save money and at the same time to render a better service to the public, and
WHEREAS, The recording of documents by photography offers such an opportunity; now, therefore, be it

Resolved, That the County Supervisors Association of California endorse Assembly Bill No. 614, which authorizes but does not require photographic recording by the various county recorders in the State.

The above resolution was unanimously adopted at the annual meeting of the County Supervisors Association of California held in Sacramento, February 25, 1943.
[SFAL]

COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA

ROSCOE L. PATTERSON, President

By J. H. HUNTER, Secretary

RESOLUTION

WHEREAS, The cost of maintenance and care of tubercular patients at county sanatoriums or county hospitals has increased very materially in the past few years, and

WHEREAS, This cost is a considerable burden on the counties of California, and

WHEREAS, Assembly Bill No. 1268 now before the Legislature requesting the subsidy from the State be increased to \$7 per week per patient; now, therefore, be it

Resolved, That the County Supervisors Association of California go on record favoring Assembly Bill No. 1268.

The above resolution was unanimously adopted at the annual meeting of the County Supervisors Association of California held in Sacramento, February 25, 1943.
[SEAL]

COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA

ROSCOE L. PATTERSON, President

By J. H. HUNTER, Secretary

RESOLUTION

WHEREAS, The Aged Aid System of this State has been established on the basis of the natural and legal obligation on the part of children to contribute to the support of their parents, and

WHEREAS, Any relaxation of the present law relative to reimbursement by relatives would greatly increase the number of persons applying for such aid and would decrease the amount of money available for such aid; now, therefore, be it

Resolved by the County Supervisors Association of California, That this organization oppose all relaxation of the present law as to relatives' reimbursement obligations.

The above resolution was unanimously adopted at the annual meeting of the County Supervisors Association of California held in Sacramento, February 26, 1943.
[SEAL]

COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA
ROSCOE L. PATTERSON, President
By J. H. HUNTER, Secretary

RESOLUTIONS

The following resolution was offered:

By Messrs. Denny, Lyon, and Call:

House Resolution No. 151

Relative to the birthday of Richard E. Collins

WHEREAS, The twenty-eighth day of March is the birthday of Richard E. Collins, Chairman of the State Board of Equalization; and

WHEREAS, On that day in 1943 Richard E. Collins celebrated the seventieth anniversary of that occasion; and

WHEREAS, When, in 1906, Richard E. Collins became a member of the State Board of Equalization, representing the Third District, he had already achieved a record of public service and a thorough knowledge of government gained from his years of experience as county assessor of Shasta County; and

WHEREAS, Richard E. Collins, by his unfailing courtesy, his great warmth of personality, his cordial manner, and enduring friendship has endeared himself to the people of his district and to all others whom his long and active life has brought into association with him; and

WHEREAS, Richard E. Collins has ever devoted himself wholeheartedly to the interests of the people of his district and of the State of California; and

WHEREAS, At three score and ten, as Chairman of the State Board of Equalization, he heads one of the largest and most active Governmental units of the State; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly send to Richard E. Collins, as an expression of their affectionate regard and high esteem, sincere felicitations upon his birthday and congratulations upon his long, devoted, and successful public service; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby authorized and directed to transmit a suitably engrossed copy of this resolution to Richard E. Collins.

Request for Unanimous Consent

Mr. Denny asked for, and was granted, unanimous consent to take up House Resolution No. 151, at this time, without reference to committee.

Resolution read and adopted unanimously.

RECESS

At 10.15 a.m., on motion of Mr. Denny, the Assembly recessed until 10.16 a.m. to hear from Mr. Richard E. Collins, Chairman of the State Board of Equalization.

REASSEMBLED

At 10.16 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs. Watson and Collins, Sam L.:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, we request permission to introduce a bill, the title of which is as follows:

An act making an appropriation to the State Park Commission, for the acquisition of land in Orange County as part of the State Park System.

Respectfully submitted.

CLYDE WATSON
SAM L. COLLINS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the authors be permitted to introduce it.

By Messrs. Watson and Collins, Sam L.:

An act making an appropriation to the State Park Commission, for the acquisition of land in Orange County as part of the State Park System.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 1954: By Messrs. Watson and Collins, Sam L.—An act making an appropriation to the State Park Commission, for the acquisition of land in Orange County as part of the State Park System.

Referred to Committee on Conservation, Natural Resources, and Planning.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 16.

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

- Assembly Bill No. 229
- Assembly Bill No. 463
- Assembly Bill No. 686
- Assembly Bill No. 591
- Assembly Bill No. 606
- Assembly Bill No. 865
- Assembly Bill No. 1066

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

- Assembly Bill No. 90
- Assembly Bill No. 92
- Assembly Bill No. 93
- Assembly Bill No. 94
- Assembly Bill No. 126
- Assembly Bill No. 227
- Assembly Bill No. 313
- Assembly Bill No. 328
- Assembly Bill No. 378
- Assembly Bill No. 442
- Assembly Bill No. 516
- Assembly Bill No. 526
- Assembly Bill No. 529
- Assembly Bill No. 548
- Assembly Bill No. 559
- Assembly Bill No. 591
- Assembly Bill No. 606
- Assembly Bill No. 632
- Assembly Bill No. 774
- Assembly Bill No. 787
- Assembly Bill No. 914
- Assembly Bill No. 915
- Assembly Bill No. 919
- Assembly Bill No. 940
- Assembly Bill No. 1054
- Assembly Bill No. 1254
- Assembly Bill No. 1551
- Assembly Bill No. 1552
- Assembly Bill No. 1631

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

- Assembly Joint Resolution No. 40
- Assembly Joint Resolution No. 42

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

- House Resolution No. 72

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

- Assembly Bill No. 283

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass, as amended.

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Civil Service and State Departments

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which were referred:

Assembly Bill No. 103

Assembly Bill No. 357

Senate Bill No. 194

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

T. FENTON KNIGHT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which was referred:

Assembly Bill No. 1894

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

T. FENTON KNIGHT, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred: Assembly Bill No. 150

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BASHORE, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 729

Assembly Bill No. 1035

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Civil Service and State Departments

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which were referred:

Assembly Bill No. 1569

Assembly Bill No. 1570

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

T. FENTON KNIGHT, Chairman

Above reported bills ordered to second reading.

Speaker Pro Tempore Presiding

At 10.20 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1943

MR. SPEAKER. Your Committee on Rules and House Functions, to which was referred.

House Resolution No 143
Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 143

House Resolution No. 143

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

H. S. Crocker Company (Supplies)-----	\$3 88
Department of Finance (Work on voting machine)-----	1 28
Department of Finance (Work on ventilating system—February) 55 39	
Department of Finance (Work on voting machine—February) --	4 20
Department of Finance (Construction device—numbers on file) --	11 90
Shorrock's Hardware (Supplies)-----	8 19
Carithers Sign Company (Numbering rolls for index machine) --	9 00
Carithers Sign Company (Lettering one sign in gold and card signs)-----	15 00
Carithers Sign Company (Lettering two signs in gold)-----	21 50
Walter M. Dunphy (Assembly ventilating system)-----	57 26
Capital City Planing Mill (Device indicating numbers on file) ----	64 01
Pacific Telephone & Telegraph Company (Tolls—January)-----	29 50

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carlson, Clarke, Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 168—An act to add Sections 2468.5 and 2468.6 to the Civil Code, relating to partnerships.

Bill read second time.

Motion to Amend

Mr. Wollenberg moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 2468.5 and 2468.6", and insert "Sections 2468.5, 2468.6 and 2473".

Amendment No. 1a

On page 1, line 14, of said bill, strike out "tax sales", and insert "sales tax".

Amendment No. 2

On page 1, line 15, of said bill, strike out "civic", and insert "city, city and county, county".

Amendment No. 3

On page 1, line 23, of said bill, strike out "civic", and insert "city, city and county, county".

Amendment No. 4

On page 2, line 6, of said bill, strike out "civic", and insert "city, city and county, county".

Amendment No. 5

On page 2, line 8, of said bill, strike out "civic", and insert "city, city and county, county".

Amendment No. 6

On page 2 of said bill, after line 11, insert
"Sec. 3. Section 2473 is added to the Civil Code, to read:
2473. The provisions of this chapter shall not apply to unincorporated voluntary nonprofit boards of trade, chambers of commerce and other voluntary nonprofit associations whose membership is composed of individuals, firms or corporations engaged in merchandising or manufacturing or other voluntary associations for the improvement of conditions in the industry in which they are engaged either with respect to credits or for any other purpose."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 912—An act to amend Sections 13600, 13607, 13610, 13652, 13655, 13656, 13687, 13727 and 13728 of the Health and Safety Code, and to repeal Sections 13513, 13609, 13611 and 13653 thereof, relating to spotting, sponging and pressing establishments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1173—An act to add Section 2369.5 to the Business and Professions Code, relating to the immunity of witnesses in disciplinary proceedings with respect to the practice of medicine.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1175—An act to add Sections 2168.5 and 2316.5 to the Business and Professions Code, relating to the proof of the completion of instruction and training requirements to practice medicine.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1337—An act to amend Section 4094 of the Business and Professions Code, relating to pharmacy.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1338—An act to repeal Article 1, comprising Sections 4160 to 4162, inclusive, of Chapter 9, Division 2 of the Business and Professions Code, relating to pharmacy.

Bill read second time, and ordered engrossed.

Assembly Bill No. 278—An act to amend Sections 5.1104 and 5.1124 of the School Code and Sections 14726, 14727, 14728, 14776 and 14777 of the Education Code, relating to district and joint district retirement plans.

Bill read second time, and ordered engrossed.

Assembly Bill No. 443—An act to amend Section 4.965 of the School Code and to amend Section 7406 of the Education Code, relating to the

canvassing of votes cast at elections for the issuance of school district bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1316—An act to add Article 4a to Chapter 1 of Part 1 of Division 5 of the School Code and to add Article 3.5 to Chapter 2 of the Education Code, relating to the dismissal of employees of State colleges not in State civil service.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1061—An act to amend Sections 8703, 8705, 9151 and 9174 of the Revenue and Taxation Code, relating to use fuel tax permits and refunds of the use fuel tax.

Bill read second time, and ordered engrossed.

Assembly Bill No. 279—An act to amend Section 11 of the Motor Vehicle Fuel License Tax Act and to add Section 8104.5 to, and to amend Section 8105 of, the Revenue and Taxation Code, relating to refunds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 280—An act to amend Sections 8353 and 8355 of, and to add Section 8353.5 to, the Revenue and Taxation Code, relating to apportionments and payments to counties out of the Motor Vehicle Fuel Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1595—An act to amend Sections 12256 and 12626 of the Revenue and Taxation Code, relating to the State Compensation Insurance Fund, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 353—An act to amend Sections 755, 762, 763, and 788 of the Probate Code, and to add new sections to be numbered 762.5 and 765 to the Probate Code, all relating to the sale of real or personal property in probate.

Bill read second time, and ordered to third reading.

Assembly Bill No. 668—An act to amend Section 69 of the Civil Code, relating to applications for and issuance of licenses to marry, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1350—An act to amend Section 737q of the Political Code of the State of California referring to the salary of the superior judge of Lake County.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1007—An act to amend Section 1a of an act entitled "An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the chairman

of the Judicial Council, and for the manner of payments of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments," approved May 20, 1927, as amended, relating to expenses of judges and justices of the peace sitting under assignment from the Judicial Council.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1925—An act to amend Section 261 of the Penal Code, relating to crimes and punishment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1412—An act to add Division 1a, comprising Sections 1001 to 1209, inclusive, to the Public Resources Code, relating to surveys and maps, creating a State Board of Mapping and Surveys of Natural Resources in the Department of Natural Resources, and prescribing its powers and duties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1331—An act to amend Section 22103 of the Business and Professions Code, relating to the marking of precious metals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1564—An act to amend Section 7 of the "American River Flood Control District Act," approved May 28, 1927, relating to the board of trustees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1903—An act to amend Section 8805 of the Business and Professions Code, relating to the annual license fees of land surveyors, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1904—An act to amend Section 6799 of the Business and Professions Code, relating to fees under the Civil Engineers' Act, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1406—An act to amend Sections 19132 and 19138 of, and to add Sections 19132.3, 19132.5, 19132.7, and 19132.9 to, the Health and Safety Code, relating to requirements for earthquake protection and the design and construction of buildings, including the securing of building permits and the prescribing of the fees therefor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 619—An act to add Section 7154.1 to the Labor Code, relating to scaffolding.

Bill read second time, and ordered to third reading.

Assembly Bill No. 839—An act to amend Sections 351, 352, 354 and 356, and to repeal Section 353 of, and to add Section 353 to, the Labor Code, relating to tips and gratuities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 295—An act to add Section 226 to the Labor Code, relating to wages.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1026—An act to add Section 754.5 to the Probate Code, relating to the sale of personal and real property as a unit.

Bill read second time, and ordered to third reading.

Assembly Bill No. 532—An act to amend Section 1028 of the Code of Civil Procedure, relating to award of costs against the State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 763—An act making an appropriation for the care and education of pupils of the California School for the Blind who are both deaf and blind.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1472—An act to add Sections 3083.3 and 3471.5 to the Welfare and Institutions Code, relating to aid to the blind.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1473—An act to add Sections 3401.5 and 3432.1 to the Welfare and Institutions Code, relating to aid to the blind.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1474—An act to amend Sections 1550, 2183, and 3082 of the Welfare and Institutions Code, relating to public assistance, providing for investigations into applications therefor, and for the time of commencement of payments thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1475—An act to amend Section 3472 of the Welfare and Institutions Code, relating to aid and income of partially self-supporting blind residents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1455—An act to amend Section 4256 of the Business and Professions Code, relating to pharmacy.

Bill read second time, and ordered engrossed.

Assembly Bill No. 643—An act to amend Section 105 of the Revenue and Taxation Code, relating to property taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 766—An act to amend Section 3572 of the Revenue and Taxation Code, relating to the termination of the right of redemption of tax-delinquent property, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 772—An act to amend Sections 3791 and 3792 of the Revenue and Taxation Code, relating to property sold or deeded for taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 967—An act to add Section 210.5 to the Revenue and Taxation Code, defining a householder.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1395—An act to amend Section 156 of the Revenue and Taxation Code, relating to abbreviations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 421—An act to add Section 6.744 to Article 1, Chapter 1, Part 3, Division 6 of the School Code, relating to the use of school property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, after "Code," insert "and to add Section 19405 to the Education Code,".

Amendment No. 2

On page 1, line 6, of said bill, strike out "without charge".

Amendment No. 3

On page 1, line 7, of said bill, after "personnel.", insert "The governing boards may require such public agencies to pay such fees for such use as the governing boards may prescribe.

SEC. 2. Section 19405 is added to the Education Code, to read:

19405. The governing board of any school district may grant the use of school buildings, grounds, and equipment to public agencies for the purpose of holding examinations for the selection of personnel. The governing board may require the public agencies to pay such fees for the use as it may prescribe."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1291—An act to add Section 3.223a to, and to amend Section 4.922 of, the School Code and to add Section 8703.1 to, and to amend Section 7302 of, the Education Code, relating to high schools and high school classes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "or evening high school, as the case must be,".

Amendment No. 2

On page 2, line 10, of the printed bill, strike out "or evening high school, as the case must be,".

Amendment No. 3

In line 4 of the title of the printed bill, following "classes", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 2 of the printed bill, following line 31, insert

"SEC. 6 This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The purpose of this act is to aid in meeting the emergency created by the wars in which the United States of America is now engaged by making possible the acceleration of the progress of pupils through the high schools and to permit their release from school, under conditions prescribed elsewhere in the law, to aid in the planting, care and harvesting of crops for periods of time without unduly decreasing the amount of time required for their proper education.

In order that this aid may be made available at the earliest possible moment, it is necessary that this act take immediate effect."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**MOTION TO CONSIDER COMMITTEE AMENDMENTS ON SECOND
READING FILE READ**

Mr. Desmond moved that Assembly Bills Nos. 444, 693, 716, 1106, 485, 1083, 541, 1047, 718, 1263, 1382, 1293, 1623, 1294, 1299, 1300, 1301, 1304, 1855, 1856, 1127, 1239, 1777, 1323, 14 and Assembly Concurrent Resolution No. 30 be considered read the second time, and committee amendments adopted, and the bills ordered to reprint and engrossment.

Mr. Field seconded the motion.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 444—An act to add Sections 569, 3807.3, 3811, 3812, 3813, 3814, to, to amend Sections 601, 1834, 1901, 2152, 2614, 2621, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2634, 3351, 3437, 3439, 3480, 3513, 3712, 3716, 3717.5, 3718, 3797, 3805, 4109, 4109.5, 4337, 4834, 4837, 4838, 4880, 4946, 4948, 4989, 4990, 4991, and 4992 of, and to repeal Section 3707.5 of the Revenue and Taxation Code, relating to real property taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation.

Amendment No. 1

In line 1 of the title of the printed bill, after "569," insert "3794.2."

Amendment No. 2

In line 2 of the title of the printed bill, strike out "601, 1834, 1901, 2152," and insert "1834, 1901."

Amendment No. 3

In line 7 of the title of said bill, strike out "real".

Amendment No. 4

In line 8 of the title of said bill, strike out "taxes", and insert "taxation".

Amendment No. 5

On page 1, line 3, of said bill, after "on", insert "tax deeded".

Amendment No. 6

On page 1, line 5, of said bill, strike out "county auditor", and insert "redemption officer".

Amendment No. 7

On page 1 of said bill, strike out lines 9 to 14.

Amendment No. 8

On page 2 of said bill, strike out lines 13 to 21.

Amendment No. 9

On page 2 of said bill, strike out line 26, and insert "the tax to which the payment".

Amendment No. 10

On page 6, line 22, of said bill, after "delinquent", insert "and current".

Amendment No. 11

On page 6 of said bill, after line 22, insert "Sec. 26.5. Section 3794.2 is added to said code, to read: 3794.2. Before any agreement is presented to the board of supervisors for final approval and execution it shall be submitted to the tax collector to be compared with the records of the county relating to the real property described in the agreement."

Amendment No. 12

On page 6, line 40, of said bill, after "redeemed", insert "or the initiation of an installment plan of redemption is made".

Amendment No. 13

On page 7, line 16, of said bill, after "officer", insert ", auditor".

Amendment No. 14

On page 9, line 30, of said bill, strike out "leading up to a sale to the State".

Amendment No. 15

On page 11, line 2, of said bill, after "delinquent", insert "and current".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 693—An act to add Section 833 to the Revenue and Taxation Code, relating to inspection of information and records in the State Board of Equalization Office.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 6 of the printed bill after "inspection.", insert "All information required by the board or furnished in the property statement shall be held secret by the board. The property statement is not a public document and is not open to public inspection. This section shall not apply to maps filed pursuant to Section 326 of this code."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 716—An act to add Chapter 9 to Part 6, Division 1 of the Revenue and Taxation Code, relating to the rental and sale of tax-deeded property, the disposal thereof, the assessments, the levy of taxes, the collection of taxes, the redemption of tax delinquent property and providing for an alternative procedure for accomplishing said purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "3907", and insert "3912".

Amendment No. 2

On page 1, line 8, of said bill, strike out "of California".

Amendment No. 3

On page 1, line 11, of said bill, after "other", strike out "districts and".

Amendment No. 4

On page 1, line 13, of said bill, strike out "of California".

Amendment No. 5

On page 1, line 15, of said bill, strike out "between the taxing agencies".

Amendment No. 6

On page 1, line 23, of said bill, after "sale", strike out the comma and all of line 24; and on page 2, strike out lines 1 and 2, and insert "or lease of real property located within the boundaries of any taxing".

Amendment No. 7

On page 2, line 3, of said bill, strike out "of California".

Amendment No. 8

On page 2 of said bill, strike out lines 8 and 9, and insert " , for such sale or lease. Any taxing agency which has not availed itself of any other provision of this code for the rental or sale of tax-deeded property shall, in the event that it rents or farms such property, apportion the rentals according to the method provided in this chapter, and for the purposes, only, of such apportionment the first delinquency of each taxing agency and revenue district shall be deemed to exist although the taxing agency renting or farming the property has acquired the interest of any or all of the other taxing agencies."

Amendment No. 9

On page 2, line 12, of said bill, strike out "of California".

Amendment No. 10

On page 2, line 15, of said bill, strike out "district", and insert "taxing agency".

Amendment No. 11

On page 2, line 23, of said bill, strike out "of California".

Amendment No. 12

On page 2, line 24, of said bill, strike out "of California".

Amendment No. 13

On page 2, lines 28 and 29, of said bill, strike out "of California".

Amendment No. 14

On page 2, line 31, of said bill, strike out "of California, or", and insert " , but including".

Amendment No. 15

On page 2, line 33, of said bill, strike out "of California".

Amendment No. 16

On page 2, lines 36 and 37, of said bill, strike out "of the State of California of a certified copy thereof," and insert "of a certified copy thereof, accompanied by a list showing the descriptions of the properties on forms prescribed by the State Controller,".

Amendment No. 17

On page 2, line 47, of said bill, strike out "of California".

Amendment No. 18

On page 3, line 2, of said bill, strike out "of California".

Amendment No. 19

On page 3, line 5, of said bill, strike out "of California".

Amendment No. 20

On page 3, line 27, of said bill, strike out "of California".

Amendment No. 21

On page 3 of said bill, strike out lines 49 to 52, inclusive; and on page 4, strike out lines 1 to 10, inclusive, and insert "ested taxing agencies in the proportion that the total tax and assessment liens for the first year of delinquency, exclusive of penalties, interest, and costs, of each agency, including the interest of revenue districts, bears to the total tax and assessment liens for the first year of delinquency

of all such agencies. If the taxing agency levies taxes or assessments in one year covering payment for more than one year, the amount attributable to the first year shall constitute the share of such taxing agency. The county and taxing agencies shall prorate on the same basis the money they receive to themselves and to the revenue districts for which they collect taxes or assessments. Whenever one taxing agency holds a tax deed and another taxing agency otherwise entitled to levy taxes or assessments on the property is unable by reason of such public ownership to levy taxes thereon, and has no delinquent taxes thereon, the last assessment of the taxing agency shall, for the purpose of the apportionment of sales and rentals, be deemed to be its first year of delinquency."

Amendment No. 22

On page 4, line 11, of said bill, strike out "of California".

Amendment No. 23

On page 4, line 15, of said bill, strike out "of Cal-"; and strike out lines 16 to 19, inclusive, and insert "by tax title through delinquent tax proceedings, or purchase of tax title and/or in or by any of the methods provided for in this code, so that any one taxing agency acquires the interest of the State and of all other interested taxing agencies, the rental".

Amendment No. 24

On page 4, line 20, of said bill, strike out "sales price theretofore or thereafter", and insert "hereafter".

Amendment No. 25

On page 4 of said bill, strike out line 21, and insert "affected property shall be apportioned between or among said taxing agencies".

Amendment No. 26

On page 4 of said bill, strike out line 26; and in line 27, strike out "sale of", and insert "then the rentals received from".

Amendment No. 27

On page 4, line 42, of said bill, strike out "-----", and insert "two".

Amendment No. 28

On page 5, line 7, of said bill, strike out "-----", and insert "10".

Amendment No. 29

On page 5, line 8, of said bill, strike out "-----", and insert "five".

Amendment No. 30

On page 5, line 19, of said bill, strike out "three", and insert "two".

Amendment No. 31

On page 5, line 24, of said bill, strike out "three", and insert "two".

Amendment No. 32

On page 5, line 26, of said bill, strike out "of California".

Amendment No. 33

On page 5, lines 33 and 34, strike out "the Revenue and Taxation Code by the State of California", and insert "this code by the State".

Amendment No. 34

On page 5 of said bill, strike out lines 36 to 50, inclusive, and insert "State, shall be assigned to the governing body of the taxing agency electing to be the sole leasing and sales agency.

3908. Whenever any taxing agency other than the county or State shall have elected to be the sale or rental agency as in this chapter provided and the interest of the State and county is to be acquired, the following proceeding terminating the right of redemption shall be had.

(1) The county tax collector shall on request of the agency give notice of the intended sale, which notice shall describe the property, state the name of the assessee for each year there are delinquent county taxes against the property, and state that unless sooner redeemed, all right of redemption of said property shall cease 21 days after the first publication of said notice.

(2) The tax collector shall cause said notice to be published once a week for at least three successive weeks in a newspaper of general circulation published in the county, or, if none, then by posting copies of the notice in four conspicuous places in the county, one of which shall be in the United States post office nearest the property, and another of which shall be on the property itself.

(3) Within five days after the first publication of the notice, the tax collector shall mail a copy of it by registered mail to the last assessee of each portion of

the property at his last known address, or, if no address is known for him, then at the county seat. It is not necessary to mail a copy of the notice to any party who files with the tax collector a written acknowledgement of receipt of a copy of the notice or a waiver of the notice.

(4) The cost of giving the notice shall be paid by the taxing agency by which the property is to be or may be purchased.

(5) An affidavit showing that the notice has been given as prescribed shall be filed in the office of the county tax collector.

(6) If any portion of the property is not redeemed within 21 days after the first publication and mailing of the notice, the tax collector shall, without charge, execute to the taxing agency a deed to the unredeemed property.

(7) On the execution of the deed, all right to redeem the property from sale to the State is terminated. The deed conveys to the taxing agency all the State's interest in the property.

(8) If the lands as to which the right of redemption has been thus terminated are not sold into private ownership within the period the taxing agency is exclusive sales and rental agency, the taxing agency shall execute a deed to the State reconveying to the State all the right, title and interest of the State in the property which such taxing agency attained by the deed of the tax collector pursuant to this chapter. Thereafter, such property shall be held as tax-deeded property by the State. The Controller shall provide uniform blanks on which such reconveyances shall be made.

There shall be the same number of duplicates as is required for deeds to the State for taxes, and the same procedure shall be followed in recording such deeds as is provided by law for the recording of deeds to the State for taxes.

3909. On execution of the deed by the tax collector to the taxing agency, and by the taxing agency to the State or private purchaser, notice thereof shall be given to the State Controller.

3910. No lease of tax-deeded property shall be made for a period exceeding three years without the consent of all interested taxing agencies.

3911. The taxing agency acting as the rental or sales agency under this chapter shall on or before January 2d of each year render to all affected taxing agencies an account of all rentals and sales, specifying the same as to each property involved, and pay to the affected taxing agencies the amounts due. A copy of the account shall be furnished to the State Controller.

3912. "Rental" as used in this chapter means rental for cash, crop share, or other consideration, and, in the event the property is farmed by the State or taxing agency, includes the profits derived from such farming."

Amendments read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 1106—An act to repeal Chapter 4.3 of Part 6, Division 1, and Sections 3662 and 3663 of, and to add Chapter 4.3 to Part 6, Division 1 of the Revenue and Taxation Code, relating to real property taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, after "Division 1", insert ". and to amend Sections 3660 and 3661."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 7, line 6, of said bill, strike out "appropriated only out of the Tax-"; and strike out lines 7 to 10, inclusive, and insert "paid out of the money available for the support of the Redemption Tax Department of the Controller's Office."

Sec. 4. Section 3660 of said code is amended to read:

3660 *Any balance remaining in the Tax Deeded Land Rental Fund on the effective date of this section shall be transferred to the Redemption Tax Fund, which fund is hereby created. Out of any money in the [Tax Deeded Land Rental] Redemption Tax Fund, there is hereby appropriated to the Controller to be expended*

by him such sums as may be necessary for the support of the Redemption Tax Department of the Controller's Office [and for the] in carrying out of the provisions of this [chapter] code.

SEC. 5. Section 3661 of said code is amended to read:

3661. The Legislature hereby declares that it is the policy of this State to use the revenues [received from the administering of tax-deeded property, and] placed in the [Tax Deeded Land Rental] *Redemption Tax* Fund [,] for the primary purpose of restoring tax-deeded property to the rolls and for all other purposes incident to the administration and classification of tax-deeded property. [Out of any money in the Tax Deeded Land Rental Fund there is hereby appropriated to the Land Classification Commission to be expended for the purposes specified in this section such sums as may be necessary.]”

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 485—An act to add Chapter 6, comprising Sections 980, 981, 982 and 983 to the Military and Veterans Code, relating to employment rights of ex-members of the armed forces and unlawful strikes and picketing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out “and 983”, and insert “, 983 and 984”.

Amendment No. 2

On page 1, line 2, of said bill, strike out “and 983”, and insert “983 and 984”.

Amendment No. 3

On page 1 of said bill, strike out lines 6 to 11, inclusive; and in line 12, strike out “fality or agency of either,” and insert

“980. Any employer who requires any veteran to agree or promise to join or remain a member of a labor organization as a condition to obtaining employment or as a condition to remaining in an employment relationship upon any public works of the State of California, or of any county, city and county, city, town, district, township, or any other political subdivision thereof, whether said work is done by contract or otherwise.”

Amendment No. 4

On page 1, line 14, of said bill, strike out “coerce or compel”, and insert “induce or coerce”.

Amendment No. 5

On page 1 of said bill, after line 25, insert
“984. As used in this chapter, “employer” means any person, organization, association, or corporation who has direction, management, control, or custody of any employment, place of employment, or any employee”

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1083—An act to amend Section 6854 of the Business and Professions Code, relating to exclusions from definition of “collection agency.”

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 11, of the printed bill, after “insurers,” strike out the comma, and insert “and abstract companies,”.

Amendment No. 2

On page 1 of said bill, strike out lines 16 and 17, and insert "collections for their branch or parent offices or for other brokers with whom they are affiliated by corporate control."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 541—An act to amend Section 1183 of, and to add Section 1184.5 to, the Civil Code, relating to the proof or acknowledgment of instruments, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1183 of, and to add Section 1184.5 to," and insert "1183.5 of".

PRINTER'S NOTE—There being no 7-point strokeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1, line 1, of said bill, strike out "1183 of the Civil Code is hereby"; strike out lines 2 to 25, inclusive; and on page 2, strike out lines 1 to 29, inclusive, and insert "1183.5 of the Civil Code is amended to read:

1183.5. 1. Any officer of any component of the Army of the United States on active duty in Federal service commissioned in or assigned or detailed to duty with the Judge Advocate General's Department, any Staff Judge Advocate or Acting Staff Judge Advocate, and the Adjutant, Assistant Adjutant, Personnel Adjutant or commanding officer of any command;

2. Any commanding officer or executive officer of a ship, shore station or establishment on active duty with the Navy or Coast Guard of the United States;

3. Any Adjutant, Assistant Adjutant, Personnel Adjutant or commanding officer on active duty with any United States Marine Corps command;

Shall have the power if a commissioned officer to administer and certify oaths or affirmations, attest documents, take acknowledgments, and perform all other notarial acts, for any person serving in or with the armed forces of the United States, wherever located within or without this State.

Any instrument acknowledged by any such officer or any oath or affirmation made before such officer shall not be rendered invalid by the failure to state therein the place of execution or acknowledgment. No authentication of the officer's certificate of acknowledgment or of any *jurat* signed by him shall be required but the officer taking the acknowledgment shall indorse thereon or attach thereto a certificate substantially in a form authorized by the laws of this State or in the following form:

On this the _____ day of _____, 19____, before me, _____, the undersigned officer, personally appeared _____ known to me (or satisfactorily proven) to be serving in or with the armed forces of the United States and to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same. And the undersigned does further certify that he is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the armed forces of the United States.

Signature of officer and serial number rank, branch
of service and capacity in which signed.

The recitals contained in such certificate shall be prima facie evidence of the truth thereof.

To any affidavit subscribed and sworn to before such officer there shall be [attested by him] attached a *jurat* substantially in the following form:

Subscribed and sworn to before me on this _____ day of _____, 19____.

Signature of officer and serial number rank, branch
of service and capacity in which signed.

The recitals contained in any such certificate or jurat shall be prima facie evidence of the truth thereof, and any certificate of acknowledgment, oath or affirmation purporting to have been made by any commissioned officer of the Army, Navy, Marine Corps or Coast Guard shall, notwithstanding the omission of any specific recitals therein, constitute presumptive evidence of the existence of the facts necessary to authorize such acknowledgment, oath or affirmation to be taken by the certifying officer pursuant to this section.

This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendment No. 3

On page 2, line 30, of said bill, strike out "Sec. 3", and insert "Sec. 2."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1047—An act to amend Section 4316 of the Political Code, relating to the privileges of public officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "municipal and justice courts and constables, and their deputies," and insert "and municipal courts and constables and their deputies, and justice court clerks who have civil service status,".

Amendment No. 2

On page 1, line 8, of said bill, strike out the comma after "such"; and strike out all of lines 9 to 13, inclusive, and insert a period.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 718—An act to add Section 1714.5 to the Civil Code, relating to injuries sustained in air raid shelters.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 8, both inclusive, and insert "1714.5. There shall be no liability on the part of one who owns or maintains any building or premises which have been designated as an air raid shelter by any council of defense or any public office, body or officer of this State or of the United States for any injuries sustained by any person while in or upon said building or premises as a result of any act or omission, except a willful act, of such owner or occupant or his servants, agents or employees or as a result of the condition of said building or premises, when such person has entered or gone upon or into said building or premises for the purpose of seeking refuge therein during an air raid alarm or during an air raid by enemies of the United States"

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1263—An act to amend Section 2160.5 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 12 to 17, inclusive, and insert "(b) And if the home or institution has a written license or permit from the State department or from an inspection service approved or accredited by the department, in accordance with Section 2300"

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1382—An act to amend Sections 2005, 2007, 2011, 2020, 2021, 2140, 2141, 2160, 2160.5, 2160.6, 2180, 2181, 2182, 2183, 2186, 2187, 2188, 2200, 2220, 2221, 2222, and 2223 of the Welfare and Institutions Code, to repeal Sections 2012, 2022, 2023, 2160.7, 2184, 2185, 2189, and 2224 thereof, and to add Sections 2012, 2020.5, 2184, and 2187.5 thereto, relating to aid to the aged, providing for the administration thereof, determining the amount of aid to be granted, the eligibility qualifications therefor, and the respective participation of the State and the counties in the cost thereof, eliminating the liability of relatives of recipients to make reimbursement of aid granted, granting burial and funeral expenses to recipients of such aid, and making an appropriation, to become operative as therein provided.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 5, line 17, of the printed bill, after "(1)", insert "If under the age of 65 years:".

Amendment No. 2

On page 5 of said bill, strike out lines 24 to 27, inclusive, and insert "However, during such time as the Federal Government shall provide or make available to this State grants in aid for old-age assistance to persons under the age of 65 years, the period of State residence required of the persons for whom aid is so made available shall be reduced to the period required by subdivision (2) of this subdivision, and the length of State residence required of such persons shall be the same as that required of persons 65 years of age or over

(2) If 65 years of age or over: Who resides in the State and has".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Concurrent Resolution No. 30—Relative to the problem of spastic and crippled children.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 9, of the printed measure, strike out "and"; and in line 10, strike out "report to the Legislature on".

Amendment No. 2

On page 1, line 13, of said measure, strike out ". and to", and insert "; and be it further

Resolved, That the Department of Education cooperate in making the investigation, and that each department be given full access to the findings of the other, and that each department report to the Fifty-sixth Session of the Legislature the result of its investigation and".

Amendment No. 3

On page 1, line 14, of said measure, strike out "their treatment and education", and insert "the treatment and education of such children".

Amendment No. 4

On page 1, line 22, of said measure, after ", Health," insert "to the Department of Education,".

Amendments read and adopted.

Resolution ordered reprinted and engrossed.

Assembly Bill No. 1293—An act to amend Section 20043 of the Water Code, relating to reports by the California Districts Securities Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "follow-"; and strike out all of lines 5 to 10, inclusive; and in line 11, strike out "(c) The".

Amendment No. 2

On page 1, line 12, of said bill, strike out "used", and insert "issued".

Amendment No. 3

On page 1 of said bill, strike out lines 13 to 16, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1623—An act making an appropriation to the State Park Commission, for the acquisition of land in Orange County as part of the State Park System.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, line 8, of the printed bill, after "as the", strike out the first initial "H" within the quotation marks, and insert "Hamilton".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1294—An act to repeal Sections 22900, 22901, 22902, 22903, 22904, 22905, and 22906 of the Water Code, relating to the distribution of electric power in irrigation districts containing 500,000 acres or more.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, line 1, of the printed bill, after "22901," insert "22902."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1299—An act to add Section 24624 to the Water Code, relating to warrants of an irrigation district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "24624", and insert "24628.5".

Amendment No. 2

On page 1, line 1, of said bill, strike out "24624", and insert "24628.5".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 6, inclusive, and insert "24628.5. Warrants payable at a future time or times may also be issued to obtain funds or property for any lawful purpose of the district; provided, that, unless approved by the commission, the total amount of warrants payable in any one year shall not exceed one-fourth of 1 per cent of the total valuation of the land in the district according to the last equalized assessment roll."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1300—An act to amend the title and Section 4 and to repeal Sections 4c and 4d of an act entitled "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and for elections and the qualification of electors therein and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to the government, operation, and functions of irrigation districts of an area of over 500,000 acres.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, strike "Section", and insert "Sections 3 and".

Amendment No. 2

In line 10 of the title of said bill, after the figures "1915," insert "and to add Article 6 to Chapter 3, Part 5 of Division 11 of the Water Code"

Amendment No. 3

On page 1, line 10, of said bill, strike out "for elec."; and strike out all of lines 11 to 16, inclusive, and insert "to provide additional powers for the government, operation, and conduct of such districts."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 16, insert

"SEC. 2. Section 3 of the act cited in Section 1 hereof is amended to read:

Sec. 3. In addition to the powers *otherwise* conferred [by the last section,] the board of directors of any such district shall have power *without the necessity of an election* to borrow funds for [flood protection purposes,] *any lawful purpose at a rate of interest not greater than 5 per cent per annum, and issue warrants therefor payable at future dates, provided, however, that no principal amount thereof unpaid at any one time shall exceed \$200,000.* [in any one year not to exceed two hundred thousand dollars at a rate of interest not greater than seven per cent per annum.]

Amendment No. 5

On page 2 of said bill, strike out line 1, and insert

"SEC. 3. Section 4 of the act cited in Section 1 hereof is".

Amendment No. 6

On page 2 of said bill, strike out line 20, and insert

"SEC. 4. Sections 4c and 4d of the act cited in Section 1".

Amendment No. 7

On page 2 of said bill, after line 21, insert

"SEC. 5. Article 6 is added to Chapter 5, Part 5 of Division 11 of the Water Code, to read:

Article 6. Miscellaneous Provisions

22960. Every district by its board may, in addition to other powers, borrow funds for any lawful purpose at an interest rate not exceeding 5 per cent per year and issue warrants therefor payable at future dates. No election authorizing such borrowing or issuance of warrants need be held but the principal amount of such indebtedness unpaid at any time shall not exceed two hundred thousand dollars (\$200,000).

22961. A reserve fund from assessments or other revenues for emergencies, replacements or other lawful purpose of the district may be provided by the board.

SEC. 6. Section 5 of this act becomes operative only if the Water Code is enacted by the Legislature at its Fifty-fifth Session, and, in such case, at the same time as said code takes effect, at which time Sections 3 and 4 of the act cited in Section 1 of this act, amended by this act are hereby repealed."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1301—An act to amend Sections 1 and 3 of an act entitled "An act to provide for the acquisition, development, and disposal of electrical power by irrigation districts." approved May 21, 1919, relating to the application of the California Irrigation District Act and acts amendatory thereof and supplemental to the California Irrigation District Act and to the borrowing of funds and issuance of warrants and securities by irrigation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, after "amend", insert "Sections 22116 and 22120 of the Water Code and".

Amendment No. 2

On page 2, line 7, of said bill, after "Act", insert "and all acts amendatory thereof and supplemental thereto".

Amendment No. 3

On page 2, line 9, of said bill, strike out "act", and insert "acts".

Amendment No. 4

On page 2, line 10, of said bill, after "the", insert "sale, distribution, or".

Amendment No. 5

On page 2, line 18, of said bill, after "Act", insert "and all acts amendatory thereof and supplemental thereto".

Amendment No. 6

On page 2 of said bill, after line 23, insert

"SEC. 3. Section 22116 of the Water Code is amended to read:

22116. All provisions of the California Irrigation District Act, and of all acts amendatory thereof and supplemental thereto, applying to irrigation shall, as codified in this division, also be so construed and enforced as to apply to electric power.

SEC. 4. Section 22120 of the Water Code is amended to read:

22120. A district may sell, dispose of, and distribute electric power for use outside of its boundaries.

SEC. 5. Sections 3 and 4 of this act become operative only if the Water Code is enacted by the Legislature at its Fifty-fifth Session, and in such case, at the same time as said code takes effect, at which time Sections 1 and 3 of the act cited in the title hereof amended by this act are hereby repealed."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1304—An act to amend the California Irrigation District Act by amending Sections 7, 61, and 109a, relating to irrigation districts, including provisions relating to the changing of the name of an irrigation district, the issuance of warrants by an irrigation district, officers and the consolidation of offices of an irrigation district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "the California Irrigation District Act by"; and strike out lines 2 and 3 of the title; and in line 4 of the title, strike out "the name of an irrigation district," and insert "Section 61 of the California Irrigation District Act, relating to".

Amendment No. 2

In lines 5 and 6 of the title of said bill, strike out "officers and the consolidation of offices of an irrigation district"

Amendment No. 3

On page 1, line 1, of said bill, strike out "7", and insert "61".

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 13, inclusive.

Amendment No. 5

On page 3, line 3, of said bill, after the period, insert "In addition to other warrants herein authorized to be issued, warrants may be issued by the board of directors, payable at a future time, to obtain funds or property for any lawful purpose of the district; provided, that, unless approved by the California District Securities Commission, the amount of warrants payable in any one year shall not exceed one-fourth of 1 per cent of the total valuation of the land in the district, according to the last equalized assessment roll"

Amendment No. 6

On page 3 of said bill, strike out lines 29 to 34, inclusive

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1855—An act to amend Section 21654 of the Water Code, relating to irrigation district elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 21654 of", and insert "add Chapter 5 to Part 4 of Division 11 of".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert "SECTION 1. Chapter 5, consisting of Section 21875, is added to Part 4 of Division 11 of the Water Code, to read:

CHAPTER 5. PROVISIONS RELATING TO ALL ELECTIONS

21875. There shall be no absent voting in district elections."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1856—An act to amend Sections 32a, 32b, 32c, 32d, and 32e of the California Irrigation District Act, relating to the issuance of warrants, bonds, funding and refunding bonds and the refunding of bonds and warrants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 32a, 32b, 32c, 32d, and 32e", and insert "Section 32a".

Amendment No. 2

In line 3 of the title of said bill, strike out "warrants".

Amendment No. 3

In line 4 of the title of said bill, after "warrants", insert ", declaring the urgency of this act, to take effect immediately."

Amendment No. 4

On page 1, line 6, of said bill, strike out "and warrants".

Amendment No. 5

On page 1, line 23, of said bill, after "bonds", insert "or warrants".

Amendment No. 6

On page 2, line 1, of said bill, after "bonds", insert "or warrants".

Amendment No. 7

On page 2, line 24, of said bill, after "bonds", insert "or warrants".

Amendment No. 8

On page 2 of said bill, strike out lines 40 to 52, inclusive; and strike out all of pages 3, 4, 5, and 6, and insert

"Sec. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution and therefore shall go into immediate effect. The following is a statement of the facts constituting such necessity:

Large areas of agricultural land in this State are situated within irrigation districts and the expenses of financing such districts constitute a factor of great importance in the cost of production of agricultural commodities. This act provides a method whereby a portion of the expenses of such districts may be reduced. The saving thereby effected will in turn reduce the overhead cost of agricultural production and operate to retard the rise of the cost of living of the people of the State, thus

combating the tendency toward inflation which would be detrimental to the war effort of the State and Nation."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1127—An act to add Section 45.1 to the California Irrigation District Act, relating to the assessment and redemption of property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 2 of the title of the printed bill, after "Act," insert "and Section 26232 to the Water Code,".

Amendment No. 2

On page 1 of said bill, after line 12, insert

"Sec 2 Section 26232 is added to the Water Code, to read:

26232. No incorrect statement or estimate of assessments due or amount required to redeem is binding upon a district or its officers, and payment of such incorrect amount, if less than the assessment actually due or amount required to redeem, shall not constitute payment of the assessment or redemption unless the incorrect statement or estimate was in writing signed by the collector and relied upon in good faith by the party paying the amount designated.

SEC 3. Section 2 of this act becomes operative only if the Water Code is enacted by the Legislature at its Fifty-fifth Session, and, in such case, at the same time as said code takes effect; at which time Section 45.1 of the California Irrigation District Act added by this act is hereby repealed."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1239—An act to amend Section 25655 of the Water Code, relating to irrigation district assessments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "25655", and insert "25502".

Amendment No. 2

On page 1, line 1, of said bill, strike out "25655", and insert "25502".

Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert

"25502 Annually, between the first Mondays in March and June the assessor shall assess all land in his district to the persons owning, claiming, possessing, or controlling it, *except that if all funds required to be raised are raised other than by assessment, no assessment need be levied and no assessment roll need be prepared or equalized* "

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 7, inclusive

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1777—An act to add Section 5418.5 to the Health and Safety Code, relating to sewerage.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 3, of the printed bill, after "person," insert "firm or corporation, municipal or otherwise."

Amendment No. 2

On page 1, line 6, of the printed bill, after "district," insert ", municipal corporation".

Amendment No. 3

On page 1, line 8, of the printed bill, strike out "six", and insert "12".

Amendment No. 4

On page 1, line 11, of the printed bill, strike out "two", and insert "three".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1323—An act to amend Section 1352 of the Labor Code, relating to working hours for women.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor and Capital:

Amendment No. 1

On page 1, line 5, of the printed bill, after "hospitals," insert "laboratories operating under license from either or both the United States Department of Treasury and the United States Department of Agriculture,".

Amendment No. 2

On page 1, line 8, of said bill, strike out "deterioration", and insert "spoiling".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 14—An act to amend Sections 18734, 18739 and 18741 of the Business and Professions Code, relating to the regulation of boxing and wrestling, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "amend", insert "sections".

Amendment No. 2

On page 1, line 5, of said bill, as amended, strike out "17", and insert "18".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1449—An act to add Article 3a to Chapter 2 of Part 2 of Division 3 of the School Code and to add Article 1.5 to Chapter 5 of Division 4 of the Education Code, relating to the admission of children to the elementary schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, after "thereof", insert a comma and "to be known as the preelementary grade,".

Amendment No. 2

On page 1 of the printed bill, following line 10, insert "The teacher of a preelementary grade must hold a valid credential and certificate of the same type as the teacher of a kindergarten is required to hold under this code."

Amendment No. 3

On page 2, line 6, of the printed bill, strike out "provision", and insert "provisions".

Amendment No. 4

On page 2, line 15, of the printed bill, after "thereof", insert a comma and "to be known as the preelementary grade,".

Amendment No. 5

On page 2 of the printed bill, following line 17, insert "The teacher of a preelementary grade must hold a valid credential and certificate of the same type as the teacher of a kindergarten is required to hold under this code."

Amendment No. 6

On page 2, line 37, of the printed bill, strike out "provision", and insert "provisions".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 350—An act to amend Sections 611 and 612 of the Agricultural Code, relating to oleomargarine.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 611 and 612", and insert "Section 611".

Amendment No. 2

On page 2 of the printed bill, strike out lines 7 to 20, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 771—An act to add Section 4114 to, and to repeal Sections 3511.3, 3571, 3572, 3573, 3574, 3575, 3576 and 3577 of, the Revenue and Taxation Code, relating to redemption of tax-sold and tax-deeded property located in distressed assessment districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2 of the printed bill, strike out all of Section 2, including lines 26 and 27.

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 889—An act to amend Section 737dd of the Political Code, relating to the salary of judges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1, line 5, of the printed bill, after the word “[five]”, strike out “two” and the following word “hundred”.

Amendment No. 2

On page 1, line 5, of the printed bill, after “dollars”, strike out “(\$7,200)”, and insert “(\$7,000)”.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1094—An act to amend Section 18200 of the Health and Safety Code, relating to the enforcement of the provisions of Part 2 of said code.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, lines 8 and 9, strike out “shall have concurrent power and authority to”, and insert “may”.

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1171—An act to add Section 2108.5 to the Business and Professions Code, relating to issuance of certificates to practice medicine, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 23, of the printed bill, strike out “seven”, and insert “seven-tenths of the”.

Amendment No. 2

On page 2, line 2, of the printed bill, strike out “seven”, and insert “seven-tenths of the”.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1174—An act to add Section 2376.5 to the Business and Professions Code, relating to the reinstatement of certificates to practice medicine.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 2, of the printed bill, strike out "seven", and insert "seven-tenths".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1787—An act amending Section 4135 of the Business and Professions Code, relating to licentiates in pharmacy.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 6, of the printed bill, after "1943", insert "and who has been actively engaged in the practice of pharmacy for the five years immediately preceding".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 945—An act to add Section 4174 to the Business and Professions Code, relating to temporary certificates to practice pharmacy, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 16, of the printed bill, after "date", strike out the period, and insert ", if the applicant possesses the qualifications prescribed in this chapter."

Amendment read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 1902—An act to amend Section 4214 of the Political Code, relating to county surveyors.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1 of the printed bill, strike out lines 17 to 19, inclusive, and insert "of the county surveyor shall not affect the tenure of any county surveyor now in office, or who may be reelected or reappointed, and such persons shall continue to hold".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1409—An act to define and officially adopt a State-wide system of plain coordinance for designating and stating positions of land survey points within the State of California, and

permitting, but not requiring, the use thereof, in survey maps and other documents.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "plain coordinance", and insert "plane coordinates".

Amendment No. 2

On page 1, line 2, of said bill, strike out "is to", and insert "shall".

Amendment No. 3

On page 3, line 3, of said bill, strike out "being used", and insert "used being".

Amendment No. 4

On page 4, line 19, of said bill, after the period, insert "Any such stations may be used for establishing a survey connection with not less than two stations of the California Coordinate System."

Amendment No. 5

On page 4, line 27, of said bill, strike out all except "with"; and strike out line 28, and insert "the provisions of Section 5 of this act."

Amendment No. 6

On page 4, line 39, of said bill, strike out "shall", and insert "may".

Amendment No. 7

On page 4 of said bill, strike out lines 47 and 48.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 50—An act to add Section 2806 to the Labor Code, relating to discrimination.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Labor and Capital:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "creed", and insert "religion".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1335—An act to amend Section 5a of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof." approved March 6, 1907, as amended, relating to poisons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5a", and insert "Sections 1, 4, 5 and 5a".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "5a", and insert "1".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

Amendment No. 3

On page 1, between lines 2 and 3 of said bill, insert

"SECTION 1. It shall be unlawful for any person to vend, sell, give away or furnish, either directly or indirectly, any poisons enumerated in schedules "A" and "B" in Section 5a of this act as hereinafter set forth, without labeling the package, box, bottle or paper in which said poison is contained, with the name of the article, the word "poison," and the name and place of business of the person furnishing the same. Said label shall be substantially in the form hereinafter provided. It shall be unlawful to sell or deliver any of the poisons named in schedule "A" or any other [dangerously poisonous drug, chemical, or medicinal substance,] *poison*, which may from time to time be designated by the State Board of Pharmacy of California, unless on inquiry it is found that the person desiring the same is aware of its poisonous character, and it satisfactorily appears that it is to be used for a legitimate purpose. It shall be unlawful for any person to give a fictitious name or make any false representations to the seller or dealer when buying any of the poisons thus enumerated; provided, that this prohibition shall not apply to an officer or inspector of the State Board of Pharmacy in the performance of the duties enjoined by law upon said board, or to any person acting under authority of said board in the performance of said duties. Printed notice of all such additions to the schedule of poisons named and provided for in this section, and the antidote adopted by the Board of Pharmacy for such poisons shall be given to all registered pharmacists with the next following renewal of their certificates. It shall be unlawful to sell or deliver any poison included in schedule "A" or the additions thereto, without making or causing to be made, at the time of said sale, an entry in a book kept solely for that purpose, stating the date and hour of sale, and the name, address and signature of the purchaser, the name and quantity of the poison sold, the statement by the purchaser of the purpose for which it is required, and the name of the dispenser, who must be a duly registered pharmacist; provided, however, that said entry shall be made out in full, in ink before said signature of the purchaser is made thereto, and that said entry shall be made by said dispenser himself, and not by any person who is not a duly registered pharmacist or duly registered assistant pharmacist.

Said book shall be in form substantially as follows:

Date and hour	Name of purchaser	Residence	Kind and quantity	Purpose of use	Signature of druggist	Signature of purchaser
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This book shall always be open for inspection by the proper authorities, and shall be preserved for at least five years after the date of the last entry therein.

SEC. 2. Section 4 of said act is amended to read:

Sec. 4. When in the opinion of the State Board of Pharmacy, it is in the interest of the public health, they are hereby empowered to further restrict, or prohibit the retail sale of any poison by rules, not inconsistent with the provisions of this act, by them to be adopted, and which rules must be applicable to all persons alike. *For this purpose the board may establish an additional schedule which may be designated schedule "C" or such other designation as it may deem appropriate. Such rules shall have the force and effect of law and any violation thereof shall constitute a misdemeanor. Notice of the adoption of such rules shall be given to the public in such manner as the board deems necessary. No person shall be subject to prosecution for violating the rule until the board has given due public notice of its rule. In addition to the public notice of the adoption of such rules, the board shall give written notice of the adoption of such rules within 30 days after the adoption thereof by sending written notice thereof to all drug stores licensed under Chapter 9 of Division 2 of the Business and Professions Code. It shall be the duty of the board, upon request, to furnish any dealer with a copy of the laws relating to articles, preparations and compounds, the sale of which is prohibited or regulated by this act or the rules of the board.*

SEC. 3. Section 5 of said act is amended to read:

Sec. 5. Wholesale dealers and pharmacists shall affix or cause to be affixed to every bottle, box, parcel or other enclosure of an original package containing any of the articles named in schedule "A" the additions thereto, in Section 9 of this act, or in Section 1 of the State Narcotic Act, a suitable label, or brand with the word "poison" but they are hereby exempted from the registration of the sale of such articles when sold at wholesale to a registered pharmacist, physician and surgeon, dentist, *chiroprapist* or veterinary surgeon duly licensed to practice in the State; provided, that the provisions of this act shall not apply to the sale of such

upon the prescriptions of practicing physicians *and surgeons*, dentists, *chiropricists* or veterinary surgeons who are duly licensed to practice in this State.

SEC. 4. Section 5a of said act is amended to read:—

Amendment No. 4

On page 1, line 5, of said bill, strike out “poisonous salts of barium,” and insert “antimony and potassium tartrate, its compounds and preparations, poisonous salts of barium, cantharides, cowhage, digitalis,”.

Amendment No. 5

On page 1, lines 6 and 7, of said bill, strike out “of potassium”, and insert “its compounds and preparations, fluorides, nitroglycerin,”.

Amendment No. 6

On page 1, line 9, of said bill, before “strophantus”, insert “santonin,”.

Amendment No. 7

On page 1, line 13, of said bill, strike out “two-tenths (2/10)”, and insert “four-tenths (4/10)”.

Amendment No. 8

On page 1, line 16, of said bill, strike out “, belladonna,” and insert “belladonna”.

Amendment No. 9

On page 1, lines 21 and 22, of said bill, strike out “ “The California Economic Poison Act of 1921” or any act amendatory thereof”, and insert “Section 1061 of the Agricultural Code”.

Amendment No. 10

On page 2 of said bill, strike out line 5, and insert “ant poisons containing more than four-tenths (4/10) of 1 per”.

Amendment No. 11

On page 2, line 7, of said bill, strike out “of potassium”.

Amendment No. 12

On page 2, line 11, of said bill, before “The”, strike out “Schedule “B.” ”

Amendment No. 13

On page 2, line 13, of said bill, strike out “acid, bromide, chloroform, cowhage, creosote,” and insert “acid, oil of bitter almond, bromide, chloroform, creosote, conium, cotton root, cresolic acid,”.

Amendment No. 14

On page 2, line 14, of said bill, strike out “cantharides,”.

Amendment No. 15

On page 2, line 15, of said bill, strike out “tincture,” and insert “tinctures, gelsemium, hyoscyamus,”.

Amendment No. 16

On page 2, lines 16 and 17, of said bill, strike out “tartar emetic and other poisonous derivatives of antimony,”.

Amendment No. 17

On page 2, line 18, of said bill, strike out the period, and insert “, potassium permanganate, poisonous salts of silver and yellow jasmine.

The following is Schedule “C1”: Acetylurea, Sulphonated Methanes, Paraldehyde, Sulfanilamide, except in tablets of thirty (30) grains or more designed for stock purposes only and so labeled, Sobisminol, Amidopyrine, Cincophen, Ergot, Diethyl-Stilbestrol, or any of their salts, derivatives, or compounds, or any preparation or compound containing any of the foregoing substances, may be sold at retail only on order or prescription of a physician and surgeon, dentist, chiropricist, or veterinary surgeon duly licensed to practice in the State of California, and shall not be refilled without order of the prescriber.

The following is Schedule “C2”: Amphetamine, Thyroid, Phenylhydantoin, or any of their salts, derivatives, or compounds, or any preparation or compound containing any of the foregoing substances or their salts, or derivatives, or compounds may be sold at retail only on the written order or prescription of a physician and surgeon, dentist, chiropricist, or veterinary surgeon duly licensed to practice in the State of California. Such prescription may, however, be refilled only for the person for whom originally written.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 326—An act to amend Section 2727 of the Business and Professions Code, relating to the practice of nursing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 2727.5 to."

Amendment No. 2

On page 1, line 11, of said bill, strike out "individual".

Amendment No. 3

On page 1 of said bill, strike out lines 12 and 13, and insert "'Emergency," as used in this subdivision includes an epidemic or public disaster."

Amendment No. 4

On page 1 of said bill, after line 18, insert
 "Sec. 2. Section 2727.5 is added to said code, to read:
 2727.5 Until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature, or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs, an emergency shall be deemed to exist within the meaning of subdivision (d) of Section 2727."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1093—An act to amend Sections 18108 and 18201 of the Health and Safety Code, relating to auto courts and resorts and auto and trailer camps, to nuisances therein and to the abatement, prevention and punishment of such nuisances.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 15, of the printed bill, after "prostitution", insert "but not excluding other acts which under the law constitute nuisances".

Amendment No. 2

On page 1, line 26, of said bill, strike out "shall", and insert "may in addition to any other action provided by law".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 827—An act to add Chapter 4 to Part 1, Article 5 to Chapter 2 of Part 4, of Division 4 of, and Sections 2 1223 and 4.766-1 to, the School Code and to add Chapter 15, Article 4.5 to Chapter 14, to Division 3 of, and Sections 356.1 and 6908.1 to, the Education Code, all relating to the support of kindergartens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 3 of the title of the printed bill, after "1.5", insert "to".

Amendment No. 2

In line 4 of the title of the printed bill, after "13", strike out " , to", and insert "of,".

Amendment No. 3

On page 1, line 4, of the printed bill, after "State", insert "Kindergarten".

Amendment No. 4

On page 1, line 4, of the printed bill, strike out "of Kindertartens".

Amendment No. 5

On page 2, line 4, of the printed bill, strike out "of", and insert "from".

Amendment No. 6

On page 2, line 43, of the printed bill, after "State", insert "Kindergarten".

Amendment No. 7

On page 2, line 43, of the printed bill, strike out "of Kindertartens".

Amendment No. 8

On page 3, line 15, of the printed bill, strike out "of", and insert "from".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 498—An act limiting the amount of taxes that may be imposed for county or city and county purposes upon real and personal property according to the valuation thereof, providing for the determination of the revenue deficiency resulting from the limitation hereby prescribed, and for the apportionment to each county and city and county of an amount equal to that deficiency, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 10, of the printed bill, after "than", strike out "school", and insert "elementary school, high school and junior college".

Amendment No. 2

On page 2, line 32, of the printed bill, after "by", insert "a sum equivalent to".

Amendment No. 3

On page 2, line 32, of the printed bill, after "one-half cent", strike out "\$0.00½", and insert "\$0.005".

Amendment No. 4

On page 2, line 33, of the printed bill, after "difference", insert "not exceeding fifty cents (\$0.50)".

Amendment No. 5

On page 2, line 37, of the printed bill, after "rate", strike out "of", and insert "equivalent to".

Amendment No. 6

On page 2, line 38, of the printed bill, strike out "\$0.00½", and insert "\$0.005".

Amendment No. 7

On page 2, line 49, of the printed bill, after "by", insert "an amount equivalent to".

Amendment No. 8

On page 3, line 1, of the printed bill, after "rate", strike out "of", and insert "equivalent to".

Amendment No. 9

On page 4, line 6, of the printed bill, after "Section", strike out "5", and insert "6".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 147—An act to repeal The Personal Income Tax Act, Chapter 329 of the Statutes of 1935, as amended, and to repeal Part 10 of Division 2 of the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "suspend"

Amendment No. 2

In line 2 of the title of said bill, strike out "repeal", and insert "suspend".

Amendment No. 3

On page 1, line 3, of said bill, strike out ", is repealed."; and in line 4, strike out "Sec. 2.", and insert "and".

Amendment No. 4

On page 1, line 6, of said bill, strike out "is repealed", and insert "are suspended as to all taxable years beginning after the time this act becomes effective and prior to the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or prior to the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs."

Amendment No. 5

On page 1, line 7, of said bill, strike out "Sec. 3. The repeal", and insert "Sec. 2. The suspension".

Amendment No. 6

On page 1, line 14, of said bill, strike out "repeal", and insert "suspension".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1008—An act to amend Sections 90, 325, 533, 640 and 773 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to tax levies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Sections 90.1, 90.2, 90.3, 90.4, 325.1, 325.2, 325.3, 325.4, 533.1, 533.2, 533.3, 533.4, 640.1, 640.2, 640.3, 640.4, 773.1, 773.2, 773.3, and 773.4, to".

Amendment No. 2

On page 1, line 3, of said bill, before "90", insert "Sec."

Amendment No. 3

On page 2 of said bill, between lines 11 and 12, insert

"Sec. 1.1. Section 90.1 is added to said act, to read:

Sec. 90.1. The maximum general tax rate may be increased by the method provided in Section 90.2 and Section 90.3 of this act whenever the municipal council submits a written request for the increase with the State Board of Equalization. This request shall be filed with the Board of Equalization not later than May 15th of any year and shall specify the amount of the increase desired.

Sec. 1.2. Section 90.2 is added to said act, to read:

Sec. 90.2. In years when a general election is held, the Board of Equalization may submit a proposal for an increase in the maximum general tax rate to the

electors of the city at the primary election or at any prior special election held pursuant to the provisions of this act, as follows:

"Shall the _____ be authorized to exceed the present
(Name of governmental subdivision)
maximum tax rate limitation of _____ (\$_____) upon each
(Existing rate limitation)
one hundred dollars (\$100) of assessed valuation, estimated to raise additional tax
revenues in an amount approximating _____
(Additional amount which proposed excess
_____ (\$_____) annually for the next _____
tax rate would raise) (State whether two or four)
fiscal years, beginning _____?"
(Date of fiscal year to which the tax levy is to apply)

If the proposal is adopted by a majority of the voters, the increased tax rate shall become effective for the fiscal year to which the tax levy is meant to apply.

Sec. 1.3. Section 90.3 is added to said act, to read:

Sec. 90.3. In years when no general election is held, not later than August 1st, the Board of Equalization shall provide for the holding of a public hearing to consider the proposal. The board shall set a time and place for the hearing and shall publish a notice thereof in a newspaper of general circulation in the city 10 days prior to the hearing. Regardless of the opinion expressed in the public meeting, the board shall determine whether or not the tax rate shall be increased, and the decision of the board is final. In the event that the proposal to increase the tax rate is adopted by the board, the increased rate shall become effective for the fiscal year to which the tax levy is to apply.

Sec. 1.4. Section 90.4 is added to said act, to read:

Sec. 90.4. In no event shall an increase in the general tax rate, adopted by the voters or by the Board of Equalization, become effective prior to July 1, 1944."

Amendment No. 4

On page 2, line 15, of said bill, before "325", insert "Sec."

Amendment No. 5

On page 3 of said bill, between lines 10 and 11, insert

"SEC. 2.1. Section 325.1 is added to said act, to read:

Sec. 325.1. The maximum general tax rate may be increased by the methods provided in Section 325.2 and Section 325.3 of this act, whenever the council submits a written request for the increase with the State Board of Equalization. This request shall be filed with the Board of Equalization not later than May 15th of any year and shall specify the amount of the increase desired.

Sec. 2.2. Section 325.2 is added to said act, to read:

Sec. 325.2. In years when a general election is held, the Board of Equalization may submit a proposal for an increase in the maximum general tax rate to the electors of the city at the primary election or at any prior special election held pursuant to the provisions of this act, as follows:

"Shall the _____ be authorized to exceed the present
(Name of governmental subdivision)
maximum tax rate limitation of _____ (\$_____) upon each
(Existing rate limitation)
one hundred dollars (\$100) of assessed valuation, estimated to raise additional tax
revenues in an amount approximating _____
(Additional amount which proposed excess tax
_____ (\$_____) annually for the next _____ fiscal
rate would raise) (State whether two or four)
years, beginning _____?"
(Date of fiscal year to which the tax levy is to apply)

If the proposal is adopted by a majority of the voters, the increased tax rate shall become effective for the fiscal year to which the tax levy is meant to apply.

Sec. 2.3. Section 325.3 is added to said act, to read:

Sec. 325.3. In years when no general election is held, not later than August 1st, the Board of Equalization shall provide for the holding of a public hearing to consider the proposal. The board shall set a time and place for the hearing and shall publish a notice thereof in a newspaper of general circulation in the city 10 days prior to the hearing. Regardless of the opinion expressed in the public meeting, the board shall determine whether or not the tax rate shall be increased, and the decision of the board is final. In the event that the proposal to increase the tax rate is adopted by the board, the increased rate shall become effective for the fiscal year to which the tax levy is to apply.

Sec. 2.4. Section 325.4 is added to said act, to read:

Sec. 325.4. In no event shall an increase in the general tax rate, adopted by the voters or by the Board of Equalization, become effective prior to July 1, 1944."

Amendment No. 6

On page 3, line 14, of said bill, before "533", insert "Sec."

Amendment No. 7

On page 3 of said bill, between lines 41 and 42, insert

"Sec. 3.1 Section 533.1 is added to said act, to read:

Sec. 533.1 The maximum general tax rate may be increased by the methods provided in Section 533.2 and Section 533.3 of this act, whenever the common council submits a written request for the increase with the State Board of Equalization. This request shall be filed with the Board of Equalization not later than May 15th of any year and shall specify the amount of the increase desired.

Sec. 3.2. Section 533.2 is added to said act, to read:

Sec. 533.2. In years when a general election is held, the Board of Equalization may submit a proposal for an increase in the maximum general tax rate to the electors of the city at the primary election or at any prior special election held pursuant to the provisions of this act, as follows:

"Shall the _____ be authorized to exceed the present maximum tax rate limitation of _____ (\$_____) upon each one hundred dollars (\$100) of assessed valuation, estimated to raise additional tax revenues in an amount approximating _____ (Existing rate limitation) _____ (Additional amount which proposed excess tax rate would raise) _____ (\$_____) annually for the _____ fiscal years, beginning _____ (State whether two or four) _____?" (Date of fiscal year to which the tax levy is to apply)

If the proposal is adopted by a majority of the voters, the increased tax rate shall become effective for the fiscal year to which the tax levy is meant to apply.

Sec. 3.3 Section 533.3 is added to said act, to read:

Sec. 533.3. In years when no general election is held, not later than August 1st, the Board of Equalization shall provide for the holding of a public hearing to consider the proposal. The board shall set a time and place for the hearing and shall publish a notice thereof in a newspaper of general circulation in the city 10 days prior to the hearing. Regardless of the opinion expressed in the public meeting, the board shall determine whether or not the tax rate shall be increased, and the decision of the board is final. In the event that the proposal to increase the tax rate is adopted by the board, the increased rate shall become effective for the fiscal year to which the tax levy is to apply.

Sec. 3.4. Section 533.4 is added to said act, to read:

Sec. 533.4. In no event shall an increase in the general tax rate, adopted by the voters or by the Board of Equalization, become effective prior to July 1, 1944."

Amendment No. 8

On page 3, line 45, of said bill, before "640", insert "Sec."

Amendment No. 9

On page 4 of said bill, between lines 41 and 42, insert

"Sec. 4.1. Section 640.1 is added to said act, to read:

Sec. 640.1. The maximum general tax rate may be increased by the methods provided in Section 640.2 and Section 640.3 of this act, whenever the city council submits a written request for the increase with the State Board of Equalization. This request shall be filed with the Board of Equalization not later than May 15th of any year and shall specify the amount of the increase desired.

Sec. 4.2. Section 640.2 is added to said act, to read:

Sec. 640.2. In years when a general election is held, the Board of Equalization may submit a proposal for an increase in the maximum general tax rate to the electors of the city at the primary election or at any prior special election held pursuant to the provisions of this act, as follows:

"Shall the _____ be authorized to exceed the present maximum tax rate limitation of _____ (\$_____) upon each one hundred dollars (\$100) of assessed valuation, estimated to raise additional tax revenues in an amount approximating _____ (Existing rate limitation) _____ (Additional amount which proposed excess tax rate would raise) _____ (\$_____) annually for the next _____ fiscal years, beginning _____ (State whether two or four) _____?" (Date of fiscal year to which the tax levy is to apply)

If the proposal is adopted by a majority of the voters, the increased tax rate shall become effective for the fiscal year to which the tax levy is meant to apply.

Sec. 4.3 Section 640.3 is added to said act, to read:

Sec. 640.3. In years when no general election is held, not later than August 1st, the Board of Equalization shall provide for the holding of a public hearing to con-

sider the proposal. The board shall set a time and place for the hearing and shall publish a notice thereof in a newspaper of general circulation in the city 10 days prior to the hearing. Regardless of the opinion expressed in the public meeting, the board shall determine whether or not the tax rate shall be increased, and the decision of the board is final. In the event that the proposal to increase the tax rate is adopted by the board, the increased rate shall become effective for the fiscal year to which the tax levy is to apply.

Sec. 4.4. Section 640.4 is added to said act, to read:

Sec. 640.4. In no event shall an increase in the general tax rate, adopted by the voters or by the Board of Equalization, become effective prior to July 1, 1944."

Amendment No. 10

On page 4, line 45, of said bill, before "773", insert "Sec."

Amendment No. 11

On page 5 of said bill, between lines 21 and 22, insert

"Sec. 5.1. Section 773.1 is added to said act, to read:

Sec. 773.1. The maximum general tax rate may be increased by the methods provided in Section 773.2 and Section 773.3 of this act, whenever the city council submits a written request for the increase with the State Board of Equalization. This request shall be filed with the Board of Equalization not later than May 15th of any year and shall specify the amount of the increase desired.

Sec. 4.2. Section 773.2 is added to said act, to read:

Sec. 773.2. In years when a general election is held, the Board of Equalization may submit a proposal for an increase in the maximum general tax rate to the electors of the city at the primary election or at any prior special election held pursuant to the provisions of this act, as follows:

"Shall the _____ be authorized to exceed the present
(Name of governmental subdivision)
maximum tax rate limitation of _____ (\$_____) upon each
(Existing rate limitation)
one hundred dollars (\$100) of assessed valuation, estimated to raise additional tax
revenues in an amount approximating _____
(Additional amount which proposed excess
_____ (\$_____) annually for the next _____
tax rate would raise) (State whether two or four)
fiscal years, beginning _____?"
(Date of fiscal year to which the tax levy is to apply)

If the proposal is adopted by a majority of the voters, the increased tax rate shall become effective for the fiscal year to which the tax levy is meant to apply.

Sec. 4.3. Section 773.3 is added to said act, to read:

Sec. 773.3. In years when no general election is held, not later than August 1st, the Board of Equalization shall provide for the holding of a public hearing to consider the proposal. The board shall set a time and place for the hearing and shall publish a notice thereof in a newspaper of general circulation in the city 10 days prior to the hearing. Regardless of the opinion expressed in the public meeting, the board shall determine whether or not the tax rate shall be increased, and the decision of the board is final. In the event that the proposal to increase the tax rate is adopted by the board, the increased rate shall become effective for the fiscal year to which the tax levy is to apply.

Sec. 4.4. Section 773.4 is added to said act, to read:

Sec. 773.4. In no event shall an increase in the general tax rate, adopted by the voters or by the Board of Equalization, become effective prior to July 1, 1944."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1745—An act to add Sections 2151.1 and 2151.2 to the Revenue and Taxation Code, relating to the determination of rates of real property taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 2151.2", and insert "2151.2, 2151.3, 2151.4, 2151.5, 2151.6, and 2151.7".

Amendment No. 2

On page 1 of said bill, between lines 7 and 8, insert
 "Sec. 1.5. Section 2151.2 is added to said code, to read
 2151.2. In any city and county, the maximum general tax levy on property for all general city and county funds and purposes, other than requirements for principal and interest on general obligation bonds, shall not exceed three dollars and twenty-five cents (\$3.25) per each one hundred dollars (\$100) of assessed valuation in any one year."

Amendment No. 3

On page 1, lines 9 and 10, of said bill, strike out "2151.2", and insert "2151.3".

Amendment No. 3.5

On page 1, line 10, of said bill, strike out "2151.2", and insert "2151.3".

Amendment No. 4

On page 1 of said bill, after line 14, insert
 "Sec. 3. Section 2151.4 is added to said code, to read:
 2151.4. The maximum general tax rate may be increased by the methods provided in Sections 2151.5 and 2151.6, whenever the board of supervisors of the county submits a written request for the increase with the State Board of Equalization. This request shall be filed with the board not later than May 15th of any year and shall specify the amount of the increase desired

SEC. 4. Section 2151.5 is added to said code, to read:
 2151.5. In years when a general election is held, the board may submit a proposal for an increase in the maximum general tax rate to the electors of the county at the primary election, as follows: "Shall the _____
 _____ (Name of governmental subdivision)
 _____ be authorized to exceed the present maximum tax rate limitation of _____ (\$____) upon each one hundred dollars (\$100) of (Existing rate limitation) assessed valuation, estimated to raise additional tax revenues in an amount approximating _____ (Additional amount which proposed excess tax rate would raise) (\$____) annually for the next _____ fiscal years, beginning _____ (State whether two or four)?"

_____ (Date of fiscal year to which the tax levy is to apply)

If the proposal is adopted by a majority of the voters, the increased tax rate shall become effective for the fiscal year to which the tax levy was meant to apply.

SEC. 5. Section 2151.6 is added to said code, to read:

2151.6. In years when no general election is held, not later than August 1st, the board shall provide for the holding of a public hearing to consider the proposal of an increase in the tax rate. The board shall set a time and place for the hearing and shall publish a notice thereof in a newspaper of general circulation in the county 10 days prior to the hearing. Regardless of the opinion expressed in the public meeting, the board shall determine whether or not the tax rate shall be increased and the decision of the board is final. In the event that the proposal is adopted by the board, the increased rate shall become effective for the fiscal year to which the tax levy was meant to apply.

SEC. 6. Section 2151.7 is added to said code, to read:

2151.7. In no event shall an increase in the general tax rate, adopted by the voters or by the board, become effective prior to July 1, 1944."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1274—An act to amend Section 4.375 of the School Code and to amend Section 6357 of the Education Code, relating to the maximum rate of school district tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Sections 4.376-1, 4.376-2, 4.376-3, and 4.376-4 to,"

Amendment No. 2

In line 2 of the title of said bill, after "of", insert ", and to add Sections 6358.3, 6358.4, 6358.5, and 6358.6 to,".

Amendment No. 3

On page 2 of said bill, between lines 15 and 16, insert

"SEC. 1.1. Section 4376-1 is added to said code, to read:

4376-1. As an alternative to the method provided in Section 4376, the maximum general tax rate may be increased by the methods provided in Section 4376-2 and Section 4376-3, whenever the Board of Education submits a written request for the increase with the State Board of Equalization. This request shall be filed with the Board of Equalization not later than May 15 of any year and shall specify the amount of the increase desired.

SEC. 1.2. Section 4376-2 is added to said code, to read:

4376-2. In years when a general election is held, the Board of Equalization may submit a proposal for an increase in the maximum general tax rate to the electors of the school district at the primary election or at any prior special election held pursuant to the provisions of this code, as follows:

"Shall the ----- be authorized to exceed the present
(Name of governmental subdivision)

maximum tax rate limitation of ----- (\$-----) upon each
(Existing rate limitation)

one hundred dollars (\$100) of assessed valuation, estimated to raise additional tax
revenues in an amount approximating -----

(Additional amount which proposed excess tax
rate would raise) (\$-----) annually for the next -----
(State whether two or four)

fiscal years, beginning -----?"

(Date of fiscal year to which the tax levy is to apply)

If the proposal is adopted by a majority of the voters, the increased tax rate shall become effective for the fiscal year to which the tax levy is meant to apply.

SEC 1.3. Section 4376-3 is added to said act, to read:

4376-3. In years when no general election is held, not later than August 1st, the Board of Equalization shall provide for the holding of a public hearing to consider the proposal. The board shall set a time and place for the hearing and shall publish a notice thereof in a newspaper of general circulation in the school district 10 days prior to the hearing. Regardless of the opinion expressed in the public meeting, the board shall determine whether or not the tax rate shall be increased, and the decision of the board is final. In the event that the proposal to increase the tax rate is adopted by the board, the increased rate shall become effective for the fiscal year to which the tax levy is to apply.

SEC. 1.4 Section 4376-4 is added to said act, to read:

4376-4 In no event shall an increase in the general tax rate, adopted by the voters or by the Board of Equalization, become effective prior to July 1, 1944 "

Amendment No. 4

On page 3 of said bill, between lines 7 and 8, insert

"SEC. 2.1. Section 6358.3 is added to the Education Code, to read:

6358.3. As an alternative to the method provided in Section 6358, the maximum general tax rate may be increased by the methods provided for in Section 6357.4 and Section 6358.5, whenever the Board of Education submits a written request for the increase with the State Board of Equalization. This request shall be filed with the Board of Equalization not later than May 15th of any year and shall specify the amount of the increase desired.

SEC. 2.2. Section 6358.4 is added to said code, to read:

6358.4. In years when a general election is held, the Board of Equalization may submit a proposal for an increase in the maximum general tax rate to the electors of the school district at the primary election or at a prior special election held pursuant to the provisions of this code, as follows:

"Shall the ----- be authorized to exceed the present
(Name of governmental subdivision)

maximum tax rate limitation of ----- (\$-----) upon each
(Existing rate limitation)

one hundred dollars (\$100) of assessed valuation, estimated to raise additional tax
revenues in an amount approximating -----

(Additional amount which proposed excess tax
rate would raise) (\$-----) annually for the next -----
(State whether two or four)

fiscal years, beginning -----?"

(Date of fiscal year to which the tax levy is to apply)

If the proposal is adopted by a majority of the voters, the increased tax rate shall become effective for the fiscal year to which the tax levy is meant to apply.

SEC. 2.3. Section 6358.5 is added to said code, to read:

6358.5. In years when no general election is held, not later than August 1st, the Board of Equalization shall provide for the holding of a public hearing to consider

the proposal. The board shall set a time and place for the hearing and shall publish a notice thereof in a newspaper of general circulation in the school district 10 days prior to the hearing. Regardless of the opinion expressed in the public meeting, the board shall determine whether or not the tax rate shall be increased, and the decision of the board is final. In the event that the proposal to increase the tax rate is adopted by the board, the increased rate shall become effective for the fiscal year to which the tax levy is to apply.

Sec. 2.4. Section 6358.6 is added to said code, to read:

6358.6. In no event shall an increase in the general tax rate, adopted by the voters or by the Board of Equalization, become effective prior to July 1, 1944."

Amendment No. 5

On page 3, line 9, of said bill, strike out "Section 2", and insert "Sections 2, 2.1, 2.2, 2.3, and 2.4".

Amendment No. 6

On page 3, line 12, of said bill, strike out "Section 4.375 of the School Code amended", and insert "the sections of the School Code added and amended".

Amendment No. 7

On page 3, line 13, of said bill, strike out "is", and insert "are".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1176—An act to amend Sections 1, 2, 4 and 23 and to repeal Section 4a of the Bank and Corporation Franchise Tax Act, relating to the rate of tax and to credits for personal property taxes paid.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1, 2, 4 and 23 and to repeal Section 4a", and insert "4a and 23".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "and to credits for personal property taxes paid", and insert "and method of determining the rate of tax on National banking associations, banks and financial corporations".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 26, inclusive.

Amendment No. 4

On page 2 of the printed bill, strike out lines 1 to 52, inclusive.

Amendment No. 5

On page 3 of the printed bill, strike out lines 1 to 39, inclusive.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 3 of the printed bill, strike out lines 40 and 41, and insert:

"SECTION 1 Section 4a of the Bank and Corporation Franchise Tax Act is hereby amended to read as follows:

Sec. 4a. The rate of tax on National banking associations and other banks and financial corporations mentioned in Sections 1, 2 and 4 of this act shall be a percentage equal to the percentage of the total amount of net income, allocable to this State, of every corporation taxable under subdivision (3) of Section 4 of this act, for the next preceding calendar year or fiscal years ended during such calendar year, required to be paid to this State as franchise taxes according to or measured by such net income [and required to be paid to this State or its political subdivisions as personal property taxes during the preceding calendar year or fiscal years ended in such calendar year; provided, however, that said rate of tax shall not exceed eight per centum. The percentage of the net income of every corporation taxable under subdivision (3) of Section 4 of this act, required to be paid to this State or its political

subdivisions in personal property taxes shall be determined by ascertaining the ratio which the total amount of such personal property taxes, less four per cent thereof, bears to the total amount of net income of such corporations, allocable to California, increased by the amount of such personal property taxes; provided, however, that if any such corporation sustains a net loss allocable to California the personal property taxes required to be paid by such corporation to this State or its political subdivisions during the preceding calendar year or fiscal years ended during such calendar year shall be considered for the purpose of determining such ratio only to the extent which such personal property taxes exceed such net loss allocable to California.

The commissioner, after public hearing and opportunity given to examine the date on which his determination is based, shall determine not later than the thirty-first day of December of each year the average percentage of net income above specified, and shall forthwith mail notice of his determination and the amount of tax payable on the basis of such determination to all banks and financial corporations affected thereby; but such determination shall not be considered a deficiency assessment within the meaning of Section 25 hereof.] *plus 1 per cent of the net income, as disclosed by their returns, of such National banking associations, banks and financial corporations.*

If it be judicially determined that the rate of tax on any bank or corporation is higher than is authorized by law such bank or corporation shall be relieved of liability for any tax imposed by this act only to the extent of the excess beyond that legally authorized."

Amendment No. 7

On page 3, line 42, of the printed bill, strike out "5" and insert "2".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1592—An act to add Part 10, comprising Sections 17001 to 19452, inclusive, to Division 2 of, and to add Section 50015 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of The Personal Income Tax Act, and repealing acts and parts of acts specified herein

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "Bank and Corporation".

Amendment No. 2

On page 43, line 35, of said bill, after "trust", insert "or"

Amendment No. 3

On page 44, line 40, of said bill, after "tax", insert a comma

Amendment No. 4

On page 56, line 49, of said bill, strike out "this article", and insert "Section 18805".

Amendment No. 5

On page 62, lines 20 and 21, of said bill, strike out "computed and levied", and insert "assessed".

Amendment No. 6

On page 68 of said bill, after line 20, insert
"Sec. 3. This act shall take effect July 1, 1945"

Amendments read and adopted.

Bill ordered reprinted and engrossed

SECOND READING OF SENATE BILLS

Senate Bill No. 142—An act to amend Section 688.1 of the Code of Civil Procedure, relating to liens upon causes of action and judgments.

Bill read second time, and ordered to third reading.

Senate Bill No. 342—An act to amend Section 1530 and to repeal Section 1531 of the Probate Code, relating to the sale or encumbrance of property by guardians.

Bill read second time, and ordered to third reading.

Senate Bill No. 350—An act relating to jurisdiction over lands in the Kings Canyon National Park and to add Section 119 to the Government Code, relating to the jurisdiction over said lands.

Bill read second time, and ordered to third reading.

Senate Bill No. 742—An act to provide for uniform blackout and dimout regulations throughout the State, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 1 to 26, inclusive; and on page 2, strike out lines 1 to 5, inclusive, and insert

"CHAPTER 1 ZONES OF RESTRICTED LIGHTING

Section 1 The present situation requires as a matter of military necessity that a zone of restricted lighting be established within the areas described herein, and that illumination within said zone of restricted lighting be extinguished or controlled in such manner and to such extent as may be necessary to prevent such illumination from aiding the operations of the enemy.

Pursuant to said determination and statement of military necessity a zone of restricted lighting, as particularly described as follows, is hereby designated and established, and the entire area of each named county is included except where a portion of a county is specifically described: Alameda, Butte, Colusa, Contra Costa, Del Norte, Glenn, Humboldt, Kings, Lake, Marin, Mendocino, Merced, Monterey, Napa, Orange, Sacramento, San Benito, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Sutter, Trinity, Ventura, Yolo, Yuba, Amador—all that portion situated westerly of El Dorado National Forest, Calaveras—all that portion situated westerly of Stanislaus National Forest, El Dorado—all that portion situated westerly of El Dorado National Forest, Fresno—all that portion situated westerly of Sierra National Forest, Kern—all that portion situated westerly of Meridian 118° 45', which runs approximately three miles west of Glennville, one mile west of Bena and seven miles east of Lebec, Los Angeles—all that portion situated southwesterly of Angeles National Forest and westerly of Mint Canyon, Madera—all that portion situated westerly of Sierra National Forest, Mariposa—all that portion situated westerly of Stanislaus National Forest and Sierra National Forest, Nevada—all that portion situated westerly of Tahoe National Forest, Placer—all that portion situated westerly of Tahoe National Forest, Riverside—all that portion situated westerly of the San Bernardino Meridian, including all of the City of San Jacinto, San Bernardino—all that portion situated southwesterly of the San Bernardino National Forest, San Diego—all that portion situated westerly of Anza Desert State Park, Shasta—all that portion situated westerly of the Mount Diablo Meridian, Tehama—all that portion situated westerly of the Lassen National Forest and westerly of the most westerly boundary of Lassen National Forest projected north along the Mount Diablo Meridian to the southerly boundary of Shasta County, Tulare—all that portion situated westerly of Sierra National Forest, Sequoia National Park and Sequoia National Forest, Tuolumne—all that portion situated westerly of Stanislaus National Forest

Sec. 2 Illumination within the entire area of said zone of restricted lighting described in Section 1 shall be extinguished or controlled at all times at night from sunset to sunrise, as follows:

(a) Signs, Floodlighting, Display and Interior Lighting. Illuminated signs and ornamental lighting of every description which are located out-of-doors, and floodlighting which illuminates buildings or signs (including but not limited to all exterior advertising signs, billboards, display lighting, theater marquee signs, illuminated poster panels and building outline lighting), and all interior light sources (as hereinafter defined) which emit direct rays above the horizontal out-of-doors, shall be extinguished. The words, "light sources," as used herein are intended and shall

be construed to mean and include any light generating elements and the bright portion of any reflector, lens, luminaire, transparency, or other equipment associated herewith for the control or diffusion of light. This Section 2 (a) shall not apply to illumination for industrial or protective purposes except to the extent provided for in Section 2 (b) hereof.

(b) **Illumination of Outdoor Areas; Street and Highway Lights.** Illumination of outdoor areas and industrial and protective illumination, shall be controlled as follows:

(1) Except as provided in Section 2 (b) (2) hereof, illumination on all outdoor areas (including but not limited to automobile service station yards, outdoor parking areas, recreation areas and outdoor structures and roofs) shall not exceed one foot candle at any point when measured on a horizontal plane at any level of such outdoor areas, and all outdoor light sources shall be shielded so that no direct rays from the light source are emitted above the horizontal. All interior lighting of every description shall be reduced or controlled so that it does not contribute more than one foot candle of illumination upon any outdoor area. All street and highway lights shall also be shielded so that each light source emits no more than 10 per cent of its total lamp lumens at angles above the horizontal. Provided the foregoing requirements are met, any further reduction or extinguishment of street or highway illumination which would unnecessarily aggravate traffic hazards is not required.

(2) Variations from the foregoing requirements shall be permitted in the case of illumination for industrial and protective purposes, and from industrial processes, whether interior or exterior, but not including street or highway lights, only when and to the extent that it is necessary to vary from such requirements in order to achieve and maintain maximum efficiency; but only with the written approval of the Commanding General of the Western Defense Command or an agency designated by such commander to approve such variations, obtained in advance.

(c) **Traffic Signs and Signals.** Illuminated signs and signals which are authorized or maintained by Governmental authority for the purpose of controlling or directing street or highway traffic shall be shielded so that no direct rays from the light source are emitted above the horizontal in respect to lights mounted 10 feet or more above the ground, or above an angle of more than six degrees above the horizontal in respect to lights mounted less than 10 but more than three feet above the ground, or above an angle of more than 12 degrees above the horizontal in respect to lights mounted less than three feet above the ground. Relative variations in the upward limit of light are permissible to compensate for grades.

(d) **Navigation and Railroad Lights.** Authorized lights necessary to facilitate air or water navigation, authorized railroad signal lights, and headlights of railroad locomotives when in motion, are hereby excepted from all the provisions of this chapter.

Sec. 3. Definition of "Visible from the Sea." The phrase "visible from the sea," as used herein, is intended and shall be construed to mean and include the following:

Visible at any time from the waters of the Pacific Ocean, or visible from any of those bodies of water located on the shoreline of the State of California generally known and described as follows: Santa Monica Bay, Santa Barbara Channel, San Luis Obispo Bay, Estero Bay, and Monterey Bay; provided, however, that the waters of San Francisco Bay, lying easterly of a line extending from Point Bonita through Mile Rock, is not intended and shall not be construed to be a part of the sea; and solely for the purposes of Section 3 (c) hereof, concerning street and highway traffic, the phrase "areas visible from the sea" is also intended and shall be construed to mean and include that portion of streets or highways which may not in fact be visible from the sea but which is within areas generally visible from the sea.

In addition to the restrictions hereinbefore imposed, illumination within that part of the zone of restricted lighting which is visible from the sea, as herein defined, shall be further diminished or obscured at all times at night from sunset to sunrise, as follows:

(a) **Street, Highway and Traffic Lights.** Street and highway lights, and illuminated signs (but not signals) which are authorized or maintained by Governmental authority for the purpose of controlling or directing street or highway traffic and which are visible from the sea, shall be so shielded that they are not visible from the sea at night and so that no direct rays from the light source are emitted above the horizontal.

(b) **Residential, Commercial and Industrial Windows.** No lighting shall be permitted behind windows or glazed doors visible from the sea unless they are covered by drapes or shades.

(c) **Street and Highway Traffic.** Within areas visible from the sea but subject to the exceptions hereinafter stated, vehicles shall operate at night with no more than two lighted driving lamps, regardless of the direction of travel, and each such lamp shall provide a maximum of not more than 250 beam candlepower. Normal rear lights, license plate lights and clearance lights (where required by law) are permitted. Vehicles which are classified as authorized emergency vehicles under

the laws of this State, when displaying an illuminated red spotlight, and when responding to a fire alarm, or when in the immediate pursuit of an actual or suspected violator of the law, or when going to or transporting a person who is in apparent need of immediate emergency medical or surgical care, or when responding to some other emergency involving the protection of life or property, shall be excepted from the foregoing provision.

(d) Industrial and Protective Illumination. Light sources for industrial purposes and light from industrial processes within areas visible from the sea, shall comply with the requirements of Section 2 (b) hereof, and shall also be shielded so that they are not visible from the sea at night; provided, that variations from these requirements may be permitted in case of illumination for industrial and protective purposes, and from industrial processes, whether interior or exterior (but not including street or highway lights), only when and to the extent that it is necessary to vary from such requirements in order to achieve and maintain maximum efficiency; but only with the written approval of the Commanding General of the Western Defense Command or an agency designated by such commander to approve such variations, obtained in advance.

(e) Other Illumination. Except as heremabov provided in this Section 3, all other lights visible from the sea are prohibited at night, including but not limited to light from fires, bonfires, parked cars, flashlights and lanterns.

Sec. 4. Whenever the California State War Council, after such study, investigation or hearing as it may make, direct or conduct, shall find and determine that additional or different provisions restricting lighting or that restrictions on such lighting are required in other areas in order to prevent aiding the operations of the enemy, the said State War Council shall address its findings to the Governor, and if the Governor concurs therein, he shall proclaim such additional or different restrictions and regulations governing illumination which shall thereupon become effective as laws of this State and shall supersede to the extent of any conflict the provisions of this chapter and any other provisions of law governing illumination. The violation of any such regulations shall constitute a misdemeanor and be punishable as a violation of this chapter. In making such investigations and determinations, the State War Council is hereby directed to consider the findings and recommendations of the Commanding General of the Western Defense Command, and in no event shall the Governor proclaim more restrictive regulations than those specified by said Commanding General, it being the intention that insofar as possible the regulations so adopted shall conform exactly to the orders or recommendations of the Commanding General of the Western Defense Command.

CHAPTER 2. AIR RAID PRECAUTIONS

Sec. 5. "Air raid signal" shall mean a public notice or signal requiring compliance with the provisions of this chapter covering precautions against possible enemy attack within a specified area. The form of said public notice or signal shall be an audible signal of approximately two minutes duration, made by siren, whistle, horn or other audible device, consisting of a fluctuating or warbling sound of varying pitch, or a succession of intermittent blasts of approximately five seconds duration separated by a succession of silent periods of approximately three seconds duration. "All clear signal" shall mean a public notice or signal indicating termination of the requirement of compliance with the provisions of this chapter. The form of said notice or signal shall be a continuous audible signal of approximately two minutes duration at a steady pitch, made by a siren, whistle, horn or other audible device. The form of air raid or all clear signals may be varied to meet local conditions when a permit to vary the form of such signals has been granted by the State Director of Civilian Protection.

"Period of Air Raid Alarm" shall mean the interval of time between the giving of the air raid signal and the giving of the next succeeding all clear signal.

"Period of Blackout" shall mean a period of air raid alarm occurring at night between sunset and sunrise.

"Area of Air Raid Alarm" shall mean the district or area in respect to which an air raid signal is given, as such district may have been defined by the State civilian defense authority and the military command.

Sec. 6. None of the signals described in Section 5 hereof shall be given except by or under the authority of the IV Fighter Command, or such other military agency as may be designated by the Secretary of War.

Sec. 7. Immediately upon the commencement of a blackout period, every person in control of lighting within an area of air raid alarm shall extinguish or obscure all lighting which is visible from out-of-doors and shall keep such lighting extinguished or obscured until such blackout period is ended.

Sec. 8. No person in control of lighting shall permit any such lighting visible from out-of-doors to be left unattended at night from sunset to sunrise. Lighting shall be unattended within the meaning hereof unless it is left under the control of a competent person who has undertaken responsibility for such lighting or unless the lighting is controlled by a mechanical device competent to control such lighting. Persons in control of lighting shall be responsible for the timely and proper functioning of any such mechanical device relied upon for the control of lighting.

Sec. 9. At the commencement of a period of air raid alarm (occurring during either the day or night), the operator of any vehicle shall forthwith bring such vehicle as far as possible to the side of the street, road or highway off the main traveled portion thereof, and the operator of such vehicle, and the operator of any street car, shall bring such vehicle or street car to a stop clear of any crossing, intersection, fire house, fire plug, hospital or other emergency depot or area, and during a period of blackout shall extinguish all lights therein or thereon, and said vehicle or street car shall remain so situated during the period of air raid alarm, unless directed or ordered to move by any highway patrolman, peace officer, auxiliary policeman, air raid warden or other authorized person.

Sec. 10. All persons within an area of air raid alarm in an unsheltered place shall immediately go to the nearest shelter and remain therein until the period of air raid alarm is ended except:

(a) Uniformed members of the armed forces of the United States or of the State Guard, and regular firemen, peace officers or highway patrolmen, all when acting under official orders.

(b) Persons lawfully wearing any arm band with insignia prescribed by the Director of the United States Office of Civilian Defense, and persons lawfully wearing arm bands authorized for the Aircraft Warning Service, only when and to the extent that such persons are required to move or remain away from shelter in the performance of their emergency duties.

Sec. 11. The provisions of this chapter shall not include the following:

(a) "Authorized emergency vehicles" when responding to a fire alarm or when going to or transporting a person who is in apparent need of immediate emergency medical care, or when in immediate pursuit of an actual or suspected violator of the law, or when transporting essential personnel to posts of duty in compliance with specific orders, or when responding to some other emergency involving the immediate protection of life or property or when returning to a dispatching station;

(b) "Auxiliary emergency vehicles" in respect to which a valid written vehicle permit has been issued by, and which is displaying insignia or other identifying devices or articles authorized by, the State Director of Civilian Protection in accordance with rules established by the State War Council; provided, however, such vehicles may travel during the period of air raid alarm only when operated by authorized personnel acting on orders from fire, police or civilian defense authorities, and when responding to a fire alarm, or when going to or transporting a person who is in apparent need of immediate emergency medical care, or when responding to some other emergency involving the immediate protection of life or property, or when transporting essential personnel to posts of duty in compliance with specific orders, or when returning to a dispatching station to receive further emergency orders; provided further, that notwithstanding the provisions of Section 3 (c) of this act auxiliary emergency vehicles shall be permitted to travel, as provided in this paragraph, in areas visible from the sea during periods of blackout when operated under the conditions prescribed by this paragraph.

(c) Vehicles under the control of the armed forces of the United States, the operators of which are acting under official orders

(d) Illumination in connection with railroad operations (except passenger and freight stations, offices and warehouses), aeronautical operations, and illumination in connection with water navigation and in and about ports under the jurisdiction of the United States Navy, and all lights operated by military or naval authority.

Sec. 12. The blackout provisions of this chapter shall not include the following:

(a) Incandescent electric lamps lawfully marked "Indoor Blackout—War Department Standard," and complying with the specifications therefor expressed in "War Department Specifications—Blackout of Buildings," may be left burning in commercial and industrial building interiors without the complete obscuration of doors and windows, only if such lamps are installed in accordance with the following specifications:

(1) In any one room, only one lamp shall be permitted for each two hundred (200) square feet of floor area or fraction thereof.

(2) Lamps shall be spaced not less than 10 feet apart in every direction.

(3) In hallways and corridors only one row of lamps shall be permitted, spaced not less than fifteen (15) feet apart, notwithstanding the provisions of paragraph (2) hereof.

(4) Lamps shall be placed at least three (3) feet from any window or other exterior opening in the building which is not completely obscured, and lamps shall not be pointed toward any such window or other exterior opening.

(5) All lamps shall be located or shielded so that they are not directly visible from out-of-doors when viewed from a point above the level of the bottom of the lamp

(b) Red exit lights shall be permitted within buildings which are open to the public; provided, that all such lights are located or shielded so that no direct rays from such lights are emitted out-of-doors; and provided, that such lights shall be restricted to not more than one lamp of not more than fifteen (15) watts at each exit or at each turning point in the route to an exit

(c) Flashlights may be used during periods of blackout in areas of air raid alarm, provided that such flashlights shall not be pointed above the horizontal and provided that the lens, cover glass or lamp of such flashlights shall be completely screened with material which is the equivalent, in density and light reduction properties, of three thicknesses of ordinary newspaper in the case of flashlights operated by two (2) dry cell batteries plus one additional thickness of such paper for each additional dry cell battery used in the operation of such flashlight.

(d) Lanterns may be left unattended and may be left burning during blackout periods in areas of air raid alarm for the purpose of marking excavations or obstructions in areas open to the public if such lanterns are equipped with red globes and if they are shielded so that no direct rays from the light source are emitted upward beyond twelve degrees (12°) above the base of the lantern flame, and if such lanterns are spaced at least ten (10) feet apart.

(e) Light emitted from industrial processes, such as furnaces, foundries and kilns, where the extinguishment of the light would involve serious difficulties in resuming operations after the blackout, shall be permitted during blackout periods in areas of air raid alarm; provided, that the light is shielded, obscured, reduced in intensity and otherwise controlled to as great an extent as may be practicable to reduce to a minimum the amount of light visible out-of-doors; and provided, that such light is specifically permitted in writing in advance by or under the authority of the State Director of Civilian Protection in respect to each individual case, and provided further, that the granting or denial of such permits shall be subject to review by, and rules and regulations of, the State War Council. Steam or smoke shall be reduced to the lowest practicable minimum except where such steam or smoke is used for protective concealment in accordance with plans approved by military authorities.

SEC 13 All persons are forbidden to order, alter, publish, sound or simulate in any manner any air raid or all clear signal unless authorized to do so as provided in this chapter.

Sec. 14 All persons are forbidden to wear, exhibit or use any arm band, pennant, permit, identification card or other identifying article or device unless lawfully authorized to do so.

Sec 15 Whenever the State War Council after such study, investigation or hearing as it may make, direct or conduct, shall find and determine that additional or different air raid precaution regulations are required in order to protect life or property, the State War Council shall address its findings to the Governor and if the Governor concurs therein, he shall proclaim such additional or different air raid precaution regulations which shall thereupon become effective as law of this State. Such regulations shall supersede to the extent of any conflict the provisions of this chapter and also any other provision of law which interferes with the purposes of this chapter. The violation of any such regulations shall constitute a misdemeanor and shall be punishable as a violation of this chapter.

CHAPTER III.

Sec. 16 Any lighting remaining visible out-of-doors contrary to the provisions of this act constitutes a public nuisance, and the same shall be summarily abated by any peace officer or highway patrolman. Such nuisance may be abated by authorized civilian defense personnel if forcible entry or destruction of property is not required.

Sec 17 Any proclamation issued by the Governor pursuant to the provisions of this act shall be in writing and shall take effect immediately upon issuance thereof. As soon thereafter as possible such proclamation shall be filed in the Office of the Secretary of State. The Governor shall cause widespread publicity and notice to be given such proclamation. Within 10 days after the convening of the next session of the Legislature the Governor shall make a report thereto of the provisions of any such proclamation.

Sec. 18. Any person who violates any of the provisions of this act or who refuses or wilfully neglects to obey any lawful rule, regulation or order promulgated or issued as provided in this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not to exceed five hundred dollars (\$500) or by imprisonment for not to exceed six months, or by both such fine and imprisonment.

Sec. 19. This act shall remain in effect only until the cessation of hostilities in the present war in which the United States is engaged, as declared by the President or the Congress of the United States, or until such time as the Governor after recommendation made by the Western Defense Command or such other military agency as may be designated by the Secretary of War proclaims the provisions of this act are no longer necessary as a matter of military necessity, or to preserve life and property.

Sec. 20. If any section, subsection, subdivision, sentence, clause or phrase of this act is for any reason held to be not in immediate effect, it is the express legislative intent that such decision shall not affect the immediate operation or validity of the remaining portions of this act.

It is the intent of the Legislature that this entire act shall take effect immediately and that if any portion thereof can not, under the Constitution of this State,

so take effect, that all of the remaining provisions hereof shall take effect immediately and that such portion or portions, if any, that can not take effect immediately, shall take effect at the time provided by law. Any portion of this act that may for any reason be held to be not in immediate effect is hereby expressly declared to be severable from the remaining portions of this act.

Further, in the event it is determined that the inclusion of a provision in this act that can not take effect immediately would prevent this act from being construed to be an urgency measure, then any such provision in this act shall be held to be inoperative, and the remaining portions of this act shall take effect immediately.

Sec. 21. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

Sec. 22. This act is hereby declared to be an urgency measure within the meaning of Section 1 of Article IV of the State Constitution, necessary for the immediate preservation of the public peace, health and safety. The statement of the facts constituting such necessity is as follows:

The Western Defense Command of the United States Army has found that military necessity requires the restriction of the intensity of lights in certain areas of this State, and has by order prohibited the use of lights of more intensity than that prescribed. While a violation of such order is a crime under the Federal law, there is no adequate available means by which the Federal Government can enforce such order and it is essential to the war effort that the State be enabled at the earliest possible moment to enforce the provisions of such order. The effect of this bill will be to permit such enforcement by the State.

Uniform air raid precautions are urgently needed to minimize the effect of enemy attack upon life and property and military installations within this State and uniformity is necessary so that all persons going from one area of the State into another may know their duties and conform to the law. It is therefore provided that this act shall take effect immediately."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Request for Rush Order of Printing on Senate Bill No. 742

Mr. McCollister requested that the Chief Clerk be instructed to put a rush order for printing on Senate Bill No. 742.

Request granted.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bill was continued until the next legislative day:

Assembly Bill No. 786.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 697
Assembly Bill No. 700
Assembly Bill No. 702
Assembly Bill No. 703

Assembly Bill No. 704
Assembly Bill No. 706
Assembly Bill No. 709

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 705

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 705
Senate Bill No. 1045
Senate Bill No. 629
Senate Bill No. 149

Senate Bill No. 514
Senate Bill No. 56
Senate Bill No. 666
Senate Bill No. 613

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 705—An act to add Section 9603.6 to the Revenue and Taxation Code, relating to the motor vehicle transportation license tax, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1045—An act to add Section 57.7 to the State Civil Service Act, relating to the Secretary of the Advisory Pardon Board.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 629—An act to amend Sections 619.5 and 620 of the Fish and Game Code, relating to bag limits and to lake fishing.

Referred to Committee on Fish and Game.

Senate Bill No. 149—An act to repeal Sections 7032, 7033, 9032, and 9033 of the Insurance Code, all relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 514—An act to amend Sections 271, 273, 274, 275, 276, 277, 281, and 283, and to repeal Section 279, of the Agricultural Code, relating to bee diseases and inspection.

Referred to Committee on Agriculture.

Senate Bill No. 56—An act to amend Section 11870 of the Insurance Code, relating to the insurance of public employees with the State Compensation Insurance Fund.

Referred to Committee on Finance and Insurance.

Senate Bill No. 666—An act to amend Sections 10490, 10500, 10971 and 10972 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 613—An act to provide for the final liquidation of the State Land Settlement, for the disposition by the State of all real and personal property and funds owned or held by the State in connection therewith, and to repeal the Land Settlement Act, an act entitled "An act authorizing the Department of Finance to manage, administer, or dispose of certain real and personal property owned by the State of California, at Delhi State Lands Settlement, and acquired through trade of property at Delhi State Lands Settlement," approved July 22, 1939, and Sections 361e, 361f, 361g, 361h, 361i, 690a, 690b, 690c and 690d of the Political Code.

Referred to Committee on Governmental Efficiency and Economy.

RESOLUTIONS

The following resolutions were offered .

By Mr. Hawkins:

House Resolution No. 152

Relative to memorializing Congress to make an adequate appropriation to the Farm Security Administration

WHEREAS, One of the primary factors in the successful operation of the war is the ability of the Nation's farmers to increase the production of food; and

WHEREAS, A report released by Honorable Claude E. Wickard, Secretary of Agriculture, indicates that the small farmers who borrowed from the Farm Security Administration are responsible for a good portion of the increased food production in 1942, namely, 36 per cent of the increased production of milk, 27 per cent of the dry bean increase, 10 per cent of the egg increase, 10 per cent of the chicken increase and 7 per cent of the sugar beef increase; and

WHEREAS, Every consideration should be given to small farmers to stimulate them to further increase during 1943; and

WHEREAS, Many small farmers are dependent upon the Farm Security Administration in order to make necessary purchases of equipment, fertilizer and feed; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States be respectfully memorialized to make an adequate appropriation to the Farm Security Administration; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Secretary of Agriculture, the Farm Security Administration, the Speaker of the House of Representatives of the United States and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Pelletier and Weybret:

House Resolution No. 153

Relating to requesting the Governor to appoint a committee to cooperate with Federal agencies to plan for the growing of guayule for rubber production in the State

WHEREAS, Congress has authorized the Emergency Rubber project of the United States Forest Service to undertake the growing of guayule for rubber production and to acquire land therefor; and

WHEREAS, Much of the land so acquired has been acquired in the State of California; and

WHEREAS, Guayule can be produced on thousands of acres of otherwise unproductive California land; and

WHEREAS, Production of guayule rubber may conceivably become a major industry of the State and may alleviate the anticipated post-war unemployment problem; and

WHEREAS, Production of guayule is an infant industry of the State that merits State planning and encouragement for its growth; and

WHEREAS, There has been friction, confusion and misunderstanding between the State of California and the Federal agencies in control of the Rubber Program; and

WHEREAS, The climate of the State will be conducive to an abundant growth of guayule plants, now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor is hereby requested to appoint a citizens' committee consisting of five members to cooperate with the Federal authorities having jurisdiction over the Emergency Rubber Project, to assist in working out a plan for the development of the guayule rubber industry in the State, and to represent farmers of the State in relation to the project

Resolution read, and referred to Committee on Rules and House Functions.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1129—An act to amend Section 57 of an act entitled "An act relating to the State civil service, including the adap-

tation thereof to Article XXIV of the State Constitution," approved July 1, 1937, relating to employees of the Attorney General's Office.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65

NOES—Heisinger—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 843—An act to amend Section 18461 of the Education Code, relating to schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—Denny, Dilworth, and Lowrey—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1071—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read third time.

Motion to Amend

Mr. Burns moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended, after line 23, insert

"A privately owned vehicle of a class defined as an authorized emergency vehicle in this section shall not be operated as an authorized emergency vehicle unless and until a permit has been obtained therefor from the Chief of the California Highway Patrol.

Whenever such vehicle is being used for purposes other than as an authorized emergency vehicle, the siren must be disconnected and the red light covered. Any violation of this provision is cause for revocation of this permit"

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 635—An act to add Sections 453.5, 453.6, 453.7, 453.8, and 453.9 to the Fish and Game Code, relating to storage locker plants.

Bill read third time.

Motion to Amend

Mr. Doyle moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "the Fish and Game Preservation Fund", and insert "any money available for the support of the Commission".

Amendment No. 2

On page 1, line 15, of the printed bill, after "of", insert "such".

Amendment No. 3

On page 1, line 17, of said bill, strike out "wild game birds, or".

Amendment No. 4

On page 1, line 25, of said bill, strike out "wild game birds, or", and insert "such".

Amendment No. 5

On page 2 of said bill, strike out lines 15 and 16, and insert "453.9. Section 23 of this code shall not apply to cold storage plants and cold storage locker plants operated in compliance with Sections 453.5, 453.6, 453.7, and 453.8 hereof."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 240—An act to amend Sections 45 and 46 of the Elections Code, relating to petitions and papers signed by voters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Carey, Carlson, Clarke, Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, and Mr. Speaker—56.

NOES—Collins, George D., O'Day, and Wollenberg—3

Notice of Motion to Reconsider Assembly Bill No. 240

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 240 was this day passed.

Assembly Bill No. 865—An act to add Section 459.3 to the Vehicle Code, relating to traffic on road approaches to private airports, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 12.22 p.m., on motion of Mr. Desmond, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MOTION TO PRINT IN JOURNAL

Mr. Bashore moved that an editorial appearing in "The News" of Biggs, California, be printed in the Journal.

Substitute Motion

Mr. Field moved, as a substitute motion, that the motion of Mr. Bashore, together with a copy of the editorial, be referred to the Committee on Rules and House Functions.

Motion carried.

SENATE CONSTITUTIONAL AMENDMENT NO. 10 ORDERED TO INACTIVE FILE

The Speaker ordered Senate Constitutional Amendment No. 10 withdrawn from the active file, and placed upon the inactive file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 18—Relative to the construction of a dam on the Stanislaus River.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Carey, Clarke, Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—52.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 275—An act to amend Section 117b of the Code of Civil Procedure, relating to the small claims affidavit and order.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Carey, Clarke, Collins, George D., Crichton, Crowley, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 912—An act to amend Section 528 of the Political Code, relating to the printing and distribution of laws

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 913—An act to amend Section 4316 of the Political Code, relating to the privileges of public officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 914—An act to amend Section 4022 of the Political Code, relating to official bonds of county and township officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 915—An act to amend Section 665.5 of the Political Code, relating to deductions from the salaries and wages of officers and employees of the State for the purpose of buying United States bonds or similar United States obligations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lowrey, Lyons.

Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 916—An act to add Section 1184e to the Code of Civil Procedure, relating to claims against public agencies, including claims against those persons rendering services or supplying personal property to public agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 917—An act to amend Section 2 of an act entitled "An act to provide for wage and salary deductions for public officers and employees for the purpose of purchasing United States savings bonds or similar United States obligations, including the adding of Section 665.5 to the Political Code, declaring the urgency thereof, and providing that this act shall take effect immediately," approved January 26, 1942, relating to wage and salary deductions for public officers and employees for the purpose of purchasing United States bonds or similar United States obligations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 918—An act to amend Section 4141 of the Political Code, relating to recording fee.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 920—An act to repeal Section 3235 of the Political Code, relating to the products of Mongolian labor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 958—An act to establish a Government Code, thereby consolidating and revising the law relating to the organization, operation, and maintenance of a system of State and local government, and repealing acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 214—An act to add Section 30022.2 to the Business and Professions Code, relating to money collected under the California Terminal Weighing Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 215—An act to add Section 30031.5 to the Business and Professions Code, repealing an act entitled "An act to prohibit prize-fighting," approved March 9, 1893.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream,

Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 216—An act to add Section 30034.5 to the Business and Professions Code, repealing Chapter 436 of the Statutes of 1933, relating to horse racing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 217—An act to add Section 30045 to the Business and Professions Code, repealing certain acts and parts of acts therein specified, relating to auctioneers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Notice of Motion to Reconsider Senate Bill No. 217

Mr. Middough gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 217 was this day passed.

Senate Bill No. 218—An act to add Section 30022.1 to the Business and Professions Code, repealing certain laws relating to the tare on baled hops.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 219—An act to add Article 4, comprising Section 12925, to Chapter 9 of Division 5 of the Business and Professions Code,

and to add Section 30022.4 to the Business and Professions Code, relating to wool products and repealing acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 220—An act to add Article 3, comprising Sections 12915 to 12921, inclusive, to Chapter 9 of Division 5 of the Business and Professions Code, and to add Section 30022.3 to the Business and Professions Code, thereby codifying and revising the law relating to the baling and pressing of hay and repealing acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 221—An act to add Article 7.5, comprising Sections 7125 and 7126, to Chapter 9 of Division 3 of, and to add Section 30016.5 to, the Business and Professions Code, thereby consolidating and revising the law relating to workmen's compensation reports of licensed contractors, and repealing acts and parts of acts therein specified.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 223—An act to add Chapter 2, comprising Sections 11500 to 11628, inclusive, and Chapter 3, comprising Sections 11650 to 11658, inclusive, to Part 2 of Division 4 of the Business and Professions

Code, to add Section 30043 to the Business and Professions Code, and to amend Section 325 of the Revenue and Taxation Code, thereby consolidating and revising the law relating to the surveying, subdividing and mapping of real estate; the sale and disposal of real estate by reference to maps; the powers and duties of cities, counties and towns with reference to the surveying, subdividing and mapping of real estate, and the preparation of official maps; prescribing penalties for violations thereof and repealing acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 525—An act to amend Sections 3 and 7 of "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same." approved May 26, 1915, relating to noxious or dangerous weeds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF SENATE BILL NO. 465

Mr. Lowrey requested that Senate Bill No. 465 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Request granted.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1066—An act to amend Sections 251, 252, 267, 302, 305, 307, 310, 353, 414, 415, 416, 417 and 418 of the Vehicle Code, relating to drivers' licenses and proof of ability to respond in damages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin,

Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1414—An act to add Section 471.5 to the Agricultural Code, relating to cream.

Bill read third time.

Motion to Amend

Mr. Thorp moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 1 to 28; and on page 2, strike out all of lines 1 to 28, and insert

"Notwithstanding any of the provisions of Section 471 hereof, until the ninety-first day after the final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever shall occur first, cream shall contain not less than 18 per cent of milk fat and not more than 8 per cent of milk solids not fat in cream containing 18 per cent of milk fat."

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Armstrong, Bennett, Berry, Brady, Brown, Burns, Carey, Clarke, Collins, George D., Crichton, Desmond, Dickey, Doyle, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, Kraft, Leonard, Maloney, McCollister, Niehouse, O'Day, Sargent, Sheridan, Smith, Stream, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Anderson, Bashore, Beck, Burkhalter, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Gaffney, Heisinger, Lowrey, Lyons, Massion, Middough, Miller, and Pelletier—17.

Bill ordered reprinted and re-engrossed.

Hon. R. Fred Price Presiding

At 2.45 p.m., Hon. R. Fred Price, Member of the Assembly from the Seventy-second District, presiding.

Assembly Bill No. 315—An act to amend Section 506 and to add a new section numbered 509 (a) of the Agricultural Code, relating to the making of ice cream and ice milk.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

Motion carried. Time, 3 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

UNANIMOUS CONSENT WITHHELD

Mr. Price, presiding, asked if there were any objection to proceeding with the business of the House under the call of the Assembly.

Mr. Evans objected.

Motion to Temporarily Suspend the Rules

Mr. Maloney moved that Rule No. 33 be temporarily suspended for the purpose of considering the third reading file, at this time.

Motion carried.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY**Speaker Pro Tempore Presiding**

At 3.08 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Speaker Presiding

At 3.09 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 855—An act to amend Sections 452, 525, 528 and 596 of, and to add Sections 459.1 and 459.2 to, the Vehicle Code, relating to traffic regulations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—O'Day—1.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. T. Fenton Knight:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 3.5, comprising Sections 3490 and 3491, to Part 6, Division 1 of the Revenue and Taxation Code, relating to tax sales.

Respectfully submitted.

T. FENTON KNIGHT

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. T. Fenton Knight.

An act to add Chapter 3.5, comprising Sections 3490 and 3491, to Part 6, Division 1 of the Revenue and Taxation Code, relating to tax sales.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 1955: By Mr. T. Fenton Knight—An act to add Chapter 3.5, comprising Sections 3490 and 3491, to Part 6, Division 1 of the Revenue and Taxation Code, relating to tax sales, to take effect immediately.

Referred to Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1747—An act to add Section 44.2 to the Vehicle Code, relating to authorized emergency vehicles, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "44.2", and insert "44.3".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "44.2", and insert "44.3".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "44.2", and insert "44.3".

Amendment No. 4

On page 1, line 4, of the printed bill, strike out "organization, etc.", and insert "the American National Red Cross. (a)".

Amendment No. 5

On page 1, line 5, of the printed bill, strike out "Sections 44,"; and strike out lines 6 to 23, inclusive, and insert "other provisions of this code any motor vehicle owned or operated as an ambulance by the American National Red Cross when

responding to emergency calls shall be deemed to be an authorized emergency vehicle, whether or not specially constructed and exclusively maintained as such, when operating under a permit issued by the director. When the vehicle is not used as an ambulance the red light must be covered and the siren disconnected.

(b) Motor vehicles owned or operated by the American National Red Cross for the purpose of transporting medical supplies, clothing, food, or other necessities during times of major disasters, are authorized emergency vehicles under the following conditions:

(1) When the vehicle has a permit from the director.

(2) When the vehicle is equipped with a lamp that shall display a translucent red cross as prescribed by the director.

(3) When such vehicle displays a pennant as prescribed by the director, or displays the Red Cross insignia plainly visible to the front, side, and rear.

Notwithstanding the provisions of Sections 454 and 554, the sounding of the horn intermittently and the prescribed Red Cross lamp lighted shall be deemed in compliance with these sections.

Whenever such a vehicle is being operated for purposes other than those specifically authorized herein, the pennant shall be removed or furled, and the Red Cross lamp covered. The director may revoke a permit for the violation of any of the provisions of this section."

Amendment No. 6

On page 2 of the printed bill, strike out lines 1 to 14, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

WITHDRAWAL OF BILLS FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Waters asked for, and was granted, unanimous consent, that Assembly Bills Nos. 962, 963, and 964 be withdrawn from Committee on Conservation, Natural Resources, and Planning, for the purpose of amendment, at this time.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 962—An act to add Sections 5015, 5016, and 5017 to the Public Resources Code, relating to parks and beaches.

Bill read second time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 3 to 23, inclusive; and on page 2, strike out lines 1 to 28, inclusive, and insert

"5015. The State Park Commission, in addition to other powers and duties conferred upon it by law, shall in cooperation with the State Planning Board and the planning commissions of the coastal cities and counties affected, create and establish a State-wide shoreline master plan to provide a comprehensive program relating to shore areas, so as to correlate and coordinate all county master plans of shoreline development of the various coastal counties, and as an aid in preparing a shoreline planning program for filing applications before the Federal Government to meet the Federal requirements for postwar projects, and for the purpose of making studies of the ocean shoreline, including tidewater bays and inlets thereof, for recreation purposes only, and beach protection, improvement and development, preparing shoreline and beach protection and improvement plans and reports for other agencies of the State Government, and preparing a comprehensive report relating to centralized control by the State of shoreline and beach protection improvement and development.

The State Park Commission shall, before officially adopting a shoreline master plan, as prepared by the Beach Erosion Control Engineer, submit its plans and recommendations to the State Planning Board and to the regional, county and city planning commissions of the coastal counties having jurisdiction, for study, coordination and recommendations. Failure of the State Planning Board, or of any coastal county or city planning commissions, to report their recommendations to the State

Park Commission within ninety (90) days from the time of receiving such master plan, shall be deemed to constitute approval of the master plan as submitted by the State Park Commission, unless a time extension be granted by mutual consent of the State Park Commission and the city, county, or State planning commissions. The State Park Commission may include in the State-wide shoreline master plan the recommendations of the State Planning Board, and of the coastal city, county or regional planning commissions affected, after full consideration of said recommendations, or may reject said recommendations by a four-fifths vote.

The State Park Commission is hereby authorized and directed to employ a Beach Erosion Control Engineer whose duties shall be to supervise the carrying out of the provisions of this act pertaining to ocean shore structures, under the jurisdiction of said Park Commission."

Amendment No. 2

On page 2 of said bill, strike out all of lines 32 to 52, inclusive; and on page 3, strike out all of lines 1 to 4, inclusive, and insert

"5016. In carrying out its work the State Park Commission may enter into such agreements with State departments and other cooperating agencies, including the Federal Beach Erosion Board, as may be mutually satisfactory, and may utilize such funds, services, equipment and facilities as may be necessary therefor in making surveys and engineering studies for preliminary designs for ocean beach and shoreline preservation and protection work, for which the Federal Erosion Board was created. It may also, within the limits of funds provided for its use, employ such engineers and other technical and clerical assistance as may be needed to enable it to perform its duties.

In case of any cooperative arrangement or agreement made with the Beach Erosion Board of the United States or with any other Federal agency thereof which may require matching funds to be supplied by the United States or any agency thereof, such funds need not be deposited in the State treasury or otherwise made available for expenditure by the State, but may be retained by the Federal agency for expenditure by it in carrying out the purposes of this act as may be provided for by such arrangement or agreement therewith.

It shall be the function and duty of the State Park Commission whenever the public interests are involved to make, and to assist in the making of investigations, surveys and studies of the erosion of shores and beaches and of means for the prevention of such erosion and for the development and improvement of ocean shorelines and the protection of ocean shore areas, including tidewater bays and inlets, for recreation purposes only. The State Park Commission in making its report on any work or project relating to shore protection, shall state its opinion as to the advisability of the project and its value to the public and recommend the amount of the cost thereof which shall be borne by the State. The commission shall also recommend what land should be acquired for the construction or maintenance of protective works."

Amendment No. 3

On page 3 of said bill, strike out all of lines 8 to 19, inclusive, and insert

"5017. No expenditures for acquisition shall be made until the State Park Commission has prepared a general plan of acquisition with consideration given to priorities listed in the county master plans of shoreline development and indicating allotments by counties and cities, and has held public hearings on such plan and officially approved and published same. Expenditures for acquisition shall be equitably distributed among the coastal counties and cities on basis of population, needs and the general use, on recreational, scenic and other public value.

Purchases of such areas are hereby authorized for (a) control, development, improvement, protection and management by the State, (b) for development, improvement, protection and management by counties and cities under lease or contract arrangement and (c) for development, improvement and protection by State and management under lease or contract by local governments."

Amendment No. 4

On page 3, lines 25 and 26, of said bill, strike out "during the Ninety-fifth and Ninety-sixth Fiscal Years".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 963—An act to add Section 5015 to the Public Resources Code, relating to appointment of a Beach Erosion Control Engineer.

Bill read second time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5015", and insert "Sections 506.6 and 506.7".

Amendment No. 2

In line 2 of the title of said bill, after "relating", insert "to the powers and duties of the State Park Commission respecting shoreline protection, improvement and development of State or publicly owned ocean beaches, and".

Amendment No. 3

On page 1, line 1, of said bill, strike out "5015", and insert "506.6".

Amendment No. 4

On page 1, line 3, of said bill, strike out "5015", and insert "506.6".

Amendment No. 5

On page 1 of said bill, strike out all of lines 4 and 5, and insert "and directed to appoint, in accordance with civil service and other provisions of law, such officers and other expert and clerical assistants as it may deem necessary, including a Beach Erosion Control Engineer. The Beach Erosion Control Engineer shall be a".

Amendment No. 6

On page 1 of said bill, strike out all of lines 8 to 12, inclusive, and insert "and shoreline protection, improvement, and development. It shall be his duty:".

Amendment No. 7

On page 1, line 14, of said bill, after "the", insert "development,".

Amendment No. 8

On page 1, line 18, of said bill, strike out "Reports"; and strike out all of lines 18 to 23, inclusive; and on page 2, strike out lines 1 to 6, inclusive, and insert "for the improvement, development, and protection of public beaches.

(c) To cooperate with all agencies of government, Federal and State, for the purpose of carrying out the provisions of this code, and to act in an advisory capacity on beach erosion, protection, improvement and development when requested by political subdivisions of the State, when so authorized by the State Park Commission.

(d) To cooperate with the State Lands Commission and the Division of State Lands in respect to the construction, alteration and maintenance of groins, jetties, seawalls, breakwaters, bulkheads and piers upon and across or over tidelands and submerged lands where such construction, alteration or maintenance will affect publicly-owned beaches devoted to park and recreation use, or beaches planned to be acquired ultimately for public recreation purposes.

(e) To assist in the preparation of a State Master Plan of Shoreline Development, which plan shall take into consideration, correlate and coordinate, as nearly as feasible, the master plans of shoreline development of the various coastal counties of the State.

SEC. 2. Section 506.7 is added to the Public Resources Code, to read:

506.7. The State Park Commission shall have power to adopt, alter, change or amend any State Master Plan of Shoreline Development, as recommended by the Beach Erosion Control Engineer."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 964—An act making an appropriation for the acquisition, development and protection of ocean beaches for public recreational use.

Bill read second time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, after "development", insert ", improvement".

Amendment No. 2

On page 1, line 5, of said bill, after "beaches", insert ", including tidewater bays and inlets for recreation purposes only,".

Amendment No. 3

On page 1, line 8, of said bill, after "development", insert ", improvement".

Amendment No. 4

On page 1, line 11, of said bill, strike out "or", and insert "and".

Amendment No. 5

On page 1 of said bill, strike out all of line 12, and insert "California ocean shoreline, including tidewater bays and inlets, for recreation purposes only."

Amendment No. 6

On page 1, line 15, of said bill, strike out "prior to July 1, 1944".

Amendment No. 7

On page 1 of said bill, strike out all of lines 18 to 23, inclusive; and on page 2, strike out all of lines 1 to 9, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON ASSEMBLY BILL NO. 315**

At 3.29 p.m., on motion of Mr. Desmond, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 315 passed by the following vote:

AYES—Armstrong, Berry, Brady, Burns, Carlson, Clarke, Collins, George D., Crichton, Denny, Desmond, Dickey, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Maloney, McCollister, Miller, Niehouse, O'Day, Potter, Price, Sargent, Sawalisch, Stream, Thomas, Thompson, Thorp, Waters, Weybret, Wollenberg, and Mr. Speaker—43.

NOES—Anderson, Bashore, Beck, Bennett, Brown, Burkhalter, Carey, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Hawkins, Heisinger, Knight, T. Fenton; Lowrey, Lyons, Ma-sion, McMillan, Middough, Pelletier, Robertson, Rosenthal, Sheridan, Smith, Watson, Weber, and Werdel—31.

Notice of Motion to Reconsider Assembly Bill No. 315

Mr. Ralph C. Dills gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 315 was this day passed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Maloney:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Article 5, comprising Sections 1970 to 1973, inclusive, to Chapter 4, Part 1, Division 6, of the Harbors and Navigation Code, relating to the power of the Board of State Harbor Commissioners for San Francisco Harbor to sell and lease to the United States of America or any of its departments, acting by and through any of its various agencies, property of the State of California under the control and jurisdiction of said board, to take effect immediately.

Respectfully submitted,

T. A. MALONEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Maloney:

An act to add Article 5, comprising Sections 1970 to 1973, inclusive, to Chapter 4, Part 1, Division 6, of the Harbors and Navigation Code, relating to the power of the Board of State Harbor Commissioners for San Francisco Harbor to sell and lease to the United States of America or any of its departments, acting by and through any of its various agencies, property of the State of California under the control and jurisdiction of said board, to take effect immediately.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 1956: By Mr. Maloney—An act to add Article 5, comprising Sections 1970 to 1973, inclusive, to Chapter 4, Part 1, Division 6, of the Harbors and Navigation Code, relating to the power of the Board of State Harbor Commissioners for San Francisco Harbor to sell and lease to the United States of America or any of its departments, acting by and through any of its various agencies, property of the State of California under the control and jurisdiction of said board, to take effect immediately.

Without reference to committee.

Rush Order for Printing Requested

Upon request of Mr. Maloney, a rush order for the printing of Assembly Bill No. 1956 was ordered by the Speaker.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 96—An act to amend Section 1263 of the Civil Code of the State of California, relating to homesteads;

Assembly Bill No. 163—An act to amend Section 928 of the Penal Code, relating to county grand juries;

Assembly Bill No. 402—An act to amend Sections 9161, 9167 and 9220 and to amend and renumber Sections 9162 and 9163 of, and to repeal Article 2, comprising Sections 9370 to 9377, inclusive, of Chapter 4, Division 9, of the Public Resources Code, relating to soil conservation, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of March, 1943, at 2 p.m.

PELLETIER, Chairman

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 386

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WERDEL, Chairman

Above reported bill ordered to second reading.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Sam L. Collins, the Journals for Monday, March 22, 1943; Tuesday, March 23, 1943; Wednesday, March 24, 1943; Thursday, March 25, 1943; and Friday, March 26, 1943, were approved as corrected by the Minute Clerk.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 686 re-referred to Committee on Civil Service and State Departments.

Assembly Bill No. 516 re-referred to Committee on Finance and Insurance.

Assembly Bill No. 606 re-referred to Committee on Roads and Highways.

Assembly Joint Resolution No. 16 re-referred to Committee on Roads and Highways.

Assembly Bill No. 313 re-referred to Committee on Public Health.

Assembly Bill No. 526 re-referred to Committee on Judiciary.

Assembly Bill No. 227 re-referred to Committee on Judiciary.

Assembly Bill No. 328 re-referred to Committee on Judiciary.

Assembly Bill No. 92 re-referred to Committee on Judiciary.

Assembly Bill No. 807 re-referred to Committee on Judiciary.

Assembly Bill No. 559 re-referred to Committee on Municipal and County Government.

Assembly Bill No. 774 re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1254 re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1035 re-referred to Committee on Municipal and County Government.

Assembly Bill No. 729 re-referred to Committee on Municipal and County Government.

Assembly Bill No. 378 re-referred to Committee on Judiciary

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Ralph C. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Florence Rozelle of Compton.

On request of Messrs. Bashore and Carlson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Marian Elizabeth McCulloch, and Miss Verna McCulloch of Piedmont.

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant P. Ostroske of Yorkville, Ohio.

On request of Messrs. Thomas and Bashore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Cliff Hix of San Pedro.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Herbert Hanley of San Francisco.

On request of Mr. Dilworth, the privilege of the floor of the Assembly for this day was unanimously extended to Mr. Walter V. Pittman of Riverside.

On request of Mr. McMillan and the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Michael Fanning of Los Angeles.

On request of Mr. Sargent, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Murray Chotiner of Los Angeles.

On request of Mr. Watson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Holmes Bishop of Orange, parents of File Clerk Mrs. Velma Dunlap.

On request of the Speaker and the Los Angeles Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Wm. J. McNichols of Los Angeles.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Commander Martin Tarpey of San Francisco.

On request of Mr. Stream and the San Diego County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to V. J. Dorman and Sam Cloggett of San Diego.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to I. C. Hilgers of Los Angeles.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert A. Heffner of Los Angeles.

On request of Mr. Erwin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Gerald Keple, former Member of the Assembly, of Whittier.

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Helene Goursolle of Sacramento.

ADJOURNMENT

At 3.35 p.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, March 30, 1943.

C. WILLIAM QUEALE. Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FORTIETH LEGISLATIVE DAY
EIGHTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, March 30, 1943

The Assembly met at 10 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowlev, Debs, Denny, Desmond, Dickev, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Bless the Lord, O my soul; and all that is within me, bless His holy name. As the heaven is high above the earth, so great is Thy mercy toward all who fear Thee. As far as the east is from the west, so far hast Thou removed our transgressions from us. Fill our hearts this day with Thy presence that we may offer sacrifices of thanksgiving and pay our vows unto the Most High.

"I thank Thee just for life,
The chance to live,
To be alive! So great Thy gift,
If Thou dost nothing give
Beside, it is enough.
To breathe Thy air,
To walk the mountain sod,
To feel the play of mighty winds,
And call Thee God!"

We ask it in our Saviour's name. AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. King.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:
Mr. Allen, on motion of Mr. Evans.

MOTION TO EXCUSE MEMBER

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, because of illness.

COMMUNICATIONS

By Speaker Lyon:

The following communication was received and ordered printed in the Journal:

SANTA ROSA, CALIFORNIA, March 30, 1943

Hon. Charles W. Lyon

Speaker of the Assembly, State Capitol

California Joint Welfare Committee in Bay District mass meeting Townsend Hall, 414 Mason Street, San Francisco, March 28th, unanimously passed a resolution respectfully requesting the immediate printing of Assembly Bill No. 660 to meet the urgent demand of thousands of taxpaying citizens who are interested in this important bill.

CALIFORNIA JOINT WELFARE COMMITTEE
FRANCES E. FAULKNER

By the Chief Clerk:

The following communication was received and, on motion of Mr. Maloney, ordered printed in the Journal:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES, WASHINGTON, D. C., March 22, 1943

Mr. Arthur A. Ohnimus, Chief Clerk.

California Legislature, Sacramento, California

DEAR MR. OHNIMUS: I wish to acknowledge receipt of your letter of March 15th enclosing copy of Assembly Journal of March 9, relative to the "Food Shortage Created by Bureaucratic Rule."

The California delegation have had a number of meetings on this subject matter and we hope after conferences with the Secretary of Agriculture and Mr. Brown, Director of the OPA, that California will get some relief.

Very sincerely,

RICHARD J. WELCH, M. C.

By Mr. Anderson:

The following communication was received, read, and ordered printed in the Journal:

RESOLUTION No. 1515

A resolution of the city council of the City of Hawthorne, California, approving Assembly Bill No. 196 and requesting its adoption

The city council of the City of Hawthorne does resolve as follows:

SECTION 1. That Assembly Bill No. 196 is pending before the California Legislature and provides that sessions in the superior court shall be held in each city exceeding population of 25,000.

SEC. 2 That the passage of said bill would result in sessions of the superior court being held in Inglewood, California, a distance of three miles from the City of Hawthorne.

SEC. 3 That the passage of said bill would result in a great saving of time to citizens and litigants of the City of Hawthorne and will enable them to attend sessions of the superior court three miles from their home; that said result will be of great value to residents of the City of Hawthorne

SEC. 4 That it is hereby declared, determined and found that the passage of Assembly Bill No. 196 will result in a benefit to the City of Hawthorne and its taxpayers and that said bill should be passed by the California Legislature

SEC. 5 That the California Legislature is hereby requested to immediately pass said Assembly bill and copies of this resolution be forwarded immediately to Glenn

M. Anderson, Assemblyman from the Forty-sixth Assembly District, with the request that he use all efforts within his power to secure the passage of Assembly Bill No. 196

PASSED, APPROVED AND ADOPTED this twenty-second day of March, 1943.

HAROLD E. CROZIER

Mayor of the City of Hawthorne, California

ATTEST: HELEN M. LEHNE, City Clerk

State of California }
County of Los Angeles }
City of Hawthorne }

I, HELEN M. LEHNE, City Clerk of the City of Hawthorne, California, do hereby certify that the foregoing resolution, being Resolution No. 1515, was duly passed and approved by the city council of the City of Hawthorne, California, at a regular meeting of the said city council, held on the twenty-second day of March, 1943, and the same was adopted by the following vote:

AYES: Councilmen Dawes, Jones, Hawley, Chitry and Crozier.

NOES: None.

ABSENT: None.

HELEN M. LEHNE

City Clerk of the City of Hawthorne, California

[SEAL]

Above communication ordered referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 103—An act to add Section 73 to the State Civil Service Act, relating to payment for overtime to State civil service employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 357—An act to add Section 174 to the State Civil Service Act, relating to reinstatement of persons who leave the civil service to serve as seamen on vessels of the United States during the present war.

Bill read second time, and ordered engrossed.

Assembly Bill No. 386—An act to amend Section 869a of the Civil Code, relating to the effect of omitting beneficiaries in instruments to trustee affecting real property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 283—An act to add Article 3, comprising Section 356, to Chapter 4 of Part 1 of Division 3 of the School Code, and to add Article 3, comprising Section 8286, to Chapter 3 of Division 4 of the Education Code, relating to the absence of pupils from school for participation in religious exercises or for moral and religious instruction.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 1, of the printed bill, after "Pupils", insert "with the written consent of their parents or guardians."

Amendment No. 2

On page 1, line 9, of said bill, strike out "designated places", and insert "suitable place or places designated by the religious group, church, or denomination"

Amendment No. 3

On page 2, line 9, of said bill, after "Pupils", insert ", with the written consent of their parents or guardians,".

Amendment No. 4

On page 2, line 12, of said bill, strike out "designated places", and insert "suitable place or places designated by the religious group, church, or denomination".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1894—An act to add Section 57.6 to the State Civil Service Act, relating to the position of associate forestry engineer.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "57.6", and insert "57.1".

Amendment No. 2

On page 1, line 5, of said bill, strike out ", the position of Associate"; and strike out all of line 6, and insert "any person or group of persons holding the position or positions of Associate Forestry Engineer in the Department of Natural Resources who are either employees of the Federal Government or whose selection is subject to the rules or requirements of the Federal Government, engaged in work done by cooperation between the State and Federal Government or engaged in work financed in whole or in part with Federal funds."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 150—An act to amend Sections 3, 4, 5, 8, 10 and 13 of the Personal Income Tax Act and Sections 17052, 17305, 17951, 17953, 18401, 18402, 18405 and 18431 of the Revenue and Taxation Code, relating to taxation of the incomes of individuals, estates, and trusts, including exemptions, returns, and imposition of tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 3 of the printed bill, strike out lines 32 to 39, inclusive, and insert "excess of thirty thousand dollars (\$30,000), 7 per centum in addition of such excess."

Amendment No. 2

On page 5, line 7, of said bill, after "income taxes", insert "payment of which is made within the taxable year".

Amendment No. 3

On page 9 of said bill, strike out lines 36 to 51, inclusive, and insert

"(a) Returns required by Section 4 shall be under oath; all other returns required by this act shall be in such form as the commissioner may from time to time prescribe, and shall be filed with the commissioner, at his main office or at any branch office which he may establish. The commissioner shall cause to be prepared blank forms for the said returns and shall cause them to be distributed throughout the State and to be furnished upon application, but failure to receive or secure the form shall not relieve any taxpayer from the obligation of making any return herein required.

(b) Any individual who wilfully makes and subscribes a return which does not believe to be true and correct as to every material matter, shall be guilty of a felony."

Amendment No. 4

On page 10 of said bill, strike out lines 42 to 46, inclusive, and insert "in excess of thirty thousand dollars (\$30,000), 7 per cent in addition of such excess."

Amendment No. 5

On page 11, line 20, of said bill, after "taxes", insert "payment of which is made within the taxable year".

Amendment No. 6

On page 13 of said bill, strike out lines 2 to 16, inclusive, and insert "18431. Returns required by Section 18405 shall be under oath; all other returns required by this chapter shall be in such form as the commissioner may from time to time prescribe, and shall be filed with the commissioner at his main office or at any branch office which he may establish. The commissioner shall prepare blank forms for the returns and shall distribute them throughout the State and furnish them upon application. Failure to receive or secure the form does not relieve any taxpayer from making any return required. Any individual who wilfully makes and subscribes a return which he does not believe to be true and correct as to every material matter, shall be guilty of a felony."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1569—An act to amend Sections 46, 47, 85, 96.5, 112, 152.5, and 173 of and to add Sections 116.5 and 152.6 to the State Civil Service Act, relating to the State civil service

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "96.5," and "152.5,".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "sections", and insert "section".

Amendment No. 3

In line 2 of the title of the printed bill, strike out "and 152.6".

Amendment No. 4

On page 1, line 24, of the printed bill, strike out "or within the county".

Amendment No. 5

On page 1, line 26, of the printed bill, strike out "and", and insert "or"

Amendment No. 6

On page 2, line 23, of the printed bill, strike out "providing. However, if said", and insert a period and "If".

Amendment No. 7

On page 2, line 26, of the printed bill, strike out "said", and insert "such".

Amendment No. 8

On page 2 of the printed bill, strike out lines 39 to 49, inclusive; and on page 3, strike out lines 1 to 10, inclusive.

Amendment No. 9

On page 3, line 11, of the printed bill, strike out "5", and insert "4".

Amendment No. 10

On page 3, line 28, of the printed bill, strike out "6", and insert "5".

Amendment No. 11

On page 3 of the printed bill, strike out lines 41 to 51, inclusive; and on page 4, strike out lines 1 to 26, inclusive.

Amendment No. 12

On page 4, line 27, of the printed bill, strike out "9", and insert "6".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1570—An act to amend Section 149 of the State Civil Service Act, relating to leaves of absence, declaring the urgency thereof and to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments :

Amendment No. 1

In line 1 of the title of the printed bill, strike out "section", and insert "sections 96 5,".

Amendment No. 2

In line 1 of the printed bill, after "149", insert "and 152 5".

Amendment No. 3

In line 1 of the title of the printed bill, after "of", insert "and to add Section 152 6 to".

Amendment No. 4

In line 2 of the title of the printed bill, strike out "leaves of absence", and insert "the State civil service".

Amendment No. 5

On page 1 of the printed bill, immediately preceding line 1, insert
 "SECTION 1. Section 96 5 of the State Civil Service Act is amended to read:
 Sec. 96 5. Any person whose name appears on any employment list and who enters the armed forces of the United States before such list upon which his name appears is abolished shall retain his place on such list until the expiration of three years from the termination of his service with the armed forces; provided, however, this section does not apply to any person who refuses to accept appointment to a position after certification thereto subsequent to his discharge from the armed forces, or who has not been certified during his service with the armed forces of the United States."

Amendment No. 6

On page 1, line 1, of the printed bill, strike out "1", and insert "2".

Amendment No. 7

On page 1 of the printed bill, immediately following line 21, insert
 "Sec. 3. Section 152 5 of the State Civil Service Act is amended to read:
 Sec. 152 5. Whenever the United States is engaged in war or whenever the Governor finds and proclaims that an emergency exists in preparing for the National Defense, any permanent or probationary civil service employee of the State in good standing who enters the military service of the United States, whether voluntarily or otherwise, shall have the absolute right to be restored to his former position with the same civil service status formerly had by him upon application by him to the board within 90 days after the termination of such military service. The provisions of this section shall apply to all such civil service employees who enter the military service during any such war or until the Governor finds and proclaims that the emergency no longer exists.

If, upon the reinstatement of employees after military service as provided in this section, it is found necessary because of lack of work or lack of funds or in the interests of economy to reduce the staff of the State agency, the appointing power shall lay off employees in accordance with the procedure set forth in Section 172 and the rules of the board; provided, however, that only those employees in the class will be considered in the layoff who have been appointed to their positions since September 1, 1940; and provided, further, that employees so reinstated after military service shall be excluded from the resulting layoff unless there is no position in the class in the agency or the number of positions in the class to be retained is less than the number of employees so reinstated.

Sec. 4. Section 152 6 is added to the State Civil Service Act, to read:

Sec. 152.6. Whenever the United States is engaged in war or whenever the Governor finds and proclaims that an emergency exists, in preparing for the National Defense, the board shall have the authority to provide by rule for the making of appointments from employment lists for the duration of such war or emergency in those classes in which the best interests of the service would be served by such appointments, to be known as "duration appointments." Such appointments shall automatically terminate 90 days after the termination of the war or after the Governor finds and proclaims that the emergency no longer exists. Subject to the provisions of this section duration appointees shall be subject to such conditions affecting status and tenure during and after such employment as the board, in accordance with the best interests of the State service, may by rule determine."

Amendment No. 8

On page 1, line 22, of the printed bill, strike out "2", and insert "5".

Amendment No. 9

On page 2 of the printed bill, strike out lines 3 to 10, inclusive, and insert "of California, and they have been granted leaves of absence to aid in that effort. This act makes provision for the situations created by the granting of such leaves both during the present emergency and at the end thereof. It is necessary that these provisions be made applicable immediately for the best interests of the war effort and the State service".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 194—An act to amend Section 38c of the State Employees' Retirement Act, relating to retirement systems.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 278	Assembly Bill No. 766
Assembly Bill No. 279	Assembly Bill No. 772
Assembly Bill No. 280	Assembly Bill No. 839
Assembly Bill No. 295	Assembly Bill No. 890
Assembly Bill No. 443	Assembly Bill No. 912
Assembly Bill No. 532	Assembly Bill No. 967
Assembly Bill No. 643	Assembly Bill No. 1007
Assembly Bill No. 668	Assembly Bill No. 1061
Assembly Bill No. 717	Assembly Bill No. 1173
Assembly Bill No. 763	Assembly Bill No. 1175

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 40
Assembly Joint Resolution No. 42

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)**SECOND READING OF ASSEMBLY BILLS (RESUMED)****House Resolution No. 72**

WHEREAS, Scandinavians and people of Scandinavian descent have observed October 9th of each year as the occasion to honor the memory of Leif Ericson, the famed Norwegian seaman, who was the first white man known to have landed on the shores of North America some 942 years ago; and

WHEREAS, The principles of democracy were first expounded by the Scandinavians as early as the year 900 A.D.; and

WHEREAS, The American people are now engaged in the greatest of all wars as a protector of such principles and the general rights of free peoples; now, therefore, be it

Resolved by the Assembly of the State of California, That October 9, 1943, shall be designated as "Leif Ericson Day" in California; and be it further

Resolved, That civic, fraternal, and patriotic groups and the general public are requested to join with Scandinavians in celebrating such day; and be it further

Resolved, That public schools observe the occasion by devoting one-half hour to appropriate exercises relative to and in commemoration of the life and history of Leif Ericson and the principles he fostered; and be it further

Resolved, That should such date fall upon a holiday, such school exercises shall be held on the school day nearest such date.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules and House Functions:

Amendment No. 1

In paragraph 4, line 1 of said paragraph, of the printed resolution, as it appears on page 473 of the Assembly Journal of January 27, 1943, strike out "9, 1943," and insert "9th, of each year,".

Amendment No. 2

In paragraph 6, line 1 of said paragraph, of the printed resolution, after "schools", insert "may".

Amendment No. 3

In paragraph 7, line 1 of said paragraph, of the printed resolution, strike out "shall", and insert "may".

Amendments read and adopted.

Request for Unanimous Consent

Mr. Hollibaugh asked for, and was granted, unanimous consent to take up House Resolution No. 72, as amended, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 72, AS AMENDED

WHEREAS, Scandinavians and people of Scandinavian descent have observed October 9th of each year as the occasion to honor the memory of Leif Ericson, the famed Norwegian seaman, who was the first white man known to have landed on the shores of North America some 942 years ago; and

WHEREAS, The principles of democracy were first expounded by the Scandinavians as early as the year 900 A.D.; and

WHEREAS, The American people are now engaged in the greatest of all wars as a protector of such principles and the general rights of free peoples; now, therefore, be it

Resolved by the Assembly of the State of California, That October 9th, of each year, shall be designated as "Leif Ericson Day" in California; and be it further

Resolved, That civic, fraternal and patriotic groups and the general public are requested to join with Scandinavians in celebrating such day; and be it further

Resolved, That public schools may observe the occasion by devoting one-half hour to appropriate exercises relative to and in commemoration of the life and history of Leif Ericson and the principles he fostered; and be it further

Resolved, That should such date fall upon a holiday, such school exercises may be held on the school day nearest such date.

Resolution, as amended, read and adopted.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Concurrent Resolution No. 47

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 36

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 935
Assembly Bill No. 980
Assembly Bill No. 1810
Assembly Bill No. 451
Assembly Bill No. 455
Assembly Bill No. 459

Assembly Bill No. 460
Assembly Bill No. 464
Assembly Bill No. 468
Assembly Bill No. 470
Assembly Bill No. 478

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 34
Senate Bill No. 133
Senate Bill No. 565
Senate Bill No. 566

Senate Bill No. 691
Senate Bill No. 991
Senate Bill No. 382
Senate Bill No. 718

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 34—An act to amend Sections 2453, 2454, 2600, 2621, 2626, 2627, 2628, 2629, 2633, 2670, 2742, 2840, 2841, 2893, 2897, and the article heading of Article 4, of Chapter 2 of Division 5, and to repeal Sections 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2622, 2623, 2624, 2625, 2630, 2631, and 2632 of the Elections Code, relating to sponsor certificates and verification deputies.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 133—An act to amend Section 4267 of the Political Code, relating to compensation for public services in counties of the thirty-eighth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 565—An act to amend Section 2160 and to add Section 1529 to the Welfare and Institutions Code, relating to public assistance, providing for payment of aid while in a public hospital.

Referred to Committee on Social Welfare.

Senate Bill No. 566—An act to amend Sections 1500 and 1522 of, and to add Section 1552.5 to, the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Senate Bill No. 691—An act to amend Sections 1552.5, 2220 and 3078.5 of the Welfare and Institutions Code, relating to reports to the

State Department of Social Welfare with respect to the suspension of grants of aid.

Referred to Committee on Social Welfare.

Senate Bill No. 991—An act to amend Section 1203 of the Penal Code, relating to granting probation.

Referred to Committee on Judiciary.

Senate Bill No. 382—An act to amend Sections 5.822, 5.850, 5.851, 5.852, and 5.852-1 of the School Code and to amend Sections 14340, 14432, 14439 and 14450 of, and to add Section 14456.1 to, the Education Code, relating to the State Teachers Retirement System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 718—An act to release The Regents of the University of California from all obligations assumed by said The Regents of the University of California pursuant to the provisions of Sections 1, 2 and 3 of an act entitled, "An act appropriating five hundred twenty-five thousand dollars (\$525,000) to be used and expended by The Regents of the University of California for the construction and equipment of a building or buildings on the site of the University of California at Los Angeles; providing that none of said money shall be drawn or expended until said The Regents shall deliver to the Chairman of the Department of Finance an obligation binding said The Regents (a) to set aside for sale certain real property in Los Angeles owned by said The Regents; (b) not to use or permit to be used the same so as to interfere with or prevent its sale, provided, that said The Regents may lease the whole or part of said property for periods of not more than six months; (c) to sell parts or parcels of said property or the whole at such prices and on such terms and conditions as said The Regents with approval of the Department of Finance shall fix; (d) to pay over to the State Treasury all sums received from sales or rentals, less the costs of selling and leasing and the necessary costs of care and maintenance of said real property; providing that on sale of the last part or the whole of said real property and payment of all moneys agreed to be paid into the State Treasury by said The Regents, the Chairman of the Department of Finance shall deliver to said The Regents a written acknowledgment that all requirements of said The Regents' obligation have been performed and further providing that said The Regents shall thereupon be discharged of every duty and requirement in the premises, declaring the urgency thereof and providing that this act shall take effect immediately," approved May 31, 1929, assenting to the conveyance to the State of California by The Regents of the University of California of certain real property in the City of Los Angeles, providing for the transfer to the State of California of leases and contracts of sale affecting said real property, and providing for the sale of such property by the State.

Referred to Committee on Universities and Colleges

MOTION TO PRINT IN JOURNAL

Mr. Desmond moved that an editorial appearing in the Sacramento Bee of March 27th be printed in the Journal.

Substitute Motion

Mr. Carlson moved, as a substitute motion, that the motion by Mr. Desmond, together with a copy of the editorial, be referred to the Committee on Rules and House Functions.

Motion carried.

MOTION TO PRINT IN JOURNAL

Mr. Hawkins moved that an article appearing in the Congressional Record of March 15th be printed in the Journal.

The Speaker ordered the motion and article referred to the Committee on Rules and House Functions.

UNFINISHED BUSINESS**Consideration of Senate Amendments**

Assembly Bill No. 705—An act to amend Section 1062 of the Agricultural Code, relating to materials exempt from the economic poisons provisions of said code.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 705?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out the second "or", and insert "use by humans, or for"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 705 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, King Knight, John B., Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered enrolled.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motions to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 786.

Assembly Bill No. 315.

Assembly Bill No. 240.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 217 WAIVED

Mr. Middough waived his notice of motion to reconsider the vote whereby Senate Bill No. 217 was passed.

Senate Bill No. 217 ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 463—An act to add Section 3041a to the Penal Code and to amend Sections 3043 and 3045 of the Penal Code, relating to paroles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Albert M. King Presiding

At 10.40 a.m., Hon. Albert M. King, Member of the Assembly from the Fourth District, presiding.

Assembly Bill No. 126—An act to amend Sections 5245 and 5252 of the Streets and Highways Code, relating to special assessment proceedings and the calling for bids.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 93—An act to amend Section 117d of the Code of Civil Procedure, relating to small claims court and the time for appearance therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 94—An act to amend Section 117 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1551—An act to amend Section 41 of the Probate Code, relating to bequests to charity and charitable use

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1552—An act to amend Section 1 of an act entitled "An act to provide for the establishing and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, relating to destruction of such records as the result of enemy action or from any other cause.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1631—An act to amend Section 1 of an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts," approved July 1, 1937, relating to retirement of judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, O'Day,

Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—58
 NOES—Anderson, Bashore, Debs, Massion, McMillan, and Pelletier—6

Bill ordered transmitted to the Senate.

Assembly Bill No. 529—An act to repeal Section 5 of an act entitled “An act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation,” approved April 14, 1913, relating to the reconversion of registered bonds into coupon bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, Niehouse, O’Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 591—An act to amend Section 14230 of the Health and Safety Code, relating to fire protection districts in unincorporated areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O’Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 632—An act amending Section 4300c of the Political Code, relating to the fees of county recorders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O’Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 787—An act to amend Section 86 of the Agricultural Code, relating to the powers of district agricultural associations, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 442—An act to amend Section 17 of an act approved March 22, 1941, entitled "An act creating a public airport district designated 'Monterey Peninsula Airport District'; defining its boundaries; providing for its organization, government and maintenance; prescribing its powers, duties, and liabilities; providing for the alteration of its boundaries, and the dissolution of said district."

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Maloney, McCollister, McMillan, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1054—An act to add Section 862 29 to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to powers of a city council in cities of the sixth class.

Bill read third time.

Motion to Amend

Mr. Leonard moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out the first "to".

Amendment No. 2

On page 1, line 13, of said bill, strike out "said act", and insert "the act cited in the title hereof".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RE-REFERENCE OF ASSEMBLY JOINT RESOLUTION NO. 42

Mr. Sam L. Collins moved that Assembly Joint Resolution No. 42 be withdrawn from the file, and re-referred to the Committee on Rules and House Functions.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 914—An act to amend Section 4891 of the Health and Safety Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brown, Burkhalter, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, King, Knight, John B., Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—49.

NOES—Bashore, Burns, Clarke, Desmond, Dilworth, Dunn, Field, Hastain, Hollibaugh, Johnson, Kellems, Lowrey, McCollister, Stream, and Thorp—15.

Motion to Amend Title

Mr. John B. Knight moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert ", relating to sewer maintenance districts".

Amendment read and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.40 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Assembly Bill No. 915—An act to amend the title of the Municipal Improvement Act of 1913, and to add Section 1f thereto, relating to the formation of maintenance districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Edward F. O'Day Presiding

At 11.42 a.m., Hon. Edward F. O'Day, Member of the Assembly from the Twenty-fourth District, presiding.

Assembly Bill No. 90—An act to add Chapter 3, consisting of Sections 8330 and 8331, to Part 3, Division 9, of the Streets and Highways Code, relating to the vacation of city streets and providing for the reservation of certain easements therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Ralph C. Dills:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 9, consisting of Sections 3900 to 3919, inclusive, to Part 6, Division 1, of the Revenue and Taxation Code, relating to actions by purchasers of tax-deeded property to determine adverse claims to or clouds upon that property.

Respectfully submitted.

RALPH C. DILLS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Ralph C. Dills:

An act to add Chapter 9, consisting of Sections 3900 to 3919, inclusive, to Part 6, Division 1, of the Revenue and Taxation Code, relating to actions by purchasers of tax-deeded property to determine adverse claims to or clouds upon that property.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

The following bill was introduced, and read the first time:

Assembly Bill No. 1957: By Mr. Ralph C. Dills (By request)—An act to add Chapter 9, consisting of Sections 3900 to 3919, inclusive, to Part 6, Division 1, of the Revenue and Taxation Code, relating to actions by purchasers of tax-deeded property to determine adverse claims to or clouds upon that property.

Referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1316	Assembly Bill No. 1472
Assembly Bill No. 1331	Assembly Bill No. 1473
Assembly Bill No. 1337	Assembly Bill No. 1474
Assembly Bill No. 1338	Assembly Bill No. 1475
Assembly Bill No. 1350	Assembly Bill No. 1564
Assembly Bill No. 1395	Assembly Bill No. 1595
Assembly Bill No. 1406	Assembly Bill No. 1903
Assembly Bill No. 1412	Assembly Bill No. 1904
Assembly Bill No. 1455	Assembly Bill No. 1925

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 30

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 147	Assembly Bill No. 421
Assembly Bill No. 326	Assembly Bill No. 485
Assembly Bill No. 350	Assembly Bill No. 541

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 14
Assembly Bill No. 945
Assembly Bill No. 1071

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 764

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 1387

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1261

Assembly Bill No. 1260

Assembly Bill No. 310

Assembly Bill No. 578

Assembly Bill No. 580

Assembly Bill No. 584

Assembly Bill No. 661

Assembly Bill No. 662

Assembly Bill No. 938

Assembly Bill No. 1052

Assembly Bill No. 1091

Assembly Bill No. 1258

Assembly Bill No. 1394

Senate Bill No. 222

Senate Bill No. 224

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 458

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-fer to the committee.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 75

Assembly Bill No. 579

Assembly Bill No. 581

Assembly Bill No. 585

Assembly Bill No. 801

Assembly Bill No. 910

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

Committee on Universities and Colleges

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER. Your Committee on Universities and Colleges, to which were referred:

Assembly Bill No. 539

House Resolution No. 140

Senate Bill No. 471

Has had the same under consideration, and reports the same back with the recommendation: Do pass

JOHNSON, Chairman

Above reported bills ordered to second reading.

House Resolution No. 140 ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER Your Committee on Universities and Colleges, to which were referred:

Assembly Bill No. 152

Assembly Bill No. 233

Assembly Bill No. 515

Assembly Bill No. 1590

Assembly Bill No. 1602

Has had the same under consideration, and reports the same back with the recommendation Do pass, and be re-referred to Committee on Ways and Means

JOHNSON, Chairman

Above reported bills re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Universities and Colleges, to which was referred:

Assembly Bill No. 1278

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

JOHNSON, Chairman

Above reported bill ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 128

Assembly Bill No. 216

Assembly Bill No. 154

Assembly Bill No. 342

Assembly Bill No. 192

Assembly Bill No. 380

Assembly Bill No. 212

Assembly Bill No. 1111

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman

Above reported bills ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 165

Assembly Bill No. 538

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 159

Assembly Bill No. 305

Assembly Bill No. 292

Assembly Bill No. 1389

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 331

Assembly Bill No. 1531

Assembly Bill No. 516

Assembly Bill No. 1549

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 583

Assembly Bill No. 657

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 67

Assembly Bill No. 960

Assembly Bill No. 636

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 173

Assembly Bill No. 1160

Assembly Bill No. 348

Senate Bill No. 51

Assembly Bill No. 753

Senate Bill No. 191

Assembly Bill No. 1040

Senate Bill No. 192

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Joint Resolution No. 42

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered to second reading.

RECESS

At 12.03 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1956

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to second reading.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 1956, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1956

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Maloney:

Resolved, That Assembly Bill No. 1956 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that sec-

tion requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C. Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kraft, Leonard, Lowrey, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 1956—An act to add Article 5, comprising Sections 1970 to 1973, inclusive, to Chapter 4, Part 1, Division 6, of the Harbors and Navigation Code, relating to the power of the Board of State Harbor Commissioners for San Francisco Harbor to sell and lease to the United States of America or any of its departments, acting by and through any of its various agencies, property of the State of California under the control and jurisdiction of said board, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1956—An act to add Article 5, comprising Sections 1970 to 1973, inclusive, to Chapter 4, Part 1, Division 6, of the Harbors and Navigation Code, relating to the power of the Board of State Harbor Commissioners for San Francisco Harbor to sell and lease to the United States of America or any of its departments, acting by and through any of its various agencies, property of the State of California under the control and jurisdiction of said board, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate

**WITHDRAWAL OF ASSEMBLY BILL NO. 974 FROM COMMITTEE,
BY UNANIMOUS CONSENT**

Mr. Smith asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 974 from Committee on Public Utilities, Manufacturing, and Corporations, for purpose of amendment.

Request for Unanimous Consent

Mr. Smith asked for, and was granted, unanimous consent to take up Assembly Bill No. 974, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 974

Assembly Bill No. 974—An act to amend Section 494 of the Civil Code, relating to the sale of property and franchises of railroad corporations.

Bill read second time.

Motion to Amend

Mr. Smith moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "all or substantially all of its property and franchises", and insert "its property and franchises, or any part thereof,".

Amendment No. 2

On page 1, line 12, of said bill, strike out "property and franchises", and insert "railroad franchises and property".

Amendment No. 3

On page 1, line 18, of said bill, after "transfer", insert "of all or substantially all of its property and franchises".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 342—An act to amend Section 1530 and to repeal Section 1531 of the Probate Code, relating to the sale or encumbrance of property by guardians.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dehs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisunger, Hollibaugh, Johnson, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 142—An act to amend Section 688.1 of the Code of Civil Procedure, relating to liens upon causes of action and judgments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 350—An act relating to jurisdiction over lands in the Kings Canyon National Park, and to add Section 119 to the Government Code, relating to the jurisdiction over said lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXCUSE MEMBER FOR BALANCE OF THE LEGISLATIVE DAY

Upon request of Mr. Fourt, Mr. Doyle was excused for the balance of the legislative day, because of illness.

Mr. Fourt noted that this was the first request for absence made by Mr. Doyle during his legislative career.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 784—An act to amend Section 92 of the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1071—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered :

Assembly Concurrent Resolution No. 48: By Mr. Dickey—Relative to approving certain amendments to the charter of the City of Alameda, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the ninth day of March, 1943.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 48, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 48

Assembly Concurrent Resolution No. 48—Relative to approving certain amendments to the charter of the City of Alameda, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the ninth day of March, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented :

By Mr. Bennett :

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows: An act making an appropriation to the Department of Motor Vehicles, to take effect immediately

Respectfully submitted.

ELWYN S. BENNETT

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Bennett:

An act making an appropriation to the Department of Motor Vehicles, to take effect immediately.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66
 NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE
 OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 1958: By Mr. Bennett—An act making an appropriation to the Department of Motor Vehicles, to take effect immediately.

Referred to Committee on Ways and Means

RESOLUTIONS

The following resolutions were offered:

By the Committee on Rules and House Functions.

House Resolution No. 154

Resolved, That the following named person be and she is hereby appointed to the position hereinafter set forth, with the compensation set opposite her name payable weekly, on a 7-day per week basis, and the Controller is hereby directed to draw his warrant in favor of said person for said amount, and the Treasurer is hereby directed to pay the same:

<i>Commencing Friday, March 26, 1943</i>	<i>Per day</i>
Germaine Barry, Assistant Sergeant-at-Arms	\$6 00

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 154, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

By the Committee on Rules and House Functions:

House Resolution No. 155

Resolved. That the following named person be and she is hereby appointed to the position hereinafter set forth, with the compensation set opposite her name payable weekly, on a 6-day per week basis, and the Controller is hereby directed to draw his warrant in favor of said person for said amount, and the Treasurer is hereby directed to pay the same:

<i>Commencing Monday, March 29, 1943</i>	<i>Per day</i>
Elizabeth Weber, Assistant Engrossing and Enrolling Clerk-----	\$7 00
	SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 155, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Drills, Clayton A. Dills, Ralph C. Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Mason, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thorp, Waters, Watson, Weber, Werdel, Wevbret, Wollenberg, and Mr. Speaker—64.

NOES—None.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 717 re-referred to Committee on Judiciary.

Assembly Bill No. 890 re-referred to Committee on Municipal and County Government.

Senate Bill No. 742 re-referred to Committee on Military Affairs.

Assembly Bill No. 326 re-referred to Committee on Public Health.

Assembly Bill No. 147 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 14 re-referred to Committee on Public Morals.

Assembly Bill No. 485 re-referred to Committee on Judiciary.

Assembly Bill No. 541 re-referred to Committee on Judiciary.

Assembly Concurrent Resolution No. 30 re-referred to Committee on Social Welfare.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 803,
BY UNANIMOUS CONSENT**

Mr. Clarke asked for, and was granted, unanimous consent to have Senate Bill No. 803 withdrawn from the Committee on Judiciary, and re-referred to the Committee on Governmental Efficiency and Economy

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1412—An act to add Division 1.5, comprising Sections 1001 to 1209, inclusive, to the Public Resources Code, relating to surveys and maps, creating a State Board of Mapping and Surveys

of Natural Resources in the Department of Natural Resources, and prescribing its powers and duties.

Bill read third time.

Motion to Amend

Mr. Weber moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1.5, comprising Sections 1001 to 1209", and insert "8, comprising Sections 8001 to 8211".

Amendment No. 2

In line 3 of the title of said bill, strike out "Mapping", and insert "Maps".

Amendment No. 3

In lines 4 and 5 of the title of said bill, strike out "of Natural Resources in the Department of Natural Resources".

Amendment No. 4

On page 1, line 1, of said bill, strike out "1.5, comprising Sections 1001 to 1209", and insert "8, comprising Sections 8001 to 8211".

Amendment No. 5

On page 1, line 4, of said bill, strike out "1.5. STATE MAPPING", and insert "8. STATE MAPS".

Amendment No. 5.5

On page 1 of said bill, strike out line 5.

Amendment No. 6

On page 1, line 9, of said bill, strike out "1001", and insert "8001".

Amendment No. 7

On page 1, line 11, of said bill, strike out "1a", and insert "8".

Amendment No. 8

On page 1, line 13, of said bill, strike out "1002. "Department" ", and insert "8002. "Board" ".

Amendment No. 9

On page 1, line 14, of said bill, strike out "Department of Natural Resources", and insert "State Board of Maps and Surveys".

Amendment No. 10

On page 1 of said bill, strike out lines 16 to 22, inclusive.

Amendment No. 11

On page 2, line 1, of said bill, strike out "1005", and insert "8003".

Amendment No. 12

On page 2 of said bill, strike out lines 3 to 6, inclusive, and insert "8004 "State Base Map" refers to a map of the State, in quadrangular sections, compiled by photogrammetric methods from aerial photographs and its complimentary planimetric or topographic map compiled by the same methods, which base map shall be at definite scales governed by the size of the sections or units."

Amendment No. 13

On page 2, line 8, of said bill, strike out "DIVISION OF MAPPING", and insert "STATE BOARD OF MAPS".

Amendment No. 14

On page 2 of said bill, strike out line 9.

Amendment No. 15

On page 2 of said bill, strike out lines 11 and 12, and insert "8101. A State Board of Maps and Surveys is hereby created."

Amendment No. 16

On page 2, line 14, of said bill, strike out "1102", and insert "8102".

Amendment No. 17

On page 2, line 15, of said bill, strike out "Mapping", and insert "Maps".

Amendment No. 18

On page 2, line 16, of said bill, strike out "of Natural Resources. Technical", and insert ". Technical procedure for".

Amendment No. 19

On page 2, line 17, of said bill, strike out "base maps", and insert "State base map".

Amendment No. 20

On page 2, line 20, of said bill, strike out "1103", and insert "8103".

Amendment No. 21

On page 2, line 27, of said bill, after "to", insert "the".

Amendment No. 22

On page 2 of said bill, between lines 28 and 29, insert

"§104 Notwithstanding the provisions of Section §103, the existence of the board and the offices of the members thereof shall be terminated 30 days after the board certifies to the Governor and the Legislature that in accordance with the provisions of this division it has caused to be made a complete State base map or maps which conform to specifications of the board and that a final report complying with the provisions of Section §201 has been prepared. The board is hereby directed to make such certification when the acts to be certified to have been completed.

Upon the termination of the existence of the board the Governor may direct the Department of Public Works or any other State department to assume the responsibility of preserving the records, maps, data and reports prepared in pursuance of this division."

Amendment No. 23

On page 2, line 29, of said bill, strike out "1104", and insert "8105".

Amendment No. 24

On page 2, line 30, of said bill, strike out "and".

Amendment No. 25

On page 2, line 32, of said bill, after "appointment", insert ", and a registered civil engineer as provided in Chapter 7 of Division 3 of the Business and Professions Code"

Amendment No. 26

On page 2, line 34, of said bill, strike out "1105", and insert "8106".

Amendment No. 27

On page 2, line 39, of said bill, strike out "1106", and insert "8107".

Amendment No. 28

On page 2, line 46, of said bill, strike out "1107", and insert "8108".

Amendment No. 29

On page 2, line 47, of said bill, strike out "or be employed", and insert "as a commissioner, board member or appointee, or be a permanent employee of any other".

Amendment No. 30

On page 2, line 48, of said bill, strike out "by any".

Amendment No. 31

On page 3, line 1, of said bill, strike out "1108. The Governor may appoint as ex officio", and insert "8109. The Governor may appoint as advisory, nonvoting".

Amendment No. 32

On page 3, line 3, of said bill, strike out "Standard", and insert "Standards".

Amendment No. 33

On page 3 of said bill, after line 9, insert "(g) Chief of the Division of Highways."

Amendment No. 34

On page 3, line 11, of said bill, strike out "1109" and insert "8110".

Amendment No. 35

On page 3, line 15, of said bill, strike out "1110", and insert "8111".

Amendment No. 36

On page 3, line 22, of said bill, strike out "1111", and insert "8112".

Amendment No. 37

On page 3, line 25, of said bill, strike out "1112", and insert "8113".

Amendment No. 38

On page 3, line 28, of said bill, strike out lines 28 and 29, and insert "State, and necessary clerical employees."

Amendment No. 39

On page 3, line 31, of said bill, strike out "MAPPING", and insert "MAPS".

Amendment No. 40

On page 3, line 32, of said bill, strike out "OF NATURAL RESOURCES".

Amendment No. 41

On page 3 of said bill, strike out lines 34 to 40, inclusive, and insert "8201. The board shall cause data to be assembled covering the various types of maps produced or being produced by the various agencies of the State, their uses and estimated cost of production, the mapping facilities of all departments engaged in the preparation of maps and any duplication of mapping by State departments. All State agencies making maps shall cooperate with the board in furnishing the necessary information covering all mapping procedure. These assembled data shall serve as a basis of a report which shall be prepared and submitted together with the recommendations of the board to the Governor and Legislature."

Amendment No. 42

On page 3, line 42, of said bill, strike out "1201", and insert "8202".

Amendment No. 43

On page 3, line 43, of said bill, strike out "of natural resources".

Amendment No. 44

On page 3 of said bill, between lines 46 and 47, insert "8203. The board, under specifications prepared by its executive officer, shall enter into such contracts for necessary geodetic surveys for control both horizontal and vertical and for the establishment of a rectangular plane coordinate system for the State as may be necessary in the production of State base maps."

Amendment No. 45

On page 3 of said bill, strike out line 47, and insert "8204. The board shall authorize the purchase by".

Amendment No. 46

On page 3, line 48, of said bill, strike out "a base map or maps of the State of California", and insert ", under specifications prepared by the executive officer, of a State base map of the State of California in units, as defined in Section 8206".

Amendment No. 47

On page 3, lines 51 and 52, of said bill, strike out "and the areas thus covered", and insert ", streams, railroads, reservoirs, lakes, highways and all other visible features".

Amendment No. 48

On page 4, line 1, of said bill, strike out "1203", and insert "8205".

Amendment No. 49

On page 4, line 2, of said bill, strike out "base maps, the terms of", and insert "State base map, the terms of the".

Amendment No. 50

On page 4 of said bill, strike out line 6, and insert "8206. The State base map shall be maps prepared by".

Amendment No. 51

On page 4, line 7, of said bill, after "methods", insert "with their complimentary planimetric or topographic maps".

Amendment No. 52

On page 4, line 8, of said bill, strike out "and the", and insert "which shall conform with the zones of the proposed".

Amendment No. 53

On page 4, line 11, of said bill, strike out "1205", and insert "1207".

Amendment No. 54

On page 4, line 12, of said bill, after "county", insert a comma.

Amendment No. 55

On page 4, line 13, of said bill, strike out "or its", and insert "city and county, or city or other political".

Amendment No. 56

On page 4, line 15, of said bill, after "State", insert "when the same meet the specifications adopted by the board".

Amendment No. 57

On page 4, line 17, of said bill, strike out "1206. The division may", and insert "8208. The board may authorize the executive officer to".

Amendment No. 58

On page 4, line 22, of said bill, strike out "1207. The division", and insert "1209. The executive officer".

Amendment No. 59

On page 4, line 25, of said bill, strike out "Los Angeles," and insert "Sacramento and may be maintained at Los Angeles and".

Amendment No. 60

On page 4, lines 26 and 27, of said bill, strike out "and other branch offices of the Department of Natural Resources".

Amendment No. 61

On page 4 of said bill, strike out line 29, and insert "8210. With the approval of the board the executive officer may".

Amendment No. 62

On page 4, lines 33 and 34, of said bill, strike out "contemplated to return the cost of printing and distribution", and insert "determined by the board".

Amendment No. 63

On page 4, line 36, of said bill, strike out "1209", and insert "8211".

Amendment No. 64

On page 4, line 39, of said bill, after "planimetric", insert "or topographic".

Amendment No. 65

On page 4, line 40, of said bill, strike out "photographic", and insert "photogrammetric".

Amendment No. 66

On page 4 of said bill, after line 40, insert "Sec. 2. If any provisions of this act or the application thereof to any person or circumstances is held to be invalid, the remainder of the act, and the application of such provisions to other persons or circumstances shall not be affected thereby."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Mr. Sawallisch:

House Resolution No. 156

WHEREAS, The Members of the Assembly have learned with deep sorrow of the death of Harry Ells, a Member of the Assembly of the Thirty-fifth and Thirty-sixth Sessions of the Legislature. Harry Ells was Chairman of the Manufacturers and Internal Improvement Committee and a member of the Contested Elections, Fish and Game, Mines and Mining Interests, Roads and Highways, State Prisons and Reformatories, Levees and River Improvement, and Oil Industry Committees. During his active legislative career he sponsored many important measures and particularly those looking toward the establishment of a more uniform system of county and municipal government; and

WHEREAS, The Members of the Assembly wish to offer their deep and heartfelt sympathy to the members of his family in their loss; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly this day adjourns, it do so out of respect to the memory of Harry Ells; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to his widow, Maybelle Ells, at Richmond, California.

Request for Unanimous Consent

Mr. Sawallisch asked for, and was granted, unanimous consent to take up House Resolution No. 156, at this time, without reference to committee.

Resolution read, and adopted by a rising vote of the Assembly.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. L. W. Frick of Bakersfield, Dr. John P. Benson and Mr. Larry B. Nourse of Fresno, and Mr. Waldo W. Neeth of Coalinga.

On request of Mr. Rosenthal and the Los Angeles County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Samuel P. Norick and Mr. Howard Burrell of Los Angeles.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Lloyd Leedom of Long Beach.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mary Malone of Riverside, Mrs. Mildred Hutchinson and Mrs. Henrietta White of Los Angeles.

On request of Mr. Sargent, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Jennie Ling of Pasadena.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Forest Monroe of Woodland.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. George W. Taylor of San Francisco.

On request of Mr. Bashore and the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Margaret Donovan of Los Angeles and Mrs. Fred Desch of Sacramento.

On request of Mr. Brown, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. E. Ebie, of Empire and Walter Seoon, L. D. Thompson, Milton Kidd, Gerritt Veneman, all of Modesto.

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant (J.G.) Michael Leonard of Santa Cruz.

ADJOURNMENT

At 3.14 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, March 31, 1943, out of respect to the memory of the late Hon. Harry Ells.

C. WILLIAM QUEALE, Minute Clerk.

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-FIRST LEGISLATIVE DAY
EIGHTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 31, 1943

The Assembly met at 10 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Smith, Stream, Thomas, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Almighty and eternal Father, Framer of our spirits, we thank Thee for breathing into our lives the liberties which enrich our personalities. May we be accounted good stewards of time, talents, and possessions. Help us to live in the Spirit that we may also walk in the Spirit. Direct us in the Apostle's doctrine that we may do good unto all men, remembering that God is not mocked; for whatsoever a man soweth, that shall he also reap.

"The tissue of the Life to be
We weave with colors all our own,
And in the field of Destiny,
We reap as we have sown."

We ask it in our Redeemer's name.

AMEN.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Dunn.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Allen, on motion of Mr. Evans.

Mr. Kilpatrick, on motion of Mr. Middough.

MOTION TO EXCUSE MEMBER

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, because of illness.

COMMUNICATIONS

By Speaker Lyon:

The following communications were received and ordered printed in the Journal:

THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA
STATE BUILDING, SAN FRANCISCO, March 30, 1943

To the Legislature of the State of California

Pursuant to the authority contained in Sections 961 of the Code of Civil Procedure and 1247k of the Penal Code, as amended by Chapter 4, Statutes of 1943, and in Section 1a of Article VI of the Constitution, I have the honor to report and present herewith on behalf of the Judicial Council, Rules for the Practice and Procedure on Appeals, and for the time and manner in which the records on such appeals shall be made up and filed, in civil and criminal actions and proceedings, adopted by the Judicial Council and attested by its secretary on March 30, 1943.

Yours truly,

PHIL S. GIBSON

Chairman of the Judicial Council of the State of California

Also:

LOS ANGELES, CALIFORNIA, March 31, 1943

*Hon. Charles W. Lyon
California State Assembly, State Capitol
Sacramento, California*

Board of directors, Property Owners Association of California unanimously adopted resolution to actively support your Assembly Bill No. 498 and instructed me to act accordingly.

W. A. PIXLEY, Managing Director

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 50	Assembly Bill No. 1083
Assembly Bill No. 103	Assembly Bill No. 1093
Assembly Bill No. 386	Assembly Bill No. 1094
Assembly Bill No. 693	Assembly Bill No. 1171
Assembly Bill No. 718	Assembly Bill No. 1174
Assembly Bill No. 771	Assembly Bill No. 1263
Assembly Bill No. 889	Assembly Bill No. 1777
Assembly Bill No. 963	Assembly Bill No. 1787
Assembly Bill No. 964	

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 635	Assembly Bill No. 1623
Assembly Bill No. 1414	Assembly Bill No. 1747

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 697—An act to add a new section to the Agricultural Code to be numbered 30.5, relating to pest and disease surveys and investigations;

Assembly Bill No. 700—An act to amend Section 111 of the Agricultural Code, relating to the inspection of plants and articles for pests;

Assembly Bill No. 702—An act to amend Section 1022 of the Agricultural Code, pertaining to definitions of fertilizing materials; And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of March, 1943, at 10 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 703—An act to amend Section 1021 of, and to add Section 1031.1 to, the Agricultural Code, relative to fertilizing materials and the labels thereon;

Assembly Bill No. 704—An act to amend Section 1038 of the Agricultural Code, relating to fertilizer tonnage license tax;

Assembly Bill No. 706—An act to amend Section 1066 of, and to add Section 1066.5 to, the Agricultural Code, relative to economic poisons and thallium salts; And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of March, 1943, at 10 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 709—An act to amend Section 28.5 of the Agricultural Code, relating to refunds;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirty-first day of March, 1943, at 10 a.m.

PELLETIER, Chairman

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which were referred:

Assembly Bill No. 359

Assembly Bill No. 1431

Assembly Bill No. 1205

Assembly Bill No. 1796

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MIDDOUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which were referred:

Assembly Bill No. 479

Assembly Bill No. 740

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

MIDDOUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred:

Assembly Bill No. 1076

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to the Committee on Judiciary.

MIDDOUGH, Chairman

Above reported bill re-referred to Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred:
 Assembly Bill No. 465
 Has had the same under consideration, and reports the same back with amendments
 with the recommendation: Amend, and re-refer to the committee.

MIDDOUGH, Chairman

Above reported bill ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:
 Assembly Bill No. 1672
 Has had the same under consideration, and reports the same back with the recom-
 mendation: Do pass, and re-refer to Committee on Ways and Means.

MCCOLLISTER, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:
 Senate Bill No. 742
 Has had the same under consideration, and reports the same back with amendments
 with the recommendation: Amend, and do pass, as amended.

MCCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:
 Assembly Bill No. 851
 Assembly Bill No. 869
 Assembly Bill No. 1512
 Has had the same under consideration, and reports the same back with amendments
 with the recommendation: Amend, and re-refer to the committee.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:
 Assembly Bill No. 1632
 Assembly Bill No. 969
 Has had the same under consideration, and reports the same back with amendments
 with the recommendation: Amend, and do pass, as amended.

WEYBRET, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 128—An act to add Section 3005 to the Elections Code, relating to independent nominations for partisan offices.

Bill read second time, and ordered engrossed.

Assembly Bill No. 154—An act to amend Section 2571 and to repeal Section 2570 of the Elections Code, relating to statement of number of voters.

Bill read second time, and ordered engrossed.

Assembly Bill No. 192—An act to repeal Section 3715 of the Elections Code, relating to ballots.

Bill read second time, and ordered engrossed.

Assembly Bill No. 212—An act to amend Section 3714 of the Elections Code, relating to ballots.

Bill read second time, and ordered engrossed.

Assembly Bill No. 216—An act to amend Section 1406 of the Elections Code, relating to initiative and referendum petitions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 342—An act to amend Sections 2353, 2705, and 5556 of the Elections Code, relating to the time for opening and closing the polls.

Bill read second time, and ordered engrossed.

Assembly Bill No. 380—An act to amend Section 1003 of the Elections Code, relating to proclamation of election days.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1111—An act to amend the heading of Article 2 of Chapter 1 of Division 5, to amend Sections 2451, 2452, 2454, 2455, 2831, 2832, 2840, 2841, 2842, and 2843 and to repeal Section 2450 of the Elections Code, relating to county central committees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 764—An act to add Section 311a to, and to amend Sections 311 and 312 of, the Penal Code, relating to public morals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1260—An act making an appropriation to the Printing Fund, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1261—An act making an appropriation to the Printing Fund, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 310—An act to amend Section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to the Legislative Counsel.

Bill read second time, and ordered to third reading.

Assembly Bill No. 578—An act to amend Section 21.5 of the California Small Loan Act, approved July 21, 1939, relating to the deposit of fees in the General Fund and support from the General Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 580—An act to amend Section 20.5 of the Personal Property Brokers Act, approved July 21, 1939, relating to the deposit of fees in the General Fund and support from the General Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 584—An act to amend Section 2 of “An act requiring individuals, as in said act defined, to obtain a certificate from the Commissioner of Corporations prior to soliciting, receiving or collecting contributions, fees or funds from security owners or holders for the purpose of protecting, enforcing or representing the rights of such security owners or holders; authorizing the Commissioner of Corporations to regulate and supervise the solicitation, collection and application of such funds; and providing for the enforcement of said act and penalties for the violation thereof.” approved July 1, 1937, relating to the deposit of fees in the General Fund and support from the General Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 661—An act to add Section 20.5 to the Personal Property Brokers Act, approved July 24, 1939, relating to the deposit of money in the State Treasury and to provide for support of the administration of said act out of the General Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 662—An act to add Section 21.5 to the California Small Loan Act, approved July 24, 1939, relating to the deposit of money in the State Treasury and to provide for support of the administration of said act out of the General Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 938—An act to add to Chapter 4 of Division 4 of the Agricultural Code a new article to be numbered Article 9, including a new section to be numbered Section 690, relating to the disposition of moneys, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading

Assembly Bill No. 1052—An act making an additional appropriation for the support, operation, construction, improvements, and equipment at the State prisons of California.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1258—An act to amend Section 435 of the Political Code, relating to the reversion of unexpended balances of certain appropriations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1091—An act making an appropriation to pay the claim of the County of Sacramento against the State of California.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1394—An act to add Parts 3 and 4, comprising Sections 7301 to 8557, inclusive, to Division 6 of the Public Resources Code, and to add Sections 10014, 10015, and 10016 to Division 10 thereof, thereby revising and consolidating the law relating to the natural resources of the State, including the sale and exchange of land, and granting and taking rights and interests therein, and regulating the use thereof, by the State and its political subdivisions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 539—An act to amend Section 3.351 of the School Code and to amend Section 8812 of the Education Code, relating to the establishment of junior colleges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 165—An act to amend Section 3212.5 of the Labor Code, relating to workmen's compensation benefits for members of the State Highway Patrol.

Bill read second time, and ordered engrossed.

Assembly Bill No. 538—An act to amend Section 5196 of the Public Resources Code, relating to investment of funds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 173—An act to add Section 957.5 to the Fish and Game Code, relating to the use of nets in San Luis Obispo Bay.

Bill read second time, and ordered engrossed.

Assembly Bill No. 348—An act to add Section 167.5 to, and to amend Sections 277 and 278 of, the Fish and Game Code, relating to game refuges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 753—An act to amend Section 201 of the Fish and Game Code, relating to the San Leandro Waterfowl Refuge

Bill read second time, and ordered engrossed.

Assembly Bill No. 1040—An act to amend Section 39 of the Fish and Game Code, relating to migratory birds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1160—An act to amend Section 842 of the Fish and Game Code, relating to the unlawful use of nets, traps, lines or appliances.

Bill read second time, and ordered engrossed.

Assembly Bill No. 331—An act to amend Section 10.05 of, and to add Section 3.06 to, the Building and Loan Association Act, relating to audits of building and loan associations, and shares as legal investments.

Bill read second time, and ordered engrossed.

Motion to Consider Committee Amendments Read and Adopted

Upon motion of Mr. Sam L. Collins, seconded by Mr. Potter, the committee amendments to the following bills, were considered, read and adopted:

Assembly Bill No. 1387—An act to add Sections 38.3, 53.55, and 53.65 to the Alcoholic Beverage Control Act, relating to credit, containers, cartons and bottles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 2, line 12, of the printed bill, before "first", insert "or print or markings".

Amendment No. 2

On page 2, line 12, of said bill, after "returnable", insert "beer".

Amendment No. 3

On page 2, line 15, of said bill, after "brand", insert "or print or markings".

Amendment No. 4

On page 2, line 16, of said bill, before the period, insert ", provided that this sentence shall not apply to wood or fibre board containers or cartons of a beer manufacturer who has discontinued business and production and is no longer a licensed beer manufacturer".

Amendment No. 5

On page 2, line 42, of said bill, after "as", insert "stubby,".

Amendment No. 6

On page 2, line 42, of said bill, after "such", insert "stubby,".

Amendment No. 7

On page 2, line 45, of said bill, before "beer", insert "or contain".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1278—An act to add Section 3.363 to, and to amend Section 4.930 of, the School Code and to add Section 8819.1 to, and to amend Section 7307 of, the Education Code, relating to junior colleges and junior college classes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Universities and Colleges:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "or evening junior college, as the case must be,".

Amendment No. 2

On page 2, line 10, of the printed bill, strike out "or evening junior college, as the case must be,".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 516—An act to add Section 10971 7 to the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 39, of the printed bill, strike out "4", and insert "3".

Amendment No. 2

On page 2, line 43, of said bill, strike out "5", and insert "4".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1531—An act to amend the Building and Loan Association Act by adding thereto a new article to be numbered XVI, relating to building and loan associations, the Building and Loan Commissioner, plans for the rehabilitation, readjustment, reorganization or liquidation of such an association or of all or of any part of the business, properties and assets of such association or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association and the rights of investors and creditors of any such association in the possession of the commissioner to obtain assets of such association in exchange for investment certificates or unsecured creditor's claims, providing for the organization of a corporation or corporations to acquire such assets or a portion thereof; providing for the kinds of securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to or dissent from a plan as defined in Article XVI, and to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such Article XVI or for property and to continue to hold as a legal investment any securities or properties so received, and exempting the proposer or proposers of a plan and the investors and creditors petitioning for withdrawal of assets from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 3, line 31, of the printed bill, as amended, after "give", insert "at least".

Amendment No. 2

On page 4, line 24, of the printed bill, as amended, after "discharged", insert "(1) if the commissioner shall determine that such association is solvent; or".

Amendment No. 3

On page 4, line 24, of the printed bill, as amended, after "(", strike out "1", and insert "2".

Amendment No. 4

On page 4, line 36, of the printed bill, as amended, after "(", strike out "2", and insert "3".

Amendment No. 5

On page 12, line 4, of the printed bill, as amended, after "deputies", insert "or assistants".

Amendment No. 6

On page 13, line 44, of the printed bill, as amended, after "deputies", insert "or assistants".

Amendment No. 7

On page 14, line 3, of the printed bill, as amended, strike out "on the basis of", and insert "at".

Amendment No. 8

On page 15, line 25, of the printed bill, as amended, strike out "commission", and insert "Commissioner".

Amendment No. 9

On page 18, line 21, of the printed bill, as amended, after "otherwise", insert "The cost of such legal services shall be fixed by the Attorney General and shall be a charge against and paid from the assets of the association affected."

Amendment No. 10

On page 18, line 20, of the printed bill, as amended, after "more", insert "assistants or".

Amendment No. 11

In lines 16 and 17 of the title of the printed bill, as amended, strike out "and exempting such securities from the necessity of a permit under the Corporate Securities Act".

Amendment No. 12

On page 16 of the printed bill, as amended, strike out lines 5 to 8, inclusive.

Amendment No. 13

On page 18 of the printed bill, as amended, strike out lines 22 to 44, inclusive; and in line 45, strike out "granting said petition for withdrawal", and insert "Sec. 16 09. Commissioner of Corporations. None of the provisions of this article is intended or shall be construed to eliminate the requirement that a permit be obtained from the Commissioner of Corporations authorizing the sale or issue of securities in any case in which, pursuant to the provisions of the Corporate Securities Act, such permit would be required in the absence of this article"

Amendment No. 14

On page 3, line 47, of the printed bill, as amended, strike out "one-third", and insert "one-half".

Amendment No. 15

On page 8 of the printed bill, as amended, after the period in line 31, insert "The above mentioned list of names and addresses of the investors and creditors delivered to the clerk of the court shall be impounded by him and shall not be subject to inspection except upon order of the court and upon such terms and conditions as the court may prescribe."

Amendment No. 16

On page 7, line 30, of the printed bill, as amended, strike out "(1)".

Amendment No. 17

On page 7, line 31, of the printed bill, as amended, strike out "; (2) an"; and strike out lines 32 to 41, inclusive, and insert a period.

Amendments read and adopted.
Bill ordered reprinted and engrossed.

Assembly Bill No. 1549—An act to add Section 1648.3 to the Insurance Code, relating to the qualifications of insurance producers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "agent or".

Amendment No. 2

On page 1, line 5, of said bill, strike out "agency or"

Amendment No. 3

On page 2, lines 15 and 16, of said bill, strike out "agent or broker or to exercise agency or", and insert "broker or to exercise".

Amendment No. 4

On page 2, line 19, of said bill, strike out "insurance agent or broker, or to qualify to exercise the agency", and insert "insurance broker, or to qualify to exercise the".

Amendment No. 5

On page 2, line 20, of said bill, strike out "or".

Amendments read and adopted.
Bill ordered reprinted and engrossed.

Assembly Bill No. 67—An act to add Section 1176.5 to the Fish and Game Code, relating to falcons and pigeons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the period, and insert ", declaring the urgency hereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, after line 4, insert "Falcons (falconinae) shall not be released, liberated, or used to hunt, or to take any bird, fish, or animal. Any person who violates this section is guilty of a misdemeanor."

Sec. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Carrier pigeons are being increasingly trained and used to carry important messages relating to the war effort. Falcons destroy carrier pigeons. It is necessary for the preservation of public peace, health and safety that the use of falcons be prohibited."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 960—An act to amend Section 2 of the Fish and Game Code, relating to definitions of terms used in said code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 2, line 17, of the printed bill, after "Hand", insert "or closely attended,".

Amendment No. 2

On page 2, line 19, of said bill, after "hue", insert ", except trawl lines,".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 636—An act to amend Section 34 of the Fish and Game Code, relating to cultural operations and scientific investigations in the waters of the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 8, of the printed bill, after the first "the", strike out "commissioner", and insert "director".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Joint Resolution No. 42—Relative to memorializing the Congress of the United States to propose an amendment to the Constitution of the United States prohibiting a President of the United States from serving more than two terms.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 1 of the printed resolution, strike out lines 14, 15, 16, 17, and 18.

Amendment read and adopted.

Resolution ordered reprinted and engrossed.

Assembly Bill No. 75—An act to appropriate funds to the Division of Libraries for making micro-films of United States census returns.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 6, of the printed bill, after "returns", insert "of the State of California".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 579—An act to amend Section 23 of "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the deposit of fees in the General Fund and support from the General Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 5 of the title of the printed bill, strike out the period, and insert ", and the payment of costs of administration."

Amendment No. 2

On page 2 of the printed bill, strike out lines 1 to 20, inclusive, and insert "To defray the costs of administration of this act, including examinations and supervision, the commissioner shall require every credit union licensed by him or coming under his supervision to pay in advance to him, its pro rata amount of all such salaries and expenses as estimated by the commissioner for the ensuing year and it is hereby made the duty of every such credit union to pay the same. Such pro rata shall be the proportion which its assets bear to the aggregate assets of all such credit unions licensed by the commissioner as shown by the latest annual reports of such credit unions to the commissioner.

On or before the thirtieth day of November in each year, the commissioner shall notify each such credit union by mail of the amount assessed and levied against it and the same must be paid within 20 days thereafter; and should payment not be made to him within said 20 days, the certificate then in effect authorizing such credit union to act as a credit union shall expire as of the thirty-first day of December of said year, and said credit union shall have no right or authority after said day to act as a credit union as set forth in this act.

Provided, however, that in the levy and collection of such assessment, no credit union shall be assessed for nor be permitted to pay less than ten dollars (\$10) per annum and any such credit union hereafter formed shall be required to pay not less than one dollar (\$1) per month for the unexpired term ending December 31st succeeding its application for a license to operate as a credit union."

Amendment No. 3

On page 2, line 24, of the printed bill, strike out "fund known as".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 581—An act to add Section 3a to the Industrial Loan Act, relating to the deposit of fees in the General Fund and support out of the General Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to add Section 3a to", and insert "to amend Section 15, and add Sections 3a and 15a to,".

Amendment No. 2

In line 3 of the title of said bill, strike out the period, and insert "and the payment of costs of administration."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, following line 6, insert

"SEC. 2. Section 15 of the act cited in the title hereof is amended to read:

SEC. 15. For the purpose of discovering violations of this act or securing information lawfully required by him hereunder, the commissioner may at any time, either personally or by a person or persons duly designated by him, investigate the loans and business and examine the books, accounts, records and files used therein, of every corporation which shall be engaged in the business of an industrial loan company or broker, whether such corporation shall act or claim to act as principal or agent, or under or without the authority of this act. For that purpose the commissioner and his duly designated representatives shall have free access to the offices and places of business, books, accounts, papers, records, files, safes and vaults of all such corporations. The commissioner shall have authority to require the attendance of witnesses and to examine under oath all persons whomsoever whose testimony he may require relative to such loans or such business or to the subject matter of any examination, investigation, or hearing.

The commissioner shall make such an examination of the affairs, business, office and records of each industrial loan company at least once each year. [The actual cost of that examination shall be paid to the commissioner by every industrial loan company so examined, and the commissioner may maintain an action for the recovery of such costs in any court of competent jurisdiction.]

Whenever, after an examination, investigation or hearing under this act, the commissioner deems it of public interest or advantage, he may certify a record to the proper prosecuting official of the county, city and county, or city in which the act or acts complained of, examined or investigated, occurred.

SEC. 3. Section 15a is added to the act cited in the title hereof, to read:

SEC. 15a. To defray the costs of administration of this act, including examinations and supervision, the commissioner shall require each company incorporated under and by virtue of the Industrial Loan Act to pay in advance to him its pro rata amount of all such costs as estimated by the commissioner for the ensuing year and it is hereby made the duty of every such company to pay the same. Such pro rata shall be the proportion which its assets bear to the aggregate assets of all companies incorporated under and by virtue of the Industrial Loan Act as shown by the latest annual reports of such companies to the commissioner.

On or before the thirtieth day of November in each year, the commissioner shall notify each of such companies by mail of the amount assessed and levied against it and that the same must be paid within 20 days thereafter; and should payment not be made to him within said 20 days, he shall assess and collect a penalty in addition thereto of 5 per cent for each month or part of a month that such payment may be delayed or withheld.

Provided, however, that in the levying and collection of such assessment, no company shall be assessed for nor be permitted to pay less than ten dollars (\$10) per annum and any such company hereafter formed shall be required to pay not less than one dollar (\$1) per month or fraction thereof for the unexpired year ending December 31st succeeding its incorporation."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 585—An act to amend Sections 25, 26 and 28 of the Corporate Securities Act, relating to deposit of fees in and support from the General Fund, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

Strike out line 3 of the title of the printed bill, and insert "the General Fund, revision of fees, declaring the urgency of this act, to take".

Amendment No. 2

On page 1, line 20, of said bill, strike out "fifteen", and insert "twenty".

Amendment No. 3

On page 1, line 21, of said bill, strike out "(\$15)," and insert "(\$20)".

Amendment No. 4

On page 1, line 24, of the printed bill, strike out "five thousand dollars (\$5,000)", and insert "one thousand dollars (\$1,000)".

Amendment No. 5

On page 2 of the printed bill, strike out lines 40 and 41, and insert "vided, up to par, stated or permit value of fifty thousand dollars (\$50,000), twenty-five dollars (\$25); in excess of par, stated or permit value of fifty thousand dollars (\$50,000), fifty dollars (\$50). In addition a fee of two dollars and fifty cents (\$2.50) shall be paid for the deposit with the commissioner of each new certificate, or other document resulting from a transfer in escrow.

2a. For filing an application for an order consenting to the transfer in escrow of securities, two dollars and fifty cents (\$2.50)."

Amendment No. 6

On page 3, line 11, of the printed bill, strike out "five", and insert "fifteen".

Amendment No. 7

On page 3, line 12, of the printed bill, strike out "(\$5)", and insert "(\$15)".

Amendment No. 8

On page 3, line 37, of the printed bill, strike out "ten dollars (\$10)", and insert "fifteen dollars (\$15)".

Amendment No. 9

On page 4, line 21, of said bill, after the period, insert "The Corporation Commission Fund is hereby abolished. All money in said fund on the effective date of this act shall be transferred to the General Fund"

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 801—An act making an appropriation in augmentation of the Special Emergency Fund specified in Item 217 of the Budget Act of 1941, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, strike out lines 2 and 3, and insert "not otherwise appropriated, the sum of three hundred eighty-four thousand, six hundred two dollars (\$384,602), or so much thereof as may be necessary is hereby".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 910—An act making an appropriation for support of Division of Parks, Department of Natural Resources, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "1942", and insert "1941".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 458—An act to amend Section 2720 of the Penal Code, relating to the Jute Mill Revolving Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended, strike out "and", and insert "or".

Amendment No. 2

On page 1, line 27, of the printed bill, as amended, strike out line 27, and insert "the request of the Director of Finance."

Amendment No. 3

On page 1, line 22, of the printed bill, as amended, strike out "they", and insert "or he".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 159—An act to revise an act entitled "An act defining industrial loan companies; providing for their incorporation, powers and supervision; and regulating the rates of interest and other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies," approved May 18, 1917, as amended and revised, so as to define industrial loan companies, provide for their incorporation, powers and supervision and regulate the rates of interest and all other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies; to prohibit devices and subterfuges to evade this act; to provide for exemptions from this act; to provide for the administration of this act and the issuance of rules and regulations thereunder; to authorize the making of examinations and investigations; to provide for the suspension, surrender, and revocation of permits; and to prescribe penalties for the violation of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In lines 14 and 15 of the title of the printed bill, strike out "and the issuance of rules and regulations thereunder".

Amendment No. 2

On page 2, line 46, of said bill, strike out "(a)", and insert "(b)".

Amendment No. 3

On page 5, line 9, of said bill, strike out "to protect", and insert "the cost of protecting".

Amendment No. 4

On page 5, line 12, of said bill, strike out the comma, and insert a semicolon.

Amendment No. 5

On page 10, line 44, of said bill, strike out "not to"; strike out all of lines 45 and 46, and in line 47, strike out "such industrial loan company".

Amendment No. 6

On page 10, line 49, of said bill, after "examination", insert "not to exceed twenty dollars (\$20) per day for each examiner necessarily engaged in the examination at the office or offices of such industrial loan company".

Amendment No. 7

On page 11, line 41, of said bill, strike out "the rules, orders and regulations, of".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 292—An act to add Section 4606 to the Labor Code of the State of California, relating to workmen's compensation and insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 16, of the printed bill, after the period, insert "No agreement or contract between an employer or insurance carrier and any other person relating to the measure or amount of compensation for medical, surgical or hospital care rendered or to be rendered under this division (including agreements of the character described in Section 5304 of this code) shall be enforceable or of any force or effect unless (1) a complete copy thereof is filed with the commission not more than five (5) days after its execution, and (2) its terms and provisions are approved by the commission in writing within thirty (30) days of the date of filing. If any agreement or contract within the scope of this section is not evidenced by a writing, a memorandum fully describing its terms shall be prepared and filed with the commission in lieu of the copy mentioned above. The certificate of authority of any insurance company convicted of violation of any of the provisions of this section shall be revoked by the Insurance Commissioner of this State in accordance with the provisions of Section 704.5 of the Insurance Code."

Amendment No. 2

On page 1, line 17, of said bill, strike out "misdemeanor", and insert "a felony".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 305—An act to amend Sections 2 and 3 of an act entitled "An act to carry into effect the provisions of Section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawn-broking, and providing penalties for the violation hereof," approved July 15, 1935, relating to interest rates, and possession of pledges.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 17, of the printed bill, after "contract", insert "and upon the expiration of that period shall have full right and title to the article if it has not been redeemed within that time".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1389—An act to amend Sections 10170 and 10171 of the Insurance Code, relating to life insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, strike out line 12, and insert "insurer and the policyholder. If no terms and conditions have been agreed to by the insurer and the policyholder during the insured's lifetime then upon such terms and conditions and subject to such restrictions as may be agreed to in writing by the insurer and the beneficiary".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 583—An act to add Sections 102, 611.7, and 611.8 to the Fish and Game Code, creating a new fish and game district and regulating the taking of trout therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out line 27, and insert "Excepting the provisions relating to district boundaries and size, bag, and possession limits of trout, all other provisions of".

Amendment No. 2

On page 2 of said bill, strike out lines 2 to 11, inclusive, and insert "611.7. In District 102, from September 1st to October 31st, trout may be taken in accordance with all provisions of this code relating to the taking of trout, bag limits and possession limits of trout for District 1, except that only such trout, other than brown trout, may be taken, as are 15 inches or over in length.

Sec. 3. Section 611.8 is added to said code, to read:

611.8. In District 102, from November 1st to the last day of February, trout, other than brown trout, 15 inches in length or longer, may be taken. The bag limit is three trout, other than brown trout, per day. Not more than one bag limit of trout, other than brown trout, may be possessed by any one person during one day.

In District 102, from November 1st to the last day of February, brown trout may be taken without size, weight or bag and possession limit restrictions; provided, however, that it shall be unlawful for any one person to fish for brown trout in District 102 during the remainder of any one day in which this same person has taken three lawful trout, other than brown trout. The remainder of the day, as used in the preceding sentence, shall commence at the completion of the act of taking the third trout, other than brown trout, in District 102, between November 1st and the last day of February, and shall end at one hour after sunset on the same day."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 657—An act to add Section 486.5 to the Fish and Game Code, relating to the taking of fish for the taking of which a sporting fishing license is required.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out the period, and insert “, except that the commission may authorize the taking of fish for propagation, scientific purposes, control of fish diseases, or preservation of public health, and the use of such fish without restriction under this section. The provisions of this section apply only to large and small mouth black bass and trout in natural or artificial lakes or reservoirs, and do not apply to fish taken in the ocean or in any bay or inlet of the ocean.”

Amendment read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 222—An act to add Chapter 8, comprising Sections 6850 to 6955, inclusive, to Division 3 of, and to add Section 30044 to, the Business and Professions Code, thereby consolidating and revising the law regulating and licensing collection agencies, penalizing violations thereof and repealing acts and parts of acts specified therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 224—An act to add Division 4 and Parts 1 and 2 thereof, comprising Sections 10000 to 11020, inclusive, and Section 30042 to the Business and Professions Code, thereby consolidating and revising the law supervised, administered and enforced by the State Division of Real Estate of the Department of Investment regulating transactions affecting interests in real or personal property, licensing brokers and salesmen with respect to dealings in real or personal property, imposing disciplinary and criminal penalties for the violation thereof and repealing acts and parts of acts specified therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 471—An act to amend Section 5.45 of the School Code and to amend Section 20377 of the Education Code, relating to leaves of absence of employees of State colleges not in State civil service.

Bill read second time, and ordered to third reading.

Senate Bill No. 51—An act to add Sections 101 and 480.5 to the Fish and Game Code, relating to the creation of a new fish and game district and the taking of fish therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 191—An act to add Sections 103.9, 615.3 and 615.4 to the Fish and Game Code, relating to creation of new fish and game district and the taking of fish therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 192—An act to repeal Sections 180 and 181 of the Fish and Game Code, relating to fish refuges.

Bill read second time, and ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 466

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 525

Assembly Bill No. 1124

Assembly Bill No. 647

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 6

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, March 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 246

Senate Bill No. 813

Senate Bill No. 179

Senate Bill No. 412

Senate Bill No. 500

Senate Bill No. 889

Senate Bill No. 420

Senate Bill No. 2

Senate Bill No 562

Senate Bill No. 855

Senate Bill No. 178

Senate Bill No. 359

Senate Bill No. 407

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California to amend the Constitution of the State, by adding Section 8b to Article V thereof, relating to appointments by the Governor.

Referred to Committee on Constitutional Amendments.

Senate Bill No. 246—An act to amend Section 3000 of, and to add Sections 3000.5, 3000.7, and 3005.5 to, the Penal Code, relating to membership on the Board of Prison Terms and Paroles.

Referred to Committee on Crime and Correction.

Senate Bill No. 813—An act to amend Section 1030 of the Political Code, relating to hours of employment of State employees.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 179—An act to amend Section 3070 of the Labor Code, relating to the Apprenticeship Council.

Referred to Committee on Labor and Capital.

Senate Bill No. 412—An act to amend Section 11871 of the Insurance Code, relating to representation of State agencies by State Compensation Insurance Fund.

Referred to Committee on Finance and Insurance.

Senate Bill No. 500—An act to amend Section 6 of the Corporate Securities Act, to provide for renewal of licenses to brokers and agents.

Referred to Committee on Finance and Insurance.

Senate Bill No. 889—An act to amend Section 610 of the Fish and Game Code, relating to bag limits.

Referred to Committee on Fish and Game.

Senate Bill No. 420—An act to add Section 651.3 to the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Senate Bill No. 2—An act to amend Section 691 of the Fish and Game Code, relating to striped bass.

Referred to Committee on Fish and Game.

Senate Bill No. 562—An act to amend Section 50 $\frac{1}{2}$ of the Public Utilities Act, relating to fees for applications for certificates of public convenience and necessity.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Senate Bill No. 855—An act to amend Section 96.5 of the State Civil Service Act, relating to status of members of armed forces on civil service lists.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 178—An act to add Section 174 to the State Civil Service Act, relating to reinstatement of persons who leave the civil service to serve as seamen on vessels of the United States in time of war.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 359—An act to add Section 128 to the Welfare and Institutions Code, relating to moneys appropriated for public assistance, and providing for audits by the Director of Finance of records pertaining to the receipt and expenditure thereof.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 407—An act to permit redemption by mortgagees or lien holders of real property on which taxes have not been paid, and to add Section 4101.3 to the Revenue and Taxation Code, relating to redemption by mortgagees or lien holders of the assessed property.

Referred to Committee on Revenue and Taxation.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 315 WAIVED

Mr. Ralph C. Dills waived his notice of motion to reconsider the vote whereby Assembly Bill No. 315 was passed.

Assembly Bill No. 315 ordered transmitted to the Senate.

COMMUNICATIONS

By Mr. Ralph C. Dills:

The following communication was received, read, and ordered printed in the Journal:

HYNES, CALIFORNIA, March 30, 1943

Ralph Dills

Assembly Chamber

Understand bill on percentage of cream in ice cream and minimum test on coffee cream coming up today. Suggest standard for the duration be set at 8 per cent for ice cream, maximum allowed by Federal regulations. Coffee cream lowered to 18 per cent to allow short supply to be spread as far as possible.

NED M. CLINTON

**CONSIDERATION OF DAILY FILE (RESUMED)
NOTICES OF MOTION TO RECONSIDER CONTINUED**

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 786.

UNFINISHED BUSINESS**Consideration of Senate Amendments**

Assembly Concurrent Resolution No. 47—Relative to the death of Judge Ben B. Lindsey.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 47?

Amendment No. 1

On page 2 of the printed measure, strike out lines 4 and 5, and insert "*Resolved by the Assembly of the State of California, the Senate thereof concurring, That when the Legislature this day adjourns it do so out of respect*".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Concurrent Resolution No. 47 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Concurrent Resolution No. 47 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1505—An act to amend Section 1196 of the Agricultural Code, relating to articles of incorporation of cooperative marketing associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey,

Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Wateis, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 940—An act to amend Section 43001 of the Political Code, relating to municipal court fees and costs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Wateis, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Joint Resolution No. 40—Relative to memorializing Congress to enact legislation to establish a military and a naval academy on the Pacific Coast.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Wateis, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 912—An act to amend Sections 13600, 13607, 13610, 13652, 13655, 13656, 13687, 13727 and 13728 of the Health and Safety Code, and to repeal Sections 13513, 13609, 13611 and 13653 thereof, relating to spotting, sponging and pressing establishments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Wateis, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Nelson S. Dilworth Presiding

At 10.45 a. m., Hon. Nelson S. Dilworth, Member of the Assembly from the Seventy-sixth District, presiding.

Assembly Bill No. 1173—An act to add Section 2369.5 to the Business and Professions Code, relating to the immunity of witnesses in disciplinary proceedings with respect to the practice of medicine.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Potter moved a call of the Assembly.

Motion carried. Time, 11.01 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Potter, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of call of the Assembly on Assembly Bill No. 1175.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1175—An act to add Sections 2168.5 and 2316.5 to the Business and Professions Code, relating to the proof of the completion of instruction and training requirements to practice medicine

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—65.

NOES—Dills, Ralph C.—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 1337—An act to amend Section 4094 of the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1338—An act to repeal Article 1, comprising Sections 4160 to 4162, inclusive, of Chapter 9, Division 2 of the Business and Professions Code, relating to pharmacy.

Bill read third time.

Motion to Amend

Mr. Kraft moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "Article", strike out "1", and insert "7".

Amendment No. 2

On page 1, line 1, of said bill, after "Article", strike out "9", and insert "7".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 278—An act to amend Sections 5.1104 and 5.1124 of the School Code and Sections 14726, 14727, 14728, 14776 and 14777 of the Education Code, relating to district and joint district retirement plans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1316—An act to add Article 4a to Chapter 1 of Part 1 of Division 5 of the School Code and to add Article 3.5 to Chapter 2 of the Education Code, relating to the dismissal of employees of State colleges not in State civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickev, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1061—An act to amend Sections 8703, 8705, 9151 and 9174 of the Revenue and Taxation Code, relating to use fuel tax permits and refunds of the use fuel tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn,

Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1595—An act to amend Sections 12256 and 12626 of the Revenue and Taxation Code, relating to the State Compensation Insurance Fund, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 643—An act to amend Section 105 of the Revenue and Taxation Code, relating to property taxes

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dicker, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 766—An act to amend Section 3572 of the Revenue and Taxation Code, relating to the termination of the right of redemption of tax-delinquent property, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton ; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton ; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 772—An act to amend Sections 3791 and 3792 of the Revenue and Taxation Code, relating to property sold or deeded for taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote .

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton ; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—63.

NOES—Denny—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 1395—An act to amend Section 156 of the Revenue and Taxation Code, relating to abbreviations.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1173

At 11 45 a m., on motion of Mr. Potter, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1173 passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Berry, Burkhalter, Burns, Carey, Clarke, Collins, George D. Collins, Sam L. Crowley, Debs, Denny, Dilworth, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Potter, Price, Smith, Stream, Thompson, Thorp, Watson, Weber, Weybret, and Wollenberg—46.

NOES—Beck, Beunett, Brown, Carlson, Crichton, Dickey, Dills, Clayton A., Dills, Ralph C. Doyle, Dunn, Fourn, Gannon, Hollibaugh, Johnson, Kellems, Lowrey, Miller, Pelletier, Rosenthal, Sargent, Sawallisch, Sheridan, Thomas, Waters, and Werdel—25.

Notice of Motion to Reconsider Assembly Bill No. 1173

Mr. Pelletier gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1173 was this day passed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1414—An act to add Section 471.5 to the Agricultural Code, relating to cream

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Armstrong, Brady, Brown, Burns, Clarke, Collins, Sam L. Crichton, Denny, Doyle, Erwin, Evans, Field, Gannon, Haggerty, Hastain, Kraft, Leonard, Maloney, McCollister, Miller, Potter, Robertson, Sargent, Sawallisch, Smith, Stream, Thomas, Thorp, Waters, Weybret, and Wollenberg—31.

NOES—Anderson, Beck, Bennett, Berry, Carey, Carlson, Collins, George D. Crowley, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Gaffney, Guthrie, Hawkins, Heisinger, Johnson, Kellems, King, Lowrey, Lyons, Massion, McMillan, Middough, O'Day, Pelletier, Price, Rosenthal, Sheridan, Weber, and Werdel—32.

Notice of Motion to Reconsider Assembly Bill No. 1414

Mr. Thorp gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1414 was this day refused passage.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 498

Assembly Bill No. 1239

Assembly Bill No. 827

Assembly Bill No. 1291

Assembly Bill No. 1047

Assembly Bill No. 1301

Assembly Bill No. 1127

And reports the same correctly engrossed

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Civil Service and State Departments

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER Your Committee on Civil Service and State Departments, to which was referred:

Assembly Bill No. 946

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

T. FENTON KNIGHT, Chairman

Above reported bill ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 63

Assembly Bill No. 800

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 857

Assembly Bill No. 1010

Assembly Bill No. 1072

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 169

Assembly Bill No. 908

Assembly Bill No. 222

Assembly Bill No. 1067

Assembly Bill No. 741

Assembly Bill No. 1529

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 830

Senate Bill No. 189

Assembly Bill No. 848

Senate Bill No. 514

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bills ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Assembly Bill No. 1460

Assembly Bill No. 1461

Senate Bill No. 385

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THORP, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No 979

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

THORP, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 933

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THORP, Chairman

Above reported bill ordered to second reading.

RECESS

At 12.12 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 967—An act to add Section 210.5 to the Revenue and Taxation Code, defining a householder.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fout, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lyons, Maloney, McMillan, Middough, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 353—An act to amend Sections 755, 762, 763, and 788 of the Probate Code and to add new sections to be numbered 762.5 and 765 to the Probate Code, all relating to the sale of real or personal property in probate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fout, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 668—An act to amend Section 69 of the Civil Code, relating to applications for and issuance of licenses to marry, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McMillan, Miller, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Bashore and Knight, John B.—2.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McMillan, Miller, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Bashore and Knight, John B.—2.

Bill ordered transmitted to the Senate.

**WITHDRAWAL OF ASSEMBLY BILLS NOS. 684 AND 687 FROM
COMMITTEE, BY UNANIMOUS CONSENT**

Mr. Bashore asked for, and was granted, unanimous consent to have Assembly Bills Nos. 684 and 687 withdrawn from the Committee on Revenue and Taxation, for the purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILLS NOS. 684 AND 687

Assembly Bill No. 684—An act to amend Sections 6011, 6012 and 6015 of the Revenue and Taxation Code, and to add Sections 6363 and 6364 to said code, relating to the taxation of the privilege of selling and of storing, using, or otherwise consuming tangible personal property, and providing that this act shall take effect immediately.

Bill read second time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 6011, 6012 and", and insert "Section".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "and to add Sections 6363 and 6364 to said code,".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 23, inclusive; and strike out all of page 2.

Amendment No. 4

On page 3, line 1, of the printed bill, strike out "3", and insert "1".

Amendment No. 5

On page 3 of the printed bill, strike out lines 31, to 49, inclusive.

Amendment No. 6

On page 4 of the printed bill, strike out lines 1 to 9, inclusive

Amendment No. 7

On page 4, line 11, of the printed bill, strike out "6", and insert "2".

Amendment No. 8

On page 4, line 19, of the printed bill, strike out "7", and insert "3".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 687—An act to amend Sections 6011, 6012, 6015, 6353, 6381, 6486, 6487, 6711, 6776, 6811, and 6812 of the Revenue and Taxation Code, and to add Section 6363 to said code, all relating to the taxation of the privilege of selling and of storing, using, or otherwise consuming tangible personal property and providing that this act shall take effect immediately.

Bill read second time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Sections 6011, 6012, 6015, 6245, 6353, 6358, 6381, 6486,".

Amendment No. 2

In line 2 of the title of said bill, after "6487," insert "6702,".

Amendment No. 3

Strike out line 3 of the title of said bill, and insert "tion Code, to amend and renumber Section 6245, to add Sections 6095, 6245, 6363, 6364, and 6385 to said code, and repeal Section 6456 of said code, all relat-".

Amendment No. 4

On page 1 of the printed bill, between lines 8 and 9, insert

"(c) The cost of transportation of the property prior to passage of title to the purchaser."

Amendment No. 5

On page 2 of said bill, between lines 4 and 5, insert

"(e) Transportation charges separately stated, if the transportation occurs after title to the property passes to the purchaser."

Amendment No. 6

On page 2 of said bill, between lines 21 and 22, insert

"(c) The cost of transportation of the property prior to passage of title to the purchaser."

Amendment No. 7

On page 2 of said bill, between lines 39 and 40, insert

"(e) Transportation charges separately stated, if the transportation occurs after title to the property passes to the purchaser."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

Amendment No. 8

On page 3 of said bill, between lines 20 and 21, insert

"SEC. 3.3. Section 6095 is added to said code, to read:

6095. If a purchaser gives a certificate with respect to the purchase of fungible goods and thereafter commingles these goods with other fungible goods not so purchased but of such similarity that the identity of the constituent goods in the commingled mass can not be determined, sales from the mass of commingled goods shall be deemed to be sales of the goods so purchased until a quantity of commingled goods equal to the quantity of purchased goods so commingled has been sold.

SEC. 3.5. Section 6245 of said code is renumbered and amended to read:

[6245] 6246. It shall be further presumed that tangible personal property shipped or brought to this State by the purchaser was purchased from a retailer on or after July 1, 1935, for storage, use, or other consumption in this State.

SEC. 3.7. Section 6245 is added to said code, to read:

6245. If a purchaser gives a certificate with respect to the purchase of fungible goods and thereafter commingles these goods with other fungible goods not so purchased but of such similarity that the identity of the constituent goods in the commingled mass can not be determined, sales from the mass of commingled goods shall

be deemed to be sales of the goods so purchased until a quantity of commingled goods equal to the quantity of purchased goods so commingled has been sold."

Amendment No. 9

On page 3, line 26, of the printed bill, after "pipes", insert a period, and strike out "by a public utility in the course"; and strike out all of line 27.

Amendment No. 10

On page 3 of the printed bill, between lines 28 and 29, insert
 "SEC. 4.5. Section 6358 of said code is amended to read:
 6358. There are exempted from the taxes imposed by this part the gross receipts from sales of and the storage, use, or other consumption of:

(a) Live stock and poultry of a kind the products of which ordinarily constitute food for human consumption.

(b) Feed for live stock and poultry of a kind the products of which ordinarily constitute food for human consumption, or are to be sold in the regular course of business.

(c) Seeds and annual plants the products of which ordinarily constitute food for human consumption or are to be sold in the regular course of business.

(d) Fertilizer to be applied to land the products of which are to be used as food for human consumption or sold in the regular course of business."

Amendment No. 11

On page 3 of the printed bill, between lines 39 and 40, insert
 "SEC. 5.5. A new section is added to said code, to be numbered 6364 and to read:
 6364. There are exempted from the taxes imposed by this part, the gross receipts from sales of, and the storage, use, or other consumption in this State of:

(a) Nonreturnable containers when sold without the contents to persons who place the contents in the container and sell the contents together with the container.

(b) Containers when sold with the contents if the sales price of the contents is not required to be included in the measure of the taxes imposed by this part.

(c) Returnable containers when sold with the contents in connection with a retail sale of the contents.

As used herein the term 'returnable containers' means containers of a kind customarily returned by the buyer of the contents for reuse. All other containers are 'nonreturnable containers.'

Amendment No. 12

On page 3, line 46, of the printed bill, strike out the period, and insert "or by a corporation wholly owned by the United States."

Amendment No. 13

On page 3 of the printed bill, between lines 47 and 48, insert
 "SEC. 6.3. Section 6385 is added to the said code, to read:
 6385. There are exempted from the computation of the amount of the sales tax the gross receipts from sales of tangible personal property to a common carrier, shipped by the seller via the purchasing carrier under a bill of lading whether the freight is paid in advance, or the shipment is made freight charges collect, to a point outside this State and the property is actually transported to the out-of-State destination for use by the carrier in the conduct of its business as a common carrier.

SEC. 6.5. Section 6456 of said code is repealed."

Amendment No. 14

On page 4 of the printed bill, between lines 30 and 31, insert
 "SEC. 8.5. Section 6702 of said code is amended to read:
 6702. If any person is delinquent in the payment of the amount required to be paid by him or in the event a determination, has been made against him which remains unpaid, the board may, not later than three years after the payment became delinquent, or within three years after the last recording of an abstract under Section 6738 or of a certificate under Section 6757, give notice of the amount of the delinquency by registered mail to all persons having in their possession or under their control any credits or other personal property belonging to the delinquent, or owing any debts to the delinquent. After receiving the notice the persons so notified shall neither transfer nor make any other disposition of the credits, other personal property, or debts in their possession or under their control at the time they receive the notice until the board consents to a transfer or disposition or until 20 days elapse after the receipt of the notice. All persons so notified shall within five days after receipt of the notice advise the board of all such credits, other personal property, or debts in their possession, under their control, or owing by them."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1331—An act to amend Section 22103 of the Business and Professions Code, relating to the marking of precious metals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fount, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellemis, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1903—An act to amend Section 8805 of the Business and Professions Code, relating to the annual license fees of land surveyors, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fount, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Waters—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fount, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Waters—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1904—An act to amend Section 6799 of the Business and Professions Code, relating to fees under The Civil Engineers' Act, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fount, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellemis, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney,

Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—62.

NOES—Waters—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—62.

NOES—Waters—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1406—An act to amend Sections 19132 and 19138 of, and to add Sections 19132.3, 19132.5, 19132.7 and 19132.9 to, the Health and Safety Code, relating to requirements for earthquake protection and the design and construction of building, including the securing of building permits and the prescribing of the fees therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1350—An act to amend Section 737q of the Political Code of the State of California referring to the salary of the superior judge of Lake County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, McMillan, Middough, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—62.

NOES—Bashore, Heisinger, Massion, and Pelletier—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1007—An act to amend Section 1a of an act entitled "An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the chairman of the judicial council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments," approved May 20,

1927, as amended, relating to expenses of judges and justices of the peace sitting under assignment from the judicial council.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L. Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Kellems, Johnson, Carlson, Fourt, Kraft, Leonard, Lyon, Crowley, Bashore, Werdel, Doyle, Waters, Call, Hastain, Evans, Dilworth, Pelletier, Robertson, Watson, Crichton, Anderson, Gannon, Rosenthal, Hollibaugh, Burkhalter, Miller, McCollister, Sargent, Collins, George D., Collins, Sam L., Dills, Ralph C., Clarke, Dills, Clayton A., Hawkins, Erwin, Smith, McMillan, Price, Sheridan, Dickey, O'Day, Knight, John B., Guthrie, Denny, Brady, Weybret, Sawallisch, Thompson, Dunn, King, Stream, Massion, Debs, Wollenberg, Thomas, Field, Armstrong, Lyons, Middough, Brown, Knight, T. Fenton; Bennett, Weber, Beck, Carey, Thorp, Heisinger, Maloney, Gaffney, Berry, Haggerty, Potter, and Mrs. Niehouse:

House Resolution No. 157

WHEREAS, In the year 1950 the glorious State of California will celebrate the one hundredth anniversary of its admission into the Union; and

WHEREAS, No comprehensive history of the State has been written; and

WHEREAS, In September, 1941, The Regents of the University of California authorized the University authorities to proceed with the preparation and study of material for such a seriously needed history to be known as the Centennial History of California, and

WHEREAS, The enterprise was placed under the general supervision of Professor Herbert E. Bolton, world distinguished historian and Acting Director of the Bancroft Library, and an advisory committee consisting of President Robert Gordon Sproul and Regents Chester H. Rowell, Edward A. Dickson, Mortimer Fleishacker and Sidney M. Ehrmann, was appointed, thus insuring a work of monumental interest, and

WHEREAS, There is the need of commemorating the one hundredth birthday of this glorious State in a dignified and permanent form, fittingly preserving forever the historical advancement and development of the State through its many years of struggle, wars, depression and progress; and

WHEREAS, The services of all Californians in the present war will be recorded in this adequate and commemorative history; now therefore be it

Resolved, by the Assembly of the State of California, That the Assembly of the State of California expresses its sympathetic interest in, and support of this great and commendable enterprise; and be it further

Resolved, That this Assembly urges that all citizens of California cooperate with the University of California authorities in making available to them all historical material and documents which will contribute to a complete record of the colorful history of California.

Request for Unanimous Consent

Mr. Kellems asked for, and was granted, unanimous consent to take up House Resolution No. 157, at this time, without reference to committee.

Resolution read and adopted unanimously.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 194—An act to amend Section 38c of the State Employees' Retirement Act, relating to retirement systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 619—An act to add Section 7154.1 to the Labor Code, relating to scaffolding.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—Collins, Sam L., and Knight, John B.—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 839—An act to amend Sections 351, 352, 354 and 356, and to repeal Section 353 of, and to add Section 353 to, the Labor Code, relating to tips and gratuities.

Bill read third time.

Demand for Previous Question

Messrs Rosenthal, Debs, Evans, Knight, John B., and Watson demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 839.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse,

O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Waters, Watson, and Weber—53.
 NOES—Armstrong, Call, Carey, Carlson, Clarke, Collins Sam L., Erwin, Field, Kellems, Knight, T. Fenton; Kraft, Leonard, Miller, Stream, Thompson, Werdel, Weybret, and Mr. Speaker—18.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1902—An act to amend Section 4214 of the Political Code, relating to county surveyors.

Bill read third time.

Motion to Amend

Mr. Weber moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 21, of the printed bill, after "thereof", insert ", and may be re-elected or reappointed thereto,".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 279—An act to amend Section 11 of the Motor Vehicle Fuel License Tax Act and to add Section 8104.5 to, and to amend Section 8105 of, the Revenue and Taxation Code, relating to refunds.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, strike out the period, and insert ", to take effect immediately."

Amendment No. 2

On page 3 of said bill, after line 14, insert

"Sec. 5. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 240 WAIVED

Mr. George D. Collins waived his notice of motion to reconsider the vote whereby Assembly Bill No. 240 was passed.

Assembly Bill No. 240 ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Thomas:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Sections 2904.1, 2904.2, 2909.1, and 2910.1 to, and to amend Section 2906 of the Revenue and Taxation Code, relating to taxation and the collection of taxes on the unsecured roll.

Respectfully submitted.

VINCENT THOMAS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Thomas:

An act to add Sections 2904.1, 2904.2, 2909.1, and 2910.1 to, and to amend Section 2906 of the Revenue and Taxation Code, relating to taxation and the collection of taxes on the unsecured roll.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carlson, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, McColister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1959: By Mr. Thomas—An act to add Sections 2904.1, 2904.2, 2909.1, and 2910.1 to, and to amend Section 2906 of the Revenue and Taxation Code, relating to taxation and the collection of taxes on the unsecured roll.

Referred to Committee on Revenue and Taxation.

Assembly Joint Resolution No. 43: By Mr. Desmond—Relative to increasing the quota for Portuguese immigration from the Azores as an aid to milk production in California.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Mr. Denny:

House Resolution No. 158

WHEREAS, On March 30, 1943, death came to Clarence W. Leininger; and WHEREAS, Clarence W. Leininger had devoted the greater portion of his life to public service, as a school teacher, as United States Land Commissioner serving in Shasta County, as Deputy District Attorney of Shasta County for eight years, and as a Member of the Assembly of the State of California during the Thirty-fifth Legislature; and

WHEREAS, This Assembly wishes to give recognition to the long and useful public service of Clarence W. Leininger, and to express to his surviving son and daughter the sincere sympathy of the Members of this Assembly; now, therefore, be it

Resolved by the Assembly of the State of California, That when this Assembly this day adjourns it do so out of respect to the memory of Clarence W. Leininger, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send a suitably engrossed copy of this resolution to the family of Clarence W. Leininger.

Request for Unanimous Consent

Mr. Denny asked for, and was granted, unanimous consent to take up House Resolution No. 158, at this time, without reference to committee.

Resolution read, and adopted by a rising vote of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 635—An act to add Sections 453.5, 453.6, 453.7, 453.8, and 453.9 to the Fish and Game Code, relating to storage locker plants.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, after the period, insert "Such bond shall be conditioned upon the payment to the commission of the amounts required to be remitted to it pursuant to Section 453.7."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1173 WAIVED

Mr. Pelletier waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1173 was passed.

Assembly Bill No. 1173 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES**Committee on Elections and Reapportionment**

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 433

Assembly Bill No. 564

Assembly Bill No. 1648

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ROBERTSON, Chairman

Above reported bills ordered to second reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 786.

RE-REFERENCE OF ASSEMBLY BILL NO. 763

Mr. Crowley moved that Assembly Bill No. 763 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1093 re-referred to Committee on Judiciary.

Assembly Bill No. 1083 re-referred to Committee on Judiciary.

Assembly Bill No. 718 re-referred to Committee on Judiciary.

Assembly Bill No. 1263 re-referred to Committee on Social Welfare.

Assembly Bill No. 1623 re-referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 963 re-referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 964 re-referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 693 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1777 re-referred to Committee on Public Health.

Assembly Bill No. 827 re-referred to Committee on Ways and Means.

Assembly Bill No. 498 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1047 re-referred to Committee on Judiciary.

Assembly Bill No. 1127 re-referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1239 re-referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1301 re-referred to Committee on Conservation, Natural Resources, and Planning.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Wickliffe Stack of Los Angeles.

On request of Messrs. Beck and McMillan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mary Ellen Dickison, Laurel Olson Knezevich of Los Angeles.

On request of Mr. Dills and the Los Angeles County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank L. Holt of Los Angeles.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant Peter V. Del Monte, Sergeant W. Keller, Corporal Ray Herrington of Hamilton Field.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Staff Sergeant Stephenson F. Muller, Elbert, Colorado, and Technical Sergeant William F. Greer, Alma, Nebraska.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Claire Knowles and Rhoda Morgan, teachers, and the following students of the high eighth grade, North Sacramento School: Donna Allen, Shirley Bright, Rosie Buttacavoli, Lorraine Byrd, Romona Castro, Geraldine Clayton, Maureen Delaney, Lois Fuller, Betty Graham, Marguerite Greer, Beverly Hoerner, Jo Alyce Holland, Doris Motating, Barbara Johnson, Melba Jones, Dolores Maxwell, Jackie Mitchell, Barbara Morton, Mary Mortensen, Margaret Biggs, Fred Collins, James Cruse, Donald Dosch, Ralph Fitchue, Kevan Griffen, Ronald Griffith, Sam Holsinger, Jerry Johnson, Thurman Jones, James Karnofsky, Eugene Lee, Charles Luce, Terry McKoun, William Medcalf, Rolf Owre, Ector Rodriguez, Loraine

Barclay, June Bird, Lorraine Bowden, Shirley Brewer, Wilma Butler, Dora Carillo, Angelina Chesser, Maggie Gatewood, Gladys Gonsalves, Rita Mae Jones, Janice Kite, Theresa Karbowski, Frances La Forte, Bernice McCormick, Peggy O'Neil, Pearl Wagner, Fay Walton, Rita Yepez, Sammy Burns, Stanley Cadwell, Billy Earle, Robert Eichler, Manuel Epps, Jack Smith, Robert Termeer, Carl Wadsworth, Donald Williams, Jack Humphrey, Jack Hubbard, Edward Jones, Richard Larimer, Robert Long, Calvin Mayhew, Robert Mullich, Homes Owens, Earle Prior, Donald Ptomey, Frank Ribera, Tony Ruiz, Charles Rice, Robert Taber, Harry Welch, George Westwood, Jack Powers, Ramona Ramey, Betty Reynolds, Leona Sawyer, Mary Ellen Spaan, Elaine Barber, and Helen Jo Runyon.

On request of Mr. McCollister and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Henry E Greer of San Rafael.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Allen G. Thurman of Colfax.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr and Mrs Conrad G. Selvig of Minnesota.

On request of Mr. Haggerty and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Arnold Walters of San Francisco.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to A Louis Paul and Edgar F Gleeson of Los Angeles

On request of Mr. Kraft and the San Diego County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. S R. Lewis of San Diego.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Eugene H. O'Donnell of San Francisco.

On request of Mr. Maloney and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Rev. Harold O'Day, brother of Assemblyman O'Day.

On request of Mr. Carey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. James Popper of Oakland.

On request of Messrs Sargent and Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Charles L. Byrd of Pasadena.

On request of Mr. Bashore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Corporal Milton Miller of Glendora.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Dean E McHenry of Los Angeles.

ADJOURNMENT

At 3.20 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, April 1, 1943, out of respect to the memory of the late Clarence W. Leininger.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-SECOND LEGISLATIVE DAY

EIGHTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, April 1, 1943

The Assembly met at 10 a m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Doyle, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollbaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

O Thou Light of the World, who commanded the light to shine out of darkness to give the light of the knowledge of the glory of God in the face of Jesus Christ, illumine our hearts with Thy Spirit. We seek that inner radiance which enables us to look serenely upon our troubled world, thus to let our light so shine that men may see our good works and glorify our Father which is in heaven.

“Light of the world, illumine
This darkened earth of Thine,
Till everything that’s human
Be filled with the divine.”

Through Jesus Christ our Lord

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Bennett.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Allen, on motion of Mr. Evans.

Mr. Kilpatrick, on motion of Mr. Bennett.

MOTION TO EXCUSE MEMBER

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, on account of illness.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

DEPARTMENT OF AGRICULTURE
WASHINGTON, March 26, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
California Legislature, Sacramento, California*

DEAR MR. OHNIMUS: This is in reply to your letter of February 17th, enclosing a copy of Assembly Joint Resolution No. 10 adopted by the California Legislature on January 10, 1943.

We are aware of the difficulties being encountered along the West Coast with regard to food supplies. Undoubtedly, the increased requirements created by the influx of war workers have made the situation there even more difficult than in many other parts of the Country. However, it must be recognized that the requirements of our armed forces and our Allies, together with greatly increased consumer demand generally, have created a condition in which supplies of many food commodities are short all over the Country.

In promulgating conservation orders for the dual purpose of making sure that supplies will be available for war purposes and, at the same time, that food available for civilians will be stretched over a long enough period to permit new supplies to be produced, it has been necessary to place limits on sales by distributors. While this has not been done, as far as the major food commodities are concerned, on a basis of quotas arrived at through population statistics, the limitations have undoubtedly been felt more sharply in areas of increased population. We have established machinery for dealing with the more acute shortages through the organization of State and Area Food Industry Committees. The functions of these committees are to receive and investigate complaints of such shortages, and, where the complaints are verified, to arrange for the movement of necessary food to alleviate the condition. The committees also determine the causes of the shortages and recommend steps to prevent their recurrence. The meat and other industries are cooperating with us in this work.

We believe that the recently announced rationing programs, when they are put into effect, will go far toward bringing about the necessary adjustments so that no one area will have to put up with more inconveniences than another. Rationing, of course, is actually an allocation to consumers, and probably the only practicable type of allocation under which equitable distribution can be assured.

We are keenly aware of the growing scarcity of farm labor. The department has recently established an Agricultural Labor Administration to have complete direction and supervision of the department's farm labor program. This program which will be carried out in cooperation with the extension service and other Federal and State agricultural agencies calls for the recruitment of some 3,500,000 additional workers by peak harvest time, the transportation of approximately 350,000 seasonal workers, including foreigners, the mobilization and use of several hundred thousand additional high school students, and the movement of approximately 50,000 workers from submarginal farming areas to areas of farm labor scarcity.

We assure you that the department will put forth every effort to see that the suggestions made in your resolution will be favorably acted upon.

Sincerely yours,

R. L. WEBSTER, Assistant to the Secretary

By Speaker Lyon:

A communication from the city engineer of the City of Los Angeles, relative to obtainment of State emergency funds in repair and new construction in Los Angeles City, resulting from flood damage, was received and referred to Committee on Roads and Highways.

Also:

The following communication was received, read, and ordered printed in the Journal:

WESTERN MINING COUNCIL,
AUBURN, CALIFORNIA, March 29, 1943

*Mr. Charles W. Lyon, Speaker
Assembly Chamber, Capitol
Sacramento, California*

DEAR MR. LYON: We are in receipt of a letter from Chief Clerk Arthur A. Ohnimus, stating that your body had turned down our request for the use of the Assembly Chamber on April 15th to accommodate a hearing to be conducted by United States Senator James G. Scrugham, Chairman of the Mining Subcommittee of the United States Senate Committee Appointed to Investigate Small Business.

As you probably know, it is one of Governor Warren's plans to aid after-war conditions by proper encouragement and exploitation of the State's mineral resources. You also should know that this is not being done at this time; and that this condition is the very reason for Senator Scrugham's hearing. If conditions were right in California, Senator Scrugham would not have to leave a heavy program in the National capital.

The whole Legislature should know of these conditions, which is one of the main reasons why our organization has asked for the use of the Assembly Chamber. We want your members to know what's wrong, and then to take steps to correct the situation. We can guarantee you that your body's attendance at the hearing would be part of a liberal education that you, as Legislators, can not afford to miss.

We, therefore, ask your body to reconsider our request, and grant us permission to use the Chamber on the afternoon of April 15th.

Thanking you, I am,

Very truly yours,

J. P. HALL, President, Western Mining Council
C.C. Richard H. Chamberlain, Secretary to the Governor

MOTION TO REPLY TO LETTER

On motion of Mr. Doyle, the following reply to the above letter, written by the Speaker, was approved by the Assembly, and ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE, March 31, 1943

*Mr. J. P. Hall, President
Western Mining Council, Auburn, California*

DEAR MR. HALL: I regret exceedingly that you do not understand the reason why we have refused your request for the use of the Assembly Chamber on April 15th. The Legislature will be in session on that day, and it has no other place to meet.

If you want to use the Assembly Chamber for an evening meeting, we shall be most happy to grant you permission. Otherwise, there is nothing I can do to help you because the Legislature must convene and attend to its business.

I regret that our sessions interfere with the meeting under the guidance of United States Senator James G. Scrugham, whom we shall be most happy to welcome in Sacramento.

Sincerely yours,

CHARLES W. LYON, Speaker

COMMUNICATIONS

By Speaker Lyon:

The following communication was received, read, and ordered printed in the Journal:

DEPARTMENT OF FINANCE, SACRAMENTO, March 29, 1943

*Hon Charles W. Lyon, Speaker State Assembly
State Capitol, Sacramento, California*

DEAR SENATOR LYON: I have just received the beautifully expressed resolution of the California State Assembly informing me of their adjournment on January 26, 1943, in memory of my wife, Mrs. Minnie Ruth Dean.

My daughter, Mrs. Robert Dollar, and I are deeply touched by this evidence of thoughtfulness, and have been helped immeasurably in knowing of the sympathetic understanding on the part of so many friends.

Please convey to the Assembly our great appreciation of this tribute and our

gratitude especially to the Honorable Earl D. Desmond and the Honorable Chester F. Gannon at whose suggestion the resolution was adopted.

Sincerely yours,

JAMES S. DEAN, Deputy Director of Finance

Also:

The following communication was received and ordered printed in the Journal:

STATE OF NEVADA, DEPARTMENT OF STATE
CARSON CITY, NEVADA, March 29, 1943

*Speaker of the California Assembly
Sacramento, California*

DEAR SIR: As required by the provisions thereof, I send you herewith a certified copy of Assembly Joint Resolution No. 17 of the Nevada Legislature, adopted at its 1943 Session, and approved by the Governor March 24, 1943.

Very truly yours,

MALCOLM McEACHIN, Secretary of State

Above resolution referred to Committee on Conservation, Natural Resources, and Planning.

Also:

A communication from the city clerk of the City of Los Angeles, relative to a report on damage to public works in the City of Los Angeles was received, and referred to Committee on Municipal and County Government.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 36—Relative to memorializing Congress to designate the limits beyond which the Congress and administrative agencies of the United States shall not go in exercise of the power given to Congress to regulate interstate commerce;

And reports that the same has been correctly enrolled, and presented to the Governor on the first day of April, 1943, at 10 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 451—An act to amend Section 817 of the Penal Code, relating to the definition of peace officers;

Assembly Bill No. 455—An act to amend Section 3024 of the Penal Code, relating to minimum sentences of imprisonment;

Assembly Bill No. 459—An act to amend Sections 2009, 2023 and 2033 of the Penal Code, relating to the transfer of prisoners between prisons;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of April, 1943, at 10 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 460—An act to amend Section 2092 of the Penal Code, relating to prisons;

Assembly Bill No. 464—An act to amend Section 2920 of the Penal Code, relating to credits and terms of imprisonment;

Assembly Bill No. 470—An act to amend Sections 1217, 3600, 3602, and 3603 of the Penal Code, relating to the death penalty;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of April, 1943, at 10 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined.

Assembly Bill No. 478—An act to amend Sections 4570, 4571, 4572, 4573 and 4574 of the Penal Code, relating to unauthorized communications with the prisons and prisoners;

Assembly Bill No. 705—An act to amend Section 1062 of the Agricultural Code, relating to materials exempt from the economic poisons provisions of said code;

Assembly Bill No. 935—An act to add Section 644.6 to the Agricultural Code, relating to sanitation;

And reports the same have been correctly enrolled, and presented to the Governor on the first day of April, 1943, at 10 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 980—An act to amend Section 560 of the Agricultural Code, relating to modified milk;

Assembly Bill No. 1810—An act to amend Section 736.15 of the Agricultural Code, relating to local control boards for marketing areas for fluid milk and cream; And reports the same have been correctly enrolled, and presented to the Governor on the first day of April, 1943, at 10 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 168 | Assembly Bill No. 1323 |
| Assembly Bill No. 357 | Assembly Bill No. 1335 |
| Assembly Bill No. 716 | Assembly Bill No. 1400 |
| Assembly Bill No. 1293 | Assembly Bill No. 1449 |
| Assembly Bill No. 1294 | Assembly Bill No. 1745 |
| Assembly Bill No. 1299 | Assembly Bill No. 1855 |
| Assembly Bill No. 1300 | Assembly Bill No. 1902 |
| Assembly Bill No. 1304 | |

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1387
And reports the same correctly re-engrossed

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 283 | Assembly Bill No. 1176 |
| Assembly Bill No. 962 | Assembly Bill No. 1274 |
| Assembly Bill No. 974 | Assembly Bill No. 1856 |
| Assembly Bill No. 1008 | Assembly Bill No. 1894 |
| Assembly Bill No. 1106 | |

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 152
Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No. 1096
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MALONEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No. 1939
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MALONEY, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Senate Bill No. 465

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 359—An act to add Section 1752.6 to the Welfare and Institutions Code, relating to the powers of the Youth Correction Authority.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1205—An act to amend Section 1713 of the Welfare and Institutions Code, relating to the Advisory Panel created by the Youth Correction Authority Act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1431—An act to amend Section 740 of the Welfare and Institutions Code, relating to commitments by the juvenile court, and authorizing commitment of wards to the Youth Correction Authority.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1796—An act to amend Sections 1, 2 and 3 of, and add Section 7.5 to, an act entitled "An act to create the office of public defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the office of the public defender.

Bill read second time, and ordered engrossed.

Assembly Bill No. 830—An act to amend Sections 396 and 397 of the Agricultural Code, relating to estrays

Bill read second time, and ordered engrossed.

Assembly Bill No. 848—An act to add to Chapter 2 of Division 5 of the Agricultural Code a new section to be numbered 790.5, relating to emergency standards, and declaring the urgency thereof to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1460—An act to amend Section 577 of the Agricultural Code, relating to oleomargarine.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1461—An act to amend Section 521 of the Agricultural Code, relating to butter.

Bill read second time, and ordered engrossed.

Assembly Bill No. 857—An act to amend Section 402 of the Vehicle Code, relating to financial responsibility.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1010—An act to add Section 276.5 to the Vehicle Code, relating to the extension of the life of operators' licenses during the war emergency, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1072—An act to amend Section 128 of the Vehicle Code, relating to powers and duties of the director.

Bill read second time, and ordered engrossed.

Assembly Bill No. 479—An act to amend Sections 4530, 4531 and 4532 of the Penal Code, relating to escapes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 2, line 4, of the printed bill, after "county", insert "or city."

Amendment No. 2

On page 2, line 8, of the printed bill, after "county", insert "or city."

Amendment No. 3

On page 2 of the printed bill, strike out lines 15 and 16, and insert "one year."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 740—An act to add Section 2714 to the Penal Code, relating to the payment of wages to prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 2714", and insert "amend Section 2712".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

—
Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and insert "SECTION 1. Section 2712 of the Penal Code is hereby amended to read: 2712. The board may allow to prisoners at the [California Institution for Men] State prisons such proportions of their earnings above the cost of their maintenance as the board may deem proper."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1632—An act to add Section 818.1 to the Agricultural Code, relating to potatoes for seed purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, beginning with "or" in line 10, strike out all of the remainder of the bill, and insert "and identified for seed purposes, or when bearing a notice accompanied by an order directing the disposition of the potatoes for seed purposes only. The notice and order herein provided shall have the same force and effect as the warning notice and disposal order provided in Section 830.1, and shall be subject to all the provisions of this chapter relating thereto."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 969—An act to repeal Article 1 of Chapter 5 of Division 5 of the Agricultural Code, and to add to said chapter a new article, to be numbered Article 1, relating to seed.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 7 of the printed bill, at the end of line 9, insert "Any decision of the director in accordance with this section is subject to review by any court of competent jurisdiction."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 946—An act relating to full time civil service employees of this State and of any local governmental agency thereof and restricting the activities of such persons with regard to the practice of any profession or business requiring a license issued under any statute of this State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1 of the printed bill, strike out lines 8 to 14, inclusive, and insert "the civil service position held by said employee, or suspension or other appropriate disciplinary action."

Amendment No. 2

On page 1, line 3, of the printed bill, immediately following "profession", insert "other than teaching".

Amendments read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 979—An act to amend Section 666 of the Agricultural Code, relating to the labeling of milk products and imitations thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1, line 3, of the printed bill, after "sold", insert "to the retail trade".

Amendment No. 2

On page 1 of the printed bill, after line 18, insert "The provisions of this section shall also apply to milk and cream sold in bulk to the wholesale trade and to milk and cream sold by milk products plants for processing purposes."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 63—An act to add Section 132.5 to the Vehicle Code, relating to hearings conducted by the Department of Motor Vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 7, of the printed bill, after "vehicle", strike out "or (3) revoked or refused a dealer's or".

Amendment No. 2

On page 1, line 8, of the printed bill, strike out "wrecker's license".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 800—An act to amend Section 776 of the Vehicle Code, relating to the "Motor Vehicle Support Fund," to take effect July 1, 1943.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 10, of the printed bill, after "(a)", insert "thirty-six and one half".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 433—An act to amend Section 5658 of the Elections Code, relating to the residence of persons living in trailers or vehicles or at camping grounds or public camps.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, strike out "under this article", and insert "for voting purposes; provided, the registrant complies with the other requirements of this article".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 564—An act to amend the heading of Article 2.5 of Chapter 1 of Division 4, and Sections 1511, 1512, 1513, and 1514, and to add Sections 1509.5, 1511.5 and 1514.5 to the Elections Code, relating to ballot pamphlet.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend the heading of Article 2.5 of Chapter 1 of"; and strike out lines 2 and 3, and insert "add Section".

Amendment No. 2

In line 5 of the title of said bill, strike out "Pamphlet", and insert "Pamphlets".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 28, inclusive; on page 2, strike out lines 1 to 52, inclusive; and on page 3, strike out lines 1 to 6, inclusive, and insert "SECTION 1. Section 1514.5 is added to the Elections Code, to read:".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1648—An act to amend Section 2671.5 of the Elections Code, relating to declarations of candidacy.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 6, of the printed bill, after "State.", insert "The county clerk shall not accept any papers unless the fees are paid at the time, or unless satisfactory evidence is given to the county clerk or to the registrar of voters that such fee has been paid at the time of the declaration of candidacy in another county."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 851—An act to add Section 822.5 to the Agricultural Code, relating to markings on containers of apples.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 822.5 to", and insert "amend Section 1106.2 of".

Amendment No. 2

Strike out all of line 2 of the printed bill, and insert "to eggs"

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "§22.5 is added to the Agricultural Code," and insert "1106.2 of the Agricultural Code is amended".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 3 to 7, inclusive, and insert "1106.2. (a) Any eggs prepared, packed, stored, delivered for shipment, delivered for sale, loaded, shipped, transported or sold in violation of *any* of the provisions of this article, together with their containers, are a public nuisance, and such eggs shall be held by the person in whose possession they may be and shall not be moved from the place where they may be, except upon the written permission or upon the specific direction of an enforcement officer.

(b) The enforcement officer may affix a warning tag or notice to such nuisance and may give notice of such violation to the producer, packer or owner, or any person in possession of such eggs. If such person, so notified, refuses or fails within 24 hours to recondition or re-mark the same so as to comply with all provisions of this article, such eggs and their containers may be seized by any enforcement officer, and by order of any court of competent jurisdiction shall be condemned and destroyed, or released upon such conditions as the court in its discretion may impose to insure that they will not be prepared, packed, delivered for shipment, shipped, transported or sold in violation of the provisions of this article.]

(c) *The district attorney of the county in which any such nuisance is found, on the relation of the director or of any enforcement officer, shall maintain, in the name of the people of the State of California, a civil action to abate and prevent such nuisance; and upon judgment and by order of the court, such nuisance shall be condemned and destroyed in the manner directed by the court, or reconditioned, re-marked, denatured, or otherwise processed, or released upon such conditions as the court in its discretion may impose to insure that the nuisance will be abated. If the owner fails to comply with the order of the court within the time specified therein the court may order disposal of the eggs and their containers or the sale thereof, under such terms and conditions as the court may prescribe, by the enforcement officer, or by the sheriff, marshal, or constable; and in the event the court orders the sale of any of the eggs and their containers which can be salvaged, the costs of disposal shall be deducted from the proceeds of sale and the balance paid into court for the owner.*

(d) *In actions arising under the provisions of this section municipal courts shall have original jurisdiction where the value of the property seized amounts to two thousand dollars (\$2 000) or less; justices' courts of Class A shall have original jurisdiction where the value amounts to one thousand dollars (\$1 000) or less; and justices' courts of Class B shall have jurisdiction where the value amounts to three hundred dollars (\$300) or less.*

Amendments read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 869—An act to add Section 1630 to the Civil Code, relating to contracts for the sale of agricultural products

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1630 to the Civil Code", and insert "Chapter 7 to Division 6 of the Agricultural Code".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert "SECTION 1. Chapter 7, consisting of Section 1280, is added to Division 6 of the Agricultural Code, to read:

CHAPTER 7 MARKETING OF EDIBLE NUTS

1280 All contracts for the sale of edible nuts, shall be in writing and shall state the full purchase price to be paid on delivery, in accordance with the terms of the contract, and must state the price in a definite sum and, if the price is to be paid upon the basis of units of weight or measure, shall specify or describe such unit and state the full unit price. All contracts hereafter entered into in violation hereof shall be invalid and unenforceable. This section shall not be applicable to contracts between growers and cooperative agricultural marketing associations operating under and by virtue of the laws of this State, or of any other State, or the District of Columbia or the United States.

SEC 2 It is the public policy of this State and in the furtherance of the public interest to encourage production of agricultural products. A free and unmanipulated price level for edible nuts and a fair return to the grower for his productive effort are necessary to encourage and increase production. The Legislature hereby declares that this act will encourage and increase such production and that this act is enacted in furtherance of the policy expressed in this section."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 28, inclusive.

Amendments read and adopted

Bill ordered reprinted and engrossed

Assembly Bill No. 1512—An act to amend Section 1261 of the Agricultural Code, relating to definitions affecting produce dealers and brokers

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1261", and insert "Sections 1261, 1268, 1268.1, 1269, 1271 and 1273, and to repeal Sections 1268 5 and 1270".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "definitions affecting".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of the printed bill, following line 21, insert

"SEC 2. Section 1268 of the Agricultural Code is amended to read:

1268. The director on his own motion may or upon the verified complaint of any interested party shall investigate, examine or inspect any transaction involving solicitation, receipt, sale or attempted sale of farm products by any person or persons acting or assuming to act as a commission merchant, dealer, broker or agent; failure to make proper and true account of sales and settlement thereof as in this chapter required; the intentional making of false statements as to condition and quantity of any farm products received or in storage; the intentional making of false statements as to market conditions; the failure to make payment for farm products within the time required by this chapter; or investigate, examine or inspect any and all other injurious transactions, and in furtherance of any such investigation, examination or

inspection, the director or any authorized representative, may examine that portion of the ledgers, books, accounts, memoranda and other documents, farm products, scales, measures, and other articles and things used in connection with the business of such person relating to the transactions involved. When a producer-consignor, or seller, of farm products fails to obtain settlement satisfactory to him in any transaction after having notified the consignee, or buyer, a verified complaint may be filed with the director who shall undertake to effect a settlement, and in the event that he shall fail to effect such settlement, [he shall cause a copy of such complaint, together with a notice of the time and place of hearing of such complaint, to be served personally or by mail upon such person. Such service shall be made at least 10 days before the hearing, which shall be held in the city or town in which is situated the business location of the licensee, or in which the transaction complained of is said to have occurred, or in the county seat of the county in which the transaction or violation complained of is said to have occurred, or at the nearest office of the State Department of Agriculture. At the time and place appointed for such hearing the director or his agents, shall hear the parties to such complaint, and shall enter in the office of the director at Sacramento a decision either dismissing such complaint or specifying the facts established on such hearing. A copy of such decision shall be furnished to each, every and all the respective parties thereto.

Such decision may include an order refusing, revoking or suspending the license applied for or held by the respondent, or affixing such other conditional or probationary orders as may be proper for the enforcement of this chapter or any of the provisions thereof.

Should the licensee or respondent fail, refuse or neglect to attend such hearing after due and proper notice, and in the absence of a valid excuse, the director is thereupon empowered to hear the complaint, and if the facts warrant, to enter] he shall call a hearing as provided for herein.

The director may refuse to grant any license herein provided, and may, after due hearing, upon his own motion or upon a verified complaint signed and filed with the director by any interested person, refuse, revoke or suspend any such license as the case may require, when he is satisfied that any applicant or licensee has violated any provision of this chapter. Upon the filing of such a verified complaint, the director shall cause a copy thereof, together with a notice of the time and place of hearing of such complaint, to be served personally or by mail upon the person, or persons named as respondent or respondents therein. Such service shall be made at least ten (10) days before said hearing, which shall be held in the city or town in which is situated the principal place of business of the licensee or respondent, or in which the transaction or violation complained of is said to have occurred, or in the county seat of the county in which the transaction or violation complained of is said to have occurred, or in the nearest office of the State Department of Agriculture, at the discretion of the director. At the time and place appointed for such hearing the director or his agents shall hear the parties to said complaint, and shall enter in the office of the director at Sacramento a decision either dismissing such complaint or specifying the facts established on such hearing. Such decision may include an order refusing, revoking or suspending the license applied for or held by the respondent, or affixing such other conditional and probationary orders as may be proper for the enforcement of this chapter. A copy of the decision shall be furnished to the licensee and complainant.

After any decision including any conditional or probationary orders, should respondent fail, refuse or neglect to comply with any of such orders, the director may thereupon and in the premises issue to and serve upon said respondent an order directing said respondent to show cause why the license of said respondent should not be suspended or revoked for the failure to comply with such conditional or probationary orders as above described. A copy of the said order to show cause, together with the notice of the time and place of hearing upon said order, shall be served personally or by mail upon said respondent. Said order shall refer to an attached copy of the conditional or probationary orders in such a way as to advise and inform the respondent of the charge or violation upon which said order is based and pursuant to which it is issued. Such service shall be made at least ten (10) days before said hearing, which shall be held in the city or town in which is situated the principal place of business of the respondent, or in which the transaction or violation complained of is said or charged to have occurred, or in the county seat of the county in which the transaction or violation complained of is said or charged to have occurred, or at the nearest office of the State Department of Agriculture at the discretion of the director.

At the time and place appointed for such hearing the director or his agents shall hear the matter set forth in the order, and the showing of the licensee in the premises, and shall enter in the office of the director at Sacramento an order and decision specifying the facts, dismissing the order to show cause or directing the suspension or revocation of the license or licenses held by the licensee, or making such further conditional or probationary orders as the director may deem proper, upon the evidence presented at such hearing. A copy of said order and decision shall be furnished to the licensee. Previous violation by any applicant or by any

person connected with said applicant of any provision of this chapter shall be good and sufficient grounds for denial, revocation or suspension of a license.

Should either party to the hearing request a continuance after due notice as herein provided, the party requesting the continuance must make such request forty-eight (48) hours prior to the time of hearing; provided further, that the party requesting such continuance shall be required to pay the costs attached to such continuance.

Nothing in this section contained may be construed as limiting the power of the director to revoke or suspend a license when he is satisfied of the existence of any of the facts specified in Section 1269 of this chapter.

Sec. 3. Section 1268.1 of said code is amended to read:

1268.1. The director is hereby vested with the administrative authority to investigate any and all transactions between persons required to be licensed under the provisions of this chapter, or between such persons and producers, or between such persons and wholesale customers, and for that purpose the director or his authorized agents shall have access to and may enter at all reasonable hours all places where farm products are being stored, packed, or handled, or where the books, papers, records or documents relating to any and all transactions relating to farm products are kept, and shall have the power to inspect and copy the same in any place within the State.

Upon receiving a verified complaint, as in this chapter provided, the director, upon his own motion, may examine and audit all pertinent books, records, weight tags, receipts, ledgers, papers, contracts, and other documents of the licensee against whom said verified complaint is filed which relate to the matters complained of and upon receipt of verified complaints filed by three or more complainants alleging violation of this act and/or fraud against a licensee during any 12-month period the director, upon his own motion, may have free access to and may examine and audit all books, records, weight tags, receipts, ledgers, papers, contracts, and other documents of said licensee which show or tend to show facts regarding the number and status of accounts of growers doing business with said licensee; should such examination disclose evidence of violation of this chapter, the director may then and thereupon and upon his own motion issue a complaint directed against the licensee, either on his own behalf or on behalf of producers affected by such violation or violations, together with such other process for the enforcement of the provisions of this chapter as is in said chapter provided.

Sec. 4. Section 1268.5 of said code is repealed.

Sec. 5. Section 1269 of said code is amended to read:

1269. (1) The director may refuse to grant a license and may revoke or suspend any license, as the case may require, when after a hearing as herein provided, he is satisfied of the existence of any of the following facts, the existence of which is hereby declared to be a violation of this chapter:

(a) That fraudulent charges or returns have been made by the applicant, or licensee, for the handling, sale or storage of, or for rendering of any service in connection with the handling, sale or storage of any farm products.

(b) That the applicant, or licensee, has failed or refused to render a true account of sales, or to make a settlement thereon, or to pay for farm products received, within the time and in the manner required by this chapter.

(c) That the applicant, or licensee, has made any false statement as to the condition, quality or quantity of farm products received, handled, sold or stored by him

(d) That the applicant, or licensee, directly or indirectly, has purchased for his, or its own account farm products received by him upon consignment without prior authority from consignor together with price fixed by consignor or without promptly notifying the consignor of such purchase. This shall not prevent any commission merchant from taking to account of sales, in order to close the day's business, miscellaneous lots or parcels of farm products remaining unsold, if such commission merchant shall forthwith enter such transaction on his account of sales.

(e) That the applicant, or licensee, has intentionally made any false or misleading statement as to the conditions of the market for any farm products.

(f) That the applicant, or licensee, has made fictitious sales or has been guilty of collusion to defraud the producer.

(g) That a commission merchant to whom any consignment is made has re-consigned such consignment to another commission merchant and has received, collected, or charged by such means more than one commission for making the sale therefor for the consignor, unless by written consent of such consignor.

(h) That the licensee was intentionally guilty of fraud or deception in the procurement of such license.

(i) That the licensee or applicant has failed or refused to file with the director a schedule of his charges for services in connection with produce handled on account of or as an agent of another; that the applicant, or licensee has indulged in any unfair practice.

(j) That the licensee has rejected, without reasonable cause, or has refused to accept, without reasonable cause, any farm product bought or contracted to be bought from a producer by such licensee.

(k) That the licensee has otherwise violated any provision of this chapter.

(1) That the licensee has knowingly employed an agent, as defined in this chapter, without causing said agent to comply with the licensing requirements of this chapter applicable to agents.

(m) *That the licensee has violated any provisions of a contract for the handling or purchase of farm products with the producer.*

(2) Previous violation by the applicant or by any person connected with him or it of any of the provisions of this chapter shall be good and sufficient ground for denial of a license.

(3) The director, after [a] hearing, or investigation may refuse to grant a license and may revoke or suspend any license as the case may require, when he is satisfied that the licensee has become bankrupt or insolvent, and is thereby unable to pay producer-creditors of the licensee, or producers with whom the licensee has executory or executed contracts for the purchase of farm products [], or for the handling of farm products on consignment.

In such cases, if the director is satisfied that to permit the dealer or commission merchant to continue to purchase or to receive further shipments or deliveries of farm products would be likely to cause serious and irreparable loss to said producer-creditors, or to producers with whom the said dealer or commission merchant has said contracts, then the director within his discretion may thereupon and forthwith shorten the time herein provided for hearing upon an order to show cause why the license of said dealer or commission merchant should not be forthwith suspended or revoked; provided, however, that the time of notice of said hearing shall in no event be less than 24 hours, and shall within that period call a hearing, at which the dealer or commission merchant proceeded against shall be ordered to show cause why his or its license should not be suspended, or revoked, or continued under such conditions and provisions, if any, as the director may consider just and proper and for the protection of the best interests of the producer-creditors involved. Said hearing, in the case of such emergency, may be called upon written notice, said notice to be served personally or by mail on the dealer or commission merchant involved, and may be held at the nearest office of the director or at such place as may be most convenient at the discretion of the director, for the attendance of all parties involved.

SEC. 6. Section 1270 of said code is repealed

SEC 7. Section 1271 of said code is amended to read

1271. (1) Every commission merchant, having received any farm products for sale as such commission merchant, shall promptly make and keep a correct record showing in detail the following with reference to the handling, sale, or storage of such farm products.

(a) The name and address of the consignor.

(b) The date received.

(c) The condition and quantity upon arrival.

(d) Date of such sale for account of consignor

(e) The price for which sold.

(f) An itemized statement of the charges to be paid by consignor in connection with the sale.

(g) The names and addresses of all purchasers if said commission merchant has any financial interest in the business of said purchasers, or if said purchasers have any financial interest in the business of said commission merchant, directly or indirectly, as holder of the other's corporate stock, as copartner, as lender or borrower of money to or from the other, or otherwise, such interest shall be noted in said records following the name of any such purchaser

(h) A lot number or other identifying mark for each consignment, which number or mark shall appear on all sales tags and/or other essential records needed to show what the produce actually sold for.

(i) Any claim or claims which have been or may be filed by the commission merchant against any person for overcharges or for damages resulting from the injury or deterioration of such farm products by the act, neglect or failure of such person and such records shall be open to the inspection of the director and the consignor of farm products for whom such claim or claims are made.

(2) *Every dealer purchasing any farm products from the producer thereof shall promptly make and keep for one year a correct record showing in detail the following:*

(a) *The name and address of the grower.*

(b) *The date received.*

(c) *The price to be paid.*

(d) *An itemized statement of any charges paid by the dealer for the account of the producer.*

(3) *Every broker, upon negotiating the sale of farm products, shall issue to both buyer and seller a written memorandum of sale, showing price, date of delivery, quality, and other details concerned in the transaction. A copy of this memorandum shall be retained by the broker for a period of one year.*

SEC. 8. Section 1273 of said code is amended to read:

1273. (1) Any person is guilty of a misdemeanor and is punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment in the county

jail for not more than one year or by both who assumes or attempts to act or acts as a commission merchant, dealer, broker or agent without a license, or who:

(a) Imposes false charges for handling or services in connection with farm products.

(b) Fails to account promptly, correctly, fully and properly and to make settlement therefor as herein provided.

(c) Intentionally makes false or misleading statement or statements as to market conditions.

(d) Makes fictitious sales or is guilty of collusion to defraud the producer.

(e) Directly or indirectly purchases for his own account, goods received by him upon consignment without prior authority from the consignor, or fails promptly to notify the consignor of such purchases, if any, on his own account. This clause does not prevent any commission merchant from taking to account of sales, in order to close the day's business, miscellaneous lots or parcels of farm products remaining unsold, if such commission merchant forthwith enters such transaction on his account of sales.

(f) Intentionally makes false statement or statements as to the grade, conditions, markings, quality or quantity of goods shipped or packed in any manner.

(g) Fails to comply in every respect with the provisions of this chapter.

(2) Civil suits and criminal prosecutions arising by virtue of any of the provisions of this chapter may be commenced and tried in either the county where the products were received by the commission merchant, dealer, broker or agent, or within the county in which the principal place of business of such commission merchant, dealer, broker or agent is located, or within the county in which the violation of this chapter occurred.

(3) *The director may bring an action to enjoin the violation or the threatened violation of any provision of this chapter or of any order made pursuant to this chapter in the superior court in the county in which such violation occurs or is about to occur. There may be enjoined in one proceeding any number of defendants alleged to be violating the same provisions or orders, although their properties, interests, residences, or places of business may be in several counties and the violations separate and distinct. Any proceeding brought hereunder shall be governed in all other respects by the provisions of Chapter 3, Title 7 of Part 2 of the Code of Civil Procedure.*

(4) *Any person who violates any provision of this chapter shall be liable civilly in an amount not to exceed the sum of five hundred dollars (\$500) for each and every violation, such sum to be recovered in an action by the director in any court of competent jurisdiction. All sums recovered under this section shall be deposited in the State treasury to the credit of the Department of Agriculture Fund."*

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 465—An act to add Section 2714 to the Penal Code, relating to prisons and prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to add Section 2714 of the Penal Code, relating to", and insert "to amend Section 2049 of the Penal Code, and to add Sections 2090.5, 2714, 3020.5 and 3040.5 to the Penal Code, relating to".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert "SECTION 1. Section 2049 of the Penal Code is hereby amended to read:
2049. The board, or any officer or employee designated by it, shall audit and approve all claims for supplies, services and expenses and any and all other claims against the prisons."

Amendment No. 3

On page 1 of the printed bill, after line 7, insert "Sec. 2. Section 2090.5 is hereby added to the Penal Code, to read:
2090.5. The Warden of San Quentin Prison is hereby authorized to receive persons committed to the State prisons by the Youth Correction Authority and while such persons remain in a State prison they shall be subject to the jurisdiction of the State Board of Prison Directors and all laws, rules and regulations relating to State prisons shall be applicable to such persons, including those relating to credits and discharges; provided, however, the Youth Correction Authority may remove any

such person at any time upon 30 days' notice to the warden who at the time has custodial jurisdiction of such person.

SEC. 3. Section 2714 is hereby added to the Penal Code, to read:

2714. Employees and officers appointed by the wardens or by the State Board of Prison Directors who are placed in charge of prisoners shall not lose, or be deprived of, any rights as a State employee because their compensation is not paid by the State of California.

SEC. 4. Section 3020 5 is hereby added to the Penal Code, to read:

3020.5. The provisions of this article shall be applicable to all persons committed to a State prison by the Youth Correction Authority while such person remains under the jurisdiction of the State Board of Prison Directors.

SEC. 5. Section 3040 5 is hereby added to the Penal Code, to read:

3040 5. The provisions of this article shall be applicable to all persons committed to a State prison by the Youth Correction Authority while such person remains under the jurisdiction of the State Board of Prison Directors."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 933—An act to add to Chapter 2 of Division 4 of the Agricultural Code a new article to be numbered Article 8, including a new section to be numbered 570, relating to emergency standards for milk and milk products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2 of Division 4", and insert "1 of Division 1".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "S", and insert "1A".

Amendment No. 3

In line 3 of the title of the printed bill, strike out "570, relating to emergency"; and strike out all of line 4 of said title, and insert "35, relating to the formulation of new provisions, conditions, standards, and prices to take the place of those rendered ineffectual or unenforceable by reason of conflict with a Federal law, order or regulation made under the Federal war powers, and declaring the urgency thereof to take effect immediately."

Amendment No. 4

In line 1 of the printed bill, strike out "S is hereby added to Chapter 2 of"; and strike out all of lines 2 to 20, inclusive, and insert "1A is hereby added to Chapter 1 of Division 1 of the Agricultural Code, to read:

Article 1A. Temporary Provisions, Conditions, Standards or Prices

35. The Legislature hereby declares that in order to protect the agricultural interests of the people of this State and to conserve the agricultural wealth of the State and protect the health and general welfare of our citizens during the continuance of the wars in which the United States is now engaged, and in order to maintain or enforce State laws, orders or regulations prescribing conditions, standards or prices it is necessary that provision be made for the formulation of conditions, standards, or prices to take the place of those conditions, standards or prices which are rendered ineffectual or unenforceable by reason of any conflict with a Federal law, order or regulation made under the Federal war powers.

Whenever the director shall be notified in writing by the Attorney General of this State that any provision, condition, standard or price established by or under authority of this code is in conflict with a Federal law, order or regulation made under the Federal war powers, and is thereby rendered ineffectual and unenforceable, he shall prepare proposed new provisions, conditions, standards or prices to take the place of such provisions, conditions, standards or prices declared by the Attorney General to be in conflict as aforesaid, and shall as soon as reasonably possible call a public hearing to consider the same at a place within the State that he deems suitable.

Notice of such hearing shall be given at least five days prior thereto by publication in a newspaper of general circulation printed and published in the County of

Sacramento and in a similar newspaper printed and published in the county where such hearing is held.

At such hearing the director shall receive and hear the evidence of all interested persons which shall be taken under oath, and all written evidence and exhibits introduced at such hearing shall be preserved and open to inspection by any interested person.

If from the evidence and data produced at such hearing and from such other knowledge and information as the director may have he shall find in writing:

1. That the conflict between the existing provision, condition, standard or price and the Federal law, order or regulation and the consequent unenforceability of such provision, condition, standard or price seriously impairs or prevents the effectuation of the purpose and intent of such provision, condition, standard or price or of the statute of which it is a part;

2. That the effectuation of the purpose and intent of such provision, condition, standard or price or of the statute of which it is a part will be best served by the adoption of such new provision, condition, standard or price as will remove such conflict with the Federal law, order or regulation;

3. That the new provision, condition, standard or price is as similar to the existing provision, condition, standard or price as is reasonably possible without being in conflict with such Federal law, order or regulation;

4. That the new provision, condition, standard or price will protect the agricultural interests of the people of this State and conserve the agricultural wealth of the State and protect the health and general welfare of our citizens during the life of the Federal law, order or regulation in conflict with the existing provision, condition, standard or price;

Then, and upon such findings, the director shall transmit his determination and recommendations thereon to the Governor. The Governor shall review the determination and recommendations so submitted and if he finds that the purposes and objectives of this section are to be attained thereby shall issue an order formulating and making effective such new provision, condition, standard or price.

Such new provisions, conditions, standards or prices so formulated and made effective shall continue in force and effect only during the life of such Federal law, order or regulation in conflict with the original existing provision, condition, standard or price, and while in force and effect shall supersede the original existing provision, condition, standard or price and be administered and enforced by the director in the same manner and to the same extent, and violations thereof shall be subject to the same penalties, as provided in the case of such original existing provisions, conditions, standards or prices.

Upon the termination of this act all provisions, conditions, standards and prices formulated and made effective hereunder shall immediately terminate and cease and be of no further force or effect and any and all original existing provisions, conditions, standards or prices so temporarily superseded shall be and become in full force and effect as though no new provision, condition, standard or price had been formulated and made effective hereunder. The same shall be true at any sooner time upon the expiration of the life of any such conflicting Federal law, order or regulation as to the particular provisions, conditions, standards or prices affected thereby.

As used in this section, "director" means Director of Agriculture, except with reference to Article 1 of Chapter 3 of Division 5 and Article 4 of Chapter 8 of Division 5 of this code; and as to those articles only, "director" means Director of Public Health.

This act shall remain in force until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of Section 1 of Article IV of the Constitution of the State of California, and as such shall take effect immediately. The following is a statement of the facts constituting such necessity:

Regulations promulgated under the war power of the Federal Government during the present war emergency may and do render ineffectual or unenforceable many of the provisions, conditions, standards and prices established by or under authority of the Agricultural Code. In order to provide in such cases a procedure for the immediate formulation of new conditions, standards and prices to take the place of those rendered ineffectual or unenforceable by reason of conflict with such Federal laws, orders and regulations, it is necessary that this act take effect immediately."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 169—An act to add Section 512 to the Vehicle Code, relating to driving speed of motor vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 512 to", and insert "amend Section 515.5 of".

Amendment No. 2

In line 2 of the title of the printed bill, at the end of the sentence, strike out the period, and insert ", declaring the urgency thereof, and providing that this act shall take effect immediately."

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 1 to 12, inclusive.

Amendment No. 4

On page 1 of the printed bill, after line 12, insert

"SECTION 1. Section 515.5 of the Vehicle Code is amended to read:
515.5. Speed of Passenger Motor Vehicle with Trailer or Semitrailer. (a) Whenever a passenger motor vehicle is drawing a trailer coach or any trailer or semitrailer the maximum speed shall not at any time exceed 45 miles per hour subject to other and more restrictive limits set forth in this code.

(b) *Whenever a passenger motor vehicle is drawing a trailer coach having a weight of 1,500 pounds or more equipped for the road but exclusive of passengers and such trailer coach is not equipped with brakes which can be controlled by the driver of the towing vehicle as provided in Section 670.5 the maximum speed shall not exceed 25 miles per hour and the brakes on said towing vehicle shall be such as will enable said combination of vehicles to comply with the requirements of Section 670 (a). Trailer coaches drawn pursuant to the provisions of this section shall be exempt from the provisions of 670.5."*

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

As a result of war conditions it is not possible to secure brakes for trailer coaches. Because of a lack of adequate housing facilities in defense areas a great number of people are living in trailer coaches. It is necessary that restrictions prohibiting the operation of trailer coaches without brakes be immediately removed so as to allow free and legal movement of population into and within the State."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 222—An act to amend Section 459 of the Vehicle Code, relating to powers of local authorities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to add Section 511.4 to the Vehicle Code, relating to reduction of speed on State highways within cities."

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 27, both inclusive; and on page 2, strike out all of lines 1 to 16, both inclusive, and insert

"SECTION 1. Section 511.4 is hereby added to the Vehicle Code, to read:
511.4. Reduction of Speed on State Highways Within Cities. Whenever the Department of Public Works determines upon the basis of an engineering and traffic survey that the prima facie limit of 55 miles per hour is more than is reasonable or safe upon any portion of a State highway within the incorporated limits of any city or county and county where such prima facie limit of 55 miles per hour is applicable under this code, the department may determine and declare a prima facie speed limit

of 45 miles per hour or 35 miles per hour whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie speed limit shall be effective when appropriate signs giving notice thereof are erected upon said highway. Notwithstanding the provisions of Section 511.3, local authorities shall not exercise the powers conferred upon the State Department of Public Works by this section."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 741—An act to amend Section 529 of the Vehicle Code, relating to overtaking and passing on the right.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 3, of the printed bill, after "Permitted.", insert "(a)".

Amendment No. 2

On page 1, line 17, of said bill, insert
 "(b) The driver of a motor vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving upon the shoulder of the roadway."

Amendment No. 3

On page 1, line 21, of said bill, before "The", insert "(c)".

Amendment No. 4

On page 1 of said bill, after line 23, insert
 "(d) In any civil action proof that the driver of a motor vehicle overtook and passed, or attempted to overtake and pass, another vehicle on the right shall be prima facie evidence of negligence."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 908—An act to amend Sections 39, 382 and 623 of, and to add Sections 168 and 628 to, the Vehicle Code, relating to special mobile equipment, plates and lights.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

Amend the title to read as follows:

"An act to amend Sections 39, 382 and 623 of the Vehicle Code, and to add Sections 168 and 628 thereto, relating to vehicles and vehicular traffic.

Amendment No. 2

On page 1 of said bill, beginning with line 3, strike out the remainder of the bill, and insert

"39. Special Mobile Equipment. "Special mobile equipment" means a vehicle not designed or used primarily for the transportation of persons or property, and only incidentally operated or moved over the highway. It includes road construction or maintenance machinery such as portable air compressors, air drills, asphalt spreaders, bituminous mixers, bucket loaders, caterpillar tractors, ditchers, elevating graders, finishing machines, motor graders, paving mixers, road rollers, scarifiers, earth moving scrapers and carryalls, well boring apparatus, lighting plants, welders, pumps, power shovels and drag lines, self-propelled earth moving equipment and machinery and other similar types of equipment. This enumeration shall not operate to exclude other vehicles which are within the purview of the term "special mobile equipment."

"Special mobile equipment" does not include any of the following:

(a) An implement of husbandry.

(b) A vehicle originally designed for the transportation of persons or property to which machinery has been attached, unless the combination of such machinery and vehicle is clearly designed and intended for purposes other than the transportation of persons or property over the highway and the vehicle is used only for the incidental or occasional movement of the machinery from one work location to another.

(c) Truck mounted transit mixers, cranes, shovels and dump trucks.

SEC. 2. A new section is hereby added to the Vehicle Code, to be numbered 168 as follows:

168. Special Mobile Equipment Identification Plate. Special mobile equipment shall not be subject to registration, but prior to any movement on the highway, each special mobile equipment device shall display an equipment identification plate attached thereto, which plate shall be nontransferable to any other similar device or to any other person by the owner of the device to whom the plate is issued by the department.

(a) Application for the identification plate shall be made to the department on a form furnished by the department, together with a payment of a service charge of three dollars (\$3), the fees thereof to be credited to the Motor Vehicle Support Fund.

(b) The department shall issue to applicants a single metal plate with a distinguishing number and a receipt for the fee collected, which receipt shall contain the name and address of the applicant, the number of the plate issued, serial number of the device and a brief description of same.

(c) The receipt shall be carried in a suitable container attached to the device or immediately available for inspection of any peace officer.

(d) The identification plate and receipt shall be valid until such device is sold or otherwise transferred to another owner or is junked or dismantled in which event the plate and receipt shall be surrendered to the department.

(e) In addition to the identification plate provided in this section, each special mobile equipment device must also be plainly marked in letters not less than one inch in height, indicating the name and address of the owner, or in lieu thereof, an ownership emblem or seal which will indicate such ownership.

SEC. 3. Section 382 of the Motor Vehicle Code is amended to read as follows: 382. Fees for Duplicates. Upon application for duplicates as permitted under this code, the following fees shall be paid:

- (a) For a duplicate certificate of ownership or registration card or equipment identification receipt-----\$0.50
- (b) For any duplicate license plate or plates or substitute plate or plates, or equipment identification plate for the same vehicle-----\$1.00
- (c) For a duplicate operator's or chauffeur's license-----\$0.50

SEC. 4. Section 623 of the Vehicle Code is hereby amended to read as follows:

623. Exemptions. The foregoing provisions of this chapter shall not apply to implements of husbandry or special mobile equipment, but implements of husbandry shall be subject to the provisions of Section 624 and special mobile equipment shall be subject to the provisions of Section 628 and Section 710.

SEC. 5. A new Section 628 is hereby added to the Vehicle Code, to read as follows:

628. Lamps, Reflectors, Required or Special Mobile Equipment. (a) Special mobile equipment when operated at the times specified in Section 618 shall be equipped with at least one red rear light, and in addition thereto, one rear red reflector.

(b) Special mobile equipment of a total outside width in excess of 80 inches shall be equipped with two red reflectors, mounted on the rear as near the right and left sides respectively as practicable, and shall be equipped on the front with two amber reflectors, mounted as near the right and left sides respectively as practicable; those in excess of 20 feet in length, one amber reflector on each side near the middle. Such special mobile equipment may be equipped with lawful clearance lamps in lieu of the reflectors required by this subsection.

(c) The reflectors and red rear lamp required herein shall be mounted at a height not to exceed 60 inches nor less than 24 inches above the ground and shall conform to the specifications for size and performance as required of reflectors and rear lamps in Section 621.

(d) Every unit of special mobile equipment which is self-propelled and operated on the highways at the times specified in Section 618 hereof, shall, also, be equipped with two lighted headlamps, no more and no less, mounted on opposite sides at the front, which lamps shall be of sufficient intensity to illuminate the roadway and render clearly discernible any person or vehicle for a distance of 100 feet to the front of the vehicle, but such lamps shall not glare. Such headlamps shall not be subject to the provisions of Section 645 hereof, relative to the approval of such devices."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1067—An act to amend Sections 10.5, 56, 130, 142, 146, 154, 164.5, 175, 217, 222, 225, 245.5, 371.5, 372.5, 374, 378, 383, 384 and 776 of the Vehicle Code, relating to registration of vehicles and fees, and Section 11001 of the Revenue and Taxation Code, relating to the report and deposit of moneys.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

At the end of line 1 of the title of the printed bill, insert "164.7,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 4 of said bill, after line 9, insert

"Sec. 8. Section 164.7 of the Vehicle Code is amended to read:

164.7. Stolen or Embezzled Vehicles Whenever by reason of the theft [or embezzlement] of a vehicle the owner or legal owner is not in possession of such vehicle or whenever the conditional vendor or the mortgagee of a vehicle is not in possession of such vehicle at the time penalties accrue for failure to obtain registration or annual renewal of registration, [the] such owner or legal owner, conditional vendor or mortgagee may secure the registration or reregistration of such vehicle within [10] 30 days after its recovery [and prior to May 1st of the registration year] upon filing an affidavit setting forth the circumstances of the theft or [embezzlement], the reason such legal owner, conditional vendor or mortgagee was not in possession of such vehicle and, upon the filing of such affidavit, registration or reregistration may be granted without payment of any of the following:

(a) Penalty for delinquent payment of registration fee;

(b) Penalty for delinquent payment of the license fee imposed by Chapter 362, Statutes of 1935 as amended."

Amendment No. 3

On page 4, line 11, of said bill, strike out "Sec. 8", and insert "Sec. 9"

Amendment No. 4

On page 4, line 39, of said bill, strike out "Sec. 9", and insert "Sec. 10".

Amendment No. 5

On page 4, line 44, of said bill, after the second "State," insert "District of Columbia,".

Amendment No. 6

On page 4, line 48, of said bill, after the second "State," insert "District of Columbia,".

Amendment No. 7

On page 4, line 49, of said bill, after "State," insert "District of Columbia,".

Amendment No. 8

On page 5, line 1, of said bill, strike out "Sec. 10", and insert "Sec. 11".

Amendment No. 9

On page 5, line 26, of said bill, strike out "Sec. 11", and insert "Sec. 12".

Amendment No. 10

On page 5, line 39, of said bill, strike out "Sec. 12", and insert "Sec. 13".

Amendment No. 11

On page 6, line 1, of said bill, strike out "Sec. 13", and insert "Sec. 14".

Amendment No. 12

On page 6, line 13, of said bill, strike out "Sec. 14", and insert "Sec. 15".

Amendment No. 13

On page 6, line 29, of said bill, strike out "Sec. 15", and insert "Sec. 16".

Amendment No. 14

On page 7, line 12, of said bill, strike out "Sec. 16", and insert "Sec. 17".

Amendment No. 15

On page 7 of said bill, strike out all of lines 28 and 29, and insert "except as provided in Section 1645 of this code."

Amendment No. 16

On page 7, line 36, of said bill, strike out "Sec. 17", and insert "Sec. 18".

Amendment No. 17

On page 7, line 46, of said bill, strike out "six months", and insert "one year".

Amendment No. 18

On page 8, line 1, of said bill, strike out "Sec. 18", and insert "Sec. 19".

Amendment No. 19

On page 8, line 21, of said bill, strike out "Sec. 19", and insert "Sec. 20".

Amendment No. 20

On page 8, line 44, of said bill, strike out "Sec. 20", and insert "Sec. 21".

Amendment No. 21

On page 2, line 5, of said bill, strike out "enforce", and insert "enforcement".

Amendment No. 22

On page 8, line 24, of said bill, strike out "all"; in line 25, between "covering" and "fees", insert "all"; and in line 26, strike out "for vehicle registrations".

Amendment No. 23

On page 8, line 47, of said bill, strike out "for vehicle registrations".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1529—An act to add Section 512 to the Vehicle Code, relating to speed limits on highways under construction or repair.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 8, inclusive, and insert "employees of the agency in charge thereof are engaged in construction or repair work on the roadway, or so close to the roadway as to be endangered by passing traffic. The provisions of this section shall apply only when appropriate signs, indicating the limits of the restricted zone, and the speed limit applicable therein, are placed within 400 feet of each end of such zone. Such signs shall display the figures "25" as provided in Section 468 and shall indicate the purpose of the speed restriction, but otherwise need not comply with the details set forth in Section 468. Nothing in this section shall be deemed to relieve any operator of a vehicle from complying with the provisions of Section 510."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 742—An act to provide for uniform blackout and dimout regulations throughout the State, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "for", insert "precautions against enemy attack, including,".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "throughout the State".

Amendment No. 3

On page 5, line 40, of the printed bill, as amended, after "lighting", insert "are required in the areas described in Section 1 hereof".

Amendment No. 4

On page 10, line 15, of the printed bill, as amended, after the period, insert "Notwithstanding the provisions of this section any city, county, or city and county may provide by ordinance or resolution for the summary abatement of such nuisance by an auxiliary policeman of air raid warden."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 189—An act to amend Section 369 of the Agricultural Code, relating to estrays.

Bill read second time, and ordered to third reading.

Senate Bill No. 514—An act to amend Sections 271, 273, 274, 275, 276, 277, 281, and 283, and to repeal Section 279, of the Agricultural Code, relating to bee diseases and inspection.

Bill read second time, and ordered to third reading.

Senate Bill No. 385—An act to amend Section 307 of the Agricultural Code, relating to meat.

Bill read second time, and ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 525

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 154
Senate Bill No. 543
Senate Bill No. 972
Senate Bill No. 599

Senate Bill No. 143
Senate Bill No. 427
Senate Bill No. 1058

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 154—An act to repeal Section 64.5 of, and to amend Section 1270 of, the Fish and Game Code, relating to deer seasons, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

Senate Bill No. 543—An act to add Sections 8.2 and 13.1 to The Personal Income Tax Act and Sections 17356 and 18434 to the Revenue and Taxation Code, relating to the personal income tax, deductions therefrom and returns made therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 972—An act to amend Section 96 of the Labor Code, relating to claims for exemption from attachment or execution.

Referred to Committee on Judiciary.

Senate Bill No. 599—An act providing that revenues, rents and proceeds from lands lying within any by-pass area under the control of the Reclamation Board shall be paid into the General Fund.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 143—An act to amend Sections 582, 583, 584, 585, 587, 588, 589, 590, 591, 592, 593, 594, 596 of the Fish and Game Code, relating to kelp and other aquatic plants.

Referred to Committee on Fish and Game.

Senate Bill No. 427—An act relating to the production and availability of food and fiber; the use and augmentation of labor and facilities, and cooperation by officers and agencies of State and local governments in connection therewith; making an appropriation; and declaring the urgency hereof, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 1058—An act to amend Sections 7501, 7520 and 7592 of the Business and Professions Code, relating to detectives, and providing for appropriate transfers.

Referred to Committee on Crime and Correction.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1600

Assembly Bill No. 1952

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

Request for Unanimous Consent

Mr. Wollenberg asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 1600, at this time.

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1600

Assembly Bill No. 1600—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1600?

Amendment No. 1

On page 3, line 43, of the printed bill, as amended, after "sum", insert ", not to exceed eight thousand dollars (\$8,000), which"

Amendment No. 2

On page 7, line 5, of the printed bill, as amended, strike out "members of the".

Amendment No. 3

On page 11, line 14, of the printed bill, as amended, after "expenditure", insert "by the Division of Industrial Welfare, Department of Industrial Relations,".

Amendment No. 4

On page 12, line 25, of the printed bill, as amended, strike out "or", and insert "of".

Amendment No. 5

On page 13, line 31, of the printed bill, as amended, strike out "Adult", and insert "the".

Amendment No. 6

On page 22, line 28, of the printed bill, as amended, after "Code", insert ", provided, however, that the limitations of subdivision (b) of Section 124 of the Welfare and Institutions Code on the rate of withdrawal do not apply to revolving fund withdrawals under Section 4 of this act."

Amendment No. 7

On page 25 of the printed bill, as amended, strike out all of lines 13 and 14, and insert "University of California, or for members of the faculty as defined by the Director of Education in the State colleges,".

Amendment No. 8

On page 11 of the printed bill, as amended, strike out all of lines 37 to 48, inclusive.

Amendment No. 9

On page 15, line 16, of the printed bill, as amended, strike out "\$425,587.00", and insert "\$584,517".

Amendment No. 10

On page 15, line 22, of the printed bill, as amended, strike out "\$425,587.00", and insert "\$584,517".

Amendment No. 11

On page 15, line 27, of the printed bill, as amended, strike out "\$1,132,870 00", and insert "\$1,201,671".

Amendment No. 12

On page 17, line 16, of the printed bill, as amended, after "grounds", insert "and lands for fish hatcheries".

Amendment No. 13

On page 17, line 18, of the printed bill, as amended, after "ment", insert "of fish hatcheries".

Amendment No. 14

On page 25, line 24, of the printed bill, as amended, insert

"Item 229—For Salary Restoration Fund for the payment of salaries and wages, to be allocated on authorization of the Board of Control by the Department of Finance to each State officer, department, board, bureau and other State agency, including The Regents of the University of California, in augmentation of the respective appropriations for the support of each for the Ninety-fifth and Ninety-sixth Fiscal Years in an amount for each thereof not in excess of 5 per cent of the salaries and wages (exclusive of salaries and wages expressly fixed by statute) provided in that certain document entitled "State of California Budget for the Biennium July 1, 1943, to June 30, 1945, Ninety-fifth and Ninety-sixth Fiscal Years, Submitted by Earl Warren, Governor, to the California Legislature, Fifty-fifth Session," and as amended by the "Budget Act of 1943"-----\$2,500,000.

To receive an allocation from the Salary Restoration Fund an officer, department, board, bureau, commission or other State agency, including The Regents of the University of California, shall prove to the Department of Finance that it has personnel in the number provided in such document sufficient to require the allocation authorized to be made by this item. The Department of Finance shall certify to the Board of Control that this condition exists as respects any officer, department, board, bureau, commission or other State agency, and the authorization of the Board of Control allocation funds to any department from the Salary Restoration Fund shall be sufficient evidence for the Controller to transfer said funds.

No authorization given by the State Board of Control pursuant to this section in respect to any allocation of money from the Salary Restoration Fund is valid unless given with the unanimous consent of the State Board of Control expressed in the form of a resolution which shall set forth the reasons and necessities for the authorization and shall be entered upon the minutes of the board.

The State Board of Control shall submit to each Member of the Legislature not later than the fifteenth day of each month a report on all authorizations given

pursuant to this section during the preceding month. The report shall contain such information regarding each authorization as shall be sufficient to apprise the Members of the Legislature as to the reasons and necessity therefor."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1600 by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Porter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—Sheridan—1.

Assembly Bill No. 1600 ordered enrolled.

MOTION EXTENDING THANKS TO COMMITTEE ON WAYS AND MEANS

Mr. Maloney moved that the thanks of the Assembly be extended to the following members of the Committee on Ways and Means: Messrs. Wollenberg (Chairman), Sheridan (Vice Chairman), Allen, Burkhalter, Burns, Carey, Crichton, Crowley, Doyle, Field, Gannon, Hastain, Johnson, Knight, T. Fenton; Kraft, O'Day, Potter, Robertson, Sargent, Thurman, Watson, Weber, and Weybret, and to Mr. Rolland A Vandegrift for their efforts on the Budget Bill, Assembly Bill No 1600.

Substitute Motion

Mr. Kellems moved, as a substitute motion, that the following remarks by Mr. Maloney be reduced to writing, and printed in the Journal:

Motion carried.

Statement by Assemblyman Thomas A. Maloney

Mr. Speaker and Members of the Assembly

I would be very derelict in my duty as a Member of the Assembly, and as a Member of the Legislature for almost 20 years, if I did not take advantage of this opportunity, on behalf of the Members of this House, to extend to Chairman Albert C. Wollenberg and the following members of the Assembly Committee on Ways and Means: Assemblymen Allen, Burkhalter, Burns, Carey, Crichton, Crowley, Doyle, Field, Gannon, Hastain, Johnson, Knight, T. Fenton; Kraft, O'Day, Potter, Robertson, Sargent, Thurman, Watson, Weber, Weybret, and Sheridan, the sincere thanks and appreciation of all of us for the fair and efficient manner in which the Budget of the State of California for the 1943-1945 Biennium was heard and presented to the Assembly, and passed.

I am sure that the members of long standing will agree that never in the history of California has there been a budget presented and acted upon as speedily as this budget. The main object of the committee from the day Mr. Wollenberg was appointed as chairman was to scrutinize each and every item in the State Budget and to curtail unnecessary expenditures in the interests of economy which will redound to the credit of all of us who were elected to serve our constituents. Mr. Wollenberg began his work in December with the Governor and his committee; he continued working through the entire month of February and during the first week of March, prior to the re-convening of the Legislature on March 8th, he and his committee worked day and night. The Committee on Ways and Means was chosen carefully, and Chairman Wollenberg combined the necessary requisites of tact, fairness, knowledge of finance, and a conscientious attitude of getting the job done well.

The budget with amendments, as presented by Mr. Wollenberg and his committee, received a unanimous vote of the Members of the Assembly, a record that will go down as history in the legislative halls of the State Capitol.

I am very happy to stand on the floor of this Assembly and extend to Assemblyman Wollenberg and his committee our deepest appreciation for the efficient and capable way in which this important bill, the Budget Bill, was presented to us

May I also state that the Legislature is appreciative of the efforts of Mr. Rolland A Vandegrift, Legislative Auditor, who at all times was at the beck and call of the committee, and who proved a valuable asset in the preparation of this budget.

We are also thankful to Miss Vera Fowler, the very efficient and capable secretary of the Committee on Ways and Means, who worked long hours in preparing the data necessary to place the report in the splendid shape in which it was adopted.

THOMAS A. MALONEY

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented.

By Mr. Middough :

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 17, comprising Sections 9000 to 9052 to Division 3 of the Business and Professions Code and repealing Sections 1314, 1314.5, 1315 and 1316 of the Health and Safety Code, relating to the regulation and licensing of the cleaning, dyeing and pressing industry.

Respectfully submitted.

LORNE D. MIDDOUGH

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Middough :

An act to add Chapter 17, comprising Sections 9000 to 9052 to Division 3 of the Business and Professions Code and repealing Sections 1314, 1314.5, 1315 and 1316 of the Health and Safety Code, relating to the regulation and licensing of the cleaning, dyeing and pressing industry.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time

Assembly Bill No. 1960: By Mr. Middough—An act to add Chapter 17, comprising Sections 9000 to 9052, to Division 3 of the Business and Professions Code and repealing Sections 1314, 1314.5, 1315 and 1316 of the Health and Safety Code, relating to the regulation and licensing of the cleaning, dyeing and pressing industry.

Referred to Committee on Public Health.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 159

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of one thousand nine hundred seventy-five dollars (\$1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amount and denominations, not exceeding one thousand nine hundred seventy-five dollars (\$1,975) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars (\$25).

Resolution read, and referred to the Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 159

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 159

House Resolution No. 159

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of one thousand nine hundred seventy-five dollars (\$1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amount and denominations, not exceeding one thousand nine hundred seventy-five dollars (\$1,975) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars (\$25).

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

RESOLUTIONS

The following resolutions were offered :

By Mr. Robertson :

House Resolution No. 160

WHEREAS, The first day of April has come to the State Legislature in Sacramento assembled, bringing with it the yellow daffodils, white hibiscus, multicolored tulips, and the other gorgeous floral beauty of spring; and

WHEREAS, The first day of April, dedicated as it is, and renowned as April Fools' Day, has brought to the State Assembly the natal date, if you include also the second day of April, of one of its members and the wife of another, as follows, to wit: Effie Dills, wife of Ralph Dills, born on the first day of April, and Clayton Dills, born on the second day of April; and

WHEREAS, The said April Fools' Day has thus played an important role in the history of the said Legislature, inasmuch as it signifies the first time that two brothers have served in the same session of the State Legislature; now, therefore, be it

Resolved, That the said Assembly of the State of California, do hereby extend to Effie Dills, wife of Ralph Dills, and to Clayton Dills, their heartiest congratulations on their natal day, and further extend to them all their kindest good wishes for the best things of life, and the many happy April Fools' Day birthdays to come, and express very simply to them the high esteem in which they are held by the Members of the California Assembly; and be it further

Resolved, That copies of this resolution, duly endorsed by the Speaker and Chief Clerk of the California State Assembly, be delivered to the said Effie Dills and Clayton Dills.

Request for Unanimous Consent

Mr. Robertson asked for, and was granted, unanimous consent to take up House Resolution No. 160, at this time, without reference to committee.

Resolution read and adopted.

By Messrs. Lyon and Maloney :

House Resolution No. 161

WHEREAS, One year ago today, there ventured upon the uncharted sea of matrimony a bachelor well known to the Members of this Assembly; and

WHEREAS, Since the nuptials were performed, the digestion and disposition of the benedict have greatly improved, proving that it is dangerous for man to live alone; and

WHEREAS, Since becoming a benedict, his voice has shown noticeable improvement, his apparel is well kept, and a smile of contentment and geniality is now ever present and an almost roly-poly rotundity is noticeable; now, therefore, be it

Resolved, That the Members of this Assembly extend to Fred J. Desch and to his gracious wife Jane, congratulations and felicitations upon the celebration of their first wedding anniversary; and be it further

Resolved, That it is the wish of this Assembly that Fred and Jane have many, many happy years together; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to have a copy of this resolution suitably prepared to be presented to Fred J. Desch and his charming wife.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 161, at this time, without reference to committee.

Resolution read and adopted.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day :

Assembly Bill No. 786.

Assembly Bill No. 1414.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 417—An act to amend Sections 1299.1, 1299.6 and 1299.8 and to add Sections 1299.13, 1299.14 and 1299.15 to the Agricultural Code, relating to marketing of milk and other dairy products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1387—An act to add Sections 53.55, and 53.65 to the Alcoholic Beverage Control Act, relating to containers, cartons and bottles.

Bill read third time.

Motion to Amend

Mr. Carlson moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, strike out lines 5 to 9, inclusive, and insert "Sec. 53.65. No empty "single"."

Amendment No. 2

On page 2 of the printed bill, strike out lines 13 to 36, inclusive, and insert "bottles."

Amendments read.

Demand for Previous Question

Messrs. Weber, Doyle, Middough, Collins, Sam L., and McCollister demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments to Assembly Bill No. 1387.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Beck, Brady, Carey, Carlson, Collins, George D., Dunn, Erwin, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Potter, Sheridan, and Thomas—16.

NOES—Armstrong, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—52.

The question being on the passage of Assembly Bill No. 1387.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, King, Knight, John B. Kraft, Leonard,

Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—59.

NOES—Beck, Brady, Carey, Carlson, Collins, George D., Dilworth, Dunn, Johnson, Knight, T. Fenton; and Potter—10.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By Mr. Maloney:

The following communication was received and ordered printed in the Journal:

INTERNATIONAL UNION OF UNITED BREWERY, FLOUR, CEREAL AND
SOFT DRINK WORKERS OF AMERICA
SAN FRANCISCO, CALIF., March 31, 1943

Honorable Thomas Maloney
Capitol, Sacramento, California

DEAR MR. MALONEY: On March 22d the undersigned appeared before the Committee on Public Morals in support of Assembly Bill No. 1387, having for its purpose the restriction of importation of the so-called "one trip bottle." I have since been informed that said committee has acted favorably on an amended form of this bill, and has recommended that it "Do pass," to the Legislature.

The members of this organization have for some time, since the introduction of this bottle on the local markets, suffered unusual injuries, involving in some cases even the loss of their eyes. In fact, the situation became so serious that an application for a hearing to determine safe standards of bottles for the brewing industry was made to the Industrial Accident Commission and is still pending before that body.

The Brewing Industry in California has for many years maintained the use of a standard size weight bottle which has proven its practicability for the market and ample resistance against danger to the life and limb of those required to fill same; consequently, we feel that this standard should prevail and that Assembly Bill No. 1387 should be enacted into the law.

We, therefore, respectfully request that you give this measure your support at such time as it may appear before your body for consideration.

Thanking you for your kind interest in this matter and with best wishes, we are
Very truly yours,

BOTTLERS LOCAL UNION NO. 293
WM. H. AHERN, Secretary

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 280—An act to amend Sections 8353 and 8355 of, and to add Section 8353.5 to, the Revenue and Taxation Code, relating to apportionments and payments to counties out of the Motor Vehicle Fuel Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr King:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 4 to Part 2 of Division 5 of the Water Code, relating to the supervision, investigation, inspection, operation, and maintenance of levees and other works for the control of water, including provisions for the safe operation and maintenance of levees and works for flood control, reclamation, drainage overflow protection, and stream flow control, and making an appropriation.

Respectfully submitted.

ALBERT M. KING

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. King:

An act to add Chapter 4 to Part 2 of Division 5 of the Water Code, relating to the supervision, investigation, inspection, operation, and maintenance of levees and other works for the control of water, including provisions for the safe operation and maintenance of levees and works for flood control, reclamation, drainage overflow protection, and stream flow control, and making an appropriation.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fout, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 1961: By Mr. King—An act to add Chapter 4 to Part 2 of Division 5 of the Water Code, relating to the supervision, investigation, inspection, operation, and maintenance of levees and other works for the control of water, including provisions for the safe operation and maintenance of levees and works for flood control, reclamation, drainage overflow protection, and stream flow control, and making an appropriation.

Referred to Committee on Conservation, Natural Resources, and Planning.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Concurrent Resolution No. 44
Has had the same under consideration, and reports the same back with amendments, with the recommendation: Be adopted, as amended.

SAM L. COLLINS, Chairman

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 44

Assembly Concurrent Resolution No. 44—Relative to adjournment sine die of the Fifty-fifth Session of the Legislature of the State of California.

Resolution read.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 4 and 5, of the printed resolution, in each case after "April", fill in the blanks with the figure: "28".

Amendment read and adopted.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 44, as amended, at this time, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 44, as Amended

Assembly Concurrent Resolution No. 44—Relative to adjournment sine die of the Fifty-fifth Session of the Legislature of the State of California.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Armstrong, Bashore, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourt, Haggerty, Hastain, Hollibaugh, Kellems, King, Knight, John B., Leonard, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Sawallisch, Sheridan, Smith, Thompson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—45.

NOES—Anderson, Bennett, Call, Collins, George D., Desmond, Dilworth, Dunn, Gaffney, Hawkins, Heisinger, Johnson, Knight, T. Fenton; Kraft, Massion, Potter, Robertson, Thomas, Thorp, and Waters—19.

Notice of Motion to Reconsider Assembly Concurrent Resolution No. 44

Mr. Heisinger gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Concurrent Resolution No. 44 was this day adopted.

**MEETING OF COMMITTEE ON AGRICULTURE BY
UNANIMOUS CONSENT**

At 11.55 a.m., Mr. Weybret asked for, and was granted, unanimous consent to hold a meeting of the Committee on Agriculture, at this time.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 150	Assembly Bill No. 1569
Assembly Bill No. 444	Assembly Bill No. 1570
Assembly Bill No. 1382	

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1531

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred

Assembly Bill No. 829	Assembly Bill No. 415
Assembly Bill No. 1169	Assembly Bill No. 416
Assembly Bill No. 1025	Assembly Bill No. 691
Assembly Bill No. 982	Assembly Bill No. 144
Assembly Bill No. 413	Senate Bill No. 141
Assembly Bill No. 414	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 446

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1339
Assembly Bill No. 1577
Assembly Bill No. 614

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 378

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to Committee on Ways and Means.

CALL, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 20

Assembly Bill No. 927

Assembly Bill No. 654

Assembly Bill No. 1050

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1793

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 112

Assembly Bill No. 447

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1280

Assembly Bill No. 1308

Senate Bill No. 315

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1359

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 197
 Assembly Bill No. 445
 Assembly Bill No. 1254

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CARLSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 400	Assembly Bill No. 566
Assembly Bill No. 438	Assembly Bill No. 634
Assembly Bill No. 519	Senate Bill No. 123
Assembly Bill No. 559	Senate Bill No. 265

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 387	Assembly Bill No. 1081
Assembly Bill No. 669	Assembly Bill No. 1753
Assembly Bill No. 762	

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CARLSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Joint Resolution No. 15

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CARLSON, Chairman

Above reported resolution ordered on file for adoption.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 427

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and re-refer to Committee on Ways and Means.

WEYBRET, Chairman

Above reported bill re-referred to Committee on Ways and Means.

RECESS

At 12.13 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
 Chief Clerk Arthur A. Ohnimus at the desk.

**WITHDRAWAL OF ASSEMBLY BILL NO. 796 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Carlson asked for, and was granted, unanimous consent to have Assembly Bill No. 796 withdrawn from the Committee on Motor Vehicles for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 796

Assembly Bill No. 796—An act to amend Part 5 of Division 2 of the Revenue and Taxation Code, relating to the vehicle license fee.

Bill read second time.

Motion to Amend

Mr. Carlson moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 7 to 12, inclusive.

Amendment No. 2

On page 1, line 13, of the printed bill, insert
"SEC. 2. Section 10753.5 is added to the Revenue and Taxation Code, to read: 10753.5. The market values of vehicles for the years 1944 and 1945 shall be the same as those determined by the department for vehicles as of January 1, 1943. This section shall remain in effect until December 31, 1945. While this section is in effect, it shall supersede Section 10753 of the Revenue and Taxation Code; but Section 10753 is not repealed by this section and after this section is no longer effective, Section 10753 shall have the same force as though this section had not been enacted."

—————

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of the printed bill, after Section 2, insert
"SEC. 3. Section 10758 of said code is amended to read: 10758. The license fee imposed under this part is in lieu of all taxes according to value levied for State or local purposes on vehicles of a type subject to registration under the Vehicle Code whether *or not* the vehicles are registered under the Vehicle Code [or not]."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**REQUEST FOR PRINTING OF ADDITIONAL COPIES OF
ASSEMBLY BILL NO. 1960**

Mr. Middough requested that an additional 1000 copies of Assembly Bill No. 1960 be printed for distribution.

Request referred to Committee on Rules and House Functions.

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 1952—An act to add Section 1160.5 to the Harbors and Navigation Code, relating to pilots, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1952?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Section 1160.5 to and to amend Section 1162 of," and insert "add Section 1160.5 to".

Amendment No. 2

On page 1 of the printed bill, between lines 22 and 23, insert "Bar pilots need not keep any vessel for their exclusive use."

Amendment No. 3

On page 2 of the printed bill, strike out lines 6 to 9, inclusive; and in line 11, strike out "Sec. 3", and insert "Sec. 2".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1952 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Ralph C., Field, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1952 ordered enrolled.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bills Nos. 222 and 224:

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, March 10, 1943

*To the Honorable Members of the Assembly
Sacramento, California*

GREETINGS:

SENATE BILL No. 222

"An act to add Chapter 8, comprising Sections 6850 to 6955, inclusive, to Division 3 of, and to add Section 30044 to, the Business and Professions Code, thereby consolidating and revising the law regulating and licensing collection agencies, penalizing violations thereof and repealing acts and parts of acts specified therein";

SENATE BILL No. 224

"An act to add Division 4 and Parts 1 and 2 thereof, comprising Sections 10000 to 11018, inclusive, and Section 30042 to the Business and Professions Code, thereby consolidating and revising the law supervised, administered and enforced by the State Division of Real Estate of the Department of Investment regulating transactions affecting interests in real or personal property, licensing brokers and salesmen with respect to dealings in real or personal property, imposing disciplinary and criminal penalties for the violation thereof, and repealing acts and parts of acts specified therein";

in my opinion constitute emergency bills within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Senate Bill No. 222 and Senate Bill No. 224 as necessary for the immediate preservation of the public peace, health or safety and as emergency matters.

Respectfully submitted.

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS**

Senate Bill No. 222—An act to add Chapter 8, comprising Sections 6850 to 6955, inclusive, to Division 3 of, and to add Section 30044 to, the Business and Professions Code, thereby consolidating and revising the law regulating and licensing collection agencies, penalizing violations thereof and repealing acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 224—An act to add Division 4 and Parts 1 and 2 thereof, comprising Sections 10000 to 11020, inclusive, and Section 30042 to the Business and Professions Code, thereby consolidating and revising the law supervised, administered and enforced by the State Division of Real Estate of the Department of Investment regulating transactions affecting interests in real or personal property, licensing brokers and salesmen with respect to dealings in real or personal property, imposing disciplinary and criminal penalties for the violation thereof and repealing acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 191—An act to add Sections 103.9, 615.3 and 615.4 to the Fish and Game Code, relating to creation of new fish and game district and the taking of fish therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 192—An act to repeal Sections 180 and 181 of the Fish and Game Code, relating to fish refuges

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Lyons, Maloney, Massion, McCollister, McMillan,

Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 471—An act to amend Section 5.45 of the School Code and to amend Section 20377 of the Education Code, relating to leaves of absence of employees of State colleges not in State civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 51—An act to add Sections 101 and 480.5 to the Fish and Game Code, relating to the creation of a new fish and game district and the taking of fish therein.

Bill read third time.

Motion to Amend

Mr Werdel moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 27, of the printed bill, after "beginning", insert "; together with all that portion of Kern County lying west of a line running north and south through said Kern County and being tangent to the most easterly portion of Buena Vista Lake in said Kern County".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

SPECIAL MEETING OF COMMITTEE ON WAYS AND MEANS, BY UNANIMOUS CONSENT

At 2.30 p.m., Mr. Wollenberg asked for, and was granted, unanimous consent to hold a meeting of the Committee on Ways and Means, at this time.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1747—An act to add Section 44.3 to the Vehicle Code, relating to authorized emergency vehicles, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans,

Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Knight, John B. Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Knight, John B. Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 2.38 p.m., on motion of Mr. Pelletier, the Assembly recessed until 2.40 p. m., to hear from Señor Bernardo Blanco, Mexican Consul.

REASSEMBLED

At 2.40 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus, at the desk.

WITHDRAWAL OF ASSEMBLY BILL NO. 637 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Waters asked for, and was granted, unanimous consent to have Assembly Bill No. 637 withdrawn from the Committee on Finance and Insurance, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 637

Assembly Bill No. 637—An act to amend Section 700 of the Insurance Code, relating to insurance, and prescribing the classes of insurance business certain incorporated insurers may transact and repealing all acts and parts of acts in conflict herewith.

Bill read second time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments :

Amendment No. 1

In line 1 of the title of the printed bill, after "700", insert "and to repeal Sections 3010, 3011, 3012, 3013, 11600, 11601, 11603, 11604, 12050, 12053, 12054, 12110 and 12111".

Amendment No. 2

In line 3 of the title of said bill, strike out "and repeal"; and strike out all of line 4 of the title, and insert a period.

Amendment No. 3

On page 1, line 14, of said bill, strike out "or (4) Title", and insert ", (4) Title or (17) Mortgage".

Amendment No. 4

On page 1 of said bill, strike out lines 15 to 22, inclusive, and insert "act and upon complying with all applicable requirements of law, shall upon application therefor, be admitted to transact any or all of the following classes of insurance if its paid-in capital is not less than (1) in case of an insurer admitted to transact fire, marine or surety, the sum of the amounts hereinafter set forth opposite the classes transacted; (2) in case of an insurer not authorized to transact fire,

marine or surety, fifty thousand dollars (\$50,000) in excess of the sum of the amounts hereinafter set foith opposite the classes transacted:

<i>Number and name of class</i>	<i>Amount of capital</i>	
2. Fire -----	\$200,000	
3. Marine -----	200,000	
5. Surety -----	250,000	
6. Disability -----	50,000	
7. Plate Glass -----	50,000	
8. Liability -----		for any or all of these
9. Workmen's Compensation -----	50,000	
10. Common Carrier Liability -----		
11. Boiler and Machinery -----	50,000	
12. Burglary -----	50,000	
13. Credit -----	50,000	
14. Sprinkler -----	50,000	
15. Team and Vehicle -----	50,000	
16. Automobile -----	50,000	
18. Aircraft -----	50,000	
20. Miscellaneous -----	50,000	

(c) An insurer which applies for admission to transact life, title or mortgage insurance shall not be admitted under the provisions of this section, but its admission is governed by other applicable provisions of this code.

Src. 2 Sections 3010, 3011, 3012, 3013, 11600, 11601, 11603, 11604, 12050, 12053, 12054, 12110, and 12111 of the Insurance Code are hereby repealed."

Amendments read and adopted.
 Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 443—An act to amend Section 4.965 of the School Code and to amend Section 7406 of the Education Code, relating to the canvassing of votes cast at elections for the issuance of school district bonds.

Bill read third time.
 The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Weber, Weybret, and Mr. Speaker—61.
 NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 386—An act to amend Section 869a of the Civil Code, relating to the effect of omitting beneficiaries in instruments to trustee affecting real property.

Bill read third time.
 The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Knight, John B., Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—63.
 NOES—McCollister—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1531—An act to amend the Building and Loan Association Act by adding thereto a new article to be numbered 16, relating to building and loan associations, the Building and Loan Commissioner, plans for the rehabilitation, readjustment, reorganization or liquidation of such an association or of all or of any part of the business, properties and assets of such association or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association and the rights of investors and creditors of any such association in the possession of the commissioner to obtain assets of such association in exchange for investment certificates or unsecured creditor's claims, providing for the organization of a corporation or corporations to acquire such assets or a portion thereof; providing for the kinds of securities issuable in connection therewith; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to or dissent from a plan as defined in said Article 16, and to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such Article 16 or for property and to continue to hold as a legal investment any securities or properties so received, and exempting the proposer or proposers of a plan and the investors and creditors petitioning for withdrawal of assets from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D. Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunu, Erwin, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—Knight, John B.—1.

Bill ordered transmitted to the Senate

SPECIAL ORDER SET BY UNANIMOUS CONSENT

Mr. Gannon asked for, and was granted, unanimous consent to have Assembly Bill No. 295 set as a special order of business for Friday, April 2, 1943, at 11 a.m.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 427

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

Request for Unanimous Consent

Mr. Hastain asked for, and was granted, unanimous consent to take up Senate Bill No. 427, at this time.

CONSIDERATION OF SENATE BILL NO. 427

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 427:

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, March 30, 1943

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

SENATE BILL No. 427

"An act relating to the production and availability of food and fiber; the use and augmentation of labor and facilities, and cooperation by officers and agencies of State and local governments in connection therewith; making an appropriation; and declaring the urgency hereof, to take effect immediately";

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Senate Bill No. 427 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Hastain:

Resolved, That Senate Bill No. 427 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dill, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—George D. Collins—1.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 427—An act relating to the production and availability of food and fiber; the use and augmentation of labor and facilities, and cooperation by officers and agencies of State and local governments in connection therewith; making an appropriation; and declaring the urgency hereof, to take effect immediately.

Bill read second time.

Senate Bill No. 427—An act relating to the production and availability of food and fiber; the use and augmentation of labor and facilities, and cooperation by officers and agencies of State and local governments in connection therewith; making an appropriation; and declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—George D. Collins—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

**WITHDRAWAL OF ASSEMBLY BILL NO. 919 FROM INACTIVE FILE
BY UNANIMOUS CONSENT**

Mr. John B. Knight asked for, and was granted, unanimous consent to have Assembly Bill No. 919 withdrawn from the inactive file, for purpose of amendment, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 919

Assembly Bill No. 919—An act to add Section 57.2 to, and to amend Sections 62, 93, 95, 96, 131, and 132 of, the County Employees Retirement Act of 1937, relating to retirement.

Bill read third time.

Motion to Amend

Mr. John B. Knight moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "associations", and insert "certificates or shares".

Amendment No. 2

On page 2, line 5, of the printed bill, strike out "institutions".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 50—An act to add Section 2806 to the Labor Code, relating to discrimination.

Bill read third time.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "directly or indirectly"

Amendment read and adopted.

Bill ordered reprinted and re-engrossed

REQUEST FOR USE OF ASSEMBLY CHAMBER

Mr. Dilworth requested the use of the Assembly Chamber tonight for the purpose of hearing bills before the Committee on Education.
Request granted.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered :

Assembly Concurrent Resolution No. 49: By Messrs. Weber and Lyon—Relative to a Joint Legislative Committee on Conservation and Planning for the efficient development, distribution and utilization of all the human, natural and economic resources of the State, in furtherance of California's participation in the war effort, and in anticipation of the adjustments which must be made when hostilities cease, and defining the powers and duties of the committee.

Referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES**Committee on Constitutional Amendments**

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred :

Assembly Constitutional Amendment No. 20

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred :

Assembly Constitutional Amendment No 17

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolution ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred :

Assembly Bill No. 1035

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CARLSON, Chairman

Above reported bill ordered to second reading.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred.

Assembly Joint Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

STREAM, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:
 Assembly Bill No. 918
 Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:
 Assembly Bill No. 1762
 Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STREAM, Chairman

Above reported bill ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Public Health, to which were referred:
 Assembly Bill No. 334
 Assembly Bill No. 666
 Assembly Bill No. 667
 Assembly Bill No. 1605
 Assembly Bill No. 1936
 Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

POTTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1943

MR. SPEAKER: Your Committee on Public Health, to which were referred:
 Assembly Bill No. 296
 Assembly Bill No. 325
 Assembly Bill No. 326
 Assembly Bill No. 327
 Assembly Bill No. 343
 Assembly Bill No. 481
 Assembly Bill No. 665
 Assembly Bill No. 928
 Assembly Bill No. 1465
 Assembly Bill No. 1468
 Assembly Bill No. 1545
 Assembly Bill No. 1777
 Senate Bill No. 128
 Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POTTER, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 525—An act to amend the title of, and Section 1 of an act entitled "An act providing for the creation of revolving funds in the counties of the State," approved May 9, 1923, as amended, relating to revolving funds in the counties and townships of the State;
 And reports that the same has been correctly enrolled, and presented to the Governor on the first day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Concurrent Resolution No. 47—Relative to the death of Judge Ben B. Lindsey;
 And reports that the same has been correctly enrolled, and presented to the Governor on the first day of April, 1943, at 2 p.m.

PELLETIER, Chairman

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 974 re-referred to Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 1335 re-referred to Committee on Public Health.

Assembly Bill No. 1008 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1745 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1274 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1176 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 716 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1106 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1293 re-referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1294 re-referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1299 re-referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1300 re-referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1304 re-referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1855 re-referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1856 re-referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1323 re-referred to Committee on Labor and Capital.

Assembly Bill No. 962 re-referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 150 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1569 re-referred to Committee on Civil Service and State Departments.

Assembly Bill No. 1570 re-referred to Committee on Civil Service and State Departments.

Assembly Bill No. 444 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1382 re-referred to Committee on Social Welfare.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Robertson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Clarence Rogers of Santa Barbara.

On request of Messrs. Potter and Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. William A. Pixley of Hollywood.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Coxswain William E. Lance of Corpus Christi, Texas; Seaman T. D. Robison of Tulsa, Oklahoma, and the Misses Bonnie Rolider and Nadine Seriva of Sacramento.

On request of Messrs. Leonard, Thompson, Miller, and Weybret, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. H. E. Dahleen and Dr. John Sharp of San Jose.

On request of Mr. Erwin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Frank Wright, Alton Scott, and Dean Shively of El Monte.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Leo Bunner and son, and Leo H. Schapiro of San Francisco.

On request of Messrs. Knight, T. Fenton, and Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Fred Aberle of Los Angeles.

On request of Messrs. Collins, Sam L., and Guthrie, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Jay G. Brown and Roy Job of Porterville.

On request of Mr. Debs and the Los Angeles County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Isidore Dockweiler of Los Angeles.

On request of Messrs. Leonard and Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to George Zehender of Redwood City and Mike Morelli of Santa Cruz.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Leland McArthur of Long Beach.

On request of Mr. King, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. E. Morrow of Chico.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to A. L. Shepston of San Francisco.

On request of Mr. Brady and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Richard Hartford of Sausalito.

On request of Mr. Kraft, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Wallace Wilkie of San Francisco.

On request of Mr. Pelletier and the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sr. Bernardo Blanco, Consul de Mexico at Sacramento.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Warhuns and her Americanization class including Mrs. Aitken, Mrs. Ravi, Mrs.

Pegenante, Mrs. Beretta, Mrs. Massa, Mrs. Lera, Mrs. Voutis, Mrs. Pucci, Mrs. Battistich, Mrs. Orselli, Mrs. Gaudio, Mrs. Cohn, Mrs. Zappacosta, Mr. Baron, Mr. Kuenzler, and Mrs. Esola.

On request of Mr. Sam L. Collins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Daniel Beecher and Mr. Herbert V. Walker of Orange County.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Newel Perry and Mrs. Burnham of Oakland, Mr. Lloyd M. Robbins of Suisun, and C. J. Hyans of Hollywood.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private Daniel W. McCalmont of Las Vegas, Mrs. J. C. McCalmont of Sacramento, and Miss Betty Benton of Riverside.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Curtis J. Hyans of Los Angeles.

ADJOURNMENT

At 3.32 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Friday, April 2, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-THIRD LEGISLATIVE DAY

EIGHTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, April 2, 1943

The Assembly met at 10 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weyhret, Wollen-berg, and Mr. Speaker—62.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

O Thou who art the Light of the minds that know Thee, the Life of the souls that love Thee, and the Strength of the hearts that seek Thee, grant us the blessing of Thy holy presence. May all of our deliberations be found acceptable in Thy sight that the work of the heroic pioneers who discovered this land may not be in vain. We remember in Thy presence, the requirements of our Lord, "to do justly, and to love mercy, and to walk humbly with Thy God."

"Father whate'er of earthly bliss
Thy sovereign will denies,
Accepted at Thy throne of grace
Let this petition rise;
Give me a calm and thankful heart,
From every murmur free;
The blessings of Thy grace impart,
And make me live to Thee "

In Jesus name,

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Kellems.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:
Mr. Allen, on motion of Mr. Evans.

MOTION TO EXCUSE MEMBER

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, on account of illness.

COMMUNICATIONS

By Speaker Lyon:

A resolution from the Payroll Guarantee Association relative to inviting Mr. Call and other Members of the Legislature to attend a meeting of the association April 2d, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

UNIVERSITY OF CALIFORNIA
OFFICE OF THE PRESIDENT, BERKELEY, CALIFORNIA, April 1, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
Assembly, California Legislature, Fifty-fifth Session
Sacramento, California*

DEAR MR. OHNIMUS: Your letter of March 29th, with enclosed certified copy of Resolution No. 144, adopted by the Assembly on March 25th, is acknowledged with deep appreciation. The University is much pleased that the Assembly, in the midst of its arduous labors, should have paused to recognize the Diamond Jubilee of one of our State's most notable institutions. I shall take great pleasure in transmitting a copy of the resolution to The Regents of the University of California at their next meeting.

Yours sincerely,

ROBERT G. SPROUL

PRINTING OF EDITORIAL IN JOURNAL, BY UNANIMOUS CONSENT

Mr. Heisinger asked for, and was granted, unanimous consent to have the following editorial, appearing in the Sacramento Bee of April 1st, printed in the Journal:

To Maintain Highways

The War Manpower Commission has ruled that maintenance and repair of state highways is "essential to the war effort." Charles H. Purcell, state director of public works, welcomes the ruling because it will permit California to maintain a sufficient force of men to keep her roads from deteriorating.

The ruling is doubly welcome because of the pounding which California and other coast state highways are taking from military vehicles. In the opinion of some road engineers this increased traffic more than makes up for the reduction in pleasure driving.

Men who are considered essential for road maintenance work may now obtain deferment from the draft while machinery and parts needed for highway work will be available. The selective service, enlistments and resignations are reported to have cut the prewar force by approximately half and, coupled with the inability to obtain machinery, that meant the highway program could not be kept at anything resembling normal.

It would be folly to permit the state highway system to so deteriorate that it would be unable to carry the present military load.

The WMC has acted wisely to recognize these facts.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Anderson:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows: An act making an appropriation for the protection of the ocean beach at the City of Redondo Beach.

Respectfully submitted.

GLENN M. ANDERSON

Request referred to Committee on Legislative Procedure.

By Mr. Guthrie:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows: An act to amend Sections 802.6, 803, 823, 828.15, 828.25, 828.2 of the Agricultural Code, relating to standard containers for deciduous fruits and grapes, declaring the urgency of this act, to take effect immediately.

Respectfully submitted.

C. L. GUTHRIE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Anderson:

An act making an appropriation for the protection of the ocean beach at the City of Redondo Beach.

By Mr. Guthrie:

An act to amend Sections 802.6, 803, 823, 828.15, 828.25, 828.2 of the Agricultural Code, relating to standard containers for deciduous fruits and grapes, declaring the urgency of this act, to take effect immediately.

PELLETIER, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sam L. Collins moved a call of the Assembly.

Motion carried. Time, 10.10 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1600—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, to take effect immediately; And reports that the same has been correctly enrolled, and presented to the Governor on the first day of April, 1943, at 8.30 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
 Assembly Constitutional Amendment No. 20
 And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
 Assembly Joint Resolution No. 42
 And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
 Assembly Bill No. 159
 Assembly Bill No. 279
 Assembly Bill No. 516
 And reports the same correctly re-engrossed.

Assembly Bill No. 635
 Assembly Bill No. 1338
 Assembly Bill No. 1412

PELLETIER, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1096—An act authorizing a conveyance to the United States of America of the reversionary and possessory interest of the State of California in and to certain portions of tide and submerged lands heretofore conveyed in trust to the City of Long Beach by the State of California.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1939—An act to add Section 3466d to the Political Code, relating to reclamation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 400—An act to amend Section 4246 of the Political Code, relating to compensation for public services in counties of the seventeenth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 438—An act to amend Section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 519—An act providing for the taking of a census in cities, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 559—An act to amend Section 4252 of the Political Code, relating to compensation for public services in counties of the twenty-third class.

Bill read second time, and ordered to third reading.

Assembly Bill No. 566—An act to amend Section 4 of an act entitled “An act to authorize the counties of the State of California to establish retirement systems for their employees,” approved May 20, 1919, relating to funds of the system.

Bill read second time, and ordered engrossed.

Assembly Bill No. 634—An act to amend Section 2804 of the Streets and Highways Code and Section 23 of the District Investigation Act of 1933, relating to mosquito abatement districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 20—An act to amend Section 506 of the Public Resources Code, relating to the State Park Commission and the Chief of the Division of Parks.

Bill read second time, and ordered engrossed.

Assembly Bill No. 654—An act to amend Section 352 of the Political Code, relating to the traveling expenses of State officers and employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 927—An act to amend Section 13.02 of the Building and Loan Association Act, relating to the employment of attorneys by the Building and Loan Commissioner.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1050—An act to amend Section 1 of an act entitled “An act relating to the doing of public work by day’s labor or force account, except emergency and maintenance work and work costing less than ten thousand dollars (\$10,000); requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records,” approved June 21, 1923, as amended, relating to reports to be filed thereunder.

Bill read second time, and ordered engrossed.

Assembly Bill No. 829—An act to add Section 79.03a to, and to amend Sections 79.03, 79.04 and 79.05 of the Civil Code, all relating to premarital examinations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1169—An act to amend and renumber Section 1208 of the Code of Civil Procedure as added by Statutes of 1905,

Chapter 472, and amended by Statutes of 1935, Chapter 104, to be Section 1208.5, relating to liens upon animals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1025—An act to amend Section 756.5 of the Probate Code, relating to sale of personal property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 982—An act to add Section 1029.5 to the Code of Civil Procedure, relating to costs in civil actions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 413—An act to add Section 17 to the Agricultural Code, relating to the effect of headings upon the interpretation of the provisions of said code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 414—An act to amend Section 422 of the Probate Code, relating to the administration of estates of persons dying intestate.

Bill read second time, and ordered engrossed.

Assembly Bill No. 415—An act to add Section 4 to the Probate Code, relating to the effect of headings upon the interpretation of the provisions of said code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 416—An act to add Section 3 to the Fish and Game Code, relating to the effect of headings upon the interpretation of the provisions of said code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 691—An act to amend Section 739 of, and to add Section 737.1 to the Vehicle Code, relating to the filing of notices to appear in court, the fixing of bail and the indorsement thereof upon such notices, the deposit of bail and the forfeiture thereof for failure to appear.

Bill read second time, and ordered to third reading.

Assembly Bill No. 144—An act to amend Section 7b of the Municipal Court Act of 1925, relating to the salaries of marshal's deputies and assistants in cities of the first and one-half class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 296—An act to amend Sections 6486, 6560, 6782, 6783 and 6784, and to repeal Section 6785 of the Health and Safety Code, relating to sanitary districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 325—An act to amend Section 605e of the Civil Code, relating to the disposition of assets of nonprofit corporations upon dissolution or winding up.

Bill read second time, and ordered engrossed.

Assembly Bill No. 326—An act to amend Section 2727 of, and to add Section 2727.5 to, the Business and Professions Code, relating to the practice of nursing.

Bill read second time, and ordered to third reading.

Assembly Bill No. 327—An act to amend Section 1215 of the Health and Safety Code, relating to applicability of clinic and dispensary licensing provisions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 343—An act to add Section 7421 to the Business and Professions Code, relating to temporary licenses for hairdresser and cosmeticians or cosmetologists, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 481—An act to add Section 26528 to the Health and Safety Code, relating to the sale of horse meat.

Bill read second time, and ordered engrossed.

Assembly Bill No. 665—An act to add Section 249 to, and to amend Sections 250, 257, and 268 of the Health and Safety Code, relating to services for physically handicapped children providing for receipt and administration of Federal funds, providing for cooperation with the Federal Government.

Bill read second time, and ordered engrossed.

Assembly Bill No. 928—An act to amend Section 11003 of, and to repeal Article 1a, consisting of Sections 11540 and 11541 of Chapter 5, of Division 10 of the Health and Safety Code, relating to narcotics.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1465—An act to amend the Dental Practice Act by amending Section 1674 of the Business and Professions Code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1468—An act to amend Section 1675 of the Business and Professions Code, relating to the powers of the Board of Dental Examiners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1545—An act to amend Sections 10250, 10252, 10253, 10425, 10576, 10577, and 10579 of the Health and Safety Code, and to add Section 10255 thereto, relating to vital statistics.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1777—An act to add Section 5418 5 to the Health and Safety Code, relating to sewerage.

Bill read second time, and ordered to third reading.

Assembly Bill No. 918—An act to amend Section 5133 of the Streets and Highways Code, relating to publications.

Bill read second time, and ordered engrossed.

Assembly Bill No. 197—An act amending Section 4076 of the Political Code, relating to county government.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "nor more than 15 days as may be prescribed by ordinance and if not", and insert "or if".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 445—An act to amend Section 4248 of the Political Code, relating to compensation of public officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 15 and 16, of the printed bill, strike out "three thousand dollars (\$3,000)", and insert "two thousand four hundred dollars (\$2,400)".

Amendment No. 2

On page 1, line 24, of the said bill, strike out "five dollars (\$5)", and insert "three dollars (\$3)".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1254—An act to provide a method for the dissolution of Orange County Water District, a district organized and existing under an act of the Legislature of the State of California, approved June 14, 1935, and to provide for the distribution of its assets.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, strike out "1935", and insert "1933".

Amendment No. 2

On page 1, line 20, of said bill, strike out "1935", and insert "1933".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 112—An act to provide for the disposal of certain real property of the State in Sonoma County, and for the disposition of the proceeds of such sale.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 2, of the printed bill, after "ized", insert ", with the approval of the Department of Finance,".

Amendment No. 2

On page 1 of the printed bill, between lines 17 and 18, insert "SEC. 2. There is hereby reserved to the State the minerals, including oil and gas in such lands, and to the State or persons authorized to do so by the State the right to prospect for, extract and remove said minerals, oil and gas therefrom."

Amendment No. 3

On page 1, line 18, of said bill, strike out "2", and insert "3".

Amendment No. 4

On page 1, line 21, of said bill, strike out "3", and insert "4".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 447—An act to amend Section 6602 of the Welfare and Institutions Code, relating to the admission and detention of voluntary patients in State hospitals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, strike out "suffering from mental disease,".

Amendment No. 2

On page 1, line 22, of said bill, strike out the period, and insert "to any of such mental hospitals as may be designated by the Director of Institutions to admit minors on voluntary applications."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 446—An act to amend an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 15, of the printed bill, strike out "seventeen", and insert "forty".

Amendment No. 2

On page 1, line 16, of said bill, strike out "and fifty cents (\$117.50)", and insert "(\$140)".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Constitutional Amendment No. 17—Proposed amendment to Article XIII of the Constitution, adding a new section numbered 1c, relating to taxation.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1 of the printed measure, strike out lines 9 to 15, inclusive, and insert "Sec. 1c. In addition to such exemptions as are now provided in this Constitution, the Legislature may exempt from taxation all or any portion of property used for religious, hospital or charitable purposes and owned by community chests, funds, foundations, or corporations organized and operated for religious, hospital or charitable purposes, not conducted for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual."

Amendment read and adopted.

Resolution ordered reprinted and engrossed.

Assembly Bill No. 1035—An act to provide for the formation of districts within municipalities for the acquisition, construction, maintenance, and operation of parking places, garages and other improvements for the parking of motor vehicles; the levy and collection of assessments upon property in said districts; the issuance, sale and payment of bonds secured by such assessments; the collection of rentals, fees, and charges for the use of such parking places, garages or other improvements; the administration thereof; the levy of taxes; and the powers and duties of cities relating thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 19, between lines 39 and 40, of the printed bill, as amended, insert "The total amount of assessments levied or bond indebtedness created for any acquisition and improvement hereunder shall not exceed twenty per cent (20%) of the assessed value of all lands in the district, as shown by the assessment roll of the county last equalized at the date of the levy of the assessment or creation of the indebtedness."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 334—An act to amend Sections 2139 and 2148 of, and to add Sections 2149 and 2150 to, the Business and Professions Code, relating to chiropody.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "and leg".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 666—An act to amend Section 1 of an act entitled "An act relating to cold storage, regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 13, 1913, relating to the cold storage of foods.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 16, of the printed bill, after "cheese", insert "but this act shall not apply to a brewery or malt beverages".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 667—An act to amend Sections 26200.5, 26209, 26212, 26243, 26251, 26253, 26254, 26271, 26280, 26281, 26282, 26296, 26302, 26303, 26327, 26328, 26336, 26337, 26338, 26342, 26343, 26361, 26364, 26366, 26367, 26368, and 26380 of, and add Sections 26216 and 26271 (a) to Division 21, Chapter 2 of the Health and Safety Code, relating to the adulteration, misbranding, advertising and sale of drugs and devices, and to the powers of the State Department of Public Health in relation thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "26243,".

Amendment No. 2

On page 2 of said bill, strike out lines 14 to 28, inclusive.

Amendment No. 3

On page 2, line 30, of said bill, after "Sec.", strike out "6", and insert "5".

Amendment No. 4

On page 2 of said bill, strike out line 34, and insert "of amidopyrine, cinchophen, sulfanilamide, thyroid, or any of its".

Amendment No. 5

On page 2, lines 35 and 36, of said bill, strike out "a written".

Amendment No. 6

On page 2, line 44, of said bill, strike out "written".

Amendment No. 7

On page 2, line 45, of said bill, after the period, insert "Bandages of all types, and preparations and ointments for external use only, containing 5 per cent or less sulfanilamide, or any of its preparations, compounds or derivatives, are exempt from the provisions of this section."

Amendment No. 8

On page 2, line 47, of said bill, after "Sec", strike out "7", and insert "6".

Amendment No. 9

On page 3, line 8, of said bill, after "Sec.", strike out "8", and insert "7".

Amendment No. 10

On page 3, line 14, of said bill, after "eucaime," insert "chloroform,".

Amendment No. 11

On page 3, line 47, of said bill, after "labeled, or", strike out "intended".

Amendment No. 12

On page 4, line 7, of said bill, strike out "written"

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1605—An act to add Sections 7393.5, 7400.5 and 7442.5 to the Business and Professions Code, relating to schools of cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out “, 7400.5 and 7442.5”, and insert “and 7400.5”.

Amendment No. 2

On page 1 of said bill, strike out lines 21 to 25, inclusive.

Amendment No. 3

On page 1, line 27, of said bill, after “Sec”, strike out “4”, and insert “3”.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1936—An act to amend Section 347½ of the Penal Code, relating to the sale and use of drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 27, of the printed bill, after “State”, insert “; and provided further, however, that the above provisions with reference to possession of said drugs do not apply to drug wholesalers, drug jobbers, drug manufacturers, pharmacies, physicians, dentists, chiropodists, and veterinary surgeons”.

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1762—An act authorizing the investment of surplus funds of any bridge and highway district, incorporated under the act of May 25, 1923, of the State of California, in bonds and other obligations for the payment of which the faith and credit of the United States of America are pledged and legalizing all such investments heretofore made, and authorizing such bridge and highway districts to use such surplus funds for the refunding or partial refunding of any existing bonded indebtedness of bridge and highway districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

On page 1, line 9, of the printed bill, after “pledged”, insert “or in any obligation, bond or security approved by the Superintendent of Banks as legal for investment by savings banks. All such investments heretofore made are legalized”.

Amendment No. 2

On page 1, line 12, of said bill, after “partial refunding”, insert “or purchase”.

Amendment No. 3

On page 1 of said bill, strike out lines 14 to 16, inclusive, and insert “The interest or income from any funds so invested shall be and become a part of”.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 387—An act to authorize municipal and county governments to vacate certain easements and providing a procedure therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, between lines 6 and 7, insert "The authority granted and the procedure provided by this act shall be an alternative to any other authority or procedure provided by law."

Amendment No. 2

On page 1, line 27, of said bill, after "pathways," insert "storm drains, drainage, canal,".

Amendment No. 3

On page 2 of said bill, strike out lines 23 and 24, and insert "easement or other right of any private person or corporation or of any public corporation or political subdivision, other than a city or county, in or to or over the lands subject to the easement herein referred to regardless of the manner in which such private easement or other right shall have been acquired, whether by franchise, grant, contract, use or occupancy, or otherwise."

Amendment No. 4

On page 2, line 36, of said bill, after "vacate any", insert "unnecessary".

Amendment No. 5

On page 2, line 37, of said bill, strike out "part of an easement therein", and insert "any unnecessary part of an easement as the term "unnecessary easement" is defined in Section 45 hereof".

Amendment No. 6

On page 3, lines 3 and 4, of said bill, strike out "less than 200", and insert "more than 300".

Amendment No. 7

On page 3, line 29, of said bill, strike out "easement or part of an easement therein", and insert "unnecessary easement, as such term is defined in Section 45 hereof, or any unnecessary part of an easement".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 669—An act to amend Section 12 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, relating to the investment of surplus funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 12 of", and insert "Sections 12, 21.30 and 21.90 of, and to add Section 31 to,".

Amendment No. 2

In line 7 of the title of the printed bill, strike out "the investment of surplus funds", and insert "municipal utility districts."

Amendment No. 3

On page 2, line 31, of the printed bill, strike out ", in", and insert ". In".

Amendment No. 4

On page 2, line 33, of the printed bill, strike out "a municipal corporation", and insert "an incorporated city or town".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 4 of the printed bill, after line 40, insert

"SEC. 2. Section 21.30 of said act is amended to read:

Sec. 21.30. The incumbents of permanent positions who have held such positions for a period of at least one year continuously next preceding the time that a civil service system shall first be adopted pursuant to the provisions of this act shall be continued in their positions as if appointed thereto after examination and certification from a list of eligibles and shall be governed thereafter by the provisions of this act and the rules and regulations adopted pursuant thereto but shall not be subject to the six months' probation period.

Whenever any district acquires existing facilities from a public utility, whether by proceedings in eminent domain or otherwise, any or all of the officers or employees of the public utility whose duties pertained to the facilities acquired may be appointed to positions in the district's civil service system without examination and certification from a list of eligibles and shall be governed thereafter by the provisions of this act and the rules and regulations adopted pursuant thereto but shall not be subject to the six months' probation period.

In the event that a civil service system is adopted for a district pursuant to this section during the period of a leave of absence granted under Section 395.4 of the Military and Veterans Code or similar legislation, the officer or employee shall, on the termination of his leave of absence, be restored to a position in the district's civil service system wherein he shall have the same or equivalent status as of the last working day before his leave of absence began. Such officer or employee shall hold that position as if appointed thereto after examination and certification from a list of eligibles, and shall be governed thereafter by the rules and regulations of the civil service system, except that if such officer or employee had held a permanent position with the district for a period of one year continuously next preceding the beginning of his leave of absence, he shall not be subject to the six months' probation period.

SEC. 3. Section 21.90 of said act is hereby amended to read:

Sec. 21.90. The general manager shall adopt rules and regulations to carry out the purposes of the civil service provisions of this act and may from time to time amend existing rules, and except as otherwise provided herein such rules shall govern applications, examinations, eligibility, duration of eligible lists; certifications of eligibles; appointments; promotions; transfers; resignations; layoffs or reductions in force, both permanent and temporary, due to lack of work or funds, retrenchment, or completion of work; the filling of positions, temporary, seasonal and permanent; classification; and such other matters as are not in conflict with the civil service provisions of this act. Said rules and regulations or any proposed amendments thereto shall be in writing and a copy thereof shall be posted in a conspicuous place in the office of the district and shall not become effective until 20 days after the posting thereof. Any person interested may within 10 days after such posting file written objections to such proposed rules or amendments, or any part thereof, with the general manager, in which event such rules or amendments shall not become effective until the general manager has given notice of a hearing and heard objections thereto and announced his decision on the objections; provided, however, that anything herein to the contrary notwithstanding the civil service provisions hereof shall not apply to any district until such time as it has operated, controlled or used works or parts of works for the providing of the inhabitants and municipalities within the boundaries of said district with the utility services, or any of them, specified in this act [for a period of six months]. *A civil service system may, however, be adopted under Section 21 at any time after the district commences to operate, control, or use works or parts of works for the providing of the inhabitants and municipalities within the boundaries of said district with the utility services, or any of them, specified in the act, and such system shall be adopted within six months thereafter.*

SEC. 4. Section 31 is added to said act, to read as follows:

Sec. 31. This act may be cited as the "Municipal Utility District Act."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 762—An act to amend Section 4269 of the Political Code, relating to compensation for public services in counties of the fortieth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 4269", and insert "Sections 4269 and 4284".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "in counties of the fortieth class".

Amendment No. 3

On page 1, lines 7 and 8, of said bill, strike out "two thousand four hundred dollars (\$2,400)", and insert "three thousand dollars (\$3,000)".

Amendment No. 4

On page 1, line 10, of said bill, strike out "dollars (\$-----)", and insert "fifteen hundred dollars (\$1,500)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, after line 32, insert

"SEC. 2. Section 4284 of the Political Code is amended to read:

4284. In counties of the fifty-fifth class the county officers shall receive as compensation for the services required of them by law, or by virtue of their offices, the following salaries, fees and expenses, to wit:

[1. The county clerk, two thousand dollars per annum.

2. The sheriff, three thousand dollars per annum.

3. The recorder, one thousand dollars per annum.

4.] 1. The auditor, one thousand eight hundred dollars (\$1,800) per annum.

[5. The treasurer, one thousand five hundred dollars per annum; provided, that all fees and commissions now allowed by law or which may hereafter be allowed by law to said treasurer by virtue of the said office shall be paid into the county treasury.

6. The tax collector, one thousand two hundred dollars per annum.

7. The assessor, three thousand dollars per annum; provided, that all commissions and fees now allowed by law or which may hereafter be allowed by law to the said assessor on the collection of personal property taxes, road and hospital taxes, shall be paid into the county treasury.]

[8.] 2. The district attorney, one thousand eight hundred dollars (\$1,800) per annum.

[9. The coroner, such fees as are now or may be hereafter allowed by law.

10. The public administrator, such fees as are now or may be hereafter allowed by law.

11. The superintendent of schools, one thousand two hundred dollars per annum which said sum of one thousand two hundred dollars shall also be in full payment of the services of such superintendent of schools upon the board of education.

12. The surveyor, ten dollars per day when engaged in county work. He shall also receive his actual and necessary expenses when at work in the field.

13. In counties of this class the justices of the peace shall receive the following compensation, to wit:

(a) In townships having a population of one thousand or over, twenty dollars per month;

(b) In townships having a population of less than one thousand, ten dollars per month; provided, however, that the justice of the peace residing at the county seat shall receive twenty dollars per month, even when presiding as justice of the peace in townships having less than a population of one thousand.

The above named salaries shall be in full compensation for all services of said justices of the peace in criminal and civil cases, and when acting as coroner said justices of the peace shall be allowed and paid actual expenses, which expenses shall be audited and allowed by the board of supervisors and paid out of the county treasury. The above compensation shall be in lieu of all other fees received for

services and said fees shall be accounted for to the auditor and paid into the county treasury.

The salaries of justices of the peace as herein provided for shall be paid in the same manner, at the same time, and out of the same funds as county officers are paid.

For the purposes of this subdivision the population of the several judicial townships is hereby determined to be the population of said townships as shown by the federal census taken A.D. 1910.

14. In counties of this class the constables shall receive the following compensation, to wit:

(a) In townships having a population of one thousand or over, twenty dollars per month;

(b) In townships having a population of less than one thousand, ten dollars per month, together with such fees as may be now or hereafter allowed for mileage for serving papers.

The salaries of the constables as herein provided for shall be paid in the same manner, at the same time, and out of the same funds as county officers are paid.]

[15.] 3. Each member of the board of supervisors [nine] *twelve* hundred dollars (\$1,200) per annum; mileage from residence to county seat at each sitting of the board, twenty cents (\$0.20) per mile.

[16.] 4. The fees of grand jurors and trial jurors in the superior courts of counties of this class, in civil and criminal cases, shall be three dollars (\$3), in lawful money of the United States, for each day's attendance, and mileage to be computed at the rate of twenty-five cents (\$0.25) per mile for each mile necessarily traveled in attending court, in going only. In criminal cases such fees and mileage of said jurors in the superior court shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor upon the written order of the judge of the court in which said juror was in attendance, and the treasurer of said county shall pay said warrants.

[The board of supervisors of said county is hereby directed to make suitable appropriations for the payment of the fees herein provided for.]

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1081—An act to amend Section 3714 of the Political Code, relating to annual financial estimates of counties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 9 of the printed bill, between lines 22 and 23, insert

"9. Nothing in this section shall be deemed to apply to, control, or affect the powers, operation, taxes or taxing power of any reclamation district, irrigation district, municipal utility district, metropolitan water district, municipal water district, water conservation district, drainage district, levee district or any district formed under an act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915."

Amendment No. 2

On page 9, line 23, of said bill, strike out "9", and insert "10".

Amendment No. 3

On page 9, line 31, of said bill, strike out "10", and insert "11".

Amendment No. 4

On page 9, line 33, of said bill, strike out "11", and insert "12".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1753—An act to amend Section 4243 of the Political Code, relating to compensation for public services in counties of the fourteenth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "six hundred dollars (\$3,600)", and insert "nine hundred dollars (\$3,900)".

Amendment No. 2

On page 1, line 12, of said bill, strike out "five thousand dollars (\$5,000)", and insert "four thousand two hundred dollars (\$4,200)".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1359—An act to amend the chapter heading of Chapter 2 of Division 4 of the Welfare and Institutions Code, to amend Sections 124, 2500, 2503, 2505, 2506, 2555, and 2556 of said code, to repeal Sections 2501, 2502, 2504, and 2600 thereof, to add Sections 2501, 2502, and 2507 thereto, to add Article 2.5, comprising Sections 2560 to 2565, inclusive, Article 6, comprising Sections 2625 to 2630, inclusive, Article 7, comprising Sections 2650 to 2660, inclusive, and Article 8, comprising Sections 2675 to 2683, inclusive, to Chapter 2 of Division 4 of said code, and to repeal certain laws and parts of laws therein specified, relating to the relief of hardship and destitution; establishing an integrated program of State and county administration of relief, defining the scope of the powers and duties of the State and the counties in regard thereto, apportioning funds for the direct and administrative costs thereof, determining eligibility for relief, prohibiting political activities, penalizing persons for violating its provisions, defining the purposes for which money appropriated for relief activities may be used, transferring the powers and duties of the State Emergency Relief Commission and the Emergency Relief Administrator to the State Department of Social Welfare, abolishing the State Relief Commission and the Office of State Relief Administrator, and transferring certain records and other properties thereof to the State Department of Social Welfare.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend the chapter heading of Chapter 2 of", and insert "add Chapter 3, comprising Section 2650, to".

Amendment No. 2

In line 2 of the title of said bill, strike out "to amend Sections"; strike out all of lines 3 to 9, inclusive; and in line 10, strike out "of Division 4 of said code".

Amendment No. 3

In line 11 of the title of said bill, strike out "the relief of", and insert "relief and public assistance due to and caused by unemployment".

Amendment No. 4

In the title of said bill, strike out lines 12 to 22, inclusive, and insert "abolishing the State Relief Administration".

Amendment No. 5

In lines 24 to 26 of the title of said bill, strike out "and transferring certain records and other properties thereof to the State Department of Social Welfare," and insert "providing for the disposition of the properties thereof, and prohibiting the expenditure of money for certain purposes."

Amendment No. 6

On page 1 of said bill, strike out lines 1 to 6, inclusive.

Amendment No. 7

On page 2 of said bill, strike out lines 3 to 51, inclusive; and strike out all of pages 3 to 13, inclusive, of said bill.

Amendment No. 8

On page 14 of said bill, strike out lines 1 to 20, inclusive, and insert "SECTION 1. Chapter 3, comprising Section 2650, is added to Division 4 of the Welfare and Institutions Code, to read:

CHAPTER 3. STATE RELIEF ADMINISTRATION

2650. (a) Pursuant to the authorization provided by Section 11 of Article XVI of the Constitution, the State Relief Administration, the State Relief Commission and the Office of State Relief Administrator are abolished.

(b) Unless expressly authorized by law, no money (including money from any emergency fund) shall be expended under Section 10 of Article XVI of the Constitution.

SEC. 2. The Department of Finance shall succeed to and have possession of all records, books, papers, equipment, supplies, moneys, funds, and all other property both real and personal belonging to, or held by or for the benefit of, the State Relief Administration, the State Relief Commission, and the State Relief Administrator, for the purpose of winding up the affairs of the State Relief Administration, the State Relief Commission, and the Office of State Relief Administrator.

The Director of Finance is hereby expressly authorized, upon request, to donate any such property to any State institution, department, or other State agency, upon such terms and conditions as the Director of Finance deems appropriate. All other such property shall be sold, and the proceeds deposited in the General Fund in State Treasury."

Amendment No. 9

On page 14, line 22, strike out "Sec. 25.", and insert "Sec. 3 "

Amendment No. 10

On page 14 of said bill, strike out line 27.

Amendment No. 11

On page 15 of said bill, strike out lines 10 to 12, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1339—An act to amend Section 3440 of the Civil Code, relating to fraudulent conveyances.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 47, of the printed bill, after "fixtures", insert ", stock in trade,".

Amendment No. 2

On page 3, line 4, of said bill, after "law," insert "nor by any assignee acting under an assignment for the benefit of creditors,".

Amendment No. 3

On page 1, line 23, of the printed bill, strike out "miscellaneous", and insert "official".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1577—An act to amend Section 702 of the Welfare and Institutions Code, relating to the jurisdiction of the juvenile court.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 3, of the printed bill, after "cases", insert "involving violation of the provisions of this code".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 614—An act to amend Section 4131 of the Political Code, relating to duties of county recorders.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, at the end thereof, insert

"SEC. 2. Where the process used in recording is changed under the authority of this act, no person employed in the recorder's office in any county on December 31, 1942, shall, solely by reason of the installation or use of such process, be discharged or reduced in salary or wages nor shall any civil service or retirement status of such person be affected solely by reason of the installation or use of such process

SEC. 3. Should any provision in Section 2 hereof be held unconstitutional by any district court of appeal or the Supreme Court of this State or the United States in any proceeding brought by any employee discharged or reduced in salary or in civil service or retirement status in violation thereof, then Section 4131 of the Political Code shall read as it did before its amendment by this act; provided, however, that all recordings made hereunder prior to the decision of such court declaring said Section 2 unconstitutional becoming final, shall be valid and of full force and effect"

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 378—An act providing for the preparation and publication of the California Administrative Register and the California Administrative Code, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "may be sold to the public by", and insert "shall be sold to the public by the State Printer under direction of".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1280—An act relating to public officers, deputies, assistants, and employees, and their return to public service, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 2, of the printed bill, after "any", insert "city."

Amendment No. 2

On page 1, line 7, of said bill, after "United States," strike out the balance of line 7, lines 8 and 9, and that portion of line 10 ending with "work."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1308—An act to repeal Chapter 8, comprising Sections 6850 and 6955, inclusive, of Division 3 of the Business and Professions Code, and to add Chapter 8 comprising Sections 6850 to 6991, inclusive, to Division 3 of the Business and Professions Code, providing for the regulation, bonding, supervision and licensing of collection agencies and penalizing violations thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 38, of the printed bill, strike out "Title insurers", and insert "Abstract companies".

Amendment No. 2

On page 2, line 41, of said bill, insert
"(h) Persons employed solely to trace or locate debtors or property."

Amendment No. 3

On page 2, line 47, of said bill, after "thereof", insert ", and in lieu of payment, to repossess or take possession of personal property sold under a title-retaining agreement".

Amendment No. 4

On page 3 of said bill, strike out lines 5, 6, and 7.

Amendment No. 5

On page 3 of said bill, strike out lines 19 to 22, inclusive, and insert "6871. Each member of the board shall have been actively engaged in business as a licensed collection agency or managing director of a licensed collection agency in this State for a minimum period of five consecutive years immediately preceding his appointment."

Amendment No. 6

On page 3 of said bill, strike out line 28; and in line 29, strike out "two for four years", and insert "term to expire January 15, 1944; one for a term to expire January 15, 1945; two for a term to expire January 15, 1946; and one for a term to expire January 15, 1947".

Amendment No. 7

On page 3, line 37, of said bill, strike out "It shall elect from its members"; and strike out all of line 38, and insert "Three members of the board constitute a quorum, and in all cases a majority vote of the quorum is sufficient, except in the case of suspension or revocation of a license in which case three votes are required. No member may cast his vote by proxy. The president and the vice president shall be elected by the board from its members for a term of one year. No member of the board shall hold the office of president or the office of vice president more than one year in any one term of membership upon the board."

Amendment No. 8

On page 3 of said bill, strike out line 42; and in line 43, strike out "the approval of the Department of Finance."

Amendment No. 9

On page 4 of said bill, strike out lines 1 to 5, inclusive, and insert "chapter."

Amendment No. 10

On page 4 of said bill, strike out lines 19 to 23, inclusive, and insert "6879. The board may maintain offices in such places as may be deemed to be in the public interest but the principal office of the board shall be in the City of Sacramento."

Amendment No. 11

On page 4 of said bill, strike out lines 25 to 31, inclusive, and insert "6880. The board with the approval of the director, shall appoint one superintendent of collection agencies whose duties are provided in this chapter, and whose salary shall be fixed by the board with the approval of the Director of Finance."

Amendment No. 12

On page 4, line 33, of said bill, after "board", insert ", with the approval of the director,".

Amendment No. 13

On page 4, line 35, of said bill, strike out ", and"; and strike out all of lines 36 to 39, inclusive, and insert a period.

Amendment No. 14

On page 4, line 45, of said bill, after the period, insert "He shall be a member of the State Civil Service."

Amendment No. 15

On page 5, line 19, of said bill, strike out "secretary shall keep in his", and insert "board shall keep in its".

Amendment No. 16

On page 5, line 26, of said bill, strike out "secretary", and insert "board"

Amendment No. 17

On page 5, line 30, of said bill, strike out "in the office of"; and strike out all of line 31, and insert a period.

Amendment No. 18

On page 6, line 1, of said bill, strike out "authorized", and insert "authorizes".

Amendment No. 19

On page 6 of said bill, strike out all of line 13, and insert "the board in such form as may be required by it."

Amendment No. 20-21

On page 6, line 43, of said bill, strike out "secretary", and insert "board".

Amendment No. 22

On page 7, line 18, of said bill, strike out "superintendent, who", and insert "board, which".

Amendment No. 23

On page 7, line 19, of said bill, strike out ". which he may administer".

Amendment No. 24

On page 7, line 29, of said bill, strike out "secretary", and insert "board".

Amendment No. 25

On page 7, line 35, of said bill, strike out "secretary", and insert "board".

Amendment No. 26

On page 8 of said bill, strike out lines 41 to 44, inclusive.

Amendment No. 27

On page 8, line 46, of said bill, strike out "6921", and insert "6920".

Amendment No. 28

On page 8, line 50, of said bill, strike out "members of the commissioners on examination,".

Amendment No. 29

On page 9, lines 7 and 8, of said bill, strike out "secretary", and insert "board".

Amendment No. 30

On page 9, line 35, of said bill, strike out "after the"; and strike out all of lines 36 to 40, inclusive, and insert "unless commenced within two years after the cause of action accrues."

Amendment No. 31

On page 9, line 49, of said bill, strike out "secretary", and insert "board"

Amendment No. 32

On page 9, line 51, of said bill, strike out "secretary", and insert "board".

Amendment No. 33

On page 10, line 3, of said bill, strike out "secretary", and insert "board".

Amendment No. 34

On page 10, lines 6 and 7, of said bill, strike out "secretary", and insert "board".

Amendment No. 35

On page 10, line 9, of said bill, strike out "secretary", and insert "board".

Amendment No. 36

On page 10, line 12, of said bill, strike out "secretary", and insert "board".

Amendment No. 37

On page 10, line 19, of said bill, strike out "secretary", and insert "board".

Amendment No. 38

On page 10, line 21, of said bill, strike out "secretary", and insert "board".

Amendment No. 39

On page 10, line 34, of said bill, strike out "shall", and insert "may".

Amendment No. 40

On page 10 of said bill, strike out lines 41 to 44, inclusive, and insert "(c) If any applicant, or managing partner, officer or director thereof, has been convicted of embezzlement or any crime involving fraud or moral turpitude."

Amendment No. 41

On page 11, line 20, of said bill, after "license", insert "and the most recent continuation receipt thereof".

Amendment No. 42

On page 11, line 32, of said bill, strike out "secretary", and insert "board".

Amendment No. 43

On page 11, line 33, of said bill, strike out "secretary", and insert "board".

Amendment No. 44

On page 11, line 35, of said bill, strike out "secretary", and insert "board".

Amendment No. 45

On page 11, line 36, of said bill, strike out "and shall enter in his", and insert "or issue a duplicate license containing the new location or name, and shall enter in its".

Amendment No. 46

On page 12, line 18, of said bill, strike out "secretary", and insert "board".

Amendment No. 47

On page 12 of said bill, strike out line 36, and insert "suspension of the license, and the board shall make an".

Amendment No. 48

On page 12, line 37, of said bill, strike out "revoking", and insert "suspending".

Amendment No. 49

On page 12, line 42, of said bill, strike out "secretary", and insert "board".

Amendment No. 50

On page 12 of said bill, strike out lines 46 to 50, inclusive, and insert "6952. Licensees shall make remittances and render statements of account to customers in accordance with rules and regulations established by the board."

Amendment No. 51

On page 13, line 18, of said bill, strike out "6917", and insert "6956".

Amendment No. 52

On page 13, line 19, of said bill, strike out "secretary", and insert "board".

Amendment No. 53

On page 13, line 32, of said bill, strike out "branch".

Amendment No. 54

On page 13, line 42, of said bill, strike out "secretary", and insert "board".

Amendment No. 55

On page 14, line 4, of said bill, strike out "secretary", and insert "board".

Amendment No. 56

On page 14, line 10, of said bill, after "file", insert "with the board".

Amendment No. 57

On page 14, line 11, of said bill, after "licensee", insert ", and transmit a copy thereof by registered mail addressed to the licensee charged at the address shown in the records of the board".

Amendment No. 57-1

On page 14, line 14, of said bill, strike out "superintendent", and insert "board".

Amendment No. 57-2

On page 14, line 22, of said bill, strike out "superintendent", and insert "board".

Amendment No. 58

On page 14, line 27, of said bill, strike out "secretary", and insert "board".

Amendment No. 59

On page 14, line 28, of said bill, strike out "secretary", and insert "board".

Amendment No. 60

On page 14, line 31, of said bill, strike out "superintendent", and insert "board".

Amendment No. 61

On page 15 of said bill, strike out lines 1 to 6, inclusive, and insert "6966. The board may appoint a member of the board or the superintendent to conduct a hearing in its place and stead, and he may subpoena witnesses, administer oaths and take testimony, and make findings of fact and recommendations to the board."

Amendment No. 62

On page 15, line 8, of said bill, strike out "superintendent", and insert "board".

Amendment No. 63

On page 15, lines 10 and 11, of said bill, strike out "and recommendations of the superintendent have been filed with the board".

Amendment No. 63.5

On page 15, line 15, of said bill, strike out "secretary", and insert "board".

Amendment No. 64

On page 15 of said bill, strike out line 25, and insert "6969. Any member of the board or the superintendent".

Amendment No. 65

On page 15, line 42, of said bill, strike out "superintendent", and insert "board".

Amendment No. 66

On page 15, line 43, of said bill, strike out "superintendent", and insert "board".

Amendment No. 67

On page 15, line 44, of said bill, strike out "superintendent", and insert "board".

Amendment No. 68

On page 16, line 7, of said bill, strike out "superintendent", and insert "board".

Amendment No. 69

On page 16, line 11, of said bill, strike out "superintendent", and insert "board".

Amendment No. 70

On page 17, line 5, of said bill, strike out "secretary", and insert "board".

Amendment No. 71

On page 17, line 9, of said bill, strike out "secretary", and insert "board".

Amendment No. 72

On page 17, line 19, of said bill, strike out "secretary", and insert "board".

Amendment No. 73

On page 17, lines 26 and 27, of said bill, strike out "secretary", and insert "board".

Amendment No. 74

On page 17, line 32, of said bill, strike out "secretary", and insert "board".

Amendment No. 75

On page 17 of said bill, strike out line 36; and in line 37, strike out "annually", and insert

"(b) An annual continuation fee of not less than twenty-five dollars (\$25) nor more than fifty dollars (\$50), to be fixed by the board in accordance with the costs of administration."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 123—An act to amend Section 4244 of the Political Code, relating to the compensation of public personnel in counties of the fifteenth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 265—An act to amend Section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to deposit of public moneys, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 141—An act to amend Section 373 of the Civil Code and Section 411 of the Code of Civil Procedure, relating to service of summons.

Bill read second time, and ordered to third reading.

Senate Bill No. 128—An act to repeal Section 14407 of the Health and Safety Code, relating to repayment of the cost of furnishing fire-fighting equipment and services.

Bill read second time, and ordered to third reading.

Senate Bill No. 465—An act to add Section 89.5, 89.6 and 89.6a to the Agricultural Code, relating to the powers and duties of district agricultural associations and the use of county fair property, and declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "and 89.6a", and insert ", 89.7 and 89.8".

Amendment No. 2

On page 2 of said bill, strike out lines 20 to 22, inclusive, and insert "SEC. 3. Section 89.7 is added to the Agricultural Code, to read: 89.7. No funds or property may be used or be permitted to be used for agricultural labor camps pursuant to Sections 89.5 or 89.6 after the California Food and Labor Production Act takes effect except with the approval of the California Farm Production Director appointed pursuant to said act, nor prior to the time said act takes effect except with the approval of the Director of Agriculture.

SEC. 4. Section 89.8 is added to the Agricultural Code, to read 89.8 As used in Sections 89.5 and 89.6, the term".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 315—An act to amend Sections 105 and 106 of the Welfare and Institutions Code, relating to the Director of Social Welfare, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, strike out the comma, and insert "and who".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Constitutional Amendment No. 1

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 811

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 385

Assembly Bill No. 47

Assembly Bill No. 215

Assembly Bill No. 217

Assembly Bill No. 336

Assembly Bill No. 810

Assembly Bill No. 562

Assembly Bill No. 1121

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 806

Senate Bill No. 805

Senate Bill No. 818

Senate Bill No. 822

Senate Bill No. 598

Senate Bill No. 438

Senate Bill No. 239

Senate Bill No. 232

Senate Bill No. 1078

Senate Bill No. 146

Senate Bill No. 268

Senate Bill No. 6

Senate Bill No. 100

Senate Bill No. 623

Senate Bill No. 451

Senate Bill No. 824

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 30
Senate Joint Resolution No. 20

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 547
Senate Bill No. 678
Senate Bill No. 320

Senate Bill No. 676
Senate Bill No. 347
Senate Bill No. 423

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 806—An act to add Section 661.2 to the Political Code, relating to appropriations and the expenditure thereof.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 805—An act to amend Section 661 of the Political Code, relating to deficiencies in appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 818—An act to amend Section 1000 of, and to add Sections 380.3, 1000.1, 1000.2 and 1000.3 to, the Political Code, and to amend Sections 1300, 1774 and 1775 of, and to add Sections 1300.5, 1322, 1323 and 1324 to, the Government Code, relating to specific term appointments made by the Governor, and requiring the confirmation thereof by the Senate.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 822—An act to amend Section 356a of the Political Code, relating to contracts between State agencies.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 598—An act to add Section 692.5 to the Political Code, relating to approval by the Director of Finance of leases and licenses to use real property executed by the Reclamation Board.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 438—An act to amend Section 4242 of the Political Code, relating to salaries and compensation for public services in counties of the thirteenth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 239—An act to add Section 30 to an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, relating to the exclusion of territory.

Referred to Committee on Municipal and County Government.

Senate Bill No. 232—An act providing for the taking of a census in cities.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1078—An act to amend Section 1005 of the Water Code, and to add Section 41.5 to the Water Commission Act, relating to water rights.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 146—An act to amend Section 1 of an act entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, relating to appropriation of waters by the State Department of Finance.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 268—An act to amend Section 2 of an act entitled "An act creating a reclamation district to be called and known as 'Reclamation District No. 1500'; providing for the management and control thereof and dissolving all levee districts, swamp land districts and reclamation districts, lying wholly within the boundaries of said Reclamation District No. 1500; providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500," approved April 30, 1913, as amended, relating to the election, appointment, powers, and duties of the trustees of said district, and to the office and principal place of business of the said district, and relating to the management and control thereof.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 6—An act to amend Sections 50 and 372 of the Vehicle Code, relating to the definition of "unladen weight" and the payment of weight fees for commercial vehicles.

Referred to Committee on Motor Vehicles.

Senate Bill No. 100—An act to amend Section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property.

Referred to Committee on Judiciary.

Senate Bill No. 623—An act to amend Sections 10036 and 10551 of the Health and Safety Code, relating to vital statistics certificates.

Referred to Committee on Public Health.

Senate Bill No. 451—An act to add Section 249 to, and to amend Sections 250, 257, and 268 of the Health and Safety Code, relating to services for physically handicapped children, providing for receipt and administration of Federal funds, providing for cooperation with the Federal Government.

Referred to Committee on Public Health.

Senate Bill No. 824—An act to create a Board of Budget Appeals designating the members thereof, defining its powers and duties, and to amend Sections 661 and 677.5 of the Political Code, relating to State expenditures.

Referred to Committee on Governmental Efficiency and Economy.

Senate Concurrent Resolution No. 30—Relative to use of true names by State employees.

Referred to Committee on Civil Service and State Departments.

Senate Joint Resolution No. 20—Relative to memorializing Congress to extend the effective date of the act providing for suspension of assessment work on mining claims held by location in the United States, including Alaska, to July 1, 1944.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 547—An act to add Section 79.03a to, and to amend Sections 79.03, 79.04 and 79.05 of the Civil Code, all relating to premarital examinations.

Referred to Committee on Judiciary.

Senate Bill No. 678—An act to amend Section 669 of the Penal Code, relating to terms of imprisonment.

Referred to Committee on Crime and Correction.

Senate Bill No. 320—An act to add Section 2211 to the Public Resources Code, relating to the county mineralogist.

Referred to Committee on Municipal and County Government.

Senate Bill No. 676—An act to amend the title of Chapter 1 of Title 5 of Part 3 of the Penal Code and to add Section 4502 to the Penal Code, relating to possession of deadly weapons by prisoners.

Referred to Committee on Crime and Correction.

Senate Bill No. 347—An act to add Section 656.5 to the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Senate Bill No. 423—An act to amend the title of, to amend Sections 26547, 26472, 26490, 26491, 26492, 26493, 26494, 26495, 26496, 26510, 26511, 26512, 26518, 26520, 26522, 26526, 26527, 26541, 26548, 26549, 26560, 26561, 26562, 26566, 26567, 26581, 26584, 26586, 26587.

26588, 26600, 26617, 26621, and 26622 of, to add Section 26463 to, and to delete Section 5 from an act entitled, "An act adding Division 21, comprising Chapter 3 and Sections 26450 to 26624, inclusive, to the Health and Safety Code, relating to adulterating, mislabeling, misbranding, false advertising, and sale of foods and the powers of the State Department of Public Health in relation thereto," approved July 13, 1939.

Referred to Committee on Public Health.

CONSIDERATION OF DAILY FILE (RESUMED)

RECONSIDERATION OF ASSEMBLY BILL NO. 786

In compliance with a notice given on a previous day, Mr. Desmond moved that the vote whereby Assembly Bill No. 786 was passed be reconsidered.

Assembly Bill No. 786 reconsidered by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Leonard, Lyons, Maloney, Massion, McMillan, Miller, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 786 ordered to third reading.

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 466—An act to amend Sections 2681, 2682, 2684 and 2685 and to repeal Section 2683 of the Penal Code, relating to the disposition of insane prisoners.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 466?

Amendment No. 1

On page 2 of the printed bill, strike out lines 10 to 38, inclusive.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 466 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 466 ordered enrolled.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Concurrent Resolution No. 44.

Assembly Bill No. 1414.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1026—An act to add Section 754.5 to the Probate Code, relating to the sale of personal and real property as a unit.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 532—An act to amend Section 1028 of the Code of Civil Procedure, relating to award of costs against the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Sargent, Sheridan, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1455—An act to amend Section 4256 of the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 421—An act to add Section 6.744 to Article 1, Chapter 1, Part 3, Division 6 of the School Code, and to add Section 19405 to the Education Code, relating to the use of school property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sheridan,

Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1291—An act to add Section 3.223a to, and to amend Section 4.922 of, the School Code and to add Section 8703.1 to, and to amend Section 7302 of, the Education Code, relating to high schools and high school classes, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.38 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Assembly Bill No. 350—An act to amend Section 611 of the Agricultural Code, relating to oleomargarine.

Bill read third time.

The bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1449 PLACED UPON THE INACTIVE FILE

Mr. Dilworth moved that Assembly Bill No. 1449 be withdrawn from the third reading file, and placed upon the inactive file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 771—An act to add Section 4114 to, and to repeal Sections 3511.3, 3571, 3572, 3573, 3574, 3575, 3576 and 3577 of, the Revenue and Taxation Code, relating to redemption of tax-sold and tax-deeded property located in distressed assessment districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Motion to Amend Title

Mr. Sargent moved the adoption of the following amendment to the title:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out “, and to repeal Sections 3511.3, 3571, 3572, 3573, 3574, 3575, 3576 and 3577 of,”.

Amendment read and adopted.

Bill ordered reprinted and transmitted to the Senate.

Assembly Bill No. 889—An act to amend Section 737dd of the Political Code, relating to the salary of judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Price, Sargent, Sheridan, Smith, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—59.

NOES—Bashore, Debs, and Massion—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1094—An act to amend Section 18200 of the Health and Safety Code, relating to the enforcement of the provisions of Part 2 of said code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Johnson, Kellems, King, Knight, John B., Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—62.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 1094

Mr. Bashore gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1094 was this day passed.

Assembly Bill No. 1171—An act to add Section 2108.5 to the Business and Professions Code, relating to issuance of certificates to practice medicine, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1174—An act to add Section 2376.5 to the Business and Professions Code, relating to the reinstatement of certificates to practice medicine.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 279—An act to amend Section 11 of the Motor Vehicle Fuel License Tax Act and to add Section 8104.5 to, and to amend Section 8105 of, the Revenue and Taxation Code, relating to refunds, to take effect immediately.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dil-

worth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, and Wollenberg—68.

NOES—Robertson—1.

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1033 WITHDRAWN FROM INACTIVE FILE,
BY UNANIMOUS CONSENT**

Mr. Potter asked for, and was granted, unanimous consent to have Assembly Bill No. 1033 withdrawn from the inactive file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1033

Assembly Bill No. 1033—An act to add Section 261b to the Code of Civil Procedure, relating to phonographic reporters for superior courts in counties, or cities and counties, having a population of 900,000 or more, providing for the compensation and fees of such reporters, requiring the payment to the county clerk of such counties, or cities and counties, of certain filing and appearance fees, in addition to any other fees now required by law.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendments:

Amendment No. 1

In line 11 of the title of the printed bill, strike out the period, and insert “. requiring that such fees be deposited in the salary fund of such counties, or cities and counties.”

Amendment No. 2

On page 1, line 4, of said bill, strike out “and”, and insert “or”.

Amendment No. 3

On page 2, line 28, of said bill, strike out “and to have” and insert “by having”.

Amendment No. 4

On page 2, line 30, of said bill, after “many”, insert “regular official”.

Amendment No. 5

On page 2, lines 31 and 32, of said bill, strike out “, subject to the limitation as to number hereinafter stated”, and insert “and to perform such duties, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court”.

Amendment No. 6

On page 2 of said bill, strike out lines 34 to 52, inclusive; and on page 3, strike out lines 1 to 50, inclusive, and insert

“When needed in order that the judicial business of the superior court in such county, or city and county, may be diligently carried on and a particular matter or matters may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a phonographic reporter in such matter or matters, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge of the court and the judge presiding in the department where such reporter will serve, but when such appointment is made for service in a contested matter, it shall be made only pursuant to a written stipulation of the parties appearing at the trial or hearing or other proceeding to be reported by such pro tempore reporter.

Each of said regular official reporters shall be paid a salary of four thousand eight hundred dollars (\$4,800) per annum, and each of said pro tempore official reporters shall be paid twenty dollars (\$20) per day for the days he actually is on duty under order of the court.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in

taking down in shorthand the testimony and other proceedings in the trial or hearing of any matter as required by law or by order of the court; but a phonographic reporter shall be allowed, and shall receive, unless waived by him, the fees now, or that may hereafter be, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him, and such fees for transcriptions shall be paid as provided by Section 274 of the Code of Civil Procedure and by any other law of this State pertinent to the case.

The salaries in this section provided shall be paid in monthly installments out of the salary fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited.

In addition to the fee or fees required by any other law or laws, a fee of five dollars (\$5) shall be paid to the county clerk of such a county, or city and county, by a party in each of the following instances:

(1) Where Section 4300a of the Political Code requires such party to pay said clerk a fee for the filing of the first paper in a civil action or in a special proceeding, except in an appeal from an inferior court.

(2) Where Section 4300a of the Political Code requires such party to pay said clerk a fee for filing papers transmitted from another court on the transfer of a civil action or special proceeding from another court, except in an appeal from an inferior court.

(3) Where Section 4300a of the Political Code requires such party to pay said clerk a fee on the appearance in a civil action or special proceeding of a defendant, intervenor, respondent, correspondent or adverse party, except in an appeal from an inferior court.

(4) Where Section 4300a of the Political Code requires such party to pay said clerk a fee for the filing of a petition or other paper in a probate or guardianship matter.

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court.

The county clerk shall, on or before the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him under the provisions of this section during the preceding calendar month, or up to the day immediately preceding the day on which he transmits such moneys, and such moneys shall be deposited in the salary fund of said county, or city and county."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON INTRODUCTION OF BILLS

At 10.59 a m., on motion of Mr. Sam J. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called and permission to introduce bills granted to Messrs. Anderson and Guthrie by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

NAYS—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1962: By Mr. Anderson—An act making an appropriation for the protection of the ocean beach at the City of Redondo Beach.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1963: By Mr. Guthrie—An act to amend Sections 802.6, 803, 823, 828.15, 828.25, 828.4 and 829.2 of the Agricultural Code, relating to standard containers for deciduous fruits and grapes, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 468—An act to amend Section 1557 of the Penal Code, relating to the return of fugitives from justice;

Assembly Bill No. 647—An act to add Section 4.5 to an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, relating to the trusts and restrictions heretofore imposed upon said tidelands, and to the use and leasing of the tidelands by the city;

Assembly Bill No. 1124—An act to amend Sections 812.4 and 829.35 of the Agricultural Code, relating to containers for bunched carrots, declaring the urgency hereof and that this act take effect immediately; And reports that the same have been correctly enrolled, and presented to the Governor on the second day of April, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 63	Assembly Bill No. 796
Assembly Bill No. 169	Assembly Bill No. 800
Assembly Bill No. 222	Assembly Bill No. 851
Assembly Bill No. 433	Assembly Bill No. 869
Assembly Bill No. 465	Assembly Bill No. 946
Assembly Bill No. 637	Assembly Bill No. 1529
Assembly Bill No. 740	Assembly Bill No. 1632
Assembly Bill No. 741	Assembly Bill No. 1648

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 50
Assembly Bill No. 919
Assembly Bill No. 979

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1952—An act to add Section 1160.5 to the Harbors and Navigation Code, relating to pilots, to take effect immediately; And reports that the same has been correctly enrolled, and presented to the Governor on the first day of April, 1943, at 2 p. m.

PELLETIER, Chairman

Speaker Presiding

At 11 a. m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CONSIDERATION OF SPECIAL ORDER

The hour of 11 a. m. having arrived, Assembly Bill No. 295 was taken up.

Assembly Bill No. 295—An act to add Section 226 to the Labor Code, relating to wages.

Bill read third time.

Demand for Previous Question

Messrs. Evans, Anderson, Waters, Dills, Clayton A., and Debs demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 295.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Collins, George D., Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle Dunn, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Kraft, Lowrey, Lyous, Maloney, Massion, McCollister, McMullan, Miller, Niehouse, O'Day, Pelletier, Rosenthal, Sheridan, Stream, Thomas, Waters, and Weber—43.

NOES—Armstrong, Bashore, Brady, Call, Carlson, Clarke, Collins, Sam L., Crichton, Dilworth, Egan, Evans, Field, Hastain, Johnson, Kellems, Knight, T. Fenton; Leonard, Middough, Potter, Robertson, Sargent, Sawallisch, Smith, Thompson, Thorp, Watson, Werdel, Wollenberg, and Mr. Speaker—29.

Notice of Motion to Reconsider Assembly Bill No. 295

Mr. Call gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 295 was this day passed.

Explanation of Vote

I favor the principle of this bill, and would have voted for it today had the bill, in my opinion, been properly drawn to also protect business, especially small business, from unnecessary hardship.

WILLIS SARGENT

WITHDRAWAL OF ASSEMBLY BILLS NOS. 426 AND 856 FROM COMMITTEE, BY UNANIMOUS CONSENT

Mr. Burns asked for, and was granted, unanimous consent to have Assembly Bills Nos. 426 and 856 withdrawn from the Committee on Motor Vehicles for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 426

Assembly Bill No. 426—An act to amend Sections 177 and 178 of the Vehicle Code, relating to motor vehicles.

Bill read second time.

Motion to Amend

Mr. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 4 to 11, both inclusive.

Amendment No. 2

On page 1, line 12, of said bill, strike out "(b)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 25 to 27, both inclusive; and on page 2, strike out all of lines 1 to 18, both inclusive, and insert "chaser shall not [by reason of any of the provisions of this code] *from the date of such sale or transfer* be deemed the owner of such vehicle so as to be subject to civil

liability for the operation of such vehicle thereafter by another [when such owner in addition to the foregoing has fulfilled either of the following requirements.

(2)] (1) [When] *If* such owner *within 10 days after such sale or transfer* [has delivered] delivers to the department or [has placed] *places* in the United States mail, addressed to the department, either a notice as provided in Section 177 or appropriate documents for registration of such vehicle pursuant to such sale or transfer [.] ; *or*

[(1)] (2) [When] *If* such owner has made proper endorsement and delivery of the certificate of ownership and delivery of the certificate of registration as provided in this code."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 856

Assembly Bill No. 856—An act to amend Sections 177 and 186 of the Vehicle Code, relating to transfers of vehicles.

Bill read second time.

Motion to Amend

Mr. Burns moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 177 and 186", and insert "Section 186".

Amendment No. 2

On page 1 of said bill, strike out all of lines 1 to 18, both inclusive.

Amendment No. 3

On page 1, line 20, of said bill, strike out "Sec. 2", and insert "Section 1".

Amendment No. 4

On page 2, line 15, of the printed bill after "transfer", strike out the period, and insert "except as provided in Section 178."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 1001, 1002, AND 1003

Mr. O'Day moved that Assembly Bills Nos. 1001, 1002, and 1003 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Roads and Highways.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1787—An act amending Section 4135 of the Business and Professions Code, relating to licentiates in pharmacy.

Bill read third time.

Motion to Amend

Mr. Kraft moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 4135", and insert "Sections 4006, 4030, 4036, 4090, 4091, 4097, 4196, 4231, 4232, 4233, 4250, 4255, and 4256 and to repeal Section 4160, 4161, and 4162".

Amendment No. 2

On page 1, line 1, of said bill, strike out "4135", and insert "4006".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert
 "4006. The secretary shall keep a book of registration open at the City of San Francisco in which shall be entered under supervision of the board the names, titles, qualifications, and places of business of all persons coming under the provisions of this chapter. He shall erase from the register the name of any registered pharmacist [or assistant pharmacist] who has died or who, in the opinion of the board, has forfeited his right under the law to do business in this State.

Upon receipt of the notification of any change in the place of business the secretary shall make the necessary change in his register.

SEC. 2. Section 4030 of said code is amended to read:

4030. Except as otherwise provided in this chapter, it is unlawful for any person to manufacture, compound, sell or dispense any drug, poison, medicine or chemical, or to dispense or compound any prescription of a medical practitioner, unless he is a registered pharmacist [or a registered assistant pharmacist] under the provision of this chapter.

SEC. 3. Section 4036 of said code is amended to read:

4036. Every store, dispensary, pharmacy, laboratory or office for the sale, dispensing or compounding of drugs, medicines or chemicals, or for the dispensing of prescriptions of medical practitioners, shall be in charge of a registered pharmacist or a licentiate in pharmacy. [No registered assistant shall conduct a pharmacy.]

SEC. 4. Section 4090 of said code is amended to read:

4090. The board may examine and register as pharmacists [and assistant pharmacists] all applicants whom it deems qualified.

SEC. 5. Section 4091 of said code is amended to read:

4091. Proof of the qualification for any registration [in each class] shall be made to the satisfaction of the board and shall be substantiated by such affidavit or other evidence as may be required by the board.

SEC. 6. Section 4135 of said code is amended to read:".

Amendment No. 4

On page 1, line 6, of said bill, after "1943", insert "and who has been actively engaged in the practice of pharmacy for the five-year period immediately preceding".

Amendment No. 5

On page 1 of said bill, after line 12, insert

"SEC. 7. Section 4196 of said code is amended to read:

4196. Within 30 days after the changing of his place of business as designated on the books of the board, every registered pharmacist [and assistant pharmacist] shall notify the secretary of the board of his place of business.

SEC. 8. Section 4231 of said code is amended to read:

4231. Any person who permits the compounding of prescriptions of medical practitioners, or the selling of drugs and medicines in his store or pharmacy, except by a registered pharmacist, [or registered assistant pharmacist,] unless the same is expressly permitted by law, is guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in this chapter.

SEC. 9. Section 4232 of said code is amended to read:

4232. Any proprietor of a pharmacy, who fails or neglects to place in charge of such pharmacy a registered pharmacist, or any proprietor, who by himself, or by any other person, permits the compounding of prescriptions, or the vending of drugs, medicines or poisons, in his store or place of business, except by a registered pharmacist, [or registered assistant pharmacist,] is guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in this chapter.

SEC. 10. Section 4233 of said code is amended to read:

4233. Any person, not being a registered pharmacist, who takes charge of, or acts as manager of any pharmacy or store, or who, not being a registered pharmacist [or registered assistant pharmacist,] retails, compounds, or dispenses drugs, medicines, or poisons is guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in this chapter.

SEC. 11. Section 4250 of said code is amended to read:

4250. Every person holding a certificate from the board shall renew annually his registration with the board. Every registered pharmacist [and every registered assistant pharmacist] who desires to retain his registration on the books of the board shall annually, after the expiration of the first year's registration and on or before the first day of July of each succeeding year, pay to the secretary of the board the renewal fee, fixed by the board, within the limits prescribed by this chapter. In return for the payment of the renewal fee, a renewal certificate of registration shall be issued.

SEC. 12. Section 4255 of said code is amended to read:

4255. The amount of the fee for investigation and examination of applicant for registration together with the amount of any additional fee to be paid upon the issuance of the certificate is then fixed by the schedule in Section 4256. [An applicant for examination as an assistant pharmacist, if found satisfactory by the board, shall be entitled to his certificate without further fee.] An applicant for registration by interchange may at his option be examined as a licentiate without further fee for application.

SEC. 13. Section 4256 of said code is amended to read:

4256. The amount of fees and penalties prescribed by this chapter is that fixed by the following schedule:

(a) The fee for a permit to conduct a pharmacy is one dollar (\$1) for each pharmacy.

(b) The fee of a renewal of the permit to conduct a pharmacy is one dollar (\$1) for each pharmacy.

(c) The annual fee for a permit for a general dealer in a rural district is five dollars (\$5).

(d) The fee for any applicant for registration is ten dollars (\$10).

(e) The additional fee for the issuance of a certificate of registration to an applicant for registration by interchange, if the board finds that he is entitled to one, is fifteen dollars (\$15).

(f) The additional fee for the issuance of a certificate to any licentiate, who is found by the board on examination to be entitled to a certificate, is five dollars (\$5).

(g) The fee for a temporary certificate is three dollars (\$3).

(h) The fee for the reissuance of a certificate is three dollars (\$3).

(i) The annual renewal fee for a registered pharmacist may be fixed by the board at an amount not to exceed the sum of three dollars (\$3).

[(j) The annual renewal fee for a registered assistant pharmacist may be fixed by the board at an amount not to exceed the sum of three dollars.

(k) (j) The penalty for failure to pay any annual renewal fee may be fixed by the board at an amount not to exceed the sum of ten dollars (\$10).

SEC. 14. Sections 4160, 4161, and 4162 of said code are repealed "

Amendments read ~~and adopted.~~

Bill ordered reprinted and re-engrossed.

[On April 3, 1943, above action was rescinded, and record ordered expunged, whereby amendments to Assembly Bill No. 1787 were this day adopted.]

WITHDRAWAL OF ASSEMBLY BILL NO. 1425 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Waters asked for, and was granted, unanimous consent to have Assembly Bill No 1425 withdrawn from the Committee on Finance and Insurance for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1425

Assembly Bill No. 1425—An act to add Section 763.3 to the Insurance Code, relating to commissions to employees of insurers.

Bill read second time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "763.3 to", and insert "1656.5 to and to amend Section 1657 of".

Amendment No. 2

Strike out line 2 of the title of said bill, and insert "insurance."

Amendment No. 3

In line 1 of said bill, strike out "763.3", and insert "1656.5".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out line 3, and insert "1656.5. Documents executed by an insurer or its authorized representative appointing the applicant as its agent in this State shall be filed with the commissioner in duplicate. The commissioner shall retain one copy of the document and forward the other copy to the agent at his last known address as shown on the records of the commissioner. At any time an agent may notify the commissioner that he is no longer acting as agent for a specified insurer, and the commissioner shall thereupon cause his records to reflect that fact.

Sec. 2. Section 1657 of the Insurance Code is amended to read:

1657. [Upon termination of such agency, the licensee's principal shall notify the commissioner thereof and the licensee shall return the license to the commissioner for cancellation, or shall furnish proof of loss satisfactory to the commissioner.] *In order to terminate the appointment of an agent, an insurer shall file with the commissioner in duplicate a notice of termination of appointment and the commissioner shall forthwith transmit a copy of such termination to the agent whose appointment is thus terminated.* Upon receiving notice of the termination of the agency, from the licensee or from the licensee's principal, the commissioner shall cancel the license."

Amendment No. 5

On page 1 of said bill, strike out lines 4 to 6, inclusive.

Amendments read and adopted.
Bill ordered reprinted and engrossed.

RE-REFERENCE OF ASSEMBLY BILL NO. 800

Mr. Wollenberg moved that Assembly Bill No 800 be withdrawn from the file, and re-referred to the Committee on Ways and Means.
Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 473
Assembly Bill No. 355

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 67	Assembly Bill No. 539
Assembly Bill No. 75	Assembly Bill No. 578
Assembly Bill No. 128	Assembly Bill No. 579
Assembly Bill No. 154	Assembly Bill No. 580
Assembly Bill No. 165	Assembly Bill No. 581
Assembly Bill No. 173	Assembly Bill No. 583
Assembly Bill No. 192	Assembly Bill No. 584
Assembly Bill No. 212	Assembly Bill No. 585
Assembly Bill No. 216	Assembly Bill No. 636
Assembly Bill No. 292	Assembly Bill No. 657
Assembly Bill No. 305	Assembly Bill No. 661
Assembly Bill No. 342	Assembly Bill No. 662
Assembly Bill No. 348	Assembly Bill No. 684
Assembly Bill No. 359	Assembly Bill No. 687
Assembly Bill No. 380	Assembly Bill No. 753
Assembly Bill No. 538	Assembly Bill No. 764

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 801	Assembly Bill No. 1205
Assembly Bill No. 830	Assembly Bill No. 1258
Assembly Bill No. 857	Assembly Bill No. 1260
Assembly Bill No. 910	Assembly Bill No. 1261
Assembly Bill No. 960	Assembly Bill No. 1278
Assembly Bill No. 1010	Assembly Bill No. 1389
Assembly Bill No. 1040	Assembly Bill No. 1431
Assembly Bill No. 1052	Assembly Bill No. 1460
Assembly Bill No. 1072	Assembly Bill No. 1461
Assembly Bill No. 1091	Assembly Bill No. 1549
Assembly Bill No. 1111	Assembly Bill No. 1592
Assembly Bill No. 1160	Assembly Bill No. 1796

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 458
Assembly Bill No. 1902

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 1391
Assembly Bill No. 1411

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Assembly Bill No. 1408

Has had the same under consideration, and respectfully reports the same back but without recommendation except that it be re-referred to the Committee on Ways and Means.

RALPH C. DILLS, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 1239	Assembly Bill No. 1299
Assembly Bill No. 1293	Assembly Bill No. 1300
Assembly Bill No. 1294	Assembly Bill No. 1541
Assembly Bill No. 1295	Assembly Bill No. 1855
Assembly Bill No. 1296	Assembly Bill No. 1856

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

RALPH C. DILLS, Chairman
FRED WEYBRET, Chairman of Subcommittee

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

- Assembly Bill No. 1247
- Assembly Bill No. 1301
- Assembly Bill No. 1304

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

RALPH C. DILLS, Chairman
FRED WEYBRET, Chairman of Subcommittee

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

- Assembly Bill No. 55
- Assembly Bill No. 1392
- Senate Bill No. 173
- Senate Bill No. 291

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

- Assembly Bill No. 962
- Assembly Bill No. 963

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

- Assembly Bill No. 107
- Assembly Bill No. 111
- Assembly Bill No. 1102
- Assembly Bill No. 1103

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

- Senate Bill No. 504

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DILWORTH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

- Assembly Bill No. 1107
- Assembly Bill No. 1222

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

DILWORTH, Chairman

Above reported bills ordered to second reading.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which were referred:

Assembly Bill No. 1048

Assembly Bill No. 1323

Assembly Bill No. 1073

Assembly Bill No. 1166

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HAWKINS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which were referred:

Assembly Bill No. 1049

Assembly Bill No. 1370

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HAWKINS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

Assembly Bill No. 1497

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HAWKINS, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1594

Assembly Bill No. 1951

Assembly Bill No. 444

Assembly Bill No. 1592

Assembly Bill No. 613

Assembly Bill No. 1593

Assembly Bill No. 1106

Senate Bill No. 896

Assembly Bill No. 693

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BASHORE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1150

Assembly Bill No. 641

Assembly Bill No. 716

Assembly Bill No. 1746

Assembly Bill No. 639

Assembly Bill No. 1591

Assembly Bill No. 640

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BASHORE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 902

Assembly Bill No. 903

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BASHORE, Chairman

Above reported bills ordered to second reading.

RECESS

At 12.15 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By Speaker Lyon:

A resolution from the County Supervisors Association of California, relating to amending the Alien Land Law and passage of legislation to prohibit Japanese language schools in the State, was received, and ordered filed with the Secretary of State.

Also:

The following Senate joint resolution from the Secretary of the Senate of the State of Illinois was received, and ordered printed in the Journal:

63rd G. A. Senate Joint Resolution No. 8 1943

Offered by Senator Searcy, March 9, 1943—referred to Executive Committee.

Adopted by Senate, March 10, 1943.

Concurred in by House, March 17, 1943.

Whereas, Article Five of the Constitution of the United States provides as follows:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, shall deem it necessary the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislature of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress, provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner effect the first and fourth clauses in the Ninth Section of the First Article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.;" and

Whereas, from the foregoing it is obvious that State Legislatures may apply to the Congress of the United States for the calling of a convention to propose amendments to the Constitution of the United States, subject to ratification by the Legislatures or conventions of three-fourths of the States, as provided; and

Whereas, an elective term of office of the President of the United States is limited to four years by the Constitution of the United States, without any present restrictions of provisions as to the number of terms, successive or otherwise, for which a President may be elected; and

Whereas, George Washington, Thomas Jefferson, Abraham Lincoln and other great American statesmen of immortal memory held inviolate the sanctity of American tradition that no President of the United States ought to serve in that high office longer than two terms of four years each; and

Whereas, the office of the Presidency embodies and personifies an immense, growing and encompassing authority, as exercised by the Executive Branch of the national government, and for that reason ought to reflect American opportunity of attainment, without restricting high favor to the few, yet admit of such wholesome modifications of national policy as the American people, in their rightful progress, shall be entitled to, in perpetuity of the American order of life; and

Whereas, in the years to come, the necessity for strong and undissipated American perspectives, traditions and practices, exemplified by such leaders as Washington, Jefferson and Lincoln, will transcend personal and partisan interests, if the Republic of the United States of America is to continue to live and function as a leader of world civilization; and

Whereas, forty-four State Legislatures are in session this year, and eight additional State Legislatures, including those that convene annually, will be in session in 1944; therefore, be it

Resolved, That the Senate of the Sixty-Third General Assembly of the State of Illinois, the House of Representatives concurring herein, do and hereby apply to, and petition, the Congress of the United States to call a convention, in pursuance of the

provisions of Article Five of the Constitution of the United States, for the purpose of proposing an amendment to the said Constitution, prohibiting any President of the United States from serving more than two terms of four years each; unless, in lieu thereof, the Congress, in its wisdom, shall elect to submit to the several States a proposed amendment to the said Constitution, providing for the said limiting of the tenure of office of any President of the United States to two terms of four years each, subject to ratification by three-fourths of the States, in manner provided; and, be it further

Resolved, that copies hereof be transmitted to the Legislatures of all other States of the Union, inviting those of like mind to pursue the course herein provided, to the end that a determination of this vital issue may be had, and, if consummated, incorporated as the Twenty-second Amendment to the Constitution of the United States, at as early a date as State ratification and constitutional procedure shall make possible.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 684 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1412 re-referred to the Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1592 re-referred to the Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1431—An act to amend Section 740 of the Welfare and Institutions Code, relating to commitments by the juvenile court, and authorizing commitment of wards to the Youth Correction Authority.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 30, of the printed bill, strike out "Whittier State School", and insert "Fred C. Nelles School for Boys".

Amendment No. 2

On page 2, line 33, of said bill, strike out "Whittier State School", and insert "Fred C. Nelles School for Boys".

Amendment No. 3

On page 2, line 39, of said bill, strike out "Whittier State School", and insert "Fred C. Nelles School for Boys".

Amendment No. 4

On page 2, line 42, of said bill, strike out "Whittier State School", and insert "Fred C. Nelles School for Boys".

Amendment No. 5

On page 2, line 48, of said bill, strike out "Whittier State School", and insert "Fred C. Nelles School for Boys".

Amendment No. 6

On page 3, line 1, of said bill, strike out "Whittier School", and insert "Fred C. Nelles School for Boys".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 15—Relative to the making of payments by the Federal Government to counties to reimburse them for loss of tax receipts on account of the use of certain lands by the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Field, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 51—An act to add Sections 101 and 480.5 to the Fish and Game Code, relating to the creation of a new fish and game district and the taking of fish therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 2.15 p.m., on motion of Mr. Gannon, the Assembly recessed until 2.17 p.m., to hear from Ensign Dorothy Patricia McGuinness of Sacramento.

REASSEMBLED

At 2.17 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 742—An act to provide for precautions against enemy attack, including, uniform blackout and dimout regulations, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

On page 7, line 18, of the printed bill, as amended, strike out the semicolon at the end of the line, and insert a period.

Amendment No. 2

On page 7 of the printed bill, as amended, strike out all of lines 19 to 29, inclusive; and insert in lieu thereof "Notwithstanding the provisions of Section".

Amendment No. 3

On page 9, line 29, of the printed bill, as amended, insert a period after the numeral "3", and insert "GENERAL PROVISIONS".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 189—An act to amend Section 369 of the Agricultural Code, relating to estrays.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Cull, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 514—An act to amend Sections 271, 273, 274, 275, 276, 277, 281, and 283, and to repeal Section 279, of the Agricultural Code, relating to bee diseases and inspection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Cull, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 945—An act to add Section 417½ to the Business and Professions Code, relating to temporary certificates to practice pharmacy, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Kraft moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "An act to", insert "amend Section 4170 of and".

Amendment No. 2

On page 1, line 16, of said bill, after "date", insert "but a temporary certificate shall not be issued to an applicant who does not possess the qualifications prescribed in this chapter".

Amendment No. 3

On page 2, line 8, of said bill, insert

"SEC. 2 Section 4170 of said code is amended to read
4170 Any member of the board, or an inspector duly authorized by him, may examine applicants orally, or in writing, and issue a temporary certificate to practice pharmacy, which authorizes such practice for a period not to exceed four months from its date *but a temporary certificate shall not be issued to an applicant who does not possess the qualifications required in this chapter*".

Amendment No. 4

On page 2, line 9, of said bill, as amended, strike out "2" and insert "3".

Amendments read ~~and adopted.~~

Bill ordered reprinted and re-engrossed.

[On April 3, 1943, above action was rescinded, and record ordered expunged, whereby amendments to Assembly Bill No. 945 were this day adopted.]

Assembly Bill No. 1472—An act to add Sections 3083.3 and 3471.5 to the Welfare and Institutions Code, relating to aid to the blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Helsing, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1473—An act to add Sections 3401.5 and 3432.1 to the Welfare and Institutions Code, relating to aid to the blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Helsing, Hollibaugh, Johnson, Kellems, King, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1474—An act to amend Sections 1550, 2183, and 3082 of the Welfare and Institutions Code, relating to public assistance, providing for investigations into applications therefor, and for the time of commencement of payments thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills,

Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1475—An act to amend Section 3472 of the Welfare and Institutions Code, relating to aid and income of partially self-supporting blind residents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1260—An act making an appropriation for legislative printing, binding, etc., to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1261—An act making an appropriation to the Printing Fund, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 578—An act to amend Section 21.5 of the California Small Loan Act, approved July 21, 1939, relating to the deposit of fees in the General Fund and support from the General Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 580—An act to amend Section 20.5 of the Personal Property Brokers Act, approved July 21, 1939, relating to the deposit of fees in the General Fund and support from the General Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 584—An act to amend Section 2 of "An act requiring individuals, as in said act defined, to obtain a certificate from the Commissioner of Corporations prior to soliciting, receiving or collecting contributions, fees or funds from security owners or holders for the purpose of protecting, enforcing or representing the rights of such security owners or holders; authorizing the Commissioner of Corporations to regulate and supervise the solicitation, collection and application of such funds; and providing for the enforcement of said act and penalties for the violation thereof," approved July 1, 1937, relating to the deposit of fees in the General Fund and support from the General Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 661—An act to add Section 20.5 to the Personal Property Brokers Act, approved July 24, 1939, relating to the deposit of money in the State Treasury and to provide for support of the administration of said act out of the General Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 662—An act to add Section 21.5 to the California Small Loan Act, approved July 24, 1939, relating to the deposit of money in the State Treasury and to provide for support of the administration of said act out of the General Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 579—An act to amend Section 23 of "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the deposit of fees in the General Fund and support from the General Fund and the payment of costs of administration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 581—An act to amend Section 15, and to add Sections 3a and 15a to, the Industrial Loan Act, relating to the deposit of fees in the General Fund and support out of the General Fund, and the payment of costs of administration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie,

Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 585—An act to amend Sections 25, 26 and 28 of the Corporate Securities Act, relating to deposit of fees in and support from the General Fund, revisions of fees, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 801—An act making an appropriation in augmentation of the Special Emergency Fund specified in Item 217 of the Budget Act of 1941, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C.,

Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 910—An act making an appropriation for support of Division of Parks, Department of Natural Resources, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYFS—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1111—An act to amend the heading of Article 11 of Chapter 1 of Division 5, to amend Sections 2451, 2452, 2453, 2454, 2455, 2831, 2832, 2840, 2841, 2842, and 2843 and to repeal Section 2450 of the Elections Code, relating to county central committees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bradv, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Denny, Dunn, Erwin, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Kellems, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Miller, Price, Robertson, Sargent, Sawallisch, Smith, Stream, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—42.

NOES—Anderson, Bashore, Bennett, Berry, Brown, Collins, George D., Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Gaffney, Haggerty, Hawkins, Heisinger, King, Lowrey, Massion, McMillan, Niehouse, O'Day, Pelletier, Potter, Sheridan, Thomas, and Thompson—28.

Motion to Amend Title

Mr. Wollenberg moved the adoption of the following amendments to the title:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "2454,".

Amendment No. 2

In line 3 of the title of said bill, after "2832," insert "2839."

Amendments to the title read and adopted.

Bill ordered reprinted.

Notice of Motion to Reconsider Assembly Bill No. 1111

Mr. Evans gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1111 was this day passed.

Assembly Bill No. 1902—An act to amend Section 4214 of the Political Code, relating to county surveyors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Gaffney, Guthrie, Haggerty, Heisinger, Johnson, Kellems, King, Maloney, McCollister, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thompson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—43.

NOES—Anderson, Bashore, Brown, Collins, Sam L., Dilworth, Evans, Field, Fout, Lowrey, Massion, Smith, Waters, and Watson—13.

Bill ordered transmitted to the Senate.

Hon. Clayton A. Dills Presiding

At 3.15 p.m., Hon. Clayton A. Dills, Member of the Assembly from the Sixty-seventh District, presiding.

Assembly Bill No. 1409—An act to define and officially adopt a state-wide system of plane coordinates for designating and stating positions of land survey points within the State of California, and permitting, but not requiring, the use thereof, in survey maps and other documents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Brady, Brown, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fout, Gannon, Guthrie, Haggerty, Heisinger, Kellems, King, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Carlson—1.

Bill ordered transmitted to the Senate:

Consideration of House Resolution No. 140**House Resolution No. 140**

Relative to an investigation and report by the Superintendent of Public Instruction as to the advisability of establishing a junior college in the Fortieth Assembly District.

WHEREAS, There is no junior college in the Fortieth Assembly District; and
WHEREAS, The absence of a junior college within this district is depriving students of this educational asset, due to the long distances they are required to travel to reach a junior college; and

WHEREAS, The establishment of a junior college within this district will reduce the burden now imposed upon transportation facilities and will aid in compliance with gas rationing and the conservation of rubber; now, therefore, be it

Resolved by the Assembly of the State of California, That the Superintendent of Public Instruction be requested to make an investigation and report within 30 days of the passage of this resolution, to the Legislature of the State of California

as to the advisability of the establishment of a junior college in the Fortieth Assembly District; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby instructed to forward a copy of this resolution to the Superintendent of Public Instruction.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, King, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 103—An act to add Section 73 to the State Civil Service Act, relating to payment for overtime to State civil service employees.

Bill read third time.

Motion to Re-refer

Mr. Bashore moved that Assembly Bill No. 103 be re-referred to the Committee on Ways and Means.

Motion carried.

Assembly Bill No. 192—An act to repeal Section 3715 of the Elections Code, relating to ballots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brady, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Kellems, King, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Waters, Watson, Werdel, Weybret, and Wollenberg—49.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 212—An act to amend Section 3714 of the Elections Code, relating to ballots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Kellems, King, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 216—An act to amend Section 1406 of the Elections Code, relating to initiative and referendum petitions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt, Guthrie,

Haggerty, Kellems, King, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard McCollister Presiding

At 3 46 p m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

Assembly Bill No. 764—An act to add Section 311a to, and to amend Sections 311 and 312 of, the Penal Code, relating to public morals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Kellems, King, Leonard, Lyons, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sawallisch, Sheridan, Smith, Thomas, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 310—An act to amend Section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to the Legislative Counsel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Kellems, King, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 310

Mr. Field gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 310 was this day passed.

Assembly Bill No. 1394—An act to add Parts 3 and 4, comprising Sections 7301 to 8557, inclusive, to Division 6 of the Public Resources Code, and to add Sections 10014, 10015, and 10016 to Division 10 thereof, thereby revising and consolidating the law relating to the natural resources of the State, including the sale and exchange of land, and granting and taking rights and interests therein, and regulating the use thereof, by the State and its political subdivisions

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field,

Fourt, Guthrie, Haggerty, Johnson, Kellems, King, Leonard, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Thomas, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—50.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 348—An act to add Section 167.5 to, and to amend Sections 277 and 278 of, the Fish and Game Code, relating to game refuges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Johnson, Kellems, King, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Waters, Watson, Werdel, Weybret, and Wollenberg—49.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 753—An act to amend Section 201 of the Fish and Game Code, relating to the San Leandro Waterfowl Refuge.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Beck, Bennett, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Johnson, Kellems, King, Leonard, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Waters, Watson, Werdel, and Weybret—50.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1278—An act to add Section 3.363 to, and to amend Section 4.930 of, the School Code and to add Section 8819.1 to, and to amend Section 7307 of, the Education Code, relating to junior colleges and junior college classes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Beck, Bennett, Brown, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Kellems, King, Leonard, Lowrey, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Thomas, Waters, Watson, Werdel, Weybret, and Mr. Speaker—46.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 331—An act to amend Section 10.05 of, and to add Section 3.06 to, the Building and Loan Association Act, relating to audits of building and loan associations, and shares as legal investments

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Brown, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Heisinger, Johnson, Kellens, King, Leonard, Lowrey, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sawallsch, Sheridan, Smith, Thomas, Waters, Watson, Werdel, and Weybret—45

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1549—An act to add Section 1648.3 to the Insurance Code, relating to the qualifications of insurance producers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Brown, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Johnson, King, Leonard, Lowrey, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sheridan, Smith, Thomas, Waters, Watson, Weber, Werdel, and Weybret—46.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 960—An act to amend Section 2 of the Fish and Game Code, relating to definitions of terms used in said code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Johnson, King, Leonard, Lowrey, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sawallsch, Sheridan, Smith, Thomas, Watson, Weber, Werdel, Weybret, and Mr Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 636—An act to amend Section 34 of the Fish and Game Code, relating to cultural operations and scientific investigations in the waters of the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Johnson, King, Leonard, Lowrey, Lyons, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sawallsch, Sheridan, Smith, Thomas, Waters, Watson, Weber, Werdel, and Weybret—50.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 42—Relative to memorializing the Congress of the United States to propose an amendment to the Constitution of the United States prohibiting a President of the United States from serving more than two terms.

Resolution read.

Motion to Amend

Mr. Evans moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 2, of the printed bill, after "States", strike out the semicolon, and insert "Members of Congress and Members of Senate".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Bennett, Brown, Crichton, Dunn, Evans, Heisinger, Lowrey, Massion, Middough, Pelletier, Robertson, Rosenthal, Thomas, and Weber—15.

NOES—Bashore, Beck, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Debs, Desmond, Dills, Ralph C., Dilworth, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Kellems, King, Leonard, McCollister, Miller, Niehouse, O'Day, Potter, Price, Smith, Waters, Watson, Werdel, and Weybret—32.

Demand for Previous Question

Messrs. Robertson, Debs, Doyle, Evans, and Guthrie demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Joint Resolution No. 42.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sam L. Collins moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Bashore, Burns, Carlson, Clarke, Collins, Sam L., Desmond, Dilworth, Erwin, Field, Fourt, Gannon, Hastain, Kellems, Leonard, McCollister, Miller, Niehouse, Potter, Price, Sawallisch, Smith, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—28.

NOES—Anderson, Beck, Bennett, Brown, Burkhalter, Carey, Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Guthrie, Haggerty, Heisinger, King, Lowrey, Massion, Middough, O'Day, Pelletier, Robertson, Rosenthal, and Thomas—26.

Time, 4.53 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

Speaker Presiding

At 4.55 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Motion to Dispense With Call of the Assembly on Assembly Joint Resolution No. 42

At 5.06 p.m., Mr. Ralph C. Dills moved that further proceedings under the call of the Assembly be dispensed with.

Roll Call Demanded

Messrs. Dills, Ralph C., Evans, and Werdel demanded a roll call.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Beck, Bennett, Burkhalter, Collins, George D., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Gaffney, Guthrie, Haggerty, Heisinger, King, Lowrey, Massion, McMillan, Middough, O'Day, Pelletier, Robertson, Rosenthal, and Thomas—25.

NOES—Bashore, Burns, Carey, Carlson, Clarke, Collins, Sam L., Dilworth, Erwin, Field, Fourt, Gannon, Hastain, Kellems, Leonard, McCollister, Miller, Niehouse, Potter, Price, Sawallisch, Smith, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—28.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 830—An act to amend Sections 396 and 397 of the Agricultural Code, relating to estrays.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Kellems, King, Leonard, Lowrey, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sawallisch, Smith, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1894—An act to add Section 57.1 to the State Civil Service Act, relating to the position of Associate Forestry Engineer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Kellems, Kraft, Leonard, Massion, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Smith, Stream, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 310 WAIVED

Mr. Field waived his notice of motion to reconsider the vote whereby Assembly Bill No. 310 was passed.

Assembly Bill No. 310 ordered transmitted to the Senate.

COMMUNICATIONS

By Speaker Lyon:

The following communication from the Legislative Counsel was received, read, and ordered printed in the Journal:

OFFICE OF LEGISLATIVE COUNSEL

STATE CAPITOL, SACRAMENTO, CALIFORNIA, April 2, 1943

*Honorable Charles W. Lyon, Speaker of the Assembly
State Capitol, Sacramento, California*

VOTE REQUIRED ON APPROPRIATION MEASURES

DEAR MR. SPEAKER: You have asked us what number of votes is necessary to pass appropriation measures now that the Budget Act has been signed by the Governor and chaptered by the Secretary of State.

The answer to this question, insofar as bills making appropriations from the General Fund are concerned, depends upon whether or not the appropriations thus far made this session from the General Fund (inclusive of the Budget Act) exceed by more than 5 per cent the appropriation base for the current biennium.

We have been informed by the Department of Finance that such is the fact. Therefore, all bills making an appropriation from the General Fund will require a

vote of two-thirds of the members elected to the Assembly, or the appropriations contained in such bills will have no effect.

The provisions of Section 34a of Article IV of the Constitution which limit the expenditures from the General Fund, unless passed by a two-thirds vote, do not apply to appropriations not made from the General Fund. Therefore, the vote of a majority of the members elected to the Assembly is sufficient to enact measures making appropriations from special funds.

Very truly yours,

FRED B WOOD, Legislative Counsel
By SIDNEY L. WEINSTOCK, Deputy

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 16—Relative to Federal participation in the construction of the highway known as the Los Angeles Freeway.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMullan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Resolution ordered transmitted to the Senate.

WITHDRAWAL OF ASSEMBLY BILL NO. 573 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Desmond asked for, and was granted, unanimous consent to have Assembly Bill No. 573 withdrawn from the Committee on Public Health, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 573

Assembly Bill No. 573—An act to amend Sections 2135 and 2287 and to repeal Sections 2138, 2142.5, 2230, 2231, 2290 and 2291 of, and to add Section 2231 to the Business and Professions Code, relating to drugless practitioners.

Bill read second time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 2136 and 2287 and to repeal sec."; strike out all of line 2; and in line 3, strike out "add Section 2231", and insert "add Section 2497".

Amendment No. 2

In line 4 of the title of said bill, after "practitioners", insert "under the Board of Osteopathic Examiners".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert "SECTION 1. Section 2497 is added to the Business and Professions Code, to read:

2497. The Board of Osteopathic Examiners shall not issue any drugless practitioner's certificates under any of the provisions of this chapter or any other law. All persons holding drugless practitioner's certificates may continue to practice

under the authorization of their certificates and may renew them, subject to the provisions of this chapter."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 25, inclusive, and on page 2, strike out lines 1 to 9, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1205—An act to amend Section 1713 of the Welfare and Institutions Code, relating to the Advisory Panel created by the Youth Correction Authority Act.

Bill read third time.

Assembly Bill No. 1205 Placed Upon the Inactive File

Mr. George D. Collins moved that Assembly Bill No. 1205 be withdrawn from the third reading file, and placed upon the inactive file.

Motion carried.

**RE-REFERENCE OF ASSEMBLY BILL NO. 1433,
BY UNANIMOUS CONSENT**

Mr. T. Fenton Knight asked for, and was granted, unanimous consent to have Assembly Bill No. 1433 withdrawn from the inactive file, and re-referred to the Committee on Public Utilities, Manufacturing, and Corporations.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Assembly Bill No. 1412

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER. Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1008

Assembly Bill No. 684

Assembly Bill No. 1274

Senate Bill No. 705

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BASHORE, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 257

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 675

Assembly Bill No. 1113

Assembly Bill No. 676

Assembly Bill No. 1114

Assembly Bill No. 677

Assembly Bill No. 1115

Assembly Bill No. 678

Assembly Concurrent Resolution No. 30

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1142

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 448

Assembly Bill No. 1385

Assembly Bill No. 1534

Assembly Bill No. 718

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 720

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 70

Assembly Bill No. 717

Assembly Bill No. 1353

Senate Bill No. 158

Assembly Bill No. 228

Senate Bill No. 226

Assembly Bill No. 330

Senate Bill No. 107

Assembly Bill No. 1347

Senate Bill No. 312

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 227

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 549

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALL, Chairman

Above reported bill ordered to second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Clarke:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 4310 of the Political Code, relating to sheriffs' special funds.

Respectfully submitted.

GEORGE A. CLARKE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Clarke:

An act to amend Section 4310 of the Political Code, relating to sheriffs' special funds.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Eyaus, Field, Fourn, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCallister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Smith, Stream, Thomas, Thompsou, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1964: By Mr. Clarke—An act to amend Section 4310 of the Political Code, relating to sheriffs' special funds.

Referred to Committee on Municipal and County Government.

Assembly Joint Resolution No. 44: By Mr. Hastain—Relative to the appointment of the Honorable Jesse Tapp as Assistant to the Food Administrator of the United States.

Referred to Committee on Rules and House Functions.

Assembly Joint Resolution No. 45: By Mr. Hastain—Relative to facilitating the employment of Mexican citizens in agriculture.

Referred to Committee on Rules and House Functions.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 995

Mr. Smith moved that Assembly Bill No. 995 be withdrawn from the Committee on Judiciary, and re-referred to the Committee on Municipal and County Government.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY JOINT RESOLUTION NO. 42

At 5.51 p.m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Joint Resolution No. 42 refused adoption by the following vote:

AYES—Armstrong, Bashore, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Denny, Desmond, Dilworth, Erwin, Field, Fourt, Gannon, Hastain, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Kraft, Leonard, Maloney, McCollister, Miller, Niehouse, Potter, Price, Sawallisch, Smith, Stream, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—38.

NOES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Collins, George D., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, King, Lowrey, Massion, McMillan, Middough, O'Day, Pelletier, Robertson, Rosenthal, Thomas, and Thompson—31.

Motion to Expunge Record and Rescind Action

Mr. Sam L. Collins moved to expunge the record and rescind the action whereby Assembly Joint Resolution No. 42 was refused adoption.

Mr. Potter seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Armstrong, Bashore, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Denny, Dilworth, Erwin, Field, Fourt, Gannon, Hastain, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Kraft, Leonard, Maloney, McCollister, Miller, Niehouse, Price, Smith, Stream, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—35.

NOES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Collins, George D., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Guthrie, Haggerty, Hawkins, Heisinger, King, Lowrey, Massion, McMillan, Middough, O'Day, Pelletier, Robertson, Rosenthal, Thomas, and Thompson—30.

Notice of Motion to Reconsider Assembly Joint Resolution No. 42

Mr. Sam L. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Joint Resolution No. 42 was this day refused adoption.

STATEMENT BY MR. SARGENT

I left Sacramento Friday afternoon about 4.30 p.m. for Pasadena, to discuss legislation important to my district and the State and being sponsored by me for members of the armed forces. If I had been present I would have voted for the Collins resolution against the third term.

WILLIS SARGENT

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 851 re-referred to Committee on Agriculture

Assembly Bill No. 869 re-referred to Committee on Agriculture

Assembly Bill No. 465 re-referred to Committee on Crime and Correction.

Assembly Bill No. 169 re-referred to Committee on Motor Vehicles.
Assembly Bill No. 222 re-referred to Committee on Motor Vehicles.
Assembly Bill No. 741 re-referred to Committee on Motor Vehicles.
Assembly Bill No. 1529 re-referred to Committee on Motor Vehicles.
Assembly Bill No. 687 re-referred to Committee on Revenue and

Taxation.

Assembly Bill No. 458 re-referred to Committee on Ways and Means.

Assembly Bill No. 159 re-referred to Committee on Finance and Insurance.

Assembly Bill No. 292 re-referred to Committee on Finance and Insurance.

Assembly Bill No. 305 re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1389 re-referred to Committee on Finance and Insurance.

Assembly Bill No. 583 re-referred to Committee on Fish and Game.

Assembly Bill No. 657 re-referred to Committee on Fish and Game.

Assembly Bill No. 796 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 637 re-referred to Committee on Finance and Insurance.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Maloney and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Laura Germann of San Francisco.

On request of Mr. Denny, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Edwin Regan of Trinity County.

On request of Mr. Potter and the Los Angeles County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant Clyde Harrell of Los Angeles.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Reverend A. Maurice Chamberlain of Sacramento.

On request of Mr. Wollenberg, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Pilot William Stearns of Canastota, New York, and Cadet Jack Mayer of Memphis, Tennessee.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Daniel O'Day, mother of Assemblyman O'Day, of San Francisco.

On request of Mr. Gaffney and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. James E. Ricketts of San Francisco.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Percy H. Hight of Long Beach.

On request of Mrs. Niehouse, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mathew Lamont of San Diego.

On request of Mr. Wollenberg and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Joe Mendel of San Francisco.

On request of Mr. Weybret, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. J. P. Meyenberg of Salinas.

On request of Mr. Gannon and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ensign Dorothy McGuinness, U.S.N.R., and Chief Petty Officer H. A. Barton of Sacramento.

ADJOURNMENT

At 6 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Saturday, April 3, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-FOURTH LEGISLATIVE DAY

NINETIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Saturday, April 3, 1943

The Assembly met at 10 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Doyle, Dunn, Erwin, Fourt, Guthrie, Haggerty, Hawkins, Hollibaugh, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Stream, Watson, Werdel, and Weybret—40.

Absence of Quorum Suggested

Mr. Sam L. Collins suggested the absence of a quorum.

The roll was called.

Call of the Assembly

Mr. Sam L. Collins moved a call of the Assembly.

Motion carried. Time, 10.03 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 10.06 a.m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Doyle, Dunn, Erwin, Fourt, Guthrie, Haggerty, Hawkins, Hollibaugh, King, Knight,

T. Fenton; Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Stream, Waters, Watson, Werdel, Weybret, and Mr. Speaker—45.

Quorum present.

PRAYER

Upon invitation of the Speaker, the following prayer was offered by Hon. Lorne D. Middough, Member of the Assembly from the Seventieth District:

Master, with contrite hearts and bowed heads we pray to Thee today in recognition of Thy influence for all that is good and holy. Guide us in our deliberations and strengthen us in our trials.

May Thy richest blessings rest upon and sustain our State and National leaders, and more particularly protect and bring back our boys and girls who are in the service of our Country.

In Jesus' name, we ask it,

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Doyle.

MOTION TO EXCUSE MEMBER

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, on account of illness.

COMMUNICATIONS

By Mr. Brown:

The following communication was received and ordered printed in the Journal:

GREEK ORTHODOX CHURCH OF THE ANNUNCIATION
SACRAMENTO, April 2, 1943

Members of the Assembly, California State Legislature, Sacramento

FELLOW AMERICANS: I am delighted to receive today a copy of House Resolution No. 150 in which the Assembly of the California Legislature has memorialized the bravery of the Greek peoples and their long struggle for freedom and democratic government.

I know that I may speak for all my people in California in expressing deep gratitude for your thoughtfulness and for the kindly consideration which led Assemblymen Brown and Maloney to present, and the Assembly to pass, this resolution marking the day on which for 122 years our people have offered prayers of thanksgiving for Greece's victory and liberation from Turkey.

Today Greece lies in the hands of conquerors, but Greece is not conquered. Its spirit lives today as vibrantly as in the ancient day of Marathon. The love of freedom, and the hatred of aggression, take many forms of expression under the very hands of the Nazis. The Greek people have never been conquered, and they never shall be.

There are in the United States now over one million of Greek nativity or descent. Nearly every one of us is an American citizen, and we are infinitely proud of America. Yet our lineage is such, and our love for the motherland and its freedom are so strong, that we struggle in this common cause with a burning two-fold goal, defense of our adopted land, and the resurrection of our Motherland.

When in the course of harried, busy days our fellow Americans take time and thought to express, as you have done, their kindly wishes for Greece, we Americans of Hellenic blood feel great pride and a debt of gratitude that is undying. To all of you, then, on behalf of all of California's citizens of Greek descent, our many, many thanks.

Most respectfully yours,

V. REV. GERMANOS PAPAPANAGIOUTOU
Rector, Church of the Annunciation
Chaplain-Lieutenant, California State Guard

By the Chief Clerk:

The following communication was received, and ordered printed in the Journal:

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS, SACRAMENTO, April 2, 1943

*Hon. Arthur A. Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento, California*

SUBJECT: Filing of State Engineer reports
pursuant to Ch. 1, Stats. 1940,
2nd extra session, as amended.

DEAR SIR: Handed you herewith for filing is the following report of the State Engineer:

A-129a City of Colton, File No. S. Bd. 40-1 Streets

This report is on an application filed under authority of said Chapter 1, Statutes of 1940, as amended, and is transmitted to you pursuant to the requirements of Section 1 thereof.

Very truly yours,

EDWARD HYATT, State Engineer
By A. D. EDMONSTON, Deputy State Engineer

Above report ordered filed with the Secretary of State.

By Speaker Lyon:

A communication from J. B. McFarland, Secretary of the Contra Costa County Taxpayers' Association, relative to adoption of a resolution endorsing Governor Warren's tax reduction recommendations, was received, and ordered referred to the Committee on Revenue and Taxation.

Also:

The following communication was received, and ordered printed in the Journal:

CITIZENS FOR VICTORY
SAN FRANCISCO, CALIFORNIA, April 2, 1943

Members of the California Legislature

Enclosed is a copy of the resolution introduced in the United States Senate March 16th, Senate Resolution No. 114, a bipartisan resolution sponsored by Senators Ball, Hill, Burton, and Hatch, after consultation with many other Members of the Senate. Following the resolution is a statement by the four sponsors, indicating the necessity of adoption of this measure by the Senate now.

Senator John F. Shelley has introduced a resolution in the California Legislature, memorializing Congress to adopt Senate Resolution No. 114.

Citizens for Victory, both the national organization and the California chapters, have endorsed this resolution, and urge the California State Legislature to memorialize Congress favoring the adoption of Senate Resolution No. 114. It is felt that such action by Congress now would reflect the overwhelming attitude of the American people and would assure our Allies in the United Nations that the United States will fully participate in world organization for peace following the successful conclusion of the war.

Sincerely yours,

CHESTER H. ROWELL, Chairman

SENATE RESOLUTION No. 114

Submitted by Senator Ball on behalf of himself and Senators Hill, Burton, and Hatch.

Text of the resolution:

Resolved, That the Senate advises that the United States take the initiative in calling meetings of representatives of the United Nations for the purpose of forming an organization of the United Nations with specific and limited authority:

(1) To assist in coordinating and fully utilizing the military and economic resources of all member nations in the prosecution of the war against the Axis.

(2) To establish temporary administrations for Axis-controlled areas of the world as these are occupied by United Nations forces, until such time as permanent governments can be established.

(3) To administer relief and assistance in economic rehabilitation in territories of member nations needing such aid and in Axis territory occupied by United Nations forces.

(4) To establish procedures and machinery for peaceful settlement of disputes and disagreements between nations.

(5) To provide for the assembly and maintenance of a United Nations military force and to suppress by immediate use of such force any future attempt at military aggression by any nation.

That the Senate further advises that any establishment of such United Nations organization provide machinery for its modification, for the delegation of additional specific and limited functions to such organization, and for admission of other nations to membership, and that member nations should commit themselves to seek no territorial aggrandizement.

COPY OF STATEMENT ISSUED BY SENATORS BALL, BURTON, HATCH,
AND HILL, SATURDAY, MARCH 13, 1943

This is the draft of a proposed Senate resolution seeking to clarify United States postwar foreign policy, on which we have been working for several weeks. We have discussed its subject matter with a number of other Senators and have sought and are still seeking advice and counsel as to both its form and substance. We want it to be in the best form possible before we offer it.

We believe that an organization of the United Nations with the authority and the power to stop any future attempts at military aggression offers the best hope for maintaining world peace and stability after this war and at the same time is the most efficient and the least costly method in lives and wealth for the individual nations to obtain security for themselves.

It is our opinion that the overwhelming majority of the American people favor United States participation in such a United Nations organization, based on the just and democratic principles of the Atlantic Charter, as the most preferable way to maintain our own National security and help maintain world stability and peace. The only way the people can express their desire is through the Congress. Hence this resolution.

It is our deep conviction that the basic foreign policy of the United States should not become an issue of partisan politics, that it should be decided as soon as possible so that postwar planning may be effective, and that our policy should be determined, not on the basis of past debates based on conditions then existing, but on the basis of world conditions as they are today and are likely to develop in the future.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 20	Assembly Bill No. 665
Assembly Bill No. 144	Assembly Bill No. 829
Assembly Bill No. 296	Assembly Bill No. 918
Assembly Bill No. 325	Assembly Bill No. 927
Assembly Bill No. 327	Assembly Bill No. 928
Assembly Bill No. 400	Assembly Bill No. 982
Assembly Bill No. 413	Assembly Bill No. 1025
Assembly Bill No. 414	Assembly Bill No. 1050
Assembly Bill No. 415	Assembly Bill No. 1096
Assembly Bill No. 416	Assembly Bill No. 1169
Assembly Bill No. 481	Assembly Bill No. 1465
Assembly Bill No. 519	Assembly Bill No. 1468
Assembly Bill No. 566	Assembly Bill No. 1545
Assembly Bill No. 634	Assembly Bill No. 1939
Assembly Bill No. 654	

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 564
Assembly Bill No. 969

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 908

Assembly Bill No. 933

Assembly Bill No. 1067

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**Assembly Bill No. 1239**—An act to amend Section 25502 of the Water Code, relating to irrigation district assessments.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1293—An act to amend Section 20043 of the Water Code, relating to reports by the California Districts Securities Commission.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1294—An act to repeal Sections 22900, 22901, 22902, 22903, 22904, 22905, and 22906 of the Water Code, relating to the distribution of electric power in irrigation districts containing 500,000 acres or more.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1295—An act to amend Section 22950 of the Water Code, relating to assessments in irrigation districts containing 500,000 acres or more.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1296—An act to amend Sections 25035 and 25335 of the Water Code, relating to refunding bonds of irrigation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1299—An act to add Section 24628 5 to the Water Code, relating to warrants of an irrigation district.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1300—An act to amend the title and Sections 3 and 4 and to repeal Sections 4c and 4d of an act entitled "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and for elections and the qualification of electors therein and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, and to add Article 6 to Chapter 5, Part 5 of Division 11 of the Water Code, relating to the government, operation, and functions of irrigation districts of an area of over 500,000 acres

Bill read second time, and ordered to third reading.

Assembly Bill No. 1541—An act to add Section 37i to the Water Commission Act, and Chapter 9 to Part 4 of Division 2 of the Water

Code, relating to methods and procedure to carry into effect decrees providing for the distribution of water and for the allocation and payment of the expenses thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1855—An act to add Chapter 5 to Part 4 of Division 11 of the Water Code, relating to irrigation district elections.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1856—An act to amend Section 32a of the California Irrigation District Act, relating to the issuance of bonds, funding and refunding bonds and the refunding of bonds and warrants, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1391—An act to amend Sections 7301, 7303, 7304, 7351, 7352, 7402, 7405, 7501, and 7604 of, and to amend and renumber Section 7306 to be Section 6210.3 of, the Public Resources Code, relating to the sale and exchange of land, and granting and taking rights and interests therein, by the State and its political subdivisions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1411—An act to amend Section 2 of the Planning Act, relating to planning commissions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1594—An act to amend Section 9912 of the Revenue and Taxation Code, relating to jeopardy determinations with respect to the motor vehicle transportation license tax, including the delinquency penalty and interest in connection therewith, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 444—An act to add Sections 569, 3794.2, 3807.3, 3811, 3812, 3813, 3814, to, to amend Sections 1834, 1901, 2614, 2621, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2634, 3351, 3437, 3439, 3480, 3513, 3712, 3716, 3717.5, 3718, 3797, 3805, 4109, 4109.5, 4337, 4834, 4837, 4838, 4880, 4946, 4948, 4989, 4990, 4991, and 4992 of, and to repeal Section 3707.5 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 613—An act to amend Section 2617 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1106—An act to repeal Chapter 4.3 of Part 6, Division 1 and to amend Sections 3660 and 3661, and Sections 3662 and 3663 of, and to add Chapter 4.3 to Part 6, Division 1 of the Revenue and Taxation Code, relating to real property taxes.

Bill read second time, and ordered to third reading.

Assembly Bill No. 693—An act to add Section 833 to the Revenue and Taxation Code, relating to inspection of information and records in the State Board of Equalization office.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1951—An act to add Section 256.5 to the Revenue and Taxation Code, relating to exemptions from real property taxation, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1592—An act to add Part 10, comprising Sections 17001 to 19452, inclusive, to Division 2 of, and to add Section 50015 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Personal Income Tax Act, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1593—An act to amend Sections 6702, 6736, 6738, 6757, 6776, and 6796, and to repeal Sections 6360 and 6361 of the Revenue and Taxation Code, relating to the sales and use taxes, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1048—An act to amend and renumber the heading of Article 1 of Chapter 1 of Part 9 of Division 2 of the Labor Code, to add Article 1, comprising Sections 2200 and 2201, and Article 3.5, comprising Sections 2370 and 2371, to said chapter, and to repeal an act entitled "An act to provide for the keeping of medical and surgical appliances in factories," approved May 19, 1913, and an act entitled "An act to require employers of labor to furnish, without charge, pure drinking water to their employees during working hours," approved May 24, 1915, all relating to the obligations of employers of labor to provide for the health and comfort of their employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1073—An act to amend Section 974 of the Labor Code, relating to penalties for violation of provisions concerning advertisements for employees during labor trouble

Bill read second time, and ordered engrossed

Assembly Bill No. 1323—An act to amend Section 1352 of the Labor Code, relating to working hours for women.

Bill read second time, and ordered to third reading

Assembly Bill No. 1166—An act to amend Section 1395 of the Labor Code, relating to the employment of minors in radio broadcasting and television studios.

Bill read second time, and ordered engrossed

Assembly Bill No. 675—An act to add Section 1562 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid to needy children.

Bill read second time, and ordered engrossed.

Assembly Bill No. 676—An act to add Section 2507 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid and relief to indigents

Bill read second time, and ordered engrossed.

Assembly Bill No. 677—An act to add Section 3092 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid to the needy blind

Bill read second time, and ordered engrossed.

Assembly Bill No. 678—An act to add Section 2190 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid to the aged.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1113—An act to add Sections 1521.5, 2166, 3047.5 and 3448 to the Welfare and Institutions Code, relating to the property of persons receiving public assistance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1114—An act to repeal Section 1600 of the Welfare and Institutions Code, relating to the publishing of names of children in orphan asylums.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1115—An act to add Sections 2143, 3092, and 3463 to the Welfare and Institutions Code, relating to disputes between counties as to responsibility under the public assistance laws.

Bill read second time, and ordered engrossed.

Assembly Bill No. 70—An act to amend Section 21.5 of the Municipal Court Act of 1925, relating to mileage of judges of the municipal court in any city or city and county of the first and one-half class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1353—An act defining, prohibiting, and prescribing the penalties for the commission of certain fraudulent and unfair trade practices in connection with the sale of merchandise.

Bill read second time, and ordered engrossed.

Assembly Bill No. 228—An act to amend Section 341a of the Code of Civil Procedure, relating to personal property left in hotel, etc., to include hospitals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 330—An act to amend Section 42 of the Probate Code, relating to exemptions from restrictions on devises or bequests.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1347—An act to amend Sections 595, 596 and 605e of the Civil Code, relating to nonprofit corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 717—An act to amend Sections 22727, 22728, 22729 and 22730 of the Water Code and Sections 2 and 3 of the act entitled “An act relating to the liability of irrigation districts, their officers and employees,” approved July 20, 1935, relating to filing of verified claims with the officers, employees and secretary of the board of directors of irrigation districts as a condition precedent to the filing or maintaining of actions against irrigation districts, their officers and employees and the payment of claims.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1247—An act to amend Section 24950 of the Water Code, relating to bonds of irrigation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, strike out “24950”, and insert “25301”.

Amendment No. 2

On page 1, line 1, of said bill, strike out “24950”, and insert “25301”.

Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert “25301. Callable bonds may be redeemed in addition to other methods permitted in the following manner:

- (a) In numerical order or by lot as prescribed in the resolution.
- (b) On any interest payment date prior to their fixed maturity.
- (c) At not exceeding their par value and accrued interest *or on the terms provided in the resolution.*”

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 8, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1301—An act to amend Sections 22116 and 22120 of the Water Code and Sections 1 and 3 of an act entitled “An act to provide for the acquisition, development, and disposal of electrical power by irrigation districts,” approved May 21, 1919, relating to the application of the California Irrigation District Act and acts amendatory thereof and supplemental to the California Irrigation District Act and to the borrowing of funds and issuance of warrants and securities by irrigation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 2, line 28, of the printed bill, as amended, strike out “22216” and insert “22116”.

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1304—An act to amend Section 61 of the California Irrigation District Act, relating to the issuance of warrants by an irrigation district.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended, after "Irrigation", insert "District".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 55—An act to amend Section 4 of the California Water District Act, relating to giving of notice of proposed organization of a water storage district to landowners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1 of the printed bill, between lines 14 and 15, insert "Accompanying the petition there shall be presented to the State Engineer a list of the names and addresses of all persons holding title or evidence of title to lands within the proposed district as shown by the last equalized assessment roll of the county in which the land is situated."

Amendment No. 2

On page 2, lines 49 and 50, of said bill, strike out "assessment and tax rolls of the county in which the land is situated", and insert "list presented to him".

Amendment No. 3

In line 1 of the title of the printed bill, after "Water", insert "Storage".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1392—An act to amend Sections 6301, 6321 and 6502, to amend and renumber Sections 6443 and 6444 of, and to add Section 6443 to, the Public Resources Code, relating to leases or exchanges of land by the State Lands Commission

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6443 and 6502 of, and", and insert "and 6502, to amend and renumber Section 6443 and 6444 of and".

Amendment No. 2

In line 2 of the title of said bill, strike out "Sections 6442.5 and 6506", and insert "Section 6443".

Amendment No. 3

On page 2, line 14, of said bill, after "is", insert "renumbered and".

Amendment No. 4

On page 2, line 15, of said bill, strike out "6443", and insert "6444".

Amendment No. 5

On page 2 of said bill, strike out all of line 17; and in line 18, strike out "forest, or National park", and insert "lands".

Amendment No. 6

On page 2, line 19, of said bill, strike out "6442.5", and insert "6443".

Amendment No. 7

On page 2 of said bill, strike out line 23, and insert

"SEC. 4. Section 6443 is added to said code, to read:

6443. The commission may cooperate with the Secretary of the Interior, may select the lands of this State to be exchanged with the United States under Section 8 of an act of Congress entitled "An act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement and development, to stabilize the livestock industry dependent upon the public range, and for other purposes," approved June 28, 1934, and may arrange with the proper officials of the United States for such exchange.

SEC. 5. Section 6444 is renumbered and amended to read:

6445. No lands shall be accepted in exchange under this article without the approval of the commission. All lands so acquired shall be subject to the laws governing State lands of the class from which the exchange was made.

SEC. 6. Section 6502 of said code is amended to read:".

Amendment No. 8

On page 2 of said bill, strike out all of lines 37 to 51, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1150—An act to add Section 8653 to the Revenue and Taxation Code, relating to the use fuel tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 8603 and 8652 of", and insert "add Section 8653 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 17, inclusive, and insert

"SECTION 1. Section 8653 is added to the Revenue and Taxation Code, to read: 8653. No tax shall be imposed upon fuel used in any motor vehicle when the user establishes to the satisfaction of the board that it is not operated or moved upon a highway."

Amendments read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 716—An act to add Chapter 9 to Part 6, Division 1, of the Revenue and Taxation Code, relating to the rental and sale of tax-deeded property, the disposal thereof, the assessments, the levy of taxes, the collection of taxes, the redemption of tax-delinquent property and providing for an alternative procedure for accomplishing said purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 4, line 4, of the printed bill, as amended, after "agency.", insert "No inferior bid shall be accepted if a better or more favorable offer of sale, lease, or method of operation is available."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 639—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 29 of, and to add two new sections to be numbered 8 1, and 18.1 to, the Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, before "8.1", insert "7.1"; strike out "the", and insert "The"; and in line 4, strike out "of 1937".

Amendment No. 2

On page 1, line 1, of said bill, strike out "the", and insert "The".

Amendment No. 3

On page 1, line 2, of said bill, strike out "of 1937".

Amendment No. 4

On page 1, lines 5 and 6, of said bill, strike out "the Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 5

On page 2 of said bill, between lines 15 and 16, insert "(g) The term "counsel for the commissioner," as used in Sections 20, 23 and 24 of this act, means attorney or attorneys appointed or employed by the commissioner and acting subject to the approval and under the supervision of the Attorney General."

Amendment No. 6

On page 2, lines 16 and 17, of said bill, strike out "The Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 7

On page 2, lines 41 and 42, of said bill, strike out "The Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 8

On page 9, lines 5 and 6, of said bill, strike out "the Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 9

On page 10 of said bill, strike out all of lines 38 to 52, inclusive; on page 11, strike out all of lines 1 to 50, inclusive; on page 12, strike out all of lines 1 to 52, inclusive; on page 13, strike out all of lines 1 to 52, inclusive; and on page 14, strike out all of lines 1 to 48, inclusive.

Amendment No. 10

On page 15, line 2, of said bill, following the semicolon, insert "provided, however, that if a debt was actually worthless prior to January 1, 1943, but was not ascertained to be worthless and charged off prior to said date, a deduction may be taken therefor during the first taxable year ending after December 31, 1942; and".

Amendment No. 11

On page 20, line 39, of said bill, strike out "2 and 3", and insert "(2) and (3)".

Amendment No. 12

On page 20, line 44, of said bill, after "than a bond", insert "the".

Amendment No. 13

On page 20, line 38, of said bill, after "bondholder," insert "who makes the election in the method and under the conditions prescribed in Section 7(n)(4),".

Amendment No. 14

On page 21 of said bill, between lines 43 and 44, insert "SEC. 5(a). Section 7.1 is hereby added to the Corporation Income Tax Act, to read as follows:
Sec. 7.1.

(a) For the purposes of this act—

(1) Property destroyed or seized on or after December 7, 1941, in the course of military or naval operations by the United States or any other country engaged in the present war shall be deemed to have been destroyed or seized on a date chosen by the taxpayer in the manner provided in paragraph (4), which falls between—

(A) the latest date, as established to the satisfaction of the commissioner, on which such property may be considered as not destroyed or seized; and

(B) the earliest date, as established to the satisfaction of the commissioner, on which such property may be considered as having already been destroyed or seized.

For the purposes of this paragraph property within an area which comes under the control of a country at war with the United States after the date war with such country is declared by the United States shall be deemed to have been destroyed or seized in the course of military or naval operations by such country, and the date specified in subparagraph (A) shall not be later than the latest date determined by the commissioner as the date on which such area was under the control of the United States or a country not at war with the United States, and the date specified in subparagraph (B) shall not be later than the earliest date determined by the commissioner as the date on which such area may be considered under the control of the country which is at war with the United States.

(2) Property within any country at war with the United States, or within an area under the control of any such country on the date war with such country was declared by the United States, shall be deemed to have been destroyed or seized on the date war with such country was declared by the United States.

(3) Any interest in, or with respect to, property described in paragraph (1) or (2) (including any interest represented by a security) which becomes worthless shall be considered to have been destroyed or seized (and the loss therefrom shall be considered a loss from the destruction or seizure) on the date chosen by the taxpayer which falls between the dates specified in paragraph (1), or on the date prescribed in paragraph (2), as the case may be, when the last property (described in the applicable paragraph) to which the interest relates would be deemed destroyed or seized under the applicable paragraph. This paragraph shall apply only if the interest would have become worthless if the property had been destroyed. For the purposes of this paragraph, an interest shall be deemed to have become worthless notwithstanding the fact that such interest has a value if such value is attributable solely to the possibility of recovery of the property, compensation (other than insurance or similar indemnity) on account of its destruction or seizure, or both. Under regulations prescribed by the commissioner, a taxpayer which owns 100 per centum, excluding qualifying shares, of each class of stock of a corporation may elect to determine the worthlessness of its interest, described in this paragraph, in or with respect to the property of the corporation, without regard to the amount of the property of such corporation which would be excluded under subsection (e) (2) (A) in determining the adjusted basis of all the assets of the corporation for the purposes of subsection (e), but such amount shall be treated under subsection (b) (1) as a recovery by the taxpayer in the taxable year with respect to such interest.

(4) The taxpayer's choice of a date under paragraph (1) or (3) shall be effective only if made within such time and in such manner as may be prescribed by regulations prescribed by the commissioner.

(b) In the case of any property or interest in or with respect to property deemed to be destroyed or seized under subsection (a).

(1) The amount of the loss on account of such property or interest shall be determined with regard to any recoveries with respect thereto in the taxable year but without regard to any possibility of recovering such property or interest, or of receiving any compensation (other than insurance or similar indemnity) on account of such property or interest in the taxable year or in any future taxable year.

(2) The taxpayer may choose to decrease the amount of the loss by all obligations or liabilities of the taxpayer with respect to such property or interest discharged or satisfied out of the property or interest upon its destruction or seizure, if the commissioner is satisfied that such obligations or liabilities are so discharged or satisfied in a subsequent taxable year, or that the taxpayer is unable to determine whether or not such obligations or liabilities are in fact discharged or satisfied.

No loss shall be deemed to have been sustained upon the destruction or seizure of such property or interest to the extent that it is compensated for by the discharge or satisfaction of obligations and liabilities of the taxpayer out of such property or interest in the taxable year in which such destruction or seizure is deemed to have occurred. The taxpayer's choice under this subsection shall be effective only if made within such time and in such manner as may be prescribed by regulations prescribed by the commissioner.

(c) (1) Upon the recovery in the taxable year of any money or property in respect of property considered under subsection (a) as destroyed or seized in any prior taxable year, the amount of such recovery shall be included in gross income to the extent provided in paragraph (2).

(2) The amount of the recovery of any money or property in respect of property considered under subsection (a) as destroyed or seized shall be an amount equal to the aggregate of such money and the fair market value of such property, determined as of the date of the recovery. To the extent that such amount plus the aggregate of the amounts of previous such recoveries do not exceed that part of the aggregate of the allowable deductions in prior taxable years on account of the destruction or seizure of property described in subsection (a) which did not result in a reduction of any tax of the taxpayer under this act, such amount shall not be includable in gross income and shall not be deemed gain upon the involuntary conversion of property as a result of its destruction or seizure. To the extent that such amount plus the aggregate of the amounts of previous such recoveries exceed that part of the aggregate of such deductions which did not result in a reduction of any tax of the taxpayer under this act and do not exceed that part of the aggregate of such deductions which did result in a reduction of any tax of the taxpayer under this act, such amount shall be included in gross income but shall not be deemed a gain upon the involuntary conversion of property as a result of its destruction or seizure. To the extent that such amount plus the aggregate of the amounts of previous such recoveries exceed the aggregate of the allowable deductions in prior taxable years on account of the destruction or seizure of property described in subsection (a), such amount shall be considered a gain upon the involuntary conversion of property as a result of its destruction or seizure and shall be recognized or not recognized as provided in Section 11(f). If for any previous taxable year the taxpayer chooses under subsection (b) to treat any obligations and liabilities as discharged or satisfied out of the property or interest described in subsection (a), and if such obligations and liabilities were not so discharged or satisfied, the amount of such obligations and liabilities treated as discharged or satisfied under subsection (b) shall be considered for the purposes of this section as a deduction by reason of this section which did not result in a reduction of any tax of the taxpayer under this act. For the purposes of this paragraph an allowable deduction for any taxable year on account of the destruction or seizure of property described in subsection (a) shall, to the extent not allowed in computing the tax of the taxpayer for such taxable year, be considered an allowable deduction which did not result in a reduction of any tax of the taxpayer under this act.

(3) For the purposes of paragraphs (1) and (2), the restoration in whole or in part of the value of any interest described in subsection (a) (3) by reason of any recovery of money or property in respect of property to which such interest related and which was considered under subsection (1) (a) or (2) as destroyed or seized shall be deemed a recovery of property in respect of property considered under subsection (a) as destroyed or seized.

(d) The unadjusted basis of property recovered in respect of property considered destroyed or seized under subsection (a) shall be determined under this subsection. Such basis shall be an amount equal to the fair market value of such property, determined as of the date of the recovery, reduced by an amount equal to the excess of the aggregate of such fair market value and the amounts of previous recoveries of money or property in respect of property considered under subsection (a) as destroyed or seized over the aggregate of the allowable deductions in prior taxable years on account of the destruction or seizure of property described in subsection (a), and increased by that portion of the amount of the recovery which under subsection (c) is treated as a recognized gain from the involuntary conversion of property. Upon application of the taxpayer, the aggregate of the bases (determined under the preceding sentence) of any properties recovered in respect of properties considered under subsection (a) as destroyed or seized may be allocated among the properties so recovered in such manner as the commissioner may determine under regulations prescribed by him, and the amounts so allocated to any such property so recovered shall be the unadjusted basis of such property in lieu of the unadjusted basis of such property determined under the preceding sentence.

(e) (1) If a taxpayer owns not less than 50 per centum of each class of stock of a corporation, if such corporation has property described in subsection (a) (1) or (2) deemed to be destroyed or seized, the adjusted basis for determining loss of which is at least 75 per centum of the adjusted basis for determining loss of all such corporation's property, and if such corporation completely liquidates (by distributing all the assets which it is able to distribute and all its rights to assets which it is not able to distribute, including the right to the recovery of the property described

in subsection (a) (1) and (2) within one year after such property is deemed to be destroyed or seized, or by December 31, 1943, whichever is the later, then that part of the loss by the taxpayer on such liquidation which would be attributable to the destruction or seizure of such property, as established to the satisfaction of the commissioner, shall be treated for the purposes of this act as a loss by the taxpayer upon the destruction or seizure of the part of the stock or other interest of the taxpayer to which such loss is allocable. Such part of the stock or other interest of the taxpayer shall be treated for the purposes of subsections (b), (c), and (d) as property described in subsection (a) (3).

(2) For the purposes of paragraph (1)—

(A) In determining the adjusted basis of all the property of the corporation, there shall be excluded money in the United States, bank deposits, the right to receive money from any person not situated in a country at war with the United States or in a territory under the control of such a country, and obligations issued or guaranteed as to principal or interest by the United States, except that there shall not be excluded any such property which is destroyed or seized as described in subsection (a) within or before the taxable period.

(B) The adjusted basis of property of such corporation shall be determined as of the date immediately preceding the first date on which any property was destroyed or seized, as described in subsection (a), or as of any later date falling within or before the taxable period on the basis of which such determination will produce a greater amount.

(f) The determination as to whether and to what extent an allowable deduction on account of the destruction or seizure of property described in subsection (a) did or did not result in a reduction of any tax of the taxpayer under this act shall be made in accordance with regulations prescribed by the commissioner."

Amendment No. 15

On page 22, line 52, of said bill, strike out "(a)", and insert "(e)".

Amendment No. 16

On page 23, lines 6 and 7, of said bill, strike out "the Corporation Income Tax Act", and insert "said act".

Amendment No. 17

On page 24, lines 42 and 43, of said bill, strike out "The Corporation Income Tax Act", and insert "said act".

Amendment No. 18

On page 25, line 21, of said bill, strike out "shareholder", and insert "shareholders".

Amendment No. 19

On page 27, lines 49 and 50, of said bill, strike out "The Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 20

On page 32, lines 43 and 44, of said bill, strike out "The Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 21

On page 32, line 52, of said bill, after "gift", insert a comma

Amendment No. 22

On page 33, line 2, of said bill, after "(b)", insert a close parenthesis

Amendment No. 23

On page 33, line 36, of said bill, before "other", insert "(".

Amendment No. 24

On page 37, line 12, of said bill, strike out "10", and insert "X".

Amendment No. 25

On page 38, line 26, of said bill, after "6", insert "(b) (6)".

Amendment No. 26

On page 38, line 44, of said bill, before "Neither", insert "(c)".

Amendment No. 27

On page 39, lines 11 and 12, of said bill, strike out "The Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 28

On page 40, line 11, of said bill, strike out "The Corporation Income Tax Act", and insert "said act".

Amendment No. 29

On page 41, line 42, of said bill, strike out "The Corporation Income Tax Act", and insert "said act".

Amendment No. 30

On page 41, line 5, of said bill, strike out "st", following "31".

Amendment No. 31

On page 42, lines 14 and 15, of said bill, strike out "The Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 32

On page 43, lines 33 and 34, of said bill, strike out "The Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 33

On page 44, line 6, of said bill, strike out "assessments", and insert "assessment".

Amendment No. 34

On page 44, lines 28 and 29, of said bill, strike out "The Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 35

On page 45, line 13, of said bill, strike out "30 day", and insert "30-day".

Amendment No. 36

On page 46, lines 10 and 11, of said bill, strike out "The Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 37

On page 46, line 43, of said bill, strike out "If the", and insert "In so far as the".

Amendment No. 38

On page 48, lines 7 and 8, of said bill, strike out "The Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 39

On page 48, line 25, of said bill, after "Columbia", insert a comma.

Amendment No. 40

On page 49, lines 4 and 5, of said bill, strike out "The Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 41

On page 49, lines 44 and 45, of said bill, strike out "The Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 42

On page 51, lines 9 and 10, of said bill, strike out "The Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 43

On page 53, lines 46 and 47, of said bill, strike out "The Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 44

On page 55, lines 1 and 2, of said bill, strike out "The Corporation Income Tax Act of 1937", and insert "said act".

Amendment No. 45

On page 55, line 27, of said bill, strike out the last "of", and insert "or".

Amendment No. 46

On page 55, line 37, of said bill, strike out "corporation", and insert "corporate".

Amendment No. 47

On page 56, line 45, of said bill, strike out "6 (b) (5)"; and in line 46, strike out "subsection", and insert "subsections 6 (b) (5)",.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 640—An act to amend Sections 4a, 5, 6, 8, 9, 11, 12, 13, 14, 16, 17, 20, 21, 24, 25, 25.1, 27, 28, 29, 30, 31, 32 and 35 of, and to add two new sections to be numbered 9.1 and 24.1 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In the title of the printed bill, as amended on March 20, 1943, between "Sections" and "4a", insert "4,"; and in line 3 of the title, before "9.1", insert "8.1,".

Amendment No. 2

On page 1 of said bill, before line 1, insert

"SECTION 1. Section 4 of the Bank and Corporation Franchise Tax Act is hereby amended to read as follows:

Sec. 4. (1) Every financial corporation doing business within the limits of this State, taxable under the provisions of Section 16 of Article XIII of the Constitution of this State, shall annually pay to the State for the privilege of exercising its corporate franchises within this State, a tax according to or measured by its net income, to be computed, in the manner hereinafter provided, upon the basis of its net income for the next preceding fiscal or calendar year at the rate provided for in Section 4a hereof.

(2) Each such financial corporation shall be entitled to an offset against said franchise tax, in the manner hereinafter provided, in the amount of personal property taxes and license fees for the privilege of operating as personal property brokers, or brokers as defined in Chapter 634, Statutes of 1909, as amended, paid to this State or to any county, city and county, city, town or other political subdivision of the State, and licenses for the privilege of operating motor vehicles paid to this State under Chapter 362, Statutes of 1935, as amended; provided, however, that the tax on such financial corporation after the allowance of offset shall not be less than 4 per centum of its net income for the preceding fiscal or calendar year or less than twenty-five dollars (\$25).

(3) With the exception of financial corporations, every corporation doing business within the limits of this State and not expressly exempted from taxation by the provisions of the Constitution of this State or by this act, shall annually pay to the State, for the privilege of exercising its corporate franchises within this State, a tax according to or measured by its net income, to be computed, in the manner hereinafter provided, at the rate of 4 per centum upon the basis of its net income for the next preceding fiscal or calendar year. In any event, each such corporation shall pay annually to the State, for the said privilege, a minimum tax of twenty-five dollars (\$25).

(4) Any corporation organized to hold the stock or bonds of any other corporation or corporations, and not trading in such stock or bonds or other securities held, and engaging in no other activities than the receipt and disbursement of dividends from such stock or interest from such bonds, shall not be considered a corporation doing business in this State for the purposes of this act.

(5) Every corporation not otherwise taxed in pursuance of this section and not expressly exempted by the provisions of this act or the Constitution of this State shall pay annually to the State a tax of twenty-five dollars (\$25).

(6) (a) Corporations organized for religious, charitable, social, cemetery, scientific, educational, recreational, literary, fraternal or civic purposes, if their organization or activities are not designed for, and do not result in financial or pecuniary gain or profit to the stockholders or members thereof, shall not be taxed under this act.

(b) Corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt from the tax imposed by this act, shall not be taxed under this act.

(7) Taxes under this section and under Sections 1 and 2 of this act shall accrue on the [first] last day of the "[taxable] income year," as defined in Section 11 hereof."

Amendment No. 3

On page 1, line 1, of said bill, strike out "SECTION 1.", and insert "Sec. 1.1."

Amendment No. 4

On page 1, line 3, of said bill, strike out "National", and insert "national".

Amendment No. 5

On page 2, line 34, of said bill, strike out "National", and insert "national".

Amendment No. 6

On page 2 of said bill, between lines 42 and 43, insert "The term "counsel for the commissioner", as used in Sections 27, 30 and 31 of this act, means attorney or attorneys appointed or employed by the commissioner and acting subject to the approval and under the supervision of the Attorney General."

Amendment No. 7

On page 7, line 8, of said bill, strike out "The", and insert "the".

Amendment No. 8

On page 8, line 1, of said bill, strike out "in", and insert "is".

Amendment No. 9

On page 10 of said bill, strike out all of lines 33-52, inclusive; on page 11, strike out all of lines 1-51, inclusive; on page 12, strike out all of lines 1-52, inclusive; on page 13, strike out all of lines 1-52, inclusive; and on page 14, strike out all of lines 1-40, inclusive.

Amendment No. 10

On page 14, line 46, of said bill, following the semicolon, insert "provided, however, that if a debt was actually worthless prior to January 1, 1943, but was not ascertained to be worthless and charged off prior to said date, a deduction may be taken therefor during the first income year ending after December 31, 1942; and".

Amendment No. 11

On page 16, line 30, of said bill, strike out "In the case of a bank or", and insert "(i) In the case of a bank or".

Amendment No. 12

On page 17, line 13, of said bill, after "determine," strike out "or", and insert "on".

Amendment No. 13

On page 21, line 35, of said bill, strike out "National", and insert "national".

Amendment No. 14

On page 21, line 42, of said bill, after "tax", insert "as".

Amendment No. 15

On page 21 of said bill, between lines 44 and 45, insert "SEC. 4(a). Sec. 8.1 is hereby added to the Bank and Corporation Income Tax Act, to read as follows:

Sec. 8.1. (a) For the purposes of this act—

(1) Property destroyed or seized on or after December 7, 1941, in the course of military or naval operations by the United States or any other country engaged in the present war shall be deemed to have been destroyed or seized on a date chosen by the taxpayer in the manner provided in paragraph (4), which falls between—

(A) The latest date, as established to the satisfaction of the commissioner, on which such property may be considered as not destroyed or seized, and

(B) The earliest date, as established to the satisfaction of the commissioner, on which such property may be considered as having already been destroyed or seized.

For the purposes of this paragraph property within an area which comes under the control of a country at war with the United States after the date war with such country is declared by the United States shall be deemed to have been destroyed or seized in the course of military or naval operations by such country, and the date specified in subparagraph (A) shall not be later than the latest date determined by the commissioner as the date on which such area was under the control of the United States or a country not at war with the United States, and the date specified in subparagraph (B) shall not be later than the earliest date determined by the commissioner as the date on which such area may be considered under the control of the country which is at war with the United States.

(2) Property within any country at war with the United States, or within an area under the control of any such country on the date war with such country was declared by the United States, shall be deemed to have been destroyed or seized on the date war with such country was declared by the United States.

(3) Any interest in, or with respect to, property described in paragraph (1) or (2) (including any interest represented by a security) which becomes worthless shall be considered to have been destroyed or seized (and the loss therefrom shall be considered a loss from the destruction or seizure) on the date chosen by the taxpayer which falls between the dates specified in paragraph (1), or on the date prescribed in paragraph (2), as the case may be, when the last property (described in the applicable paragraph) to which the interest relates would be deemed destroyed or seized under the applicable paragraph. This paragraph shall apply only if the interest would have become worthless if the property had been destroyed. For the purposes of this paragraph, an interest shall be deemed to have become worthless notwithstanding the fact that such interest has a value if such value is attributable solely to the possibility of recovery of the property, compensation (other than insurance or similar indemnity) on account of its destruction or seizure, or both. Under regulations prescribed by the commissioner, a taxpayer which owns 100 per centum (excluding qualifying shares) of each class of stock of a corporation may elect to determine the worthlessness of its interest, described in this paragraph, in or with respect to the property of the corporation, without regard to the amount of the property of such corporation which would be excluded under subsection (e) (2) (A).

in determining the adjusted basis of all the assets of the corporation for the purposes of subsection (e), but such amount shall be treated under subsection (b) (1) as a recovery by the taxpayer in the income year with respect to such interest.

(4) The taxpayer's choice of a date under paragraph (1) or (3) shall be effective only if made within such time and in such manner as may be prescribed by regulations prescribed by the commissioner.

(b) In the case of any property or interest in or with respect to property deemed to be destroyed or seized under subsection (a)—

(1) The amount of the loss on account of such property or interest shall be determined with regard to any recoveries with respect thereto in the income year but without regard to any possibility of recovering such property or interest, or of receiving any compensation (other than insurance or similar indemnity) on account of such property or interest in the income year or in any future income year.

(2) The taxpayer may choose to decrease the amount of the loss by all obligations or liabilities of the taxpayer with respect to such property or interest discharged or satisfied out of the property or interest upon its destruction or seizure, if the commissioner is satisfied that such obligations or liabilities are so discharged or satisfied in a subsequent income year, or that the taxpayer is unable to determine whether or not such obligations or liabilities are in fact discharged or satisfied.

No loss shall be deemed to have been sustained upon the destruction or seizure of such property or interest to the extent that it is compensated for by the discharge or satisfaction of obligations and liabilities of the taxpayer out of such property or interest in the income year in which such destruction or seizure is deemed to have occurred. The taxpayer's choice under this subsection shall be effective only if made within such time and in such manner as may be prescribed by regulations prescribed by the commissioner.

(c) (1) Upon the recovery in the income year of any money or property in respect of property considered under subsection (a) as destroyed or seized in any prior income year, the amount of such recovery shall be included in gross income to the extent provided in paragraph (2).

(2) The amount of the recovery of any money or property in respect of property considered under subsection (a) as destroyed or seized shall be an amount equal to the aggregate of such money and the fair market value of such property, determined as of the date of the recovery. To the extent that such amount plus the aggregate of the amounts of previous such recoveries do not exceed that part of the aggregate of the allowable deductions in prior income years on account of the destruction or seizure of property described in subsection (a) which did not result in a reduction of any tax of the taxpayer under this act, such amount shall not be includible in gross income and shall not be deemed gain upon the involuntary conversion of property as a result of its destruction or seizure. To the extent that such amount plus the aggregate of the amounts of previous such recoveries exceed that part of the aggregate of such deductions which did not result in a reduction of any tax of the taxpayer under this act and do not exceed that part of the aggregate of such deductions which did result in a reduction of any tax of the taxpayer under this act, such amount shall be included in gross income but shall not be deemed a gain upon the involuntary conversion of property as a result of its destruction or seizure. To the extent that such amount plus the aggregate of the amounts of previous such recoveries exceed the aggregate of the allowable deductions in prior income years on account of the destruction or seizure of property described in subsection (a), such amount shall be considered a gain upon the involuntary conversion of property as a result of its destruction or seizure and shall be recognized or not recognized as provided in Section 20(f). If for any previous taxable year the taxpayer chooses under subsection (b) to treat any obligations and liabilities as discharged or satisfied out of the property or interest described in subsection (a), and if such obligations and liabilities were not so discharged or satisfied, the amount of such obligations and liabilities treated as discharged or satisfied under subsection (b) shall be considered for the purposes of this section as a deduction by reason of this section which did not result in a reduction of any tax of the taxpayer under this act. For the purposes of this paragraph an allowable deduction for any income year on account of the destruction or seizure of property described in subsection (a), shall, to the extent not allowed in computing the tax of the taxpayer for such income year, be considered an allowable deduction which did not result in a reduction of any tax of the taxpayer under this act.

(3) For the purposes of paragraphs (1) and (2), the restoration in whole or in part of the value of any interest described in subsection (a) (3) by reason of any recovery of money or property in respect of property to which such interest related and which was considered under subsection (a) (1) or (2) as destroyed or seized shall be deemed a recovery of property in respect of property considered under subsection (a) as destroyed or seized.

(d) The unadjusted basis of property recovered in respect of property considered destroyed or seized under subsection (a) shall be determined under this subsection. Such basis shall be an amount equal to the fair market value of such property, determined as of the date of the recovery, reduced by an amount equal to the excess of the aggregate of such fair market value and the amounts of previous recoveries

of money or property in respect of property considered under subsection (a) as destroyed or seized over the aggregate of the allowable deductions in prior income years on account of the destruction or seizure of property described in subsection (a), and increased by that portion of the amount of the recovery which under subsection (c) is treated as a recognized gain from the involuntary conversion of property. Upon application of the taxpayer, the aggregate of the bases (determined under the preceding sentence) of any properties recovered in respect of properties considered under subsection (a) as destroyed or seized may be allocated among the properties so recovered in such manner as the commissioner may determine under regulations prescribed by him, and the amounts so allocated to any such property so recovered shall be the unadjusted basis of such property in lieu of the unadjusted basis of such property determined under the preceding sentence.

(e) (1) If a taxpayer owns not less than 50 per centum of each class of stock of a corporation, if such corporation has property described in subsection (a) (1) or (2) deemed to be destroyed or seized, the adjusted basis for determining loss of which is at least 75 per centum of the adjusted basis for determining loss of all such corporation's property, and if such corporation completely liquidates (by distributing all the assets which it is able to distribute and all its rights to assets which it is not able to distribute, including the right to the recovery of the property described in subsection (a) (1) and (2) within one year after such property is deemed to be destroyed or seized, or by December 31, 1943, whichever is the later, then that part of the loss by the taxpayer on such liquidation which would be attributable to the destruction or seizure of such property, as established to the satisfaction of the commissioner, shall be treated for the purposes of this act as a loss by the taxpayer upon the destruction or seizure of the part of the stock or other interest of the taxpayer to which such loss is allocable. Such part of the stock or other interest of the taxpayer shall be treated for the purposes of subsections (b), (c), and (d) as property described in subsection (a) (3).

(2) For the purposes of paragraph (1)—

(A) In determining the adjusted basis of all the property of the corporation, there shall be excluded money in the United States, bank deposits, the right to receive money from any person not situated in a country at war with the United States or in a territory under the control of such a country, and obligations issued or guaranteed as to principal or interest by the United States, except that there shall not be excluded any such property which is destroyed or seized as described in subsection (a) within or before the taxable period.

(B) The adjusted basis of property of such corporation shall be determined as of the date immediately preceding the first date on which any property was destroyed or seized, as described in subsection (1), or as of any later date falling within or before the taxable period on the basis of which such determination will produce a greater amount.

(f) The determination as to whether and to what extent an allowable deduction on account of the destruction or seizure of property described in subsection (a) did or did not result in a reduction of any tax of the taxpayer under this chapter shall be made in accordance with regulations prescribed by the commissioner.

Amendment No. 16

On page 26, line 8, of said bill, strike out "st", following "31".

Amendment No. 17

On page 28, line 2, of said bill, insert a comma after "otherwise".

Amendment No. 18

On page 24, line 40, of said bill, strike out "19", and insert "25".

Amendment No. 19

On page 28, lines 4, 12, and 14, of said bill, strike out "The", and insert "the".

Amendment No. 20

On page 33, line 7, of said bill, before "If", insert, and indent as a paragraph "Sec. 16."

Amendment No. 21

On page 34, line 11, of said bill, strike out "as", and insert "is".

Amendment No. 22

On page 34, line 16, of said bill, after "subsequent", insert "income".

Amendment No. 23

On page 39, line 3, of said bill, strike out "21(g)", and insert "(g)".

Amendment No. 24

On page 37, line 2, of said bill, strike out "part", and insert "party".

Amendment No. 25

On page 39, line 46, of said bill, strike out the comma, and insert "(".

Amendment No. 26

On page 43, line 1, of said bill, strike out "The", and insert "the".

Amendment No. 27

On page 45, line 43, of said bill, strike out "21(g)", and insert "20(g)".

Amendment No. 28

On page 46, line 13, of said bill, strike out "11", and insert "20".

Amendment No. 29

On page 47, line 18, of said bill, after "6", insert "(b) (5)".

Amendment No. 30

On page 47, line 39, of said bill, strike out "excludable", and insert "excludible".

Amendment No. 31

On page 49, line 11, of said bill, strike out the semicolon.

Amendment No. 32

On page 54, line 34, of said bill, strike out "If", and insert "Insofar as".

Amendment No. 33

On page 56, line 20, of said bill, strike out "first", and insert "last"; and on page 56, line 21, strike out "taxable", and insert "income".

Amendment No. 34

On page 62, line 17, of said bill, strike out "The", and insert "the".

Amendment No. 35

On page 63, lines 38, 41, and 45, of said bill, strike out "The", and insert "the".

Amendment No. 36

On page 63, line 41, of said bill, strike out "(d)", and insert "(c)".

Amendments read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 641—An act to amend Sections 2, 7, 7.1, 8, 9, 9.2, 9.3, 9.4, 9.5, 10, 12, 13, 16, 19 and 20 of, and to add three new sections to be numbered 7.2, 8.1 and 34.2 to, The Personal Income Tax Act, relating to taxes upon the incomes of individuals, estates and trusts and to provide that this act shall take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, after "8.1", insert ", 8.2".

Amendment No. 1(a)

On page 3 of said bill, between lines 17 and 18, insert

"(r) The term "counsel for the commissioner", as used in Sections 20, 21 and 30 of this act and the term "Franchise Tax Counsel" as used in Section 28 of this act, means attorney or attorneys appointed or employed by the commissioner and acting subject to the approval and under the supervision of the Attorney General."

Amendment No. 2

On page 4, line 34, of said bill, strike out "The", and insert "the".

Amendment No. 3

On page 5, line 47, of said bill, strike out "purpose", and insert "purposes".

Amendment No. 4

On page 15, line 15, of said bill, strike out "(a) If at least 80 per", and insert "Sec. 7.1. (a) If at least 80 per".

Amendment No. 5

On page 18, line 7, of said bill, strike out "1", and insert "8(1)".

Amendment No. 6

On page 18, line 22, of said bill, strike out "on", and insert "or".

Amendment No. 7

On page 19 of said bill, strike out all of lines 24 to 52, inclusive; on page 20, strike out all of lines 1 to 51, inclusive; on page 21, strike out all of lines 1 to 52, inclusive; on page 22, strike out all of lines 1 to 52, inclusive; and on page 23, strike out all of lines 1 to 35, inclusive.

Amendment No. 8

On page 23, line 43, of said bill, following the semicolon, insert "provided, however, that if a debt was actually worthless prior to January 1, 1943, but was not ascertained to be worthless and charged off prior to said date, a deduction may be taken therefor during the first taxable year ending after December 31, 1942; and".

Amendment No. 9

On page 30, line 9, of said bill, strike out "premiums", and insert "premium".

Amendment No. 9(a)

On page 30 of said bill, strike out all of lines 50 to 52, inclusive.

Amendment No. 9(b)

On page 31, lines 1 and 2, of said bill, before "of the taxpayer", insert "(2) An individual who files a separate return may deduct only such expenses as exceed 5 per centum of the net income".

Amendment No. 9(c)

On page 33 of said bill, strike out all of lines 1 and 2, inclusive, and insert "to the extent that the taxpayer's taxable net income for the year in which the cost was incurred would have been reduced had no such reimbursement been received or accrued."

Amendment No. 10

On page 33 of said bill, between lines 32 and 33, insert

"SEC. 6(a). Sec. 8.2 is hereby added to the Personal Income Tax Act, to read as follows:

Sec. 8.2. (a) For the purposes of this act—

(1) Property destroyed or seized on or after December 7, 1941, in the course of military or naval operations by the United States or any other country engaged in the present war shall be deemed to have been destroyed or seized on a date chosen by the taxpayer in the manner provided in paragraph (4), which falls between—

(A) The latest date, as established to the satisfaction of the commissioner, on which such property may be considered as not destroyed or seized, and

(B) The earliest date, as established to the satisfaction of the commissioner, on which such property may be considered as having already been destroyed or seized.

For the purposes of this paragraph property within an area which comes under the control of a country at war with the United States after the date war with such country is declared by the United States shall be deemed to have been destroyed or seized in the course of military or naval operations by such country, and the date specified in subparagraph (A) shall not be later than the latest date determined by the commissioner as the date on which such area was under the control of the United States or a country not at war with the United States, and the date specified in subparagraph (B) shall not be later than the earliest date determined by the commissioner as the date on which such area may be considered under the control of the country which is at war with the United States

(2) Property within any country at war with the United States, or within an area under the control of any such country on the date war with such country was declared by the United States, shall be deemed to have been destroyed or seized on the date war with such country was declared by the United States.

(3) Any interest in, or with respect to, property described in paragraph (1) or (2) (including any interest represented by a security as defined in Section 8(h) (3) or Section 8(f) (3) which becomes worthless shall be considered to have been destroyed or seized (and the loss therefrom shall be considered a loss from the destruction or seizure) on the date chosen by the taxpayer which falls between the dates specified in paragraph (1), or on the date prescribed in paragraph (2), as the case may be, when the last property (described in the applicable paragraph) to which the interest relates would be deemed destroyed or seized under the applicable paragraph. This paragraph shall apply only if the interest would have become worthless if the property had been destroyed. For the purposes of this paragraph, an interest shall be deemed to have become worthless notwithstanding the fact that such interest has a value if such value is attributable solely to the possibility of recovery of the property, compensation (other than insurance or similar indemnity) on account of its destruction or seizure, or both. Section 8(f) (2) and (h) (2) shall not apply to any interest which under this paragraph is considered to have been destroyed or seized. Under regulations prescribed by the commissioner, a taxpayer who owns 100 per centum (excluding qualifying shares) of each class of stock of a corporation may elect to determine the worthlessness of his interest, described in this paragraph, in or with respect to the property of the corporation, without regard to the amount of the property of such corporation which would be excluded

under subsection (e) (2) (A) in determining the adjusted basis of all the assets of the corporation for the purposes of subsection (e), but such amount shall be treated under subsection (b) (1) as a recovery by the taxpayer in the taxable year with respect to such interest.

(4) The taxpayer's choice of a date under paragraph (1) or (3) shall be effective only if made within such time and in such manner as may be prescribed by regulations prescribed by the commissioner.

(b) In the case of any property or interest in or with respect to property deemed to be destroyed or seized under subsection (a) —

(1) The amount of the loss on account of such property or interest shall be determined with regard to any recoveries with respect thereto in the taxable year but without regard to any possibility of recovering such property or interest, or of receiving any compensation (other than insurance or similar indemnity) on account of such property or interest in the taxable year or in any future taxable year.

(2) The taxpayer may choose to decrease the amount of the loss by all obligations or liabilities of the taxpayer with respect to such property or interest discharged or satisfied out of the property or interest upon its destruction or seizure, if the commissioner is satisfied that such obligations or liabilities are so discharged or satisfied in a subsequent taxable year, or that the taxpayer is unable to determine whether or not such obligations or liabilities are in fact discharged or satisfied.

No loss shall be deemed to have been sustained upon the destruction or seizure of such property or interest to the extent that it is compensated for by the discharge or satisfaction of obligations and liabilities of the taxpayer out of such property or interest in the taxable year in which such destruction or seizure is deemed to have occurred. The taxpayer's choice under this subsection shall be effective only if made within such time and in such manner as may be prescribed by regulations prescribed by the commissioner.

(c) (1) Upon the recovery in the taxable year of any money or property in respect of property considered under subsection (a) as destroyed or seized in any prior taxable year, the amount of such recovery shall be included in gross income to the extent provided in paragraph (2).

(2) The amount of the recovery of any money or property in respect of property considered under subsection (a) as destroyed or seized shall be an amount equal to the aggregate of such money and the fair market value of such property, determined as of the date of the recovery. To the extent that such amount plus the aggregate of the amounts of previous such recoveries do not exceed that part of the aggregate of the allowable deductions in prior taxable years on account of the destruction or seizure of property described in subsection (a) which did not result in a reduction of any tax of the taxpayer under this act, such amount shall not be includible in gross income and shall not be deemed gain upon the involuntary conversion of property as a result of its destruction or seizure. To the extent that such amount plus the aggregate of the amounts of previous such recoveries exceed that part of the aggregate of such deductions which did not result in a reduction of any tax of the taxpayer under this act and do not exceed that part of the aggregate of such deductions which did result in a reduction of any tax of the taxpayer under this act, such amount shall be included in gross income but shall not be deemed a gain upon the involuntary conversion of property as a result of its destruction or seizure. To the extent that such amount plus the aggregate of the amounts of previous such recoveries exceed the aggregate of the allowable deductions in prior taxable years on account of the destruction or seizure of property described in subsection (a), such amount shall be considered a gain upon the involuntary conversion of property as a result of its destruction or seizure and shall be recognized or not recognized as provided in Section 9.2 (e). If for any previous taxable year the taxpayer chooses under subsection (b) to treat any obligations and liabilities as discharged or satisfied out of the property or interest described in subsection (a), and if such obligations and liabilities were not so discharged or satisfied, the amount of such obligations and liabilities treated as discharged or satisfied under subsection (b) shall be considered for the purposes of this section as a deduction by reason of this section which did not result in a reduction of any tax of the taxpayer under this act. For the purposes of this paragraph an allowable deduction for any taxable year on account of the destruction or seizure of property described in subsection (a) shall, to the extent not allowed in computing the tax of the taxpayer for such taxable year, be considered an allowable deduction which did not result in a reduction of any tax of the taxpayer under this act.

(3) For the purposes of paragraphs (1) and (2), the restoration in whole or in part of the value of any interest described in subsection (a) (3) by reason of any recovery of money or property in respect of property to which such interest related and which was considered under subsection (a) (1) or (2) as destroyed or seized shall be deemed a recovery of property in respect of property considered under subsection (a) as destroyed or seized.

(d) The unadjusted basis of property recovered in respect of property considered destroyed or seized under subsection (a) shall be determined under this subsection. Such basis shall be an amount equal to the fair market value of such property, determined as of the date of the recovery, reduced by an amount equal to the excess

of the aggregate of such fair market value and the amounts of previous recoveries of money or property in respect of property considered under subsection (a) as destroyed or seized over the aggregate of the allowable deductions in prior taxable years on account of the destruction or seizure of property described in subsection (a), and increased by that portion of the amount of the recovery which under subsection (c) is treated as a recognized gain from the involuntary conversion of property. Upon application of the taxpayer, the aggregate of the bases (determined under the preceding sentence) of any properties recovered in respect of properties considered under subsection (a) as destroyed or seized may be allocated among the properties so recovered in such manner as the commissioner may determine under regulations prescribed by him, and the amounts so allocated to any such property so recovered shall be the unadjusted basis of such property in lieu of the unadjusted basis of such property determined under the preceding sentence.

(e) (1) If a taxpayer owns not less than 50 per centum of each class of stock of a corporation, if such corporation has property described in subsection (a) (1) or (2) deemed to be destroyed or seized, the adjusted basis for determining loss of which is at least 75 per centum of the adjusted basis for determining loss of all such corporation's property, and if such corporation completely liquidates (by distributing all the assets which it is able to distribute and all its rights to assets which it is not able to distribute, including the right to the recovery of the property described in subsection (a) (1) and (2)) within one year after such property is deemed to be destroyed or seized, or by December 31, 1943, whichever is the later, then that part of the loss by the taxpayer on such liquidation which would be attributable to the destruction or seizure of such property, as established to the satisfaction of the commissioner, shall be treated for the purposes of this act as a loss by the taxpayer upon the destruction or seizure of the part of the stock or other interest of the taxpayer to which such loss is allocable. Such part of the stock or other interest of the taxpayer shall be treated for the purposes of subsections (b), (c), and (d) as property described in subsection (a) (3).

(2) For the purposes of paragraph (1)—

(A) In determining the adjusted basis of all the property of the corporation, there shall be excluded money in the United States, bank deposits, the right to receive money from any person not situated in a country at war with the United States or in a territory under the control of such a country, and obligations issued or guaranteed as to principal or interest by the United States, except that there shall not be excluded any such property which is destroyed or seized as described in subsection (a) within or before the taxable period.

(B) The adjusted basis of property of such corporation shall be determined as of the date immediately preceding the first date on which any property was destroyed or seized, as described in subsection (a), or as of any later date falling within or before the taxable period on the basis of which such determination will produce a greater amount.

(f) The determination as to whether and to what extent an allowable deduction on account of the destruction or seizure of property described in subsection (a) did or did not result in a reduction of any tax of the taxpayer under this chapter shall be made in accordance with regulations prescribed by the commissioner."

Amendment No. 11

On page 39, line 2, of said bill, strike out "If", and insert "if".

Amendment No. 12

On page 39, line 43, of said bill, strike out "device", and insert "device".

Amendment No. 13

On page 43, line 34, of said bill, before "more", insert "for".

Amendment No. 14

On page 45 of said bill, between lines 2 and 3, insert

"(g) (1) For the purposes of this subsection, the term "property used in the trade or business" means property used in the trade or business, of a character which is subject to the allowance for depreciation provided in Sec. 8(i), and real property used in the trade or business, which is not

(A) property of a kind which would properly be includable in the inventory of the taxpayer if on hand at the close of the taxable year, or

(B) property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business.

(2) If, during the taxable year, the recognized gains upon sales or exchanges of property used in the trade or business, plus the recognized gains from the compulsory or involuntary conversion (as a result of destruction in whole or in part, theft or seizure, or an exercise of the power of requisition or condemnation or the threat or imminence thereof) of property used in the trade or business and capital assets into other property or money, exceed the recognized losses from such sales, exchanges, and conversions, such gains and losses shall be considered as gains and losses from sales or exchanges of capital asset. If such gains do not exceed such losses, such gains

and losses shall not be considered as gains and losses from sales or exchanges of capital assets. For the purposes of this paragraph:

(A) In determining under this paragraph whether gains exceed losses, the gains and losses described therein shall be included only if and to the extent taken into account in computing net income, except that subsections (b) and (d) shall not apply.

(B) Losses upon the destruction, in whole or in part, theft or seizure, or requisition or condemnation of property used in the trade or business of capital assets shall be considered losses from a compulsory or involuntary conversion."

Amendment No. 15

On page 46, line 6, of said bill, insert a comma after "property".

Amendment No. 16

On page 53, line 49, of said bill, strike out "begining", and insert "beginning".

Amendment No. 17

On page 55, line 19, of said bill, insert a comma after "books".

Amendment No. 18

On page 58, line 14, of said bill, strike out "If", and insert "Insofar as".

Amendment No. 19

On page 58, line 18, of said bill, after "8(f) (2)," insert "or Section 8(h) (2),"; and in line 22, after "8(f) (2)," insert "or Section 8(h) (2),".

Amendment No. 20

On page 59, line 46, of said bill, just before the parenthesis, insert "tax".

Amendment No. 21

On page 60, line 48, of said bill, before "26", insert "Sections".

Amendment No. 22

On page 61, line 14, of said bill, strike out "Post Office", and insert "Post Offices".

Amendment No. 23

On page 62, line 9, of said bill, strike out "effect", and insert "affect".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1746—An act to add Sections 3660.1, 3660.2, 3660.3, 3660.4, and 3660.5, to the Revenue and Taxation Code, relating to the apportionment of revenues received by the State from tax-deeded lands to the taxing agency having a lien on or other interest in said land, prescribing the duties of the State Controller in connection therewith, and establishing a system and procedure in relation to tax-deeded lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Sections 3660 1, 3660.2, 3660.3, 3660.4, and 3660.5," and insert "amend Sections 3656 and 3659, of and to add Sections 3659 3, 3659.5, 3659 6, 3659 7, 3659 9, 3791.5. and 4653.1".

Amendment No. 2

In the title of said bill, strike out lines 3 to 7, inclusive, and insert "management of tax deeded property, providing for the distribution of the proceeds therefrom to the taxing agencies and revenue districts having interests in such property, prescribing the powers and duties of the State Controller and of the taxing agencies, revenue districts, and the officers thereof in relation to such property, establishing a Redemption Tax Fund, and making an appropriation"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

Amendment No. 3

On page 1, line 1, of said bill, strike out "3660.1 is added to the Revenue and", and insert "3656 of the Revenue and Taxation Code is amended to read:

3656. Every lease made under this chapter shall provide that the Controller may cancel the lease as of the date of redemption from tax sale, as of the date of the first payment under a plan for the payment of delinquent taxes in installments, or as of the date of a sale terminating the right of redemption, and that the lessee is not thereupon entitled to any damages or reimbursement except as provided in this section. On redemption, first installment payment, [or] sale of the property, or cancellation of a lease, the Controller may refund from the Tax Deeded Land Rental Trust Fund to the lessee the unearned portion of any rental paid in advance.

SEC. 2. Section 3659 of said code is amended to read:

3659. All moneys received by the Controller under this Chapter and Section 3441 after the effective date of this amendment shall be placed by the Controller in the "Tax Deeded Land Rental Trust Fund" in the State treasury, [which fund is continued in existence, and shall not be deducted from the amount necessary to be paid in redemption of the property,] which fund is hereby created and appropriated to carry out the provisions of this section, and shall be remitted to the treasurer of the county in which the moneys were received between the fifteenth and thirtieth days of January and June of each year, which said remittance shall include all moneys in said fund to the credit of said county on the first day of the month preceding such remittance less any sums refunded or held for refund as provided by law. The Controller shall send concurrently with each remittance a statement to the auditor showing in detail the source of the revenue remitted. The Treasurer shall upon receipt of such money, report its receipt to the county auditor. The auditor shall mail a copy of the Controller's statement or applicable portion thereof to the secretary or the clerk of the governing board of each taxing agency, levying and collecting taxes or assessments, other than the State and county. Each taxing agency shall include in its share claim the claim of any revenue district for which it collects taxes or assessments. The auditor shall also include a notice for claim specifying that claim on the amount received from the Controller shall be made within 60 days after mailing of notice for claim.

SEC. 3. Section 3659.3 is added to said code, to read:

3659.3. On receipt of the notice for claim, the governing board of each taxing agency levying and collecting taxes or assessments on the property shall forward a share claim to the county auditor, which share claim shall show only the amount of tax or assessment on the property for the first year of delinquency not including penalties, interest or costs. If the taxing agency levies taxes or assessments in one year covering payment for more than one year, the amount attributable to the first year shall constitute the share claim to be filed by said taxing agency.

SEC. 4. Section 3659.5 is added to said code, to read:

3659.5. If the share claims are correct, the board of supervisors shall order the money received from the State Controller to be distributed pro rata among the county and the taxing agencies having filed share claims.

By "pro rata" is meant the division of the amount to be distributed in the proportion that the total tax and assessment liens for the first year of delinquency, exclusive of penalties, interest and costs, of each agency including the interest of revenue districts bears to the total tax and assessment liens for the first year of delinquency of all such agencies. The county and taxing agencies shall prorate on the same basis the money they receive to themselves and to the revenue districts for which they collect taxes and assessments.

SEC. 5. Section 3659.6 is added to said code, to read:

3659.6. In lieu of the provision set forth in Section 3659.5 all of the taxing agencies entitled to levy or collect taxes or assessments in any county may make an agreement for the division of the moneys so received in any manner approved by the agencies and the terms of such agreement shall govern the distribution of such money.

SEC. 6. Section 3659.7 is added to said code, to read:

3659.7. Except where provision to the contrary is made in an agreement executed under Section 3659.6, the county auditor shall deduct 3 per cent of the amount to be distributed to the various taxing agencies to cover clerical expense of the county making such distribution.

SEC. 7. Section 3659.9 is added to said code, to read:

3659.9. The State Controller may, if he deems any amount due for rental of tax-deeded property to be uncollectible, certify the same to the State Board of Control, requesting to be relieved of the collection thereof, as provided by law.

Sec. 8. Section 3791.5 is added to said code, to read:

3791.5. Any agreement under this chapter may include a provision for payment to the county treasurer while the property is in public ownership and rented, leased or sold on contract by the taxing agency of an amount agreed upon by the board of supervisors and the taxing agency in lieu of taxes on such property.

Sec. 9. Section 4653.1 is added to said code, to read:

4653.1. There shall be distributed to the State of California to be placed in the "State Redemption Tax Fund," which fund is hereby created, the following sums:

(a) One dollar (\$1) for all or any portion of the property described in one tax deed or one sale to the State redeemed.

(b) One dollar (\$1) for all or any portion of the property described in one tax deed to the State, sold to private parties or to a taxing agency.

If property is deeded to a taxing agency under a pro rata division agreement it shall not be deemed "sold" until resold by the taxing agency to a private party."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 22, inclusive; and strike out all of page 2.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1591—An act to add Parts 8 and 9, comprising Sections 13301 to 16652, inclusive, to Division 2 of the Revenue and Taxation Code, and to add Section 50014 thereto, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Inheritance Tax Act of 1935, the Gift Tax Act of 1939, and Section 445 of the Political Code, and repealing acts and parts of acts specified therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 25, line 51, of the printed bill, strike out "an erroneous", and insert "a".

Amendment No. 2

On page 66, after line 6, of said bill, insert
"Sec. 3. The provisions of this act shall take effect July 1, 1945."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1049—An act to add Section 100.5 to the Labor Code, relating to preferred claims for work performed or personal services rendered.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Labor and Capital:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "the Code of Civil"; and strike out line 5, and insert "Sections 1204, 1206, 1207, and 1208 of the Code of Civil Procedure, and subdivision (6) of Section 950 of the Probate Code."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1370—An act to amend Section 96 of the Labor Code, relating to assignments of claims.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor and Capital:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "or demands".

Amendment No. 2

On page 1, line 18, of the printed bill, strike out "workers", and insert "employees".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 257—An act to add Section 252.5 to the Health and Safety Code, relating to children with an impaired sense of hearing, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, between lines 7 and 8, insert "This section does not give the department power to require medical or physical examination of children without consent of parent or guardian."

Amendment No. 2

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert "252.5. The State Department of Public Health shall seek out children with impaired sense of hearing, especially in the primary and grammar grades of all schools and in its conferences and diagnostic clinics it shall employ for such diagnostic investigation trained otologists."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1142—An act to amend Sections 163, 869 and 7012 of the Welfare and Institutions Code; to amend Sections 6650, 6651, 6652, 6653, 6654, 6654.5, 6655, 6656, 6656.5, 6657, 6658, 6659, 6660, 6660.5, 6661, 6662, 6663 and to renumber them to be Sections 167, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183 and 184 thereof; to repeal Sections 1201, 1202, 5105.5, 5105.6, 5260, 5262.6, 5356, 5515, 5516, 6664, 6702, 6703, 7009, 7010, 7011, 7015, 7060, 7062, 7063, 7064, 7106, 7107, 7108, 7109 and the article heading of Article 5, Chapter 1, Part 4, Division 6 thereof; to add Sections 154.5 and 168 thereto; and to repeal Sections 1373, 1373.5 and 1375 of the Penal Code, relating to costs of maintenance of persons committed to the State Department of Institutions for placement in institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "869".

Amendment No. 1.5

On page 2, line 23, of said bill, after "institution," insert "other than a correctional school,".

Amendment No. 2

On page 2, line 47, of said bill, after "institution", insert ", other than a correctional school,".

Amendment No. 3

On page 3, line 41, of said bill, after "institutions," insert "other than a correctional school,".

Amendment No. 4

On page 4, line 13, of said bill, after "institution," insert "other than a correctional school,".

Amendment No. 5

On page 4, line 48, of said bill, after "institution", insert ", other than a correctional school,".

Amendment No. 6

On page 7, line 20, of said bill, after "institution", insert ", other than a correctional school,".

Amendment No. 7

On page 10 of said bill, strike out lines 6 to 45, inclusive.

Amendment No. 8

On page 10, line 47, of said bill, strike out "Sec. 24.", and insert "Sec. 23."

Amendment No. 9

On page 11, line 10, of said bill, strike out "Sec. 25.", and insert "Sec. 24."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 448—An act to add Section 740 5 to the Welfare and Institutions Code, relating to minors believed to be mentally unsound, authorizing the juvenile court to order commitments for observation, and providing for subsequent proceedings in relation to such minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "60", and insert "90".

Amendment No. 2

On page 2, line 11, of said bill, strike out "60", and insert "90".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1534—An act to amend Section 1 of "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of

1917, relating to the same subject," approved June 13, 1923, relating to deadly weapons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1 of", and insert "add Section 1.5 to".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 8, inclusive; on page 2, strike out lines 1 to 14, inclusive; and in line 15, strike out "Provided also that nothing", and insert

"SECTION 1. Section 1.5 is added to the act cited in the title hereof to read:
Sec. 1.5. Every person who carries concealed upon his person any knife having a blade longer than three inches shall be guilty of a misdemeanor.
Nothing".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1385—An act to amend Section 12 of "An act to establish police courts in cities of the second class, to fix their jurisdiction and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, relating to imprisonment of person convicted in the courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert "the person so to be imprisoned shall be imprisoned in the city or county jail, provided that imprisonment shall be in the county jail only where the term is 60 days or longer".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 718—An act to add Section 1714.5 to the Civil Code, relating to injuries sustained in air raid shelters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, after "body", insert a comma

Amendment No. 2

On page 1, line 13, of the printed bill, as amended, after "States", insert a comma

Amendment No. 3

On page 1, line 14, of the printed bill, as amended, after "of", insert "the condition of said building or premises or as a result of".

Amendment No. 4

On page 1, line 16, of the printed bill, as amended, strike out "or as a result of the condition".

Amendment No. 5

On page 1, line 17, of the printed bill, as amended, strike out "of said building or premises."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 227—An act to amend Sections 1859 and 1860 of the Civil Code, relating to the liability of innkeepers, to include hospitals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, after "include", insert "voluntary".

Amendment No. 2

On page 1, line 4, of the printed bill, after "of a", insert "voluntary".

Amendment No. 3

On page 1, line 17, of the printed bill, after "of a", insert "voluntary".

Amendment No. 4

On page 1, line 18, of the printed bill, strike out the comma after the first "house".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1412—An act to add Division 8, comprising Sections 8001 to 8211, inclusive, to the Public Resources Code, relating to surveys and maps, creating a State Board of Maps and Surveys, and prescribing its powers and duties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "8211", and insert "8212".

Amendment No. 2

On page 1, line 2, of said bill, strike out "8211", and insert "8212".

Amendment No. 2.5

On page 1, line 16, of said bill, after "of", strike out "State".

Amendment No. 3

On page 3, line 3, of said bill, strike out "the Gov."; and strike out lines 4 to 7, inclusive, and insert "the State Planning Board or its successor in government shall assume the duties and functions of the board."

Amendment No. 4

On page 4, lines 28 and 29, of said bill, strike out "the various agencies of the State", and insert "Federal, State or other agencies".

Amendment No. 5

On page 4 of said bill, strike out lines 35 to 37, inclusive, and insert "may be used by the board for all State mapping or map making. The board shall submit progress reports and a final report to the Governor and the Legislature."

Amendment No. 6

On page 5, line 10, of said bill, after the period, insert "The contracts shall be let under sealed bids, but no bidder may qualify who does not in the opinion of the board upon proper investigation possess the experience, equipment and personnel necessary for the completion of the contract."

Amendment No. 7

On page 5, line 38, of said bill, strike out "executive officer", and insert "Department of Natural Resources".

Amendment No. 8

On page 5, line 48, of said bill, strike out "and distribute".

Amendment No. 9

On page 5, line 50, of said bill, after "sold", insert "and distributed by the Department of Natural Resources".

Amendment No. 10

On page 6 of said bill, between lines 6 and 7, insert "8212. On the requests of the State departments the executive officer shall prepare specifications for the making of maps of the various types suited to the uses required by the departments or the public."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 962—An act to add Sections 5015, 5016, and 5017 to the Public Resources Code, relating to parks and beaches, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 2, line 32, of the printed bill, after "Board", insert "and the State Lands Commission".

Amendment No. 2

On page 2, line 51, of the printed bill, after "Board", insert "and the State Lands Commission".

Amendment No. 3

On page 4, of the printed bill, strike out lines 11 to 19, inclusive.

Amendment No. 4

On page 5, line 23, of the printed bill, after "repealed", insert "Nothing in this act shall be construed as either a transfer or repeal of any jurisdiction or authority now reposed in the State Lands Commission."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 963—An act to add Sections 506.6 and 506.7 to the Public Resources Code, relating to the powers and duties of the State Park Commission respecting shoreline protection, improvement and development of State or publicly owned ocean beaches, and to appointment of a Beach Erosion Control Engineer.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 2 of the printed bill, strike out lines 22 to 29, inclusive.

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 107—An act to provide for the acquisition of a park at Healdsburg, Sonoma County, as part of the State Park System, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of title of the printed bill, after "acquisition", insert "and development".

Amendment No. 2

On page 1 of the printed bill, between lines 5 and 6, insert "Beach property owned by Owen Sweeten and Associates, Inc., on the State highway running between Healdsburg and Santa Rosa."

Amendment No. 3

On page 1 of printed bill, strike out lines 10 and 11, and insert "Maintenance and Acquisition Fund the sum of thirty thousand dollars (\$30,000) to carry out the provisions of this act."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 111—An act making an appropriation to the Department of Natural Resources, Division of Parks, for the acquisition of land in Marin County as part of the State Park System, and to repeal an act entitled "An act making an appropriation to the Department of Natural Resources, Division of Parks, for the acquisition of land in Marin County as part of the State Park System," approved July 12, 1941.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Department of Natural Resources, Division of Parks", and insert "State Park Commission".

Amendment No. 2

On page 1, lines 2 and 3, of the printed bill, strike out "Department of Natural Resources, Division of Parks", and insert "State Park Commission".

Amendment No. 3

On page 1, line 4, of the printed bill, strike out "forty", and insert "twenty-five".

Amendment No. 4

On page 1, line 5, of the printed bill, strike out "\$40,000", and insert "\$25,000".

Amendments read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 1102—An act making an appropriation for the purchase of land for State forests and restricting expenditures of the money appropriated

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 3 of the printed bill, between lines 16 and 17, insert "8. No land shall be acquired in any county unless the approval of the acquisition is first obtained from the board of supervisors of that county."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1103—An act to amend Sections 4381 and 4382 of, and to add Section 4382 5 to, the Public Resources Code, relating to the establishment of a State Forest Fund, providing for the payment of money into and from such fund, and for the reimbursement of counties for the loss of tax revenues resulting from the acquisition of lands for State forest purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 2 of the printed bill, strike out lines 19 to 25, inclusive, and insert "is hereafter acquired by the State for State forests an amount equivalent to taxes levied by the county on similar land similarly situated in the county, payment to be made between July 1st and July 31st of each year so long as the State continues to own the land. Determination of what constitutes "similar land similarly situated" shall be made by a board consisting of the county assessor of the county in which the land is located, a representative of the State Board of Equalization and a representative of the State Forester."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 902—An act to amend Section 8 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, after "8", strike out "of", and insert ", and to add Section 8.1 to".

Amendment No. 1a

On page 2, line 15, of the printed bill, after "district," insert "or possession of", and strike out "or any possession thereof".

Amendment No. 2

On page 3 of the printed bill, strike out lines 4 to 51; on page 4, strike out lines 1 to 52; on page 5, strike out lines 1 to 52; on page 6, strike out lines 1 to 52; and on page 7, strike out lines 1 to 12.

Amendment No. 3

On page 7, line 19, of the printed bill, following the semicolon, insert "provided, however, that if a debt was actually worthless prior to January 1, 1943, but was not ascertained to be worthless and charged off prior to said date, a deduction may be taken therefor during the first income year ending after December 31, 1942; and".

Amendment No. 4

On page 7, line 24, of the printed bill, strike "charged-off or".

Amendment No. 5

On page 9 of the printed bill, strike out all of lines 22 to 41, inclusive, and insert

"(h) Dividends received during the income year from a bank or corporation doing business in this State declared from income arising out of business done in this State, but if the income out of which the dividends are declared is derived from business done within and without this State, then so much of the dividends shall be allowed as a deduction as the amount of the income from business done within this State bears to the total business done. The provisions of this subdivision shall not apply to dividends received from banks or corporations not taxable under Article XIII of the Constitution of this State".

Amendment No. 6

On page 10, line 36, of the printed bill, after "determine," strike out "or", and insert "on".

Amendment No. 7

On page 11, line 20, of the printed bill, after "bondholder", insert "who makes the election in the method and under the conditions prescribed in Section 8 (o) (4)".

Amendment No. 8

On page 12 of the printed bill, between lines 6 and 7, insert

"(4) The amount of the amortizable bond premium for the income year shall be allowed as a deduction only if a taxpayer has elected to claim such deduction. Such election shall be made in accordance with such regulations as the commissioner shall prescribe. If such election is made with respect to any bond, it shall also apply to all such bonds held by the taxpayer at the beginning of the first income year to which the election applies and to all such bonds thereafter acquired by it, and shall be binding for all subsequent income years with respect to all such bonds of the taxpayer, unless, upon application by the taxpayer, the commissioner permits him, subject to such conditions as the commissioner deems necessary, to revoke such election."

Amendment No. 9

On page 14, line 45, of the printed bill, strike out "National", and insert "national".

Amendment No. 10

On page 14, line 52, of the printed bill, after "tax", insert "as"

Amendment No. 11

On page 15 of the printed bill, between lines 2 and 3, insert "Sec. 8.1.

(a) For the purposes of this act—

(1) Property destroyed or seized on or after December 7, 1941, in the course of military or naval operations by the United States or any other country engaged in the present war shall be deemed to have been destroyed or seized on a date chosen by the taxpayer in the manner provided in paragraph (4), which falls between—

(A) The latest date, as established to the satisfaction of the commissioner, on which such property may be considered as not destroyed or seized, and

(B) The earliest date, as established to the satisfaction of the commissioner, on which such property may be considered as having already been destroyed or seized.

For the purposes of this paragraph property within an area which comes under the control of a country at war with the United States after the date war with such country is declared by the United States shall be deemed to have been destroyed or seized in the course of military or naval operations by such country, and the date specified in subparagraph (A) shall not be later than the latest date determined by the commissioner as the date on which such area was under the control of the United States or a country not at war with the United States, and the date specified in subparagraph (B) shall not be later than the earliest date determined by the commissioner as the date on which such area may be considered under the control of the country which is at war with the United States.

(2) Property within any country at war with the United States, or within an area under the control of any such country on the date war with such country was declared by the United States, shall be deemed to have been destroyed or seized on the date war with such country was declared by the United States.

(3) Any interest in, or with respect to, property described in paragraph (1) or (2) (including any interest represented by a security) which becomes worthless shall be considered to have been destroyed or seized (and the loss therefrom shall be considered a loss from the destruction or seizure) on the date chosen by the taxpayer which falls between the dates specified in paragraph (1), or on the date prescribed in paragraph (2), as the case may be, when the last property (described in the applicable paragraph) to which the interest relates would be deemed destroyed or seized under the applicable paragraph. This paragraph shall apply only if the interest would have become worthless if the property had been destroyed. For the purposes of this paragraph, an interest shall be deemed to have become worthless

notwithstanding the fact that such interest has a value if such value is attributable solely to the possibility of recovery of the property, compensation (other than insurance or similar indemnity) on account of its destruction or seizure, or both. Under regulations prescribed by the commissioner, a taxpayer which owns 100 per centum (excluding qualifying shares) of each class of stock of a corporation may elect to determine the worthlessness of its interest, described in this paragraph, in or with respect to the property of the corporation, without regard to the amount of the property of such corporation which would be excluded under subsection (e) (2) (A) in determining the adjusted basis of all the assets of the corporation for the purposes of subsection (e), but such amount shall be treated under subsection (b) (1) as a recovery by the taxpayer in the income year with respect to such interest.

(4) The taxpayer's choice of a date under paragraph (1) or (3) shall be effective only if made within such time and in such manner as may be prescribed by regulations prescribed by the commissioner.

(b) In the case of any property or interest in or with respect to property deemed to be destroyed or seized under subsection (a)—

(1) The amount of the loss on account of such property or interest shall be determined with regard to any recoveries with respect thereto in the income year but without regard to any possibility of recovering such property or interest, or of receiving any compensation (other than insurance or similar indemnity) on account of such property or interest in the income year or in any future income year.

(2) The taxpayer may choose to decrease the amount of the loss by all obligations or liabilities of the taxpayer with respect to such property or interest discharged or satisfied out of the property or interest upon its destruction or seizure, if the commissioner is satisfied with such obligations or liabilities are so discharged or satisfied in a subsequent income year, or that the taxpayer is unable to determine whether or not such obligations or liabilities are in fact discharged or satisfied.

No loss shall be deemed to have been sustained upon the destruction or seizure of such property or interest to the extent that it is compensated for by the discharge or satisfaction of obligations and liabilities of the taxpayer out of such property or interest in the income year in which such destruction or seizure is deemed to have occurred. The taxpayer's choice under this subsection shall be effective only if made within such time and in such manner as may be prescribed by regulations prescribed by the commissioner.

(c) (1) Upon the recovery in the income year of any money or property in respect of property considered under subsection (a) as destroyed or seized in any prior income year the amount of such recovery shall be included in gross income to the extent provided in paragraph (2).

(2) The amount of the recovery of any money or property in respect of property considered under subsection (a) as destroyed or seized shall be an amount equal to the aggregate of such money and the fair market value of such property, determined as of the date of the recovery. To the extent that such amount plus the aggregate of the amounts of previous such recoveries do not exceed that part of the aggregate of the allowable deductions in prior income years on account of the destruction or seizure of property described in subsection (a) which did not result in a reduction of any tax of the taxpayer under this act, such amount shall not be includable in gross income and shall not be deemed gain upon the involuntary conversion of property as a result of its destruction or seizure. To the extent that such amount plus the aggregate of the amounts of previous such recoveries exceed that part of the aggregate of such deductions which did not result in a reduction of any tax of the taxpayer under this act and do not exceed that part of the aggregate of such deductions which did result in a reduction of any tax of the taxpayer under this act, such amount shall be included in gross income but shall not be deemed a gain upon the involuntary conversion of property as a result of its destruction or seizure. To the extent that such amount plus the aggregate of the amounts of previous such recoveries exceed the aggregate of the allowable deductions in prior income years on account of the destruction or seizure of property described in subsection (a), such amount shall be considered a gain upon the involuntary conversion of property as a result of its destruction or seizure and shall be recognized or not recognized as provided in Section 20 (f). If for any previous taxable year the taxpayer chooses under subsection (b) to treat any obligations and liabilities as discharged or satisfied out of the property or interest described in subsection (a), and if such obligations and liabilities were not so discharged or satisfied, the amount of such obligations and liabilities treated as discharged or satisfied under subsection (b) shall be considered for the purposes of this section as a deduction by reason of this section which did not result in a reduction of any tax of the taxpayer under this act. For the purposes of this paragraph an allowable deduction for any income year on account of the destruction or seizure of property described in subsection (a), shall, to the extent not allowed in computing the tax of the taxpayer for such income year, be considered an allowable deduction which did not result in a reduction of any tax of the taxpayer under this act.

(3) For the purposes of paragraphs (1) and (2), the restoration in whole or in part of the value of any interest described in subsection (a) (3) by reason of any

recovery of money or property in respect of property to which such interest related and which was considered under subsection (a) (1) or (2) as destroyed or seized shall be deemed a recovery of property in respect of property considered under subsection (1) as destroyed or seized.

(d) The unadjusted basis of property recovered in respect of property considered destroyed or seized under subsection (a) shall be determined under this subsection. Such basis shall be an amount equal to the fair market value of such property, determined as of the date of the recovery, reduced by an amount equal to the excess of the aggregate of such fair market value and the amounts of previous recoveries of money or property in respect of property considered under subsection (a) as destroyed or seized over the aggregate of the allowable deductions in prior income years on account of the destruction or seizure of property described in subsection (a), and increased by that portion of the amount of the recovery which under subsection (c) is treated as a recognized gain from the involuntary conversion of property. Upon application of the taxpayer, the aggregate of the bases (determined under the preceding sentence) of any properties recovered in respect of properties considered under subsection (a) as destroyed or seized may be allocated among the properties so recovered in such manner as the commissioner may determine under regulations prescribed by him, and the amounts so allocated to any such property so recovered shall be the unadjusted basis of such property in lieu of the unadjusted basis of such property determined under the preceding sentence.

(e) (1) If a taxpayer owns not less than 50 per centum of each class of stock of a corporation, if such corporation has property described in subsection (a) (1) or (2) deemed to be destroyed or seized, the adjusted basis for determining loss of which is at least 75 per centum of the adjusted basis for determining loss of all such corporation's property, and if such corporation completely liquidates (by distributing all the assets which it is able to distribute and all its rights to assets which it is not able to distribute, including the right to the recovery of the property described in subsection (a) (1) and (2) within one year after such property is deemed to be destroyed or seized, or by December 31, 1943, whichever is the later, then that part of the loss by the taxpayer on such liquidation which would be attributable to the destruction or seizure of such property, as established to the satisfaction of the commissioner, shall be treated for the purposes of this act as a loss by the taxpayer upon the destruction or seizure of the part of the stock or other interest of the taxpayer to which such loss is allocable. Such part of the stock or other interest of the taxpayer shall be treated for the purposes of subsections (b), (c), and (d) as property described in subsection (a) (3).

(2) For the purposes of paragraph (a)—

(A) In determining the adjusted basis of all the property of the corporation, there shall be excluded money in the United States, bank deposits, the right to receive money from any person not situated in a country at war with the United States or in a territory under the control of such a country, and obligations issued or guaranteed as to principal or interest by the United States, except that there shall not be excluded any such property which is destroyed or seized as described in subsection (a) within or before the taxable period.

(B) The adjusted basis of property of such corporation shall be determined as of the date immediately preceding the first date on which any property was destroyed or seized, as described in subsection (a), or as of any later date falling within or before the taxable period on the basis of which such determination will produce a greater amount.

(f) The determination as to whether and to what extent an allowable deduction on account of the destruction or seizure of property described in subsection (a) did or did not result in a reduction of any tax of the taxpayer under this chapter shall be made in accordance with regulations prescribed by the commissioner."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 903—An act to amend Section 7 of the Corporation Income Tax Act, relating to corporation taxes

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, after "7", strike out "of", and insert ", and to add Section 7.1 to"

Amendment No. 1a

On page 2, line 20, of the printed bill, after "district", insert "or possession of", and strike out "or any possession thereof".

Amendment No. 2

On page 3 of the printed bill, strike out lines 8 to 52; on page 4, strike out lines 1 to 52; on page 5, strike out lines 1 to 52; on page 6, strike out lines 1 to 52; and on page 7, strike out lines 1 to 17.

Amendment No. 3

On page 7, line 24, after the semicolon, insert "provided, however, that if a debt was worthless prior to January 1, 1943, but was not ascertained to be worthless and charged off prior to said date, a deduction may be taken therefor during the first taxable year ending after December 31, 1942; and".

Amendment No. 4

On page 7, line 29, of the printed bill, strike out "charged off of".

Amendment No. 5

On page 9 of the printed bill, strike out all of lines 27 to 46, and insert
 "(h) Dividends received during the income year from a bank or corporation doing business in this State declared from income tax arising out of business done in this State, but if the income out of which the dividends are declared is derived from business done within and without this State, then so much of the dividends shall be allowed as a deduction as the amount of the income from business done within this State bears to the total business done. The provisions of this subdivision shall not apply to dividends received from banks or corporations not taxable under Article XIII of the Constitution of this State."

Amendment No. 6

On page 14, line 5, after "bondholder", insert "who makes the election in the method and under the conditions prescribed in Section 7(n)(4)"

Amendment No. 7

On page 14, line 6, of the printed bill, strike out "2" and "3", and insert "(2) and (3)"

Amendment No. 8

On page 14, line 11, of the printed bill, after "than a bond", insert "the".

Amendment No. 9

On page 14 of the printed bill, between lines 49 and 50, insert
 "(4) The amount of the amortizable bond premium for the taxable year shall be allowed as a deduction only if a taxpayer has elected to claim such deduction. Such election shall be made in accordance with such regulations as the commissioner shall prescribe. If such election is made with respect to any bond, it shall also apply to all such bonds held by the taxpayer at the beginning of the first taxable year to which the election applies and to all such bonds thereafter acquired by it, and shall be binding for all subsequent taxable years with respect to all such bonds of the taxpayer, unless, upon application by the taxpayer, the commissioner permits him, subject to such conditions as the commissioner deems necessary to revoke such election

Sec. 7.1. (a) For the purposes of this act—

(1) Property destroyed or seized on or after December 7, 1941, in the course of military or naval operations by the United States or any other country engaged in the present war shall be deemed to have been destroyed or seized on a date chosen by the taxpayer in the manner provided in paragraph (4), which falls between—

(A) the latest date, as established to the satisfaction of the commissioner, on which such property may be considered as not destroyed or seized; and

(B) the earliest date, as established to the satisfaction of the commissioner, on which such property may be considered as having already been destroyed or seized.

For the purposes of this paragraph property within an area which comes under the control of a country at war with the United States after the date war with such country is declared by the United States shall be deemed to have been destroyed or seized in the course of military or naval operations by such country, and the date specified in subparagraph (B) shall not be later than the earliest date determined by the commissioner as the date on which such area was under the control of the United States or a country not at war with the United States, and the date specified in subparagraph (B) shall not be later than the earliest date determined by the commissioner as the date on which such area may be considered under the control of the country which is at war with the United States.

(2) Property within any country at war with the United States, or within an area under the control of any such country on the date war with such country was declared by the United States, shall be deemed to have been destroyed or seized on the date war with such country was declared by the United States.

(3) Any interest in, or with respect to, property described in paragraph (1) or (2) (including any interest represented by a security) which becomes worthless shall be considered to have been destroyed or seized (and the loss therefrom shall be considered a loss from the destruction or seizure) on the date chosen by the taxpayer which falls between the dates specified in paragraph (1), or on the date prescribed in paragraph (2), as the case may be, when the last property (described in the applicable paragraph) to which the interest relates would be deemed destroyed or seized under the applicable paragraph. This paragraph shall apply only if the interest would have become worthless if the property had been destroyed. For the purposes of this paragraph, an interest shall be deemed to have become worthless notwithstanding the fact that such interest has a value if such value is attributable solely to the possibility of recovery of the property, compensation (other than insurance or similar indemnity) on account of its destruction or seizure, or both. Under regulations prescribed by the commissioner, a taxpayer which owns 100 per centum, excluding qualifying shares, of each class of stock of a corporation may elect to determine the worthlessness of its interest, described in this paragraph, in or with respect to the property of the corporation, without regard to the amount of the property of such corporation which would be excluded under subsection (e) (2) (A) in determining the adjusted basis of all the assets of the corporation for the purposes of subsection (e), but such amount shall be treated under subsection (b) (1) as a recovery by the taxpayer in the taxable year with respect to such interest.

(4) The taxpayer's choice of a date under paragraph (1) or (3) shall be effective only if made within such time and in such manner as may be prescribed by regulations prescribed by the commissioner.

(b) In the case of any property or interest in or with respect to property deemed to be destroyed or seized under subsection (a).

(1) The amount of the loss on account of such property or interest shall be determined with regard to any recoveries with respect thereto in the taxable year but without regard to any possibility of recovering such property or interest, or of receiving any compensation (other than insurance or similar indemnity) on account of such property or interest in the taxable year or in any future taxable year.

(2) The taxpayer may choose to decrease the amount of the loss by all obligations or liabilities of the taxpayer with respect to such property or interest discharged or satisfied out of the property or interest upon its destruction or seizure, if the commissioner is satisfied that such obligations or liabilities are so discharged or satisfied in a subsequent taxable year, or that the taxpayer is unable to determine whether or not such obligations or liabilities are in fact discharged or satisfied.

No loss shall be deemed to have been sustained upon the destruction or seizure of such property or interest to the extent that it is compensated for by the discharge or satisfaction of obligations and liabilities of the taxpayer out of such property or interest in the taxable year in which such destruction or seizure is deemed to have occurred. The taxpayer's choice under this subsection shall be effective only if made within such time and in such manner as may be prescribed by regulations prescribed by the commissioner.

(c) (1) Upon the recovery in the taxable year of any money or property in respect of property considered under subsection (a) as destroyed or seized in any prior taxable year, the amount of such recovery shall be included in gross income to the extent provided in paragraph (2).

(2) The amount of the recovery of any money or property in respect of property considered under subsection (a) as destroyed or seized shall be an amount equal to the aggregate of such money and the fair market value of such property, determined as of the date of the recovery. To the extent that such amount plus the aggregate of the amounts of previous such recoveries do not exceed that part of the aggregate of the allowable deductions in prior taxable years on account of the destruction or seizure of property described in subsection (a) which did not result in a reduction of any tax of the taxpayer under this act, such amount shall not be includible in gross income and shall not be deemed gain upon the involuntary conversion of property as a result of its destruction or seizure. To the extent that such amount plus the aggregate of the amounts of previous such recoveries exceed that part of the aggregate of such deductions which did not result in a reduction of any tax of the taxpayer under this act and do not exceed that part of the aggregate of such deductions which did result in a reduction of any tax of the taxpayer under this act, such amount shall be included in gross income but shall not be deemed a gain upon the involuntary conversion of property as a result of its destruction or seizure. To the extent that such amount plus the aggregate of the amounts of previous such recoveries exceed the aggregate of the allowable deductions in prior taxable years on account of the destruction or seizure of property described in subsection (a), such amount shall be considered a gain upon the involuntary conversion of property as a result of its destruction or seizure and shall be recognized or not recognized as provided in Section 11 (f). If for any previous taxable year the taxpayer chooses under subsection (b) to treat any obligations and liabilities as discharged or satisfied out of the property or interest described in subsection (a), and if such obliga-

tions and liabilities were not so discharged or satisfied, the amount of such obligations and liabilities treated as discharged or satisfied under subsection (b) shall be considered for the purposes of this section as a deduction by reason of this section which did not result in a reduction of any tax of the taxpayer under this act. For the purposes of this paragraph an allowable deduction for any taxable year on account of the destruction or seizure of property described in subsection (a) shall, to the extent not allowed in computing the tax of the taxpayer for such taxable year, be considered an allowable deduction which did not result in a reduction of any tax of the taxpayer under this act.

(3) For the purposes of paragraphs (1) and (2), the restoration in whole or in part of the value of any interest described in subsection (a) (3) by reason of any recovery of money or property in respect of property to which such interest related and which was considered under subsection (a) (1) or (2) as destroyed or seized shall be deemed a recovery of property in respect of property considered under subsection (a) as destroyed or seized.

(d) The unadjusted basis of property recovered in respect of property considered destroyed or seized under subsection (a) shall be determined under this subsection. Such basis shall be an amount equal to the fair market value of such property, determined as of the date of the recovery, reduced by an amount equal to the excess of the aggregate of such fair market value and the amounts of previous recoveries of money or property in respect of property considered under subsection (a) as destroyed or seized over the aggregate of the allowable deductions in prior taxable years on account of the destruction or seizure of property described in subsection (a), and increased by that portion of the amount of the recovery which under subsection (c) is treated as a recognized gain from the involuntary conversion of property. Upon application of the taxpayer, the aggregate of the bases (determined under the preceding sentence) of any properties recovered in respect of properties considered under subsection (a) as destroyed or seized may be allocated among the properties so recovered in such manner as the commissioner may determine under regulations prescribed by him, and the amounts so allocated to any such property so recovered shall be the unadjusted basis of such property in lieu of the unadjusted basis of such property determined under the preceding sentence.

(e) (1) If a taxpayer owns not less than 50 per centum of each class of stock of a corporation, if such corporation has property described in subsection (a) (1) or (2) deemed to be destroyed or seized, the adjusted basis for determining loss of which is at least 75 per centum of the adjusted basis for determining loss of all such corporation's property, and if such corporation completely liquidates (by distributing all the assets which it is able to distribute and all its rights to assets which it is not able to distribute, including the right to the recovery of the property described in subsection (a) (1) and (2) within one year after such property is deemed to be destroyed or seized, or by December 31, 1943, whichever is the later, then that part of the loss by the taxpayer on such liquidation which would be attributable to the destruction or seizure of such property, as established to the satisfaction of the commissioner, shall be treated for the purposes of this act as a loss by the taxpayer upon the destruction or seizure of the part of the stock or other interest of the taxpayer to which such loss is allocable. Such part of the stock or other interest of the taxpayer shall be treated for the purposes of subsections (b), (c), and (d) as property described in subsection (a) (3).

(2) For the purposes of paragraph (1)—

(A) In determining the adjusted basis of all the property of the corporation, there shall be excluded money in the United States, bank deposits, the right to receive money from any person not situated in a country at war with the United States or in a territory under the control of such a country, and obligations issued or guaranteed as to principal or interest by the United States, except that there shall not be excluded any such property which is destroyed or seized as described in subsection (a) within or before the taxable period.

(B) The adjusted basis of property of such corporation shall be determined as of the date immediately preceding the first date on which any property was destroyed or seized, as described in subsection (a), or as of any later date falling within or before the taxable period on the basis of which such determination will produce a greater amount.

(f) The determination as to whether and to what extent an allowable deduction on account of the destruction or seizure of property described in subsection (a) did or did not result in a reduction of any tax of the taxpayer under this act shall be made in accordance with regulations prescribed by the commissioner."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1497—An act to amend Section 7329 of the Labor Code, relating to the installation of safety devices upon the windows of all buildings.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Labor and Capital:

Amendment No. 1

On page 1, line 14, of the printed bill, after the period at the end of the line, insert

“No order of the Industrial Accident Commission requiring the installation in buildings of window cleaning safety devices shall be effective or enforced until after the effective date of this section as hereinbefore set out”.

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1107—An act to amend School Code Sections 5 801, 5.821, 5.830, 5.844, 5.850, 5.851, 5 852, 5.853, 5.860, 5 861, 5.863, 5.871, 5.873 and 5 874, and to add School Code Sections 5.855 and 5.877-1, and to amend Education Code Sections 14265, 14268, 14272, 14274, 14325, 14326, 14327, 14361, 14363, 14427, 14431, 14432, 14433, 14434, 14435, 14436, 14440, 14441, 14442, 14444, 14445, 14446, 14447, 14450, 14452, 14458, 14491, 14492, 14494, 14496, 14523, 14526, 14534, and to add Education Code Sections 14274.1, 14274.2, 14274.3, 14274.4, 14274.5, 14437, 14438, 14458 1, 14458.2, 14458 3, 14469, 14470, 14471, 14472, 14473, 14523.1, 14523.2, 14523 3, 14526.1, and 14542, and to repeal Education Code Sections 14365, 14437, 14438, 14439, and 14456, relating to the California State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 14, line 10, of the printed bill, as amended, after “agency,” insert “Districts maintaining a local fund shall not contribute to the district pension fund any amount for persons who are active or retired members of the local fund.”

Amendment No. 2

On page 14 of said bill, after line 51, insert “Nothing in this section shall be construed to compel a district maintaining a local fund to contribute any amount based upon any contribution made by active or retired members of the district.”

Amendment No. 3

On page 29 of said bill, after line 33, insert “District maintaining a local fund shall not contribute to the district pension fund any amount for persons who are active or retired members of the local fund.”

Amendment No. 4

On page 30 of said bill, after line 35, insert “Nothing in this section shall be construed to compel a district maintaining a local fund to contribute any amount based upon any contribution made by active or retired members of the district.”

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1222—An act to add Section 2.1364-2 to the School Code and to add Article 2.1 to Chapter 15 of Division 2 of the

Education Code, relating to the powers and duties of the Director of Education, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 17, of the printed bill, strike out "4.924", and insert "4824".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1008—An act to amend Sections 90, 325, 533, 640 and 773 of, and to add Sections 90.1, 90.2, 90.3, 90.4, 325.1, 325.2, 325.3, 325.4, 533.1, 533.2, 533.3, 533.4, 640.1, 640.2, 640.3, 640.4, 773.1, 773.2, 773.3 and 773.4 to "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to tax levies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 9, line 28, of the printed bill, as amended, strike out "SEC. 4.2", and insert "SEC. 5.2".

Amendment No. 2

On page 10, line 1, of said bill, strike out "SEC. 4.3", and insert "SEC. 5.3".

Amendment No. 3

On page 10, line 14, of said bill, strike out "SEC. 4.4", and insert "SEC. 5.4".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1274—An act to amend Section 4.375 of, and to add Sections 4.376-1, 4.376-2, 4.376-3 and 4.376-4 to, the School Code and to amend Section 6357 of, and to add Sections 6358.3, 6358.4, 6358.5 and 6358.6 to, the Elections Code, relating to the maximum rate of school district tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 3, line 1, of the printed bill, as amended, strike out "act", and insert "code".

Amendment No. 2

On page 3, line 15, of said bill, strike out "act", and insert "code".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 684—An act to amend Section 6015 of the Revenue and Taxation Code, relating to the taxation of the privilege of selling and

of storing, using, or otherwise consuming tangible personal property, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 3 of the printed bill, strike out line 1, and insert "SECTION 1. Section 6015 of the Revenue and Taxation Code is amended to read:".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 720—An act to add Sections 741.1, 741.3, 741.5, 741.7, 741.8 and 741.9 to the Code of Civil Procedure, all relating to compensation for taxes paid and improvements made by occupying claimants of real property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 3, line 13, of the printed bill, strike out "or", and insert a comma.

Amendment No. 2

On page 3, line 14, of said bill, strike out "made", and insert "or mechanics' lien made or incurred".

Amendment No. 3

On page 3, line 15, of said bill, after "mortgage", insert a comma.

Amendment No. 4

On page 3, line 16, of said bill, strike out "or deed of trust", and insert "deed of trust or mechanics' lien".

Amendment No. 5

On page 3, line 18, of said bill, strike out "or deed of trust", and insert ", deed of trust or mechanics' lien".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 549—An act to add Section 1920b to the Code of Civil Procedure, relating to the preservation of documentary records by the preparation of photographic copies thereof and providing for the admissibility in evidence of such copies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In the title of the printed bill, strike out line 4, and insert "that such copies may be used in place of the original under certain conditions".

Amendment No. 2

On page 1 of said bill, strike out lines 7 to 15, inclusive, and insert "after such film was taken may be used in all instances that the original record, document, instrument, plan, book or paper might have been used, and shall have the full force and effect of said original for all purposes, upon proof that the following conditions exist.

1. That at the time of the taking of said photographic film, microphotographic, photostatic or similar reproduction, the person or officer under whose direction and

control same was taken, attached thereto, or to the sealed container in which the same was placed and has been kept, a certification complying with the provisions of Section 1923 of this code and stating the date on which, and the fact that, the same was so taken under his direction and control;

2. That said photographic film, microphotographic, photostatic or similar reproduction was taken in order to keep a permanent record of the original; and

3. That the said original was subsequently destroyed or lost."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 158—An act to amend Section 1028 of the Code of Civil Procedure, relating to award of costs against the State.

Bill read second time, and ordered to third reading.

Senate Bill No. 226—An act to amend Section 204a of the Code of Civil Procedure, relating to the appointment of a jury commissioner in certain counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 107—An act to amend Section 996 of the Political Code, and Section 1770 of the Government Code, relating to an office becoming vacant.

Bill read second time, and ordered to third reading.

Senate Bill No. 312—An act to amend Section 581b of the Code of Civil Procedure, relating to dismissal of actions or proceedings for failure to pay transfer fee.

Bill read second time, and ordered to third reading.

Senate Bill No. 896—An act to add Section 161 to the Revenue and Taxation Code, relating to contracts for the publication of notices, delinquent lists and other documents.

Bill read second time, and ordered to third reading.

Senate Bill No. 173—An act to add Chapter 7 to Division 4 of the Public Resources Code, relating to the cutting of immature trees for lumber.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, after "live", insert "coniferous".

Amendment No. 2

On page 1, line 12, of said bill insert

"This chapter shall not apply to the cutting of trees less than 18 inches in diameter to complete contracts entered into prior to the time this chapter becomes effective."

Amendment No. 3

On page 1, line 9, of said bill, after the comma, insert "in that part of California lying north of the 6th Parallel, South,".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 291—An act to provide for suspending the enforcement of certain obligations against the operators of gold and silver mines who have been forced to cease operations because of the war, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, after "property", insert "of which property he is the owner and which property produces no revenue except from the mining of gold and silver, and against which property he has incurred obligations in connection with its purchase, or".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 504—An act to amend Section 3.513 of the School Code and to amend Section 9144 of the Education Code, relating to vocational rehabilitation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "Section 3.513 of the School Code and to amend".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Section 3 513 of the School Code is amended", and strike out lines 2 to 13, inclusive.

Amendment No. 3

On page 1, line 15, of said bill, strike out "Sec. 2."

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 5, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 705—An act to add Section 9603.6 to the Revenue and Taxation Code, relating to the motor vehicle transportation license tax, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, strike out "a pooling agreement for the use of his motor vehicle or into".

Amendment No. 2

On page 1, line 11, of the printed bill, strike out "others", and insert "an operator licensed under this part".

Amendment No. 3

On page 1, line 12, of the printed bill, after "driver", insert a period; and strike out the remainder of said line, and all of lines 13 to 16, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

MOTION TO CONTINUE ITEMS ON UNFINISHED BUSINESS FILE

On motion of Mr. Sam L. Collins, all items appearing upon the unfinished business file were continued until the next legislative day.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Kraft moved to expunge the record and rescind the action whereby amendments to Assembly Bill No. 945 were adopted on April 2d.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—None.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Kraft moved to expunge the record and rescind the action whereby amendments to Assembly Bill No. 1787 were adopted on April 2d.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS**

Assembly Bill No. 635—An act to add Sections 453.5, 453.6, 453.7, 453.8, and 453.9 to the Fish and Game Code, relating to storage locker plants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Berry, Brown, Burns, Call, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dilworth, Doyle, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Stream, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Anderson, Bashore, Beck, Burkhalter, Carlson, Debs, Dills, Clayton A., Dills, Ralph C., Evans, Hawkins, Massion, McMillan, Pelletier, Smith, and Werdel—16

· Notice of Motion to Reconsider Assembly Bill No. 635

Mr. Evans gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 635 was this day passed.

Assembly Bill No. 1338—An act to repeal Article 7, comprising Sections 4160 to 4162, inclusive, of Chapter 9, Division 2 of the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 357—An act to add Section 174 to the State Civil Service Act, relating to reinstatement of persons who leave the civil service to serve as seamen on vessels of the United States in time of war.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1052—An act making an additional appropriation for the support, operation, construction, improvements, and equipment at the State prisons of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1258—An act to amend Section 435 of the Political Code, relating to the reversion of unexpended balances of certain appropriations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Field, Fourt, Guthrie, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller,

Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.
 NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 165—An act to amend Section 3212.5 of the Labor Code, relating to workmen's compensation benefits for members of the State Highway Patrol.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Field, Fount, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. George A. Clarke Presiding

At 11.06 a.m., Hon. George A. Clarke, Member of the Assembly from the Thirty-first District, presiding.

Assembly Bill No. 1040—An act to amend Section 39 of the Fish and Game Code, relating to migratory birds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Field, Fount, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1160—An act to amend Section 842 of the Fish and Game Code, relating to the unlawful use of nets, traps, lines or appliances.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fount, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 67—An act to add Section 1176.5 to the Fish and Game Code, relating the falcons and pigeons, declaring the urgency hereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 75—An act to appropriate funds to the Division of Libraries for making micro-films of United States census returns.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1796—An act to amend Sections 1, 2 and 3 of, and to add Section 7.5 to, an act entitled "An act to create the office of public defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the office of the public defender.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, King, Kraft, Leonard, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 1460—An act to amend Section 577 of the Agricultural Code, relating to oleomargarine.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field,

Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1461—An act to amend Section 521 of the Agricultural Code, relating to butter.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Doyle, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—50.

NOES—Brown, Carlson, Dills, Ralph C., Lowrey, and Massion—5

Bill ordered transmitted to the Senate.

Assembly Bill No. 857—An act to amend Section 402 of the Vehicle Code, relating to financial responsibility.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Johnson, King, Knight, T. Fenton, Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—56

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1072—An act to amend Section 128 of the Vehicle Code, relating to powers and duties of the director

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56

NOES—None

Bill ordered transmitted to the Senate

RE-REFERENCE OF ASSEMBLY BILLS NOS. 1592 AND 1591

Mr. Johnson moved that Assembly Bill No. 1592 be withdrawn from the file, and re-referred to the Committee on Ways and Means when the bill returns to the desk from engrossment

Motion carried.

Mr. Johnson moved that Assembly Bill No. 1591 be withdrawn from the file, and re-referred to the Committee on Ways and Means when the bill returns to the desk from engrossment.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 740—An act to amend Section 2712 to the Penal Code, relating to the payment of wages to prisoners.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Maloney, Masson, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1632—An act to add Section 818.1 to the Agricultural Code, relating to potatoes for seed purposes.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Maloney, Masson, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—55

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 969—An act to repeal Article 1 of Chapter 5 of Division 5 of the Agricultural Code, and to add to said chapter a new article, to be numbered Article 1, relating to seeds.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—54.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 564—An act to add Section 1514.5 to the Elections Code, relating to ballot pamphlets.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—51.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 786—An act to add Section 4041i to the Political Code, relating to the transfer of county property used for fair purposes.

Bill read third time.

Motion to Amend

Mr. Leonard moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "returned", and insert "paid into the Fair and Exposition Fund in the State treasury".

Amendment No. 2

On page 1, line 8, of the printed bill, strike out "to the General Fund of the State".

Amendment No. 3

On page 1, line 9, of the printed bill, following "to", insert "(that proportion of)".

Amendment No. 4

On page 1, line 12, of the printed bill, following "depreciation", insert "in value".

Amendment No. 5

On page 1, line 13, of the printed bill, following the period, insert "The amount paid into said fund under the provisions of this section shall be available for expenditure by the county, with the approval of the State Department of Finance, for permanent improvements for fair purposes on the property of the county. Said funds or any portion thereof which are not expended within three years after being so paid into the State treasury as provided in this section shall be added to and become a part of the amount available under Section 19626 of the Business and Professions Code for permanent improvements upon the property of the State, citrus, county, or district agricultural associations for fair purposes, in such amounts as may be allocated by executive order of the State Director of Finance."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 433—An act to amend Section 5658 of the Elections Code, relating to the residence of persons living in trailers or vehicles or at camping grounds or public camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Johnson, King, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Smith, Stream, Waters, Watson, Weber, Werdel, and Mr. Speaker—44.

NOES—Armstrong, Bashore, Collins, Sam L., Field, Hollibaugh, Knight, T. Fenton; Miller, and Weybret—8.

Notice of Motion to Reconsider Assembly Bill No. 433

Mr. Field gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 433 was this day passed.

Assembly Bill No. 1648—An act to amend Section 2671.5 of the Elections Code, relating to declarations of candidacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Guthrie, Haggerty, Hawkins, Hollibaugh, King, Knight, T. Fenton; Leonard,

Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Concurrent Resolution No. 30—Relative to the problem of spastic and crippled children.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Field, Fount, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 479—An act to amend Sections 4530, 4531 and 4532 of the Penal Code, relating to escapes

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Field, Fount, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 400—An act to amend Section 4246 of the Political Code, relating to compensation for public services in counties of the seventeenth class

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fount, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 20—An act to amend Section 506 of the Public Resources Code, relating to the State Park Commission and the Chief of the Division of Parks.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fount, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day,

Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Weybret, Wollenberg, and Mr. Speaker—51.
NOES—Bashore—1.

Bill ordered transmitted to the Senate.

Hon. Bernard R. Brady Presiding

At 12.23 p.m., Hon. Bernard R. Brady, Member of the Assembly from the Nineteenth District, presiding.

Assembly Bill No. 654—An act to amend Section 352 of the Political Code, relating to the traveling expenses of State officers and employees.

Bill read third time.

Motion to Amend

Mr. Wollenberg moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 14 and 15, and insert
“Any officer or employee of any State department, board, commission or agency may confer with such other persons, associations or organizations outside of the State whenever it may be of assistance to such State department, board, commission or agency in the conduct of its work, and actual and necessary traveling expenses shall be allowed such persons when traveling outside of the State, when”.

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 927—An act to amend Section 13.02 of the Building and Loan Association Act, relating to the employment of attorneys by the Building and Loan Commissioner.

Bill read third time.

Motion to Amend

Mr. Field moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as introduced January 26, 1943, after line 10, insert

“The cost of such legal services rendered by the Attorney General or his assistants or deputies shall be fixed by the Attorney General and shall be a charge against and paid from the funds or assets of such private trust.”

Amendment read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1050—An act to amend Section 1 of an act entitled “An act relating to the doing of public work by day’s labor or force account, except emergency and maintenance work and work costing less than ten thousand dollars (\$10,000); requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such

plans, specifications and certificates as public records," approved June 21, 1923, as amended, relating to reports to be filed thereunder.

Bill read third time.

Motion to Amend

Mr. Leonard moved the adoption of the following amendments:

Amendment No. 1

Strike out the title of the printed bill, and insert
"An act to amend Section 4005 of the Government Code, relating to the filing of reports of public work."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, and on page 2, strike out lines 1 to 35, inclusive, and insert

"SECTION 1. Section 4005 of the Government Code is amended to read:

4005. Within 60 days from the completion of any public work, the engineer shall prepare and file in the office of the county clerk of the county in which the public work is performed, or if any reclamation, irrigation or other such district maintains an office, then in the office of his own district instead of the office of the county clerk, a certificate in writing verified by him in the same manner as complaints in civil actions, setting forth:

(a) The estimate of cost.

(b) Names of bidders with prices bid, if bids there be.

(c) Changes in adopted or approved plans and specifications.

(d) That the work performed has or has not been done in accordance with such plans and specifications.

[(e) A list of any publicly-owned equipment used in the work.

(f) An itemized statement of the actual cost of all labor, materials, rentals, repairs, compensation and other insurance, transportation of labor, equipment and materials, engineering or architectural services, including the services of public employees in connection with the work, and any and all cost entering into the work performed, including a reasonable amount for depreciation of publicly-owned equipment used in the work and the cost of repairs thereon while so used.]

(e) *The total cost of the work, segregated so as to*".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1025—An act to amend Section 756.5 of the Probate Code, relating to sale of personal property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Field, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 413—An act to add Section 17 to the Agricultural Code, relating to the effect of headings upon the interpretation of the provisions of said code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs.

Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 414—An act to amend Section 422 of the Probate Code, relating to the administration of estates of persons dying intestate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Weybret, and Wollenberg—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 415—An act to add Section 4 to the Probate Code, relating to the effect of headings upon the interpretation of the provisions of said code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Stream, Thompson, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 416—An act to add Section 3 to the Fish and Game Code, relating to the effect of headings upon the interpretation of the provisions of said code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 296—An act to amend Sections 6486, 6560, 6782, 6783, and 6784, and to repeal Section 6785 of the Health and Safety Code, relating to sanitary districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—57.

NOES—None.

The roll was called, and the bill refused passage by the following vote:

AYES—Armstrong, Bashore, Bennett, Berry, Brady, Burkhalter, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Field, Fourt, Guthrie, Haggerty, Hollibaugh, Johnson, King, Leonard, Maloney, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Smith, Stream, Waters, Weber, Weybret, Wollenberg, and Mr Speaker—41.

NOES—Anderson, Beck, Brown, Call, Hawkins, Lowrey, Massion, O'Day, and Watson—9.

Notice of Motion to Reconsider Assembly Bill No. 296

Mr. Dilworth gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 296 was this day refused passage.

Assembly Bill No. 1465—An act to amend the Dental Practice Act by amending Section 1674 of the Business and Professions Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dilworth, Doyle, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—51.

NOES—Collins, Sam L.—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 1468—An act to amend Section 1675 of the Business and Professions Code, relating to the powers of the Board of Dental Examiners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—56

NOES—Collins, Sam L.—1

Bill ordered transmitted to the Senate.

Hon. Ralph M. Brown Presiding

At 1.05 p m., Hon. Ralph M. Brown, Member of the Assembly from the Thirtieth District, presiding.

Assembly Bill No. 1787—An act amending Section 4135 of the Business and Professions Code, relating to licentiates in pharmacy
 Bill read third time

Motion to Amend

Mr. Kraft moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 4135", and insert "Sections 4006, 4030, 4036, 4090, 4091, 4196, 4231, 4232, 4233, 4250, 4255, and 4256 and to repeal Sections 4160, 4161, and 4162".

Amendment No. 2

On page 1, line 1, of said bill, strike out "4135", and insert "4006".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert

"4006. The secretary shall keep a book of registration open at the City of San Francisco in which shall be entered under supervision of the board the names, titles, qualifications, and places of business of all persons coming under the provisions of this chapter. He shall erase from the register the name of any registered pharmacist [or assistant pharmacist] who has died or who, in the opinion of the board, has forfeited his right under the law to do business in this State.

Upon receipt of the notification of any change in the place of business the secretary shall make the necessary change in his register.

SEC. 2. Section 4030 of said code is amended to read:

4030. Except as otherwise provided in this chapter, it is unlawful for any person to manufacture, compound, sell or dispense any drug, poison, medicine or chemical, or to dispense or compound any prescription of a medical practitioner, unless he is a registered pharmacist [or a registered assistant pharmacist] under the provision of this chapter.

SEC. 3. Section 4036 of said code is amended to read:

4036. Every store, dispensary, pharmacy, laboratory or office for the sale, dispensing or compounding of drugs, medicines or chemicals, or for the dispensing of prescriptions of medical practitioners, shall be in charge of a registered pharmacist or a licentiate in pharmacy. [No registered assistant shall conduct a pharmacy.]

SEC. 4. Section 4090 of said code is amended to read:

4090. The board may examine and register as pharmacists [and assistant pharmacists] all applicants whom it deems qualified.

SEC. 5. Section 4091 of said code is amended to read:

4091. Proof of the qualification for any registration [in each class] shall be made to the satisfaction of the board and shall be substantiated by such affidavit or other evidence as may be required by the board.

SEC. 6. Section 4135 of said code is amended to read:"

Amendment No. 4

On page 1 of said bill, after line 8, insert

"SEC. 7. Section 4196 of said code is amended to read:

4196. Within 30 days after the changing of his place of business as designated on the books of the board, every registered pharmacist [and assistant pharmacist] shall notify the secretary of the board of his place of business.

SEC. 8. Section 4231 of said code is amended to read:

4231. Any person who permits the compounding of prescriptions of medical practitioners, or the selling of drugs and medicines in his store or pharmacy, except by a registered pharmacist [or registered assistant pharmacist], unless the same is expressly permitted by law, is guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in this chapter.

SEC. 9. Section 4232 of said code is amended to read:

4232. Any proprietor of a pharmacy, who fails or neglects to place in charge of such pharmacy a registered pharmacist, or any proprietor, who by himself, or by any other person, permits the compounding of prescriptions, or the vending of drugs, medicines or poisons, in his store or place of business, except by a registered pharmacist, [or registered assistant pharmacist] is guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in this chapter.

SEC. 10. Section 4233 of said code is amended to read:

4233. Any person, not being a registered pharmacist, who takes charge of, or acts as manager of any pharmacy or store, or who, not being a registered pharmacist [or registered assistant pharmacist,] retails, compounds, or dispenses drugs, medicines, or poisons is guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in this chapter.

SEC. 11. Section 4250 of said code is amended to read:

4250. Every person holding a certificate from the board shall renew annually his registration with the board. Every registered pharmacist [and every registered assistant pharmacist] who desires to retain his registration on the books of the board shall annually, after the expiration of the first year's registration and on or before the first day of July of each succeeding year, pay to the secretary of the board the renewal fee, fixed by the board, within the limits prescribed by this chapter. In return for the payment of the renewal fee, a renewal certificate of registration shall be issued.

SEC. 12. Section 4255 of said code is amended to read:

4255. The amount of the fee for investigation and examination of applicant for registration together with the amount of any additional fee to be paid upon the issuance of the certificate is then fixed by the schedule in Section 4256. [An applicant for examination as an assistant pharmacist, if found satisfactory by the board, shall be entitled to his certificate without further fee.] An applicant for registration by interchange may at his option be examined as a licentiate without further fee for application.

SEC. 13. Section 4256 of said code is amended to read:

4256. The amount of fees and penalties prescribed by this chapter is that fixed by the following schedule:

(a) The fee for a permit to conduct a pharmacy is one dollar (\$1) for each pharmacy.

(b) The fee for a renewal of the permit to conduct a pharmacy is one dollar (\$1) for each pharmacy.

(c) The annual fee for a permit for a general dealer in a rural district is five dollars (\$5).

(d) The fee for any applicant for registration is ten dollars (\$10).

(e) The additional fee for the issuance of a certificate of registration to an applicant for registration by interchange, if the board finds that he is entitled to one, is fifteen dollars (\$15).

(f) The additional fee for the issuance of a certificate to any licentiate, who is found by the board on examination to be entitled to a certificate, is five dollars (\$5).

(g) The fee for a temporary certificate is three dollars (\$3).

(h) The fee for the reissuance of a certificate is three dollars (\$3).

(i) The annual renewal fee for a registered pharmacist may be fixed by the board at an amount not to exceed the sum of three dollars (\$3).

[(j) The annual renewal fee for a registered assistant pharmacist may be fixed by the board at an amount not to exceed the sum of three dollars (\$3).

(k) (j) The penalty for failure to pay any annual renewal fee may be fixed by the board at an amount not to exceed the sum of ten dollars (\$10)."

SEC. 14. Sections 4160, 4161, and 4162 of said code are repealed."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 945—An act to amend Section 4170 of and add Section 4174 to the Business and Professions Code, relating to temporary certificates to practice pharmacy, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Kraft moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "An act to", insert "amend Section 4170 of and".

Amendment No. 2

On page 1 of said bill, after line 20, insert

"SEC. 2. Section 4170 of said code is amended to read:

4170 Any member of the board, or an inspector duly authorized by him, may examine applicants orally, or in writing, and issue a temporary certificate to practice pharmacy, which authorizes such practice for a period not to exceed four months

from its date *but a temporary certificate shall not be issued to an applicant who does not possess the qualifications required in this chapter*".

Amendment No. 3

On page 2, line 1, of said bill, as amended, strike out "2", and insert "3".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

MOTION TO INVITE FAMILY TO BE GUESTS OF THE ASSEMBLY

Mr. Doyle moved that Mr. Maloney be delegated to invite Mr. and Mrs. Thomas Sullivan, who have lost five sons in this World War, and their daughter, of Waterloo, Iowa, to be the guests of the Assembly.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 63—An act to add Section 132.5 to the Vehicle Code, relating to hearings conducted by the Department of Motor Vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Holibaugh, Johnson, Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Rosenthal, Smith, Stream, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Presiding

At 1.13 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Assembly Bill No. 548—An act to add Section 24b to the Bank Act, relating to the preservation of bank records by preparation of photographic copies thereof and providing for the admissibility in evidence of such copies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Johnson, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Rosenthal, Smith, Stream, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 380—An act to amend Section 1003 of the Elections Code, relating to proclamation of election days.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny,

Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Rosenthal, Smith, Stream, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—49.
 NOES—None.

Bill ordered transmitted to the Senate.

REQUEST TO PRINT REMARKS IN JOURNAL

On request of Mr. Rosenthal, the following remarks of Rev. E. C. Farnham, delivered before the Assembly on March 25th, were ordered printed in the Journal:

Honorable Members of the Assembly

It is indeed a privilege to see you in action in behalf of the public welfare, and an honor to be permitted to address you in the midst of your busy session.

A noted educator has pointed out that wars often indicate the passing of an out-worn idea. As we contemplate this war in which we now find ourselves, we must be persuaded that its purpose is more than simply to dispose of three undesirable rulers, but rather that it must be the hour of travail out of which is to be born a new and larger idea to displace one that has served its time and must be laid aside.

If this be true, it must follow that the work of all men, and particularly yours as lawmakers, must be to help bring that idea to birth. Every word and deed stands or falls in this day as it helps or fails to help in bringing forth that idea—an idea which will mean for all mankind a better order of life, an order in which there will be more of liberty and more of justice. When you and I salute the Flag, we say: " * * * with liberty and justice for all." The task of today, while in the throes of a World War, is to extend the benefits and privileges of our Democracy to all people and to a degree and with assurances never before known.

In this task, the spiritual leaders of our Country count themselves as fellow workmen with you. These spiritual leaders pray for this new idea. They pray and they work that there be liberty and justice for all without distinction of class, or color, or race. They are concerned for the economic order, for the industrial order, for the social order, for the international order. In all these relationships, they see there must be more of liberty, more of justice, more of goodwill, and more cooperation and less of conflict else our Democracy and the postwar world will not stand. They know that nothing is settled until it is settled right. They know that the moral laws of God are written into the very constitution of all nature, and that any laws we may draw will surely fail except they square with the moral laws of the universe. They know that selfishness, greed, hate, and conflict bring penalties that are sure and that are self-defeating. They know that the greatest good comes from serving the greatest number. They know that conflict only costs, and only cooperation pays. They know that not until these principles are truly incorporated into the philosophy and the conduct of mankind can it be said that the New Idea has come to birth.

What you do in these Legislative Halls will be in keeping with these principles, or it will not. What you do helps to determine whether men shall live better or live worse. The spiritual leaders of your State share with you this responsibility. They are interested. They pray for you that in your tasks in these crucial days you may have the grace and the wisdom to act according to the highest Light.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the balance of the legislative day:

- Mr. Thorp, on motion of Mr. Clarke.
- Mr. Heisinger, on motion of Mr. Burns.
- Mr. Sargent, on motion of Mr. T. Fenton Knight.
- Mr. Kilpatrick, on motion of Mr. Bennett.
- Mr. John B. Knight, on motion of Mr. Bennett.
- Mr. Allen, on motion of Mr. Evans.
- Mr. Thompson, on motion of Mr. O'Day.
- Mr. George D. Collins, on motion of Mr. O'Day.
- Mr. Gaffney, on motion of Mr. O'Day.
- Mr. Thomas, on motion of Mr. Pelletier.
- Mr. Sheridan, on motion of Mr. Carlson.

Mr. Dickey, on motion of Mr. Carlson.
 Mr. Dunn, on motion of Mr. Carlson.
 Mr. Carey, on motion of Mr. Carlson.
 Mr. Lyons, on motion of Mr. Price.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
 Assembly Bill No. 1512.

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
 Assembly Bill No. 479

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1265

Assembly Bill No. 1502

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DILWORTH, Chairman.

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 849

Assembly Bill No. 1509

Assembly Bill No. 1139

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 696

Assembly Bill No. 1233

Assembly Bill No. 708

Assembly Bill No. 707

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 846

Assembly Bill No. 1511

Assembly Bill No. 1508

Assembly Bill No. 847

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1603

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 439

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALL, Chairman

Above reported bill ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were ordered withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1512 re-referred to the Committee on Agriculture.

Assembly Bill No. 933 re-referred to the Committee on Live Stock and Dairies.

Assembly Bill No. 908 re-referred to the Committee on Motor Vehicles.

Assembly Bill No. 1067 re-referred to the Committee on Motor Vehicles.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. McMillan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Marie A. Larkey, Monroe Kidder, and Mr. Herbert Hischemoeller of Los Angeles.

On request of Mr. Haggerty, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Henry E. Barton and R. A. Dawley, United States Navy.

On request of Mr. Ralph C. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Warren Butler of Compton.

On request of Mr. McCollister, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Commander and Mrs. R. J. Zangot of San Anselmo, and Mr. and Mrs. W. P. Watrons of Kentfield.

On request of the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mary E. Becker of Sacramento and Mrs. Ilene L. Glascock of San Mateo.

On request of Mr. Crichton, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Betty Ann Lewis and Miss Julia Mae Lewis of Stockton.

On request of the Speaker and Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Colonel J. H. Weaver of Akemah, Oklahoma, and Captain J. E. Good of Temple, Texas.

On request of Mr. Brady and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. A. Travi of San Francisco.

ADJOURNMENT

At 1 25 p.m., on motion of Mr. Field, the Speaker declared the Assembly adjourned until 11 a.m., Monday, April 5, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-FIFTH LEGISLATIVE DAY

NINETY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, April 5, 1943

The Assembly met at 11 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Carey, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Almighty God, Sovereign of the Universe, we come before Thee this morning to renew our pledges of allegiance and devotion. We pray for the day when men shall beat their swords into plowshares and their spears into pruning hooks; 'til nation shall not lift up sword against nation, neither learn war any more. We thank Thee for our Flag, which we shall never see dishonored as it stands for liberty, justice, and freedom. May its blood-red stripes remind us of patriots' sacrifice, its white call forth purity and devotion. May its field of blue each day renew a prayer from every state and nation. Bless and guide our President, our Governor, those in places of leadership, the men and women who serve at home and abroad to defend this Flag.

"O watch, and fight, and pray;
The battle ne'er give o'er;
Renew it boldly every day,
And help divine implore."

In our Redeemer's name,

AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the Pledge of Allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Middough.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:
Mr. Kilpatrick, on motion of Mr. Waters.

MOTION TO EXCUSE MEMBER

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, because of illness.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 378	Assembly Bill No. 1254
Assembly Bill No. 1033	Assembly Bill No. 1431
Assembly Bill No. 1035	Assembly Bill No. 1605
Assembly Bill No. 1081	

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 17

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 70	Assembly Bill No. 1115
Assembly Bill No. 228	Assembly Bill No. 1166
Assembly Bill No. 330	Assembly Bill No. 1295
Assembly Bill No. 613	Assembly Bill No. 1296
Assembly Bill No. 675	Assembly Bill No. 1347
Assembly Bill No. 676	Assembly Bill No. 1353
Assembly Bill No. 677	Assembly Bill No. 1391
Assembly Bill No. 678	Assembly Bill No. 1411
Assembly Bill No. 856	Assembly Bill No. 1425
Assembly Bill No. 1048	Assembly Bill No. 1541
Assembly Bill No. 1073	Assembly Bill No. 1593
Assembly Bill No. 1113	Assembly Bill No. 1594
Assembly Bill No. 1114	Assembly Bill No. 1951

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 112	Assembly Bill No. 667
Assembly Bill No. 197	Assembly Bill No. 669
Assembly Bill No. 334	Assembly Bill No. 762
Assembly Bill No. 387	Assembly Bill No. 1280
Assembly Bill No. 426	Assembly Bill No. 1308
Assembly Bill No. 445	Assembly Bill No. 1339
Assembly Bill No. 446	Assembly Bill No. 1359
Assembly Bill No. 447	Assembly Bill No. 1577
Assembly Bill No. 573	Assembly Bill No. 1753
Assembly Bill No. 614	Assembly Bill No. 1762
Assembly Bill No. 666	Assembly Bill No. 1936

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, and ordered printed in the Journal:

OFFICE OF CIVILIAN DEFENSE
WASHINGTON, D. C., March 30, 1943

*Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California*

DEAR MR. OHNIMUS: This will acknowledge your letter of March 15th, addressed to the President, with which was enclosed Assembly Joint Resolution No. 33, which you state was adopted by the Legislature of the State of California.

As you may know, S. 2620 was introduced by Senator Pepper at the last session of Congress, and was referred to the Senate Committee on Finance, but was not reported out of committee. The Office of Civilian Defense is strongly in favor of the enactment of such legislation, and at hearings before the subcommittee of the Senate Finance Committee with respect to S. 2620, I testified and recommended enactment of the bill.

S. 450, similar to S. 2620, and intended to provide benefits for injured civilian defense workers, has been introduced in the Senate of the Seventy-eighth Congress, and referred to the Senate Committee on Finance. At a recent hearing before a subcommittee, I appeared and recommended its enactment. Other bills on this subject, H. R. 669 and H. R. 899, have been introduced in the House and referred to the Judiciary Committee. Thus far, there has been no report on any of these bills.

Faithfully yours,

JAMES M. LANDIS, Director

Also:

The following communication was received and ordered printed in the Journal:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES, WASHINGTON, D. C., March 29, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California*

DEAR MR. OHNIMUS: This will acknowledge your letter of March 27th and the enclosed resolution with reference to the poultry industry in our State.

You may be assured that I am doing everything I possibly can to alleviate the critical situation which presently exists.

Thanking you for sending me your resolution, and with best wishes, I am
Sincerely yours,

JOHN Z. ANDERSON

Also:

The following communication was received and ordered printed in the Journal:

UNITED STATES SENATE
WASHINGTON, D. C., March 30, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California*

MY DEAR MR. OHNIMUS: This will acknowledge receipt of your note of March 27th, with which you enclosed a copy of House Resolution No. 139, which was adopted by the Assembly on March 26th. I note the resolution requests the Secretary of Agriculture to requisition any and all farm equipment now stored in the State of California and belonging to evacuees.

I have been glad to refer this to the appropriate agency here and, upon receipt of an acknowledgment, will communicate with you again.

Sincerely yours,

HIRAM W. JOHNSON

Also:

The following communication was received and ordered printed in the Journal:

UNITED STATES SENATE
WASHINGTON, D. C., March 30, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California*

MY DEAR MR. OHNIMUS: I have before me your note of the 25th, with which you enclosed one copy each of Assembly Joint Resolutions Nos. 28 and 34

A bill has been sent to the President today for signature, covering salary increases for post-office employees.

I note Resolution No. 28 asks the creation of a fund to be used to reimburse rice and other grain farmers in the State of California for damage to their crops caused by wild fowl. I will, of course, give this suggestion careful study.

Thanking you for sending the resolutions to me, I am

Sincerely yours,

HIRAM W. JOHNSON

By Speaker Lyon:

A communication from Miss Lula Mignon Murphy, relative to impeachment, was received and ordered referred to the Committee on Judiciary.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 846—An act to amend Section 787.5 of the Agricultural Code, relating to markings on containers of fruits, nuts and vegetables, declaring the urgency hereof and that this act take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1508—An act to amend Section 139 of the Agricultural Code, relating to newly discovered pests.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1511—An act to amend Section 1260.15 of the Agricultural Code, relating to time of payment of grain warehouse registration fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 847—An act to add Section 784.9 to the Agricultural Code, relating to fruits, nuts and vegetables.

Bill read second time, and ordered engrossed.

Assembly Bill No. 696—An act to amend Section 4828 of the Business and Professions Code, relating to emergency veterinarians.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 7 of the printed bill, after "that", insert "veterinarians employed by the California Department of Agriculture with the approval of the State Personnel Board, during a war or other emergency proclaimed by the Governor, and".

Amendment No. 2

Strike out all of lines 10 to 13, inclusive, of the printed bill, and insert "medicine."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 707—An act to amend Section 5a of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," as amended, relating to poison schedules and economic poisons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 16, of the printed bill, after "pills", strike out the comma.

Amendment No. 2

On page 1, line 16, of the printed bill, after "aloin", strike out the comma.

Amendment No. 3

On page 1, line 17, of the printed bill, after "donna", strike out the comma

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 22 and 23, and insert "defined in Article 3 of Chapter 7 of Division 5 of the Agricultural Code, and licensed and registered".

Amendment No. 5

On page 2, line 10, of the printed bill, immediately following the comma, insert "when prepared, packaged, and sold in accordance with rules and regulations authorized by the provisions of said article of the Agricultural Code,".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 708—An act to amend Section 4045 of the Business and Professions Code, relating to economic poisons.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 8, of the printed bill, following the comma, insert "when prepared, packaged, and sold in accordance with rules and regulations authorized by said Article 3,".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1238—An act to amend Section 1062 of the Agricultural Code, relating to the coloration of economic poisons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1062 of", and insert "add Section 1069.5 to".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "1062 of the Agricultural Code is", and insert "1069.5 is hereby added to the Agricultural Code, to read:".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 2 to 19, inclusive, and insert "1069.5. It is unlawful to deliver, distribute or sell any white economic poison in powdered form containing combined arsenic in concentrations greater than 0.40 per cent or combined fluorine in concentrations greater than 1 per cent unless distinctively colored or discolored in a manner to prevent resemblance to any foodstuff or ingredient for a foodstuff which may be utilized for humans and in accordance with rules and regulations of the director. Any rules or regulations of the director under authority of this section shall conform as closely as possible with any Federal law or rule or regulation governing the coloration of economic poisons"

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 849—An act to amend Sections 761, 762, 762.5, and 763 of, and to add Sections 762.6, 762.7, 762.8, 762.9, 763.1, 763.2, 763.3, and 763.4 to, the Agricultural Code, relating to tomato standards, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, after "Sections", insert "761.1,".

Amendment No. 2

In lines 2 and 3 of the title of the printed bill, strike out "763.3, and 763.4", and insert "and 763.3".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 6 and 7, and insert "tomato juice, and similar manufactured tomato products wherein the contents of".

Amendment No. 4

On page 1, line 13, of the printed bill, insert "Sec. 1.5. A new section, to be numbered 761.1, is added to said code, to read '761.1. The provisions of this article applying to tomatoes for canning purposes shall apply with like force and effect to tomatoes for dehydration, unless otherwise expressly distinguished.'"

Amendment No. 5

On page 1 of the printed bill, strike out all of lines 15 and 16, and insert "762. Tomatoes for canning purposes, except hard green tomatoes for use in the manufacture of green tomato products, shall conform to the standards prescribed in this section.

Tomatoes for canning purposes, except pear or plum types, shall be vine".

Amendment No. 6

On page 1, lines 20 and 21, of the printed bill, strike out "the United States Food, Drug and Insecticide Administrations.", and insert "Section 1011 of this code."

Amendment No. 7

On page 1 of the printed bill, strike out all of lines 24 and 25, and insert "(a) Any worm or worm damage is present which has penetrated the flesh of the tomato."

Amendment No. 7½

On page 2 of the printed bill, strike out all of lines 1 to 6, inclusive.

Amendment No. 8

On page 2, line 20, of the printed bill, after "not", insert "well-colored or".

Amendment No. 9

On page 2, line 20, of the printed bill, strike out all of lines 43 to 45, inclusive, and insert

"Such inspection shall be conducted at the cannery or at a receiving station established by the canner, to determine".

Amendment No. 10

On page 3 of the printed bill, at the end of line 8, strike out the comma and insert a period; and strike out lines 9 and 10.

Amendment No. 11

On page 3, line 33, of the printed bill, strike out "the", and insert "any uncertified".

Amendment No. 12

On page 4, line 3, of the printed bill, after "chapter", strike out the semicolon, and insert ", which shall be as near as possible in color to the standards and requirements shown on the 'California Standard Color Chart for Canning Tomatoes' issued by the California State Department of Agriculture, Bureau of Fruit and Vegetable Standardization in 1942; and".

Amendment No. 13

On page 4 of the printed bill, beginning with line 48, strike out all to and including the period in line 51, and insert

"Any load of tomatoes offered for delivery to a canner shall be rejected and turned back to the grower if less than 5 per cent of the delivery by weight is well-colored."

Amendment No. 14

On page 5, line 2, of the printed bill, after "to", insert "make delivery or".

Amendment No. 15

On page 5, line 9, of the printed bill, after "canner", insert "or for any canner to accept delivery of".

Amendment No. 16

On page 5 of the printed bill, strike out all of lines 21 to 24, inclusive.

Amendment No. 17

On page 5, line 26, of the printed bill, strike out "13", and insert "12".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1139—An act to add Section 101.5 to the Agricultural Code, relating to compensation of owners of plants destroyed under the plant quarantine and pest control law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 101.5", and insert "Sections 153.1, 153.2, and 153.3".

Amendment No. 2

In the title of the printed bill, strike out all of the second and third lines, and insert "ing to eradication of Oriental fruit moth and indemnification for host plants removed and destroyed in connection therewith, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "101.5", and insert "153.1".

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 3 to 27, inclusive, and insert "153.1. It is hereby declared that the eradication of Oriental fruit moth is essential to the public welfare and the protection of the deciduous fruit industry of the State; that in order to accomplish such eradication it is found necessary to remove and destroy certain host plants and crops, including commercially profitable fruit trees, in areas where Oriental fruit moth is known to exist; that the removal and destruction of such host plants and crops from relatively small areas is in the public interest and for the public benefit, and is for the purpose of protecting the large and important deciduous fruit industry throughout the State from the great losses which would occur if the Oriental fruit moth should be permitted to spread; and that it is the intent of the Legislature that the owners of commercially profitable host plants so removed and destroyed shall be at least partially compensated for the loss which they are to sustain by reason of the removal and destruction thereof.

SEC. 2. Section 153.2 is added to said code, to read:

153.2. To provide for the eradication of the Oriental fruit moth, the director may declare any portion of the State where Oriental fruit moth is known or found to exist to be an Oriental fruit moth eradication district by prescribing the boundaries thereof in a proclamation setting forth said facts and such boundaries and having a copy thereof printed in one or more papers of general circulation in said district.

All known host plants of the Oriental fruit moth within an Oriental fruit moth eradication district are hereby declared to be a public nuisance.

The director or his authorized agents may cause the destruction and removal in a summary manner of any such host plant in its entirety or any part thereof, including the fruit.

SEC. 3. Section 153.3 is added to said code, to read:

153.3. At any time within 60 days after the destruction of any host plant removed and destroyed under the provisions of Section 153.2, the owner may present

his claim to the director in an amount not to exceed two-thirds of the appraised value, as determined hereunder, of the host plants so destroyed. The director shall approve the claim, if he finds the claimant entitled to the amount claimed, and the claim so approved shall be presented to the State Controller and shall be paid out of any funds made available therefor.

For the purpose of appraising the value, the Director of the University of California Agricultural Experiment Station shall prepare a table or tables of normal values of host plants for the area or areas included in any Oriental fruit moth eradication district. The Director of the University of California Agricultural Experiment Station, the Director of Agriculture, and the Director of Finance, shall constitute an appraisal board, and may adopt a schedule of normal values, based upon such tables, or upon such other facts and data as they deem necessary to determine fairly and equitably the normal appraised values for all such plants by age, size, and species or variety, which shall apply to all such plants removed and destroyed within the district, without regard to physical condition or productivity.

An appeal board is hereby created, consisting of the Director of Agriculture, or his appointed agent; the county agricultural commissioner, or his appointed agent, in the county in which the property is located; and a third member to be selected by them, who must be a resident of said county who is not the owner of host plants of a kind subject to destruction and indemnification under the eradication program. The appeal board, on its own motion, or on appeal by the owner in writing within 30 days after the removal and destruction of said host plants, if it finds the physical condition or productivity of the host plants, or both, to have been sufficiently abnormal to justify, in its opinion, an appraised value different than that set forth in the schedule of normal values adopted by the appraisal board, may make such adjustments in value as it deems proper, and such adjusted value shall be the appraised value as to those host plants so reappraised.

Sec. 4. There is hereby appropriated to the State Department of Agriculture, out of any moneys in the State Treasury not otherwise appropriated, the sum of _____dollars (\$_____) for the removal and destruction of Oriental fruit moth host plants, of which amount not to exceed _____dollars (\$_____) may be used for the payment of indemnities to the owners of host plants removed and destroyed.

Sec. 5. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the act. The Legislature hereby declares it would have passed this act, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Sec. 6. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of Section 1 of Article IV of the Constitution of the State of California, and as such shall go into immediate effect.

The following is a statement of the facts constituting such necessity:

The Oriental fruit moth is a new pest to California, and is seriously destructive to deciduous fruits in other parts of the United States where it has occurred for some time. It has been found in a small area in the southern part of this State. Its eradication is essential to the welfare of the large deciduous fruit industry of this State. Its further spread within the State would seriously interfere with the production of deciduous fruits so vitally needed and would result in an annual fixed charge on such industry for all time in the future.

The pest is now active, and any delay in instituting eradication measures would permit further spread of the pest and increase the ultimate cost of eradication and might prevent its successful eradication."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1509—An act to amend Sections 122 and 123 of, and to add Sections 123.55, 123.56, 123.57, and 123.58 to, the Agricultural Code, relating to inspection and certification of nursery stock.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2 of the printed bill, strike out all of line 4, and insert

"123. It is unlawful to ship or cause to be shipped any nursery stock from one".

Amendment No. 2

On page 2, line 5, of the printed bill, strike out "from", and insert "to".

Amendment No. 3

On page 2, line 6, of the printed bill, strike out ", shall have", and insert "without having".

Amendment No. 4

On page 2, line 8, of the printed bill, following "person", strike out the comma.

Amendment No. 5

On page 2, line 9, of the printed bill, following "person", insert a comma.

Amendment No. 6

On page 2 of the printed bill, beginning with line 10, strike out all to and including the comma in line 14, and insert

"It is unlawful to sell, deliver, or transport any nursery stock from one county to another county within the State without having affixed thereto in a conspicuous place".

Amendment No. 7

On page 2, line 18, of the printed bill, strike out "or", and insert "of".

Amendment No. 8

On page 2 of the printed bill, beginning in line 19, strike out all to and including the comma in line 23, and insert

"It is unlawful to sell, deliver, or transport any nursery stock from one locality to another locality within the same county without having affixed thereto in a conspicuous place".

Amendment No. 9

On page 2, line 26, of the printed bill, strike out "except that a", and insert "A".

Amendment No. 10

On page 2 of the printed bill, strike out all of lines 32 to 36, inclusive, and insert

"It is unlawful to sell, deliver, or transport any nursery stock, except nursery stock accompanied by a certificate of inspection and release, without forwarding, at or prior to the time of shipment, to the commissioner having jurisdiction at destination, a manifest stating by name the".

Amendment No. 11

On page 2, line 47, of the printed bill, following "nursery stock", strike out the comma.

Amendment No. 12

On page 2, line 48, of the printed bill, after "delivered", strike out the comma.

Amendment No. 13

On page 3, line 9, of the printed bill, after "regulations", insert a comma.

Amendment No. 14

On page 3 of the printed bill, strike out all of lines 13 to 16, inclusive, and insert

"It is unlawful for any person, whose right to use intercounty nursery stock certificates has been revoked or suspended, to refuse to deliver to the commissioner upon demand any unused intercounty nursery stock certificates, or to retain or have in his possession any such certificates."

Amendment No. 15

On page 3, lines 49 and 50, of the printed bill, strike out "misuse or alter an", and insert "Alter, or to use in any manner other than as provided in this chapter, any shipping permit, certificate of inspection and release, or".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1603—An act to amend Sections 2350, 2351, 2353, and 2357 of the Welfare and Institutions Code, and to add Sections 2353.1, 2353.2, and 2354.1 thereto, relating to agreements for the care of aged persons, providing for regulation and supervision of organizations and persons entering into such agreements by the State Department of Social Welfare, and providing for the issuance of writs of attachment in actions for the enforcement thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2, line 14, of the printed bill, strike out the semicolon, and insert “, which shall include:

- (1) Cash on hand;
- (2) Deposits in demand and term savings accounts with banks which are members of the Federal Deposit Insurance Corporation;
- (3) Deposits with building and loan associations which are members of the Federal Savings and Loan Insurance Corporation.”

Amendment No. 2

On page 2 of said bill, strike out lines 15 and 16, and insert

“(b) Securities of which 75 per cent shall be such as are permitted for the investment of funds of savings banks of California. Of the remaining 25 per cent of securities, 10 per cent may consist of preferred stocks and 15 per cent may consist of common stocks. Said stocks shall be limited to corporations which have an uninterrupted dividend record of at least 10 years and must be of a high investment grade. The stocks shall be subject to the approval of the Department of Insurance and upon the request of the Department of Insurance any stocks to which it objects shall be eliminated from the required reserve.”

Amendment No. 3

On page 2 of said bill, between lines 20 and 21, insert

“(d) Furniture and equipment as needed for the operation of the institution to the extent of 50 per cent of the net value thereof as appraised by two appraisers approved by the State department of Social Welfare.”

Amendment No. 4

On page 2, line 40, of said bill, strike out the period, and insert “; however, in cases where a consideration greater than the minimum charge has been paid for accommodations above standard, a sum equal to the difference between the amount paid in and the ratio of the amount paid to the minimum consideration for standard accommodations times the current per capita cost to the institution applied to the period the aged person remained in the institution shall be refunded to the transferor.”

Amendment No. 5

On page 2 of said bill, strike out line 51, and insert “time afterward, have the property of the defendant, in an amount not to exceed the amount paid in or the value of the property transferred to the defendant at the time of the transfer, attached”.

Amendment No. 6

On page 3 of said bill, strike out lines 3 to 6, inclusive, and insert “the Code of Civil Procedure.”

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 439—An act to amend Section 69 of the Civil Code, relating to marriage licenses and applications therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out “Section 69”, and insert “Sections 69, 77 and 79a”.

Amendment No. 2

In line 2 of the title of said bill, strike out “licenses and applications therefor”.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

—

Amendment No. 3

On page 2 of said bill, after line 24, insert

“SEC. 2. Section 77 of said code is hereby amended to read as follows:

77. Declarations of marriage must be acknowledged and recorded in like manner as grants of real property. *A certified copy of a declaration acknowledged and recorded as provided herein is prima facie evidence in all courts and places of the facts stated in it.*

SEC. 3. Section 79a of said code is hereby amended to read as follows:

79a. The provisions of this chapter, so far as they relate to the solemnizing of marriages, are not applicable to members of any particular religious denomination having, as such, any peculiar mode of entering the marriage relation; but such marriages must be declared, as provided in Section 76, and be acknowledged and recorded, as provided in Section 77. Where a marriage is declared as provided in Section 76, the husband *or wife* must file said declaration with the county recorder within 30 days after [such marriage] *the execution of such declaration*, and upon receiving the same the county recorder must record the same; and if the husband *or wife* fails to make such declaration and file the same for record, as herein provided, [he] *each* is liable to the same penalties as any person authorized to solemnize marriages, who fails to make the return of such solemnization as provided by law.”

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1265—An act to add Article 9 to Chapter 7 of Part 3 of Division 5 of the School Code and to add Article 8 to Chapter 11 of Division 7 of the Education Code, relating to the placing on involuntary leave of absence of permanent employees of school districts serving as teachers in junior colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 4 of the title of the printed bill, strike out “involuntary”, and insert “emergency”.

Amendment No. 2

On page 1 of said bill, strike out line 4, and insert “Article 9. Emergency Leaves of Absence of”.

Amendment No. 3

On page 1, lines 8 and 9, of said bill, strike out “involuntary”, and insert “emergency”.

Amendment No. 4

On page 1, line 10, of said bill, strike out “a permanent”, and insert “an”.

Amendment No. 5

On page 1, lines 17 and 18, of said bill, strike out “involuntary”, and insert “emergency”.

Amendment No. 6

On page 1 of said bill, after line 23, insert

“A teacher shall be deemed qualified and competent to teach in any subject field when that subject field is the same as the one which the teacher was originally employed to teach, or which he has taught for two or more terms within the past five years.”

Amendment No. 7

On page 2 of said bill, strike out line 1, and insert “Employees shall be placed on emergency”.

Amendment No. 8

On page 2, lines 4 and 5, of said bill, strike out “involuntary”, and insert “emergency”.

Amendment No. 9

On page 2, line 7, of said bill, strike out "involuntary", and insert "emergency".

Amendment No. 10

On page 2 of said bill, after line 9, insert
 "5.728. Any employee, while on emergency leave, may decline reemployment for part time without prejudice, and shall not be required to fulfill any requirement for reemployment which would not have been imposed had such employee continued teaching."

Amendment No. 11

On page 2 of said bill, strike out line 11, and insert
 "5.729. A permanent employee placed on emergency dis-".

Amendment No. 12

On page 2 of said bill, strike out line 15, and insert
 "5.729-1. The time during which an employee".

Amendment No. 13

On page 2, line 16, of said bill, strike out "involuntary", and insert "emergency".

Amendment No. 14

On page 2, line 19, of said bill, strike out "involuntary", and insert "emergency".

Amendment No. 15

On page 2 of said bill, following line 19, insert
 "5.729-2. All rights and privileges bestowed by emergency leaves of absences granted under the provisions of this article shall be retained until two years after the proclamation of the President of the United States that hostilities in the existing war have ceased.

5.729-3. Any certificated employee who is ordered, pursuant to the laws of the United States, to serve in any civilian war effort or war industry, shall retain all rights granted in this code to certificated employees ordered to serve in the armed forces.

5.729-4. Employees for whom leaves of absence or dismissals subsequent to January 1, 1943, have been ordered, shall be deemed to have been granted emergency leave under the provisions of this article "

Amendment No. 16

On page 2, line 24, of said bill, strike out "Involuntary", and insert "Emergency"

Amendment No. 17

On page 2, line 25, of said bill, strike out "permanent".

Amendment No. 18

On page 2, lines 28 and 29, of said bill, strike out "involuntary", and insert "emergency".

Amendment No. 19

On page 2, line 30, of said bill, strike out "a permanent", and insert "an".

Amendment No. 20

On page 2, line 34, of said bill, strike out "permanent".

Amendment No. 21

On page 2, lines 37 and 38, of said bill, strike out "involuntary", and insert "emergency".

Amendment No. 22

On page 2 of said bill, after line 43, insert
 "A teacher shall be deemed qualified and competent to teach in any subject field when that subject field is the same as the one which the teacher was originally employed to teach or which he has taught for two or more terms during the past five years."

Amendment No. 23

On page 2 of said bill, strike out line 45, and in line 46, strike out "any", and insert
 "13703 Employees shall be placed on emergency"

Amendment No. 24

On page 2, line 47, of said bill, strike out "employment", and insert "employment".

Amendment No. 25

On page 2, lines 48 and 49, of said bill, strike out "involuntary", and insert "emergency".

Amendment No. 26

On page 2, line 51, of said bill, strike out "involuntary", and insert "emergency".

Amendment No. 27

On page 2 of said bill, after line 51, insert
 "13704. Any employee, while on emergency leave, may decline reemployment for part time without prejudice, and shall not be required to fulfill any requirements for reemployment that would not have been imposed had such employee continued teaching."

Amendment No. 28

On page 3 of said bill, strike out line 4, and insert
 "13705. A permanent employee placed on emergency dis-".

Amendment No. 29

On page 3 of said bill, strike out line 8, and insert
 "13706. The time during which an employee".

Amendment No. 30

On page 3, line 9, of said bill, strike out "involuntary", and insert "emergency".

Amendment No. 31

On page 3, line 12, of said bill, strike out "involuntary", and insert "emergency".

Amendment No. 32

On page 3 of said bill, between lines 12 and 13, insert
 "13707. All rights and privileges bestowed by emergency leaves of absence granted under the provisions of this article shall be retained until two years after the proclamation of the President of the United States that hostilities in the existing war has ceased.

13708. Any certificated employee who is ordered, pursuant to the laws of the United States, to serve in any civilian war effort or war industry, shall retain all rights granted in this code to certificated employees ordered to serve in the armed forces.

13709. Employees for whom leaves of absence or dismissals subsequent to January 1, 1943, shall be deemed to have been granted emergency leaves under the provisions of this article."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1502—An act to repeal Chapter 5 of Part 2 of Division 6 of the School Code, to add Chapter 5 to Part 2 of Division 6 of the School Code, to repeal Chapter 4 of Division 6 of the Education Code and to add Chapter 4 of Division 6 of the Education Code, all relating to high school textbooks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 7 of the title of the printed bill, as amended, strike out "of", and insert "to".

Amendment No. 2

On page 2, line 6, of said bill, as amended, strike out "Adoption", and insert "Definitions".

Amendment No. 3

On page 2, line 8, of said bill, as amended, after "school districts", insert ", as used in this chapter,".

Amendment No. 4

On page 2 of said bill, as amended, following line 9, insert
 "6.371. For the purposes of this chapter, textbooks shall be construed to include publications designated by the State Department of Education as basic textbooks, supplementary books, laboratory manuals, workbooks, collections of literary selections, and school editions of literary works and of other books. Instructional materials not classified as textbooks may be purchased by governing boards of school districts without reference to the provisions of this chapter.

Article 2. Adoption and Purchase".**Amendment No. 5**

On page 2, line 11, of said bill, as amended, strike out "6.371", and insert "6.380".

Amendment No. 6

On page 2 of said bill, as amended, strike out all of lines 16 to 23, inclusive.

Amendment No. 7

On page 2, line 25, of said bill, as amended, strike out "6.373", and insert "6.381".

Amendment No. 8

On page 2, line 29, of said bill, as amended, strike out "2", and insert "3".

Amendment No. 9

On page 2, line 31, of said bill, as amended, strike out "6.380", and insert "6.390".

Amendment No. 10

On page 2, line 36, of said bill, as amended, strike out "6.381", and insert "6.391".

Amendment No. 11

On page 2, line 42, of said bill, as amended, strike out "6.382", and insert "6.392".

Amendment No. 12

On page 2, line 47, of said bill, as amended, strike out "3", and insert "4".

Amendment No. 13

On page 2, line 50, of said bill, as amended, strike out "under this chapter".

Amendment No. 14

On page 4, line 37, of said bill, as amended, strike out "4", and insert "5".

Amendment No. 15

On page 5, line 4, of said bill, as amended, after "shall", insert ", without complying with any requirements of law other than those contained in this chapter,".

Amendment No. 16

On page 5, line 15, of said bill, as amended, strike out "5", and insert "6".

Amendment No. 17

On page 5, line 43, of said bill, as amended, strike out "6", and insert "7".

Amendment No. 18

On page 6, line 22, of said bill, as amended, strike out "7", and insert "8".

Amendment No. 19

On page 6, line 31, of said bill, as amended, strike out "8", and insert "9".

Amendment No. 20

On page 6, line 48, of said bill, as amended, strike out "Adoption", and insert "Definitions".

Amendment No. 21

On page 6, line 51, of said bill, as amended, after "tricts", insert ", as used in this chapter,".

Amendment No. 22

On page 6 of said bill, as amended, following line 52, insert "11652. For the purposes of this chapter, textbooks shall be construed to include publications designated by the State Department of Education as basic textbooks, supplementary books, laboratory manuals, workbooks, collections of literary selections, and school editions of literary works and of other books. Instructional materials not classified as textbooks may be purchased by governing boards of school districts without reference to the provisions of this chapter.

Article 2. Adoption and Purchase".**Amendment No. 23**

On page 7, line 1, of said bill, as amended, strike out "11652", and insert "11661".

Amendment No. 24

On page 7 of said bill, as amended, strike out lines 6 to 13, inclusive.

Amendment No. 25

On page 7, line 15, of said bill, as amended, strike out "11654", and insert "11662".

Amendment No. 26

On page 7, line 20, of said bill, as amended, strike out "2", and insert "3".

Amendment No. 27

On page 7, line 38, of said bill, as amended, strike out "3", and insert "4".

Amendment No. 28

On page 7, line 41, of said bill, as amended, strike out "under this chapter".

Amendment No. 29

On page 9, line 24, of said bill, as amended, strike out "4", and insert "5".

Amendment No. 30

On page 9, line 42, of said bill, as amended, after "shall", insert ", without complying with any requirements of law other than those contained in this chapter,".

Amendment No. 31

On page 10, line 1, of said bill, as amended, strike out "5", and insert "6".

Amendment No. 32

On page 10, line 29, of said bill, as amended, strike out "6", and insert "7".

Amendment No. 33

On page 11, line 8, of said bill, as amended, strike out "7", and insert "8".

Amendment No. 34

On page 11, line 17, of said bill, as amended, strike out "8", and insert "9".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

STATEMENT BY ASSEMBLYMAN THOMAS A. MALONEY

I am happy to report that Mr. and Mrs. Thomas Sullivan will appear before this Legislature on Thursday, April 8, 1943, at 2 p.m. The Sullivan family were invited on motion of Thomas Doyle, seconded by Don Field. This lovely family lost their five sons in this war.

THOMAS A. MALONEY

CHIEF CLERK INSTRUCTED TO INVITE CERTAIN STATE OFFICIALS AND THE SENATE TO HEAR MR. AND MRS. SULLIVAN

Mr. Maloney moved that the Chief Clerk be instructed to invite the Governor, the Lieutenant Governor, and the Members of the Senate to meet informally with Members of the Assembly next Thursday at 2.30 p.m., to hear from Mr. and Mrs. Thomas Sullivan, who lost five sons in the war, and who are making a tour of the West Coast.

Mr. Doyle seconded the motion.

Motion carried.

APPOINTMENT OF SPECIAL COMMITTEE

The Speaker appointed Messrs. Maloney, Burns, Doyle, and Desmond as a Special Committee to escort Mr. and Mrs. Sullivan from the city limits to the Assembly Chamber on Thursday, April 8, 1943.

RE-REFERENCE OF ASSEMBLY BILL NO. 1746

Mr. Lowrey moved that Assembly Bill No. 1746 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

MOTION TO PRINT IN JOURNAL

Mr. Sawallisch moved that the following news clipping be printed in the Journal:

Motion carried.

One-Trip Beer Bottle Doomed

WASHINGTON (AP)—The single trip, no-deposit beer bottle was doomed today by the War Production Board.

Manufacture of this throw-away container was prohibited after April 15th, except for overseas shipment. Brewers may use any bottles bought before April 15th.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Constitutional Amendment No. 1—Proposed amendment to Section 1 $\frac{1}{2}$ of Article XIII of the Constitution, relative to exemptions of property on account of military service.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 1?

Amendment No. 1

On page 1 of the printed measure, strike out lines 10, 11, and 12, and insert "has served in the Army, Navy, Marine Corps, Coast Guard or Revenue Marine (Revenue Cutter) Service of the United States in time of war or, in time of peace, in a campaign or expedition for service in which a medal has been issued by the Congress of the United States, and received an honorable discharge therefrom,".

Amendment No. 2

On page 1, line 13, of said measure, strike out "in time of war", and insert "under such conditions".

Amendment No. 3

On page 1, line 14, of said measure, after the comma, insert "or who in time of war is in such service,".

Amendment No. 4

On page 2, line 8, of said measure, after "Navy", insert a comma.

Amendment No. 5

On page 2 of said measure, strike out line 9, and insert "Marine Corps, Coast Guard or Revenue Marine (Revenue Cutter) Service of the United".

Amendment No. 6

On page 2, line 15, of said measure, strike out "act", and insert "section".

Amendment No. 7

On page 1, lines 14 and 15, of the printed measure, as amended, strike out "in time of war or, in time of peace," and insert "(1) in time of war, or (2) in time of peace".

Amendment No. 8

On page 1, line 17, of said measure, after "and", insert "in either case has".

Amendment No. 9

On page 2, lines 18 and 19, of said measure, strike out "shall be made under the provisions of this act of the", and insert "shall not apply to any person named herein owning".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 1 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Assembly Constitutional Amendment No. 1 ordered enrolled.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills was continued until the next legislative day:

Assembly Bill No. 1094

Assembly Bill No. 295

Assembly Bill No. 1111

RECONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 42

In compliance with a notice given on a previous day, Mr. Sam L. Collins moved that the vote whereby Assembly Joint Resolution No. 42 was refused adoption, be reconsidered.

Assembly Joint Resolution No. 42 reconsidered by the following vote:

AYES—Allen, Armstrong, Bashore, Burns, Carey, Clarke, Collins, Sam L., Crichton, Denny, Dilworth, Doyle, Erwin, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Miller, Niehouse, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—44.

NOES—Anderson, Beck, Bennett, Berry, Burkhalter, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Haggerty, Hawkins, Heisinger, King, Lowrey, Massion, McMillan, Middough, O'Day, Pelletier, Rosenthal, and Thomas—22.

Re-reference of Assembly Joint Resolution No. 42

Mr. Sam L. Collins moved that Assembly Joint Resolution No. 42 be re-referred to the Committee on Rules and House Functions.

Motion carried.

RECONSIDERATION OF ASSEMBLY BILL NO. 635

In compliance with a notice given on a previous day, Mr. Evans moved that the vote whereby Assembly Bill No. 635 was passed be reconsidered.

Demand for Previous Question

Messrs. Miller, Guthrie, Evans, Knight, John B., and Burns demanded the previous question.

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 635

The roll was called, and reconsideration refused by the following vote:

AYES—Allen, Anderson, Bashore, Brady, Brown, Burkhalter, Collins, George D., Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Heisinger, Lowrey, Massion, McMillan, Price, Thomas, Waters, and Werdel—20.

NOES—Armstrong, Beck, Berry, Burns, Carey, Clarke, Collins, Sam L., Crichton, Denny, Desmond, Dilworth, Doyle, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, King, Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Sargent, Sawallisch, Sheridan, Smith, Stream, Thorp, Watson, Weber, Weybret, and Wollenberg—41.

Assembly Bill No. 635 ordered transmitted to the Senate.

COMMUNICATIONS

By Mr. Thomas:

The following communication was received and ordered printed in the Journal:

OFFICE OF LEGISLATIVE COUNSEL

STATE CAPITOL, SACRAMENTO, CALIFORNIA, March 29, 1943

*Honorable Vincent Thomas, Assembly Chamber
State Capitol, Sacramento, California*

ASSEMBLY BILL NO. 635, AS INTRODUCED NO. 8501

DEAR MR. THOMAS: You have requested our opinion as to the constitutionality of the provision in this bill that the premiums on the bonds of cold storage plants and cold storage locker plants storing game birds or mammals are to be paid out of the Fish and Game Preservation Fund.

Section 453.5 as proposed to be added to the Fish and Game Code provides that such plants "shall be bonded in an amount to be determined by the commission."

The bill is silent as to the conditions of such a bond. Therefore, it is impossible to determine whether there is a sufficient public purpose involved to warrant the expenditure of public money.

Apparently, the activities of the plants mentioned in the bill are of an unofficial nature and consist in storing the game birds and mammals for the owners thereof. If these bonds are to be in favor of the persons storing the birds and mammals, it is difficult to perceive any theory upon which the costs of the bonds may be paid from public funds.

On the other hand, if the bonds are intended to secure the performance of the official duties of the operators of the plants, it is difficult to perceive just what official duties are to be performed by the operators of such plants.

Unless the bill is amended to clarify the situation, we believe that the provisions relating to the bonds would be totally inoperative on the grounds of uncertainty.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOSEPH W. PAULUCCI, Deputy

cc/Honorable Thomas J. Doyle, pursuant to Joint Rule No. 37.

MOTION TO APPROVE JOURNALS

On motion of Mr. Sam L. Collins, the Journals for Monday, March 29, 1943; Tuesday, March 30, 1943; Wednesday, March 31, 1943; Thursday, April 1, 1943; Friday, April 2, 1943, and Saturday, April 3, 1943, were approved as corrected by the Minute Clerk.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF ASSEMBLY BILL NO. 296

In compliance with a notice given on a previous day, Mr. Dilworth moved that the vote whereby Assembly Bill No. 296 was refused passage be reconsidered.

Assembly Bill No. 296 reconsidered by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Request for Unanimous Consent

Mr. Dilworth asked for, and was granted, unanimous consent to take up Assembly Bill No. 296, at this time.

Further Consideration of Assembly Bill No. 296

Assembly Bill No. 296—An act to amend Sections 6486, 6560, 6782, 6783, and 6784, and to repeal Section 6785 of the Health and Safety Code, relating to sanitary districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6560."

Amendment No. 2

On page 1 of said bill, strike out lines 8 to 22, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider votes on the following bill was continued until the next legislative day:

Assembly Bill No. 433.

RECONSIDERATION OF ASSEMBLY BILL NO. 1414

In compliance with a notice given on a previous day, Mr. Thorp moved that the vote whereby Assembly Bill No. 1414 was refused passage be reconsidered.

Assembly Bill No. 1414 reconsidered by the following vote:

AYES—Allen, Armstrong, Bennett, Brown, Burkhalter, Burns, Carey, Clarke, Crichton, Debs, Denny, Desmond, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hollibaugh, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, McCollister, Miller, Niehouse, Sargent, Sawallisch, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—42.

NOES—Anderson, Bashore, Beck, Berry, Brady Collins, George D., Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Guthrie, Heisinger, Johnson, King, Lowrey, Lyons, McMillan, Middough, O'Day, Price, Rosenthal, Smith, and Thomas—24.

Request for Unanimous Consent

Mr. Burns asked for, and was granted, unanimous consent to take up Assembly Bill No. 1414, at this time.

Further Consideration of Assembly Bill No. 1414

Assembly Bill No. 1414—An act to add Section 471.5 to the Agricultural Code, relating to cream.

Bill read third time.

Motion to Amend

Mr. Burns moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out line 29, and insert "SECTION 1. Section 471.5 is added to the Agricultural Code, to read: 471.5. Notwithstanding any of the provisions of Section 471".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 811—An act to amend Sections 749, 750 and 751 of the Code of Civil Procedure, relating to the determination of conflicting claims to real property.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 811?

Amendment No. 1

On page 1, line 15, of the printed bill, after "a", and before "complaint", insert "verified".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 811 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs,

Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 811 ordered enrolled.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 919
FROM INACTIVE FILE**

Mr. John B. Knight gave notice that on Tuesday, April 6, 1943, he would move to withdraw Assembly Bill No. 919 from the inactive file, and have it placed upon the third reading file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 946—An act relating to full time civil service employees of this State and of any local governmental agency thereof and restricting the activities of such persons with regard to the practice of any profession or business requiring a license issued under any statute of this State.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, strike out the period, and insert "; provided, however, that any person employed by the State or by any political subdivision thereof while on leave of absence from said employment may act as an expert witness or engage his services for consultation or advice but shall not receive any compensation from the State or any of its political subdivisions while so employed"

Amendment No. 2

On page 1, line 8, of said bill, as amended, strike out "grounds", and insert "ground".

Amendment No. 3

On page 1, line 15, of said bill, as amended, before "suspension", insert "for".

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 519—An act providing for the taking of a census in cities, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "any purpose", and insert "the purposes of Sections 73, 73a, 73b and 142 of the Code of Civil Procedure".

Amendment No. 2

On page 1, line 16, of said bill, strike out "all purposes", and insert "the purposes of Sections 73, 73a, 73b, and 142 of the Code of Civil Procedure".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1762—An act authorizing the investment of surplus funds of any bridge and highway district, incorporated under the act of May 25, 1923, of the State of California, in bonds and other obligations for the payment of which the faith and credit of the United States of America are pledged and legalizing all such investments heretofore made, and authorizing such bridge and highway districts to use such surplus funds for the refunding or partial refunding of any existing bonded indebtedness of bridge and highway districts.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out “, incorporated under the act of”, and strike out all of lines 3, 4, and 5 of the title, and insert “in bonds, obligations and securities and legalizing”.

Amendment No. 2

In line 9 of the title of said bill, after “districts”, insert “and to add Section 27154 to the Streets and Highways Code for the same purposes.”

Amendment No. 3

On page 1 of said bill, after line 22, insert

“SEC. 2. Section 27154 is added to the Streets and Highways Code, to read:

27154. Notwithstanding any contrary provision of law, or any limitation or restriction contained in any law, the board may:

(a) Invest and keep invested all or any part of lapsed, unallocated, unappropriated or other surplus moneys belonging to any fund of which the board has custody or control in bonds and other obligations for which the faith and credit of the United States of America are pledged or in any obligation, bond or security approved by the Superintendent of Banks as legal for investment by savings banks. All such investments heretofore made are legalized.

(b) Use all or any part of lapsed, unallocated, unappropriated or other surplus moneys of the district for the refunding or partial refunding or purchase of any existing bonded indebtedness against the district.

The interest or income from any funds invested under this section shall become a part of the fund from which the investment was made and may itself be so invested.

SEC. 3. Section 2 of this act shall take effect only if Part 3 is added to Division 16 of the Streets and Highways Code by the Legislature at its Fifty-fifth Session, and, in such case, at the same time as Part 3 takes effect; at which time Section 1 of this act is hereby repealed.”

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1150—An act to add Section 8653 to the Revenue and Taxation Code, relating to the use fuel tax.

Bill read third time.

Motion to Amend

Mr. Armstrong moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 22, of the printed bill, strike out “it”, and insert “the vehicle”.

Amendment No. 2

On page 1, line 22, of the printed bill, strike out “or moved upon a highway”, and insert “exclusively on private property”.

Amendment No. 3

On page 1, line 22, of the printed bill, strike out “not”.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REPORTS OF STANDING COMMITTEES**Committee on Civil Service and State Departments**

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which was referred:

Assembly Bill No. 1962

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

T. FENTON KNIGHT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which were referred:

Assembly Bill No. 1085

Assembly Bill No. 1569

Assembly Bill No. 1528

Assembly Bill No. 1570

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

T. FENTON KNIGHT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which was referred:

Assembly Bill No. 686

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

T. FENTON KNIGHT, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1150

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

RECESS

At 12.35 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1033 re-referred to Committee on Judiciary.

Assembly Bill No. 426 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 573 re-referred to Committee on Public Health.

Assembly Bill No. 387 re-referred to Committee on Municipal and County Government.

Assembly Bill No. 669 re-referred to Committee on Municipal and County Government

Assembly Bill No. 762 re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1081 re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1753 re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1359 re-referred to Committee on Ways and Means.

Assembly Bill No. 1339 re-referred to Committee on Judiciary.

Assembly Bill No. 1577 re-referred to Committee on Judiciary.

Assembly Bill No. 614 re-referred to Committee on Judiciary.

Assembly Bill No. 378 re-referred to Committee on Ways and Means.

Assembly Bill No. 1280 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1308 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1425 re-referred to Committee on Finance and Insurance.

Assembly Bill No. 856 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1592 re-referred to Committee on Ways and Means

Senate Bill No. 315 re-referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 705 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 962 re-referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 963 re-referred to Committee on Conservation, Natural Resources, and Planning.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 141—An act to amend Section 373 of the Civil Code and Section 411 of the Code of Civil Procedure, relating to service of summons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 465—An act to add Sections 89.5, 89.6, 89.7 and 89.8 to the Agricultural Code, relating to the powers and duties of district agricultural associations, and declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 107—An act to amend Section 996 of the Political Code and Section 1770 of the Government Code, relating to an office becoming vacant.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 6 and 7, and insert "2. His insanity, when determined by a final judgment or final order of a court of competent jurisdiction;"

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 7, inclusive, and insert "deemed vacant until the order of commitment has become final."

Amendment No. 3

On page 2 of said bill, strike out lines 12 and 13 and insert "(b) His insanity, when determined by a final judgment or final order of a court of competent jurisdiction."

Amendment No. 4

On page 2 of said bill, strike out lines 38 to 43, inclusive, and insert "be deemed vacant until the order of commitment has become final."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 226—An act to amend Section 204a of the Code of Civil Procedure, relating to the appointment of a jury commissioner in certain counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith,

Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 2.26 p.m., on motion of Mr. Maloney, the Assembly recessed until 2.28 p.m. to hear from Auxiliary Thelma Schwitzgebel, a member of the Recruiting Service in the W.A.A.C. of the United States Army.

REASSEMBLED

At 2.28 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 123—An act to amend Section 4244 of the Political Code, relating to the compensation of public personnel in counties of the fifteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 265—An act to amend Section 1 of an act entitled “An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act,” approved April 28, 1933, relating to deposit of public moneys, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 504—An act to amend Section 9144 of the Education Code, relating to vocational rehabilitation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 44

In compliance with a notice given on a previous day, Mr. Heisinger moved that the vote whereby Assembly Concurrent Resolution No. 44 was adopted be reconsidered.

Assembly Concurrent Resolution No. 44 refused reconsideration by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Collins, George D., Crichton, Desmond, Dills, Clayton A., Dilworth, Dunn, Gaffney, Gannon, Hawkins, Heisinger, Johnson, King, Lowrey, Massion, McMillan, Middough, Robertson, and Rosenthal—23.

NOES—Allen, Armstrong, Bashore, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crowley, Debs, Dickey, Dills, Ralph C., Doyle, Erwin, Fourt, Guthrie, Haggerty, Hastain, Hollibaugh, Kellems, Knight, John B., Leonard, Lyons, Maloney, McCollister, Miller, Niehouse, O'Day, Pelletier, Price, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—45.

Assembly Concurrent Resolution No. 44 ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 128—An act to repeal Section 14407 of the Health and Safety Code, relating to repayment of the cost of furnishing fire-fighting equipment and services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion,

McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 312—An act to amend Section 581b of the Code of Civil Procedure, relating to dismissal of actions or proceedings for failure to pay transfer fee.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Kellems:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to provide for the publication under the direction of The Regents of the University of California of a Centennial History of the State of California, including one volume devoted to the participation of the State of California in the present World War, and to make an appropriation therefor.

Respectfully submitted.

JESSE RANDOLPH KELLEMS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Kellems:

An act to provide for the publication under the direction of The Regents of the University of California of a Centennial History of the State of California, including one volume devoted to the participation of the State of California in the present World War, and to make an appropriation therefor.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

The following bill was introduced, and read the first time:

Assembly Bill No. 1965: By Mr. Kellems—An act to provide for the publication under the direction of The Regents of the University of California of a Centennial History of the State of California, including one volume devoted to the participation of the State of California in the present World War, and to make an appropriation therefor.

Referred to Committee on Universities and Colleges.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1096—An act authorizing a conveyance to the United States of America of the reversionary and possessory interest of the State of California in and to certain portions of tide and submerged lands heretofore conveyed in trust to the City of Long Beach by the State of California.

Bill read third time.

Motion to Amend

Mr. Middough moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 13, of the printed bill, after "all", insert "oil, gas and other".

Amendment No. 2

On page 2, line 14, of said bill, after "deposits and", insert "oil, gas and other".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

COMMUNICATIONS

By Speaker Lyon:

The following communication was received and ordered printed in the Journal:

SAN FRANCISCO CIVILIAN WAR COUNCIL, SAN FRANCISCO, April 3, 1943
Honorable Charles W. Lyon, Speaker of the Assembly
California Legislature, Sacramento, California

DEAR SIR: At the meeting of the Civilian War Council held March 22d, I was directed to call your attention to the following resolution which has been adopted by the council:

Resolved, That it is the sense of this council that a branch or unit of the United States Army be created to be comprised of citizens within the draft age but who are not inducted into the service because of some minor physical defect which is not of sufficient substantiality to prevent them from performing ordinary military duty, for the purpose of utilizing such branch or unit of the Army to guard and protect industrial plants engaged in war defense work, railroads engaged in transporting munitions and other war materials, public utilities, the operation of which is essential in the Nation's Defense Program, public property, water supplies, property belonging to or used by the Army or Navy and other military structures of such general character, and also to assist in protecting the States and municipalities bordering upon the Pacific and Atlantic Oceans; such unit of the Army to be under the direction and control of the War Department and to be utilized at any place within the continental United States.

There is now pending before the Legislature Assembly Bill No. 1929, and we respectfully request that the said resolution be given consideration when the said bill comes up for hearing.

Yours respectfully,

SAN FRANCISCO CIVILIAN WAR COUNCIL,
By CHAS. F. SHELLY, Secretary.

RESOLUTIONS

The following resolutions were offered :

By Mr. Sam L. Collins :

House Resolution No. 162

Resolved, That the Controllor be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same for the sum of one hundred fifty dollars (\$150), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 162, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, T. Fenton; Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.
NOES—None.

By Mr. Sam L. Collins :

House Resolution No. 163

Resolved, That the Controllor be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same :

Western Union (Tolls) -----	\$178 81
Bureau of Purchases (Supplies) -----	182 36
Department of Finance (Pro rate telephone service) -----	39 39
Cascade Towel Supply (Towel service) -----	20 28
J. N. Blair & Company (2-tube ozone generator) -----	410 97
Pacific Telephone & Telegraph Co. -----	77 10
Pacific Telephone & Telegraph Co. -----	11 70

Resolution read, and referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred :

Assembly Joint Resolution No. 43

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 227	Assembly Bill No. 945
Assembly Bill No. 654	Assembly Bill No. 1050
Assembly Bill No. 716	Assembly Bill No. 1054
Assembly Bill No. 718	Assembly Bill No. 1301
Assembly Bill No. 786	Assembly Bill No. 1304
Assembly Bill No. 927	

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 962	Assembly Bill No. 1412
Assembly Bill No. 963	Assembly Bill No. 1787

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Sheridan:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 2, 4, and 4.5 of an act entitled "An act creating a special fund to be known as the 'Judges' Retirement Fund,' providing for disbursements therefrom, and to make appropriations therefor," approved July 1, 1937, relating to the retirement of judges.

Respectfully submitted.

BERNARD A. SHERIDAN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Sheridan:

An act to amend Sections 2, 4 and 4.5 of an act entitled "An act creating a special fund to be known as the 'Judges' Retirement Fund,' providing for disbursements therefrom, and to make appropriations therefor," approved July 1, 1937, relating to the retirement of judges.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Huggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—87.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

The following bill was introduced, and read the first time:

Assembly Bill No. 1966: By Mr. Sheridan—An act to amend Sections 2, 4 and 45 of an act entitled "An act creating a special fund to be known as the 'Judges' Retirement Fund,' providing for disbursements therefrom, and to make appropriations therefor," approved July 1, 1937, relating to the retirement of judges.

Referred to Committee on Ways and Means.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Chief Warrant Officer H. W. Heath, stationed at Seattle, Washington, 13th Naval District, United States Coast Guard, and Lieutenant G. D. Pitoscia, stationed at Camp White, Oregon, from New Jersey.

On request of Messrs. Smith and Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank M. McKellar of Los Angeles.

On request of Mr. Burkhalter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Hamilton McCoy of Beverly Hills, and Siegfried Goltze of North Hollywood.

On request of Mr. Maloney and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Auxiliary Thelma Schwitzgebel, member of Recruiting Service in the W.A.A.C. of the United States Army.

On request of Mr. Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. A. S. Nicol of Coronado.

ADJOURNMENT

At 3.10 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, April 6 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-SIXTH LEGISLATIVE DAY

NINETY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, April 6, 1943

The Assembly met at 10 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names :

Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher :

Our Heavenly Father, we enter into Thy presence through the ever-open gateway of prayer.

We thank Thee for a new day, its path untrod, its life untasted and its record for our making. Forgetting those things which are behind and reaching forth unto those things which are before, help us as we press toward the mark for the prize of the high calling of God in Christ Jesus.

We claim Thy blessed promise: "Commit thy way unto the Lord; trust also in Him; and He shall bring it to pass."

"And all is well, tho' faith and form
Be sundered in the night of fear;
Well roars the storm to those that hear
A deeper Voice across the storm."

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Heisinger.

MOTIONS TO EXCUSE MEMBERS

Mr. Evans moved that Mr. Clayton A. Dills be excused for the legislative day, because of illness.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 466—An act to amend Sections 2681, 2682, 2684 and 2685 and to repeal Section 2683 of the Penal Code, relating to the disposition of insane prisoners;

Assembly Bill No. 473—An act to amend Sections 2708, 2709 and 2877 of the Penal Code, relating to the sale of prison-made goods;

Assembly Bill No. 562—An act to amend Section 17818 of the Health and Safety Code, relating to apartment houses and hotels;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 47—An act amending Section 1 of "An act granting to the City of San Diego certain parcels of the State-owned lands in Mission Bay State Park upon certain trusts and conditions," approved July 24, 1939, relating to tidelands in Mission Bay State Park;

Assembly Bill No. 215—An act to amend Section 1550 of the Probate Code, relating to inventory and appraisalment;

Assembly Bill No. 217—An act to add Section 189.5 to the Code of Civil Procedure, relating to vouchers filed in court proceedings;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 810—An act to amend Sections 25 and 78 of the Civil Code and Sections 1433 and 1590 of the Probate Code, relating to minors, and effect of marriage upon minority and guardianship of minors;

Assembly Bill No. 1121—An act to amend Section 401 of the Vehicle Code, relating to the operation of authorized emergency vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 336—An act to add Section 439.5 to the Political Code, relating to the administration of oaths by employees of the State Controller;

Assembly Bill No. 355—An act to amend Section 354 of the Code of Civil Procedure, relating to the suspension of statutes of limitation during war;

Assembly Bill No. 385—An act to amend the title and Sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act providing for the creation of county treasurers' cash difference funds and overage funds in the counties of the State," approved April 23, 1941, relating to county officers' cash difference funds and overage funds; And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 43

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 549

Assembly Bill No. 903

Assembly Bill No. 720

Assembly Bill No. 1142

Assembly Bill No. 902

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 640

Assembly Bill No. 1107

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

COMMUNICATIONS

By Speaker Lyon:

A communication from Mrs. I. J. Kessing, relative to old age pensions, was received and referred to the Committee on Social Welfare.

CHIEF CLERK INSTRUCTED TO WRITE LETTER OF CONGRATULATION TO HON. WILLIAM POOLE

Mr. Hollibaugh moved that the Chief Clerk be instructed to prepare a letter to former Assemblyman William Poole, who has recently enlisted in the U. S. Navy and entrained at Norfolk, Virginia, extending the felicitations and congratulations of the Members of this Assembly for his patriotic gesture.

Mr. Sam L. Collins seconded the motion.

Motion carried.

ANNOUNCEMENT OF CHURCH DINNER

The Speaker announced that an invitation had been extended to the Members of the Assembly and attaches by the Chaplain, Rev. Clarence Albert Kircher, to attend a dinner meeting at Westminster Church, 13th and N Streets, Wednesday, April 7th at 6.15 p.m.

The dinner will be 60 cents, and members with committee meetings may be excused following the dinner, if they so desire.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1862—An act to amend Sections 3d and 38d of, and to add Section 28b to, the State Employees Retirement Act, relating to authorizing the inclusion of any bridge and highway district in such retirement system.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1085—An act to amend Section 96.5 of the State Civil Service Act, relating to status of members of armed forces on civil service lists.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1, lines 13 and 14, of the printed bill, strike out "or who has not been certified during his service with the armed forces of the United States,".

Amendment No. 2

On page 1, line 22, of said bill, after the period, insert "In any case, if the names of such persons appear on promotional lists in such a position that they would have been certified for promotion had they been in State service, they shall be certified for promotion upon their return to State service."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1528—An act to amend Sections 150 and 151 of, and to add Section 96.6 to, the State Civil Service Act, relating to the State civil service, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended, immediately following "work", insert "not more than".

Amendment No. 2

On page 2, line 16, of the printed bill, as amended, immediately following "work", insert "not more than".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1569—An act to amend Sections 40, 47, 85, 112, and 173 of, and to add Section 116.5 to, the State Civil Service Act, relating to the State civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended, strike out "subpena", and insert "subpena."

Amendment No. 2

On page 2, line 8, of the printed bill, as amended, strike out the period at the end of said line, and insert "and in no event shall the deposition of a State officer or employee be used as evidence, but such officer or employee must be personally present at any hearing or investigation at which he is a witness."

Amendment No. 3

On page 5, line 34, of the printed bill, as amended, insert a comma after "hearing".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1570—An act to amend Sections 96.5, 149 of, and to add Section 152.6 to, the State Civil Service Act, relating to the State Civil Service, declaring the urgency thereof and to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

In line 1 of the title of the printed bill, after "96.5," insert "and".

Amendment No. 2

On page 1, line 12, of the printed bill, after the period in said line, insert "No promotional lists upon which the names of such persons appear may be abolished except that they may be replaced by more recently prepared lists if the names of such persons are placed in the order in which they appeared on the former list and at the same place as they appeared on said list"

Amendment No. 3

On page 1, line 13, of the printed bill, strike out "Section", and insert "Sec."

Amendment No. 4

On page 1, line 13, of the printed bill, strike out "and 152.5".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

RESOLUTIONS

The following resolution was offered:

By Messrs. Werdel, Clarke, and Kraft:

House Resolution No. 164

WHEREAS, There has been called to the attention of the Members of this Legislature a new and cheaper method of building permanent pavement, sometimes designated as the "sub-oil paving method"; and

WHEREAS, It is claimed that the adoption of said method in the construction of highways, airports, or for any other purpose in which a permanent, inexpensive surface is required, will result in the saving to the State and agencies of the State of millions of dollars; and

WHEREAS, It is the duty of this Legislature to inquire into the merits of such process and its adaptability for use in California with a view to determining what legislative action, if any, should be taken in respect thereto; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created a committee to be known as The Assembly Fact-Finding Committee on Sub-Oil Paving to consist of three Members of the Assembly to be appointed by the Speaker, which committee is hereby authorized and directed to investigate the merits of the sub-oil paving method of surface construction and any similar methods that may have developed, and to gather, assemble, study and analyze all facts relating thereto with a view to reporting such facts to the Assembly and formulating and recommending the enactment of any needed legislation relating thereto; and to that end the committee shall have (i) all the powers conferred upon Legislative Committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) except when inconsistent with this resolution, all the powers conferred upon committees by the Rules of the Senate, and the Joint Rules of the Senate and Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full, which powers specified in such rules may be exercised by the committee after the final adjournment of this session; and (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such legal, clerical, expert, and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation, or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment, shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(5) To make a complete study, survey, and investigation of every phase of the subjects of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in anywise bearing upon or relating to the subjects of this resolution;

(6) To meet at any and all places in this State, in public or executive session;

(7) To act after final adjournment of this session of the Legislature;

(8) To file a report with the Assembly during the Regular Session of the Fifty-fifth Legislature or during any special session thereof or during the Regular Session of the Fifty-sixth Legislature;

(9) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and procure testimony; and

(10) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly or other officer designated by him is hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer, and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the sum of one thousand dollars (\$1,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses or claims it may incur under this resolution, to be paid from the Contingent Fund of the Senate and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 433 WAIVED

Mr Field waived his notice of motion to reconsider the vote whereby Assembly Bill No 433 was passed.

Assembly Bill No 433 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1111 WAIVED

Mr Evans waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1111 was passed.

Assembly Bill No. 1111 ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 168—An act to add Sections 2468.5, 2468.6 and 2473 to the Civil Code, relating to partnerships.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Berry, Call, Carlson, Doyle, Gannon, Johnson, Kilpatrick, Maloney, McCollister, Middough, O'Day, Rosenthal, Smith, Thorp, Werdel, Wollenberg, and Mr. Speaker—21.

NOES—Anderson, Bennett, Brown, Burkhalter, Burns, Carey, Clarke, Collins, Sam L. Crichton, Debs, Dickey, Dills, Ralph C., Dunn, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King,

Knight, John B., Kraft, Lyons, Massion, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Weber, and Weybret—41.

RECONSIDERATION OF ASSEMBLY BILL NO. 295

In compliance with a notice given on a previous day, Mr. Call moved that the vote whereby Assembly Bill No. 295 was passed be reconsidered.

Assembly Bill No. 295 refused reconsideration by the following vote:

AYES—Call, Carlson, Clarke, Collins, Sam L., Dilworth, Doyle, Erwin, Field, Fout, Hastain, Kellems, Knight, T. Fenton; Leonard, McCollister, Middough, Miller, Potter, Smith, Thompson, Thorp, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—25.

NOES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dills, Ralph C., Dunn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sheridan, Stream, Thomas, and Weber—42.

Assembly Bill No. 295 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1564—An act to amend Section 7 of the "American River Flood Control District Act," approved May 28, 1927, relating to the board of trustees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dilworth, Dunn, Erwin, Evans, Field, Fout, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Willis Sargent Presiding

At 11.02 a.m., Hon. Willis Sargent, Member of the Assembly from the Forty-seventh District, presiding.

Assembly Bill No. 1054—An act to add Section 862.29 to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to powers of a city council in cities of the sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1787—An act amending Sections 4006, 4030, 4036, 4090, 4091, 4196, 4231, 4232, 4233, 4250, 4255, and 4256 and to repeal

Sections 4160, 4161, and 4162 of the Business and Professions Code, relating to licentiates in pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Motion to Amend Title

Mr. Kraft moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "4091," insert "4135."

Amendment read and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Assembly Bill No. 945—An act to amend Section 4170 of and add Section 4174 to the Business and Professions Code, relating to temporary certificates to practice pharmacy, declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 50—An act to add Section 2806 to the Labor Code, relating to discrimination.

Bill read third time.

Motion to Amend

Mr. Kellems moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, strike out "person", and insert "employer or labor union".

Amendment read.

Roll Call Demanded

Messrs. Dills, Ralph C., Evans, and McMillan demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Armstrong, Collins, Sam L., Crichton, Denny, Dilworth, Erwin, Evans, Kellems, Leonard, Middough, Miller, Smith, Stream, Thompson, Watson, Werdel, and Weybret—17.

NOES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crowley, Debs, Dickey, Dills, Ralph C., Doyle, Dunn, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Lowrey, Lyons, Maloney, Massion, McColister, McMillan, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Weber, and Wollenberg—45.

The question being on the passage of Assembly Bill No. 50.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hawkins moved a call of the Assembly.

Motion carried Time, 11.51 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

RE-REFERENCE OF ASSEMBLY BILL NO. 982

Mr. Call moved that Assembly Bill No. 982 be withdrawn from the file, and re-referred to the Committee on Judiciary.

Motion carried.

**WITHDRAWAL OF ASSEMBLY BILL NO. 229 FROM INACTIVE FILE
BY UNANIMOUS CONSENT**

Mr. Debs asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 229 from the inactive file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 229

Assembly Bill No. 229—An act to add Sections 30a to 30r to the Bank Act and to add Section 3081 to the Civil Code, relating to the disposal of unclaimed contents of safe deposit boxes rented by banks or other corporations and relating to unclaimed items of personal property left with a bank for safekeeping or storage.

Bill read third time.

Motion to Amend

Mr. Debs moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 5, of the printed bill, strike out "a notary public", and insert "the county treasurer, his deputy or authorized representative".

Amendment No. 2

On page 2, line 8, of the printed bill, strike out "notary public", and insert "the county treasurer, his deputy or authorized representative".

Amendment No. 3

On page 2, line 9, of the printed bill, strike out "and the notary public shall impress his seal thereon"

Amendment No. 4

On page 2, line 13, of the printed bill, strike out "one year", and insert "two years".

Amendment No. 5

On page 2 of the printed bill, commencing in line 19, strike out ", the fees of the notary public".

Amendment No. 6

On page 2, line 27, of the printed bill, strike out "one year", and insert "two years".

Amendment No. 7

On page 2, line 31, of the printed bill, strike out ", for notary fees".

Amendment No. 8

On page 2, line 41, of the printed bill, following "30g", insert "and other than bonds or other securities which at the time of the sale are listed on an established stock exchange in the United States".

Amendment No. 9

On page 2 of the printed bill, following line 50, insert "Notwithstanding any of the provisions of Sections 30a to 30r of this act, no stocks, bonds or other securities which, at the time of said sale, are listed on any established stock exchange in the United States shall be sold at such public sale but may be sold at any time thereafter through an established stock exchange. Upon the making of any such sale, there shall be executed by an officer of the bank and attached to the securities so sold an affidavit reciting facts showing that said securities were sold pursuant to the provisions of this act and that the provisions of this act governing said sale have been complied with. Such affidavit shall be and constitute sufficient authority to any corporation whose stock is so sold or to any registrar or transfer agent thereof to cancel the certificates of stock so sold and to issue a new certificate or certificates representing such stock to purchaser thereof and to any registrar, trustee or transfer agent of registered bonds or other securities to register any such bonds or other securities in the name of the purchaser thereof."

Amendment No. 10

On page 3, line 2, of the printed bill, strike out the second "the", and insert "any".

Amendment No. 11

On page 3, line 6, of the printed bill, following the period, insert "Such account shall be deemed a deposit within the meaning of Section 15 of this act as of the date of said sale."

Amendment No. 12

On page 3 of the printed bill, commencing in line 21, strike out "a notary public", and insert "the county treasurer, his deputy or authorized representative".

Amendment No. 13

On page 4, line 28, of the printed bill, strike out "a notary public", and insert "the county treasurer, his deputy or authorized representative".

Amendment No. 14

On page 4 of the printed bill, commencing in line 29, strike out "and the notary public shall impress his seal thereon".

Amendment No. 15

On page 4, line 38, of the printed bill, strike out "including the notary fee".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

**WITHDRAWAL OF ASSEMBLY BILL NO. 1266 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Field asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1266 from the Committee on Municipal and County Government, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1266

Assembly Bill No. 1266—An act to amend Section 1 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and

county fire protection district officers and employees, namely county foresters, fire wardens and county fire protection district firemen as defined in the act, and to provide certain benefits for their dependents and empowering county boards of supervisors to levy a special tax," approved May 19, 1939, Statutes 1939, Chapter 174, relating to the county foresters, fire wardens and firemen's pension system.

Bill read second time.

Motion to Amend

Mr. Field moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1 of", and insert "revise."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 and 2, and insert "SECTION 1. The act cited in the title hereof is hereby revised to read as follows:"

Amendment No. 3

On page 2, line 5, of the printed bill, after "capacity", strike out the balance of line 5; strike out all of lines 6 to 9, inclusive, and to and including "Supervisors" in line 9, and insert

"The second member shall be a member of the county forester and fire warden department and a member of the retirement system. He shall be elected by the members of that department who are members of the retirement system, within 30 days after the date on which the retirement system becomes operative, as hereinafter in this section provided, in a manner to be determined by the county board of supervisors.

The third member shall be a member of the county fire protection districts personnel and a member of the retirement system. He shall be elected by the members of the county fire protection districts who are members of the retirement system, within 30 days after the date on which the retirement system becomes operative, as hereinafter in this section provided, in a manner to be determined by the county board of supervisors.

Provided, however, that in the event any county taking advantage of the provisions of this act shall have all of its fire protective personnel under the jurisdiction of a single fire protection district or a series of fire protection districts, and shall have no fire protective personnel under the jurisdiction of a general county forester and/or fire warden, then and in that event, the second and third members shall be elected from the members of said fire protection district from such members thereof as are members of the retirement system in the manner prescribed above.

And further provided, that in the event any county taking advantage of the provisions of this act shall have all of its fire protective personnel under the jurisdiction of a general county forester and/or fire warden and shall have no fire protective personnel under the jurisdiction of a fire protection district or districts, then and in that event the second and third members shall be elected from such members of said general county forester and/or fire warden department, as are members of the retirement system, in the manner prescribed above."

Amendment No. 4

On page 2 of the printed bill, between lines 19 and 20, insert "Each of the fourth and fifth members of said board, as designated above, shall receive as compensation for his services thereon the sum of ten dollars (\$10) for each meeting of said board at which he is in attendance; provided, however, that in no event shall he receive compensation for more than 12 board meetings in any one calendar year"

Amendment No. 5

On page 2, line 22, of the printed bill, strike out "amendment", and insert "revision".

Amendment No. 6

On page 2 of the printed bill, following line 38, insert "In any county in which a retirement system shall have been established as provided for herein, the board of supervisors shall, upon the receipt of a resolution passed by a four-fifths (4/5) vote of the board of retirement, abolish said system in said county; provided, however, that such abolishment of said system shall not impair the right of any person to whom pension rights shall have accrued to continue to receive such pension as provided for herein after the abolishment of said system in said county, and if the fund herein provided for be inadequate to pay such pensions, they shall be paid from and constitute a charge upon the general fund of the county.

In the event that any such system shall have been abolished in any county, each active member as of the date of such abolishment shall be paid a refund of all con-

tributions made by him to said county forester, fire wardens and county fire protection district firemen's retirement fund, together with all interest which shall have been credited to his contributions as of said date of abolishment of said system.

SEC 2 (a) They shall organize as such county foresters, fire wardens and county fire protection district firemen's retirement board by choosing from their number a chairman, and thereafter said officers shall be chosen biennially by said board. The first, second and third members of said board shall serve without compensation, but they shall be reimbursed out of the funds of the county for any expense or loss of salary or wage which they may have incurred through services on the board and for costs of operation of this retirement system.

(b) Said board shall meet for the transaction of business at least once every three months in each calendar year and shall meet at such other times as said board or a majority thereof may order. Notice of all meetings shall be given by the secretary at least three days in advance thereof.

(c) A majority of said members may transact business in lieu of all of the members; provided, that said majority has in attendance the second and third members. In the event said second and third members, or either of them, are not in attendance no business shall be transacted.

SEC. 3. In addition to the other powers herein granted, said board shall be vested with the following powers and duties:

(a) To compel witnesses to attend and testify before it, upon all matters connected with the operation of this act, in the same manner as is or may be provided by law for the taking of testimony before notaries public; and its chairman, or any member of said board, may administer oaths to such witnesses.

(b) To appoint a secretary, and to provide for the payment from said fund of all its necessary expenses, including secretary hire and printing.

(c) To make by-laws and regulations not inconsistent with the provisions of this act and such by-laws and regulations shall become effective when approved by the board of supervisors.

(d) It shall be the duty of said board to report annually in the month of January to the board of supervisors, or other governing authority of the county, or city and county, or county fire protection district, the condition of the county foresters, fire wardens and county fire protection district firemen's retirement fund and the receipts and disbursements on account of the same with a full and complete list of the beneficiaries of said fund and the amounts paid them, for the preceding calendar year.

(e) The said board shall annually prepare a budget of the cost of maintaining the pension fund and for this purpose may employ an actuary to assist the board in preparing its budget and report to the end that said system may be scientifically financed and administered.

(f) Said board of retirement shall cause to be made an actuarial investigation and valuation of such system immediately after the first year of operation and thereafter at not to exceed five-year intervals. Such investigation shall be conducted under the supervision of an actuary and shall cover the mortality, service and salary experience of the members and beneficiaries, and shall evaluate the assets and liabilities of said retirement fund. Upon the basis of any or all of such determination, investigation and valuation, and upon the recommendation of the actuary said board of retirement shall recommend to the board of supervisors such changes in the rate of interest, in the rates of contributions of members, as well as such changes in county appropriations as may be deemed necessary. No adjustment shall be included in the new rates for time prior to the effective date of such revision.

Said board of supervisors shall promptly thereafter adjust the rate of interest, the rates of contributions of members, and county appropriations, as deemed advisable, but in no event shall said board of supervisors fix the rate of interest, the rates of contributions of members or county appropriations that will have the effect of reducing the amount of individual benefits as provided for herein.

(g) Said board shall have charge and control of said fund or funds and shall administer the same and shall have power to order payments therefrom in accordance with the provisions of this act.

SEC. 4. For the purpose of providing and maintaining a fund to meet the payments of demands drawn for the payment of pensions and the expenses of said retirement board, a fund is hereby created to be known as the "County foresters, fire wardens and county fire protection district firemen's retirement fund." There shall be paid into said fund the following moneys, to wit:

(a) The normal rates of contribution of members which shall be based on the age at the nearest birthday at the time of entrance into the retirement system. The normal rates of contribution shall be such as will provide an average annuity at the lowest age at which the respective members shall be eligible for service retirement equal to one-half of terminal salary, according to the tables adopted by said board, subject to adjustment as provided for in subsection (f) of Section 3 hereof.

(b) Until revised as a result of the actuarial investigation and valuation provided for in subsection (f) of Section 3 hereof, the rate of contribution of each member shall be that percentage of the salary actually paid to him, disregarding any portion thereof in excess of three hundred dollars (\$300) per month, shown in

the following table according to age at the time of entry into said retirement system.

<i>Age at entry into system</i>	<i>Contribution, percentage of salary</i>
21	4.31
22	4.48
23	4.66
24	4.85
25	5.05
26	5.26
27	5.49
28	5.73
29	5.98
30	6.25
31	6.54
32	6.85
33	7.18
34	7.54
35	7.93
36	8.34
37	8.80
38	9.30
39	9.86
40	10.47

The normal rate of contribution established for age 40 shall be the rate for any member who has attained a greater age before entrance into said retirement system. In like manner the normal rate of contribution established for age 21 shall be the rate for any member who enters said retirement system at a lesser age.

(c) The rate of contribution of members shall apply to so much of the salary actually paid to them, plus the monetary value as determined by the board of retirement of board, lodging, fuel, laundry and other advantages of any nature furnished to him made in payment for his services as does not exceed three hundred dollars (\$300) per month, and shall be deducted by the county auditor or other officer charged with the duty of drawing salary or wage warrants from the first salary or wage warrant drawn in each month in favor of each member of said retirement system which shall be paid by such auditor or other officer to the county treasurer and placed to the credit of each individual member's account. Payment of salaries and wages less such contribution shall be full and complete discharge and acquittance of all claims and demands whatsoever for service rendered by such members during the period covered by such payment except their claims to the benefits to which they may be entitled as members of such retirement system.

(d) Upon election by any said qualified person to come within the provisions of this act said person shall automatically be excluded from any other retirement system established under the laws of this State or any city, county or city and county therein, and any sums due such person under such other system shall be paid to him as in the case of separation from the service, it being the intention that the retirement system provided by this act shall be exclusive and that the persons entitled thereto shall not participate in any other system now or hereafter provided by law for county and/or county fire protection district officers or employees; provided, however, that where said person elects to come within the provisions of this act and elects to secure credit for prior service as a forester, fire warden or fireman under this act, and where such person has to his credit in any other pension system a sum exceeding that necessary to entitle said person to credit for said prior service as a forester, fire warden or fireman, there shall be refunded to said person so electing to come within this system only such sum due said person under said other pension system as exceeds the amount necessary to entitle said person to credit claimed for prior service as a forester, fire warden or fireman, said sum to be determined on a 2 per cent basis applied to the aggregate salary and/or wage paid during the period of prior service claimed as a forester, fire warden or fireman; provided, however, where said person electing to secure credit for prior service as a forester, fire warden or fireman under this act has to his credit in any other pension system a sum less than that necessary to entitle him to credit for said prior service as a forester, fire warden or fireman, there shall be deposited in the retirement fund by said person so electing to come within this system a sum equal to the amount necessary to entitle said person to credit claimed for prior service as a forester, fire warden or fireman, and said amount said person has to his credit in any other pension system shall be transferred from such other system to the retirement fund of this system, to the credit of said person electing to secure credit for prior service as a forester, fire warden or fireman, said sum to be determined on a 2 per cent basis applied to the aggregate salary and/or wage paid during the period of prior service claimed as a forester, fire warden or fireman; and provided,

also, where said person electing to secure credit for prior service as a forester, fire warden or fireman under this act, may further elect not to claim full credit for said prior service as a forester, fire warden or fireman, but only a fractional part of said prior service, in the event of such election to claim but a fractional part of said prior service as a forester, fire warden or fireman, said person will receive a refund or make deposit based on the amount to his credit in any other pension system as against the fractional part of said prior service claimed, said sum to be determined on a 2 per cent basis applied to the aggregate salary and/or wage paid during the period of prior service claimed as a forester, fire warden or fireman.

(e) An amount to be determined and appropriated each year by the board of supervisors. Said amount to be sufficient, together with the contribution of county forester, fire wardens and county fire protection district firemen to meet all of the current demands, including interest, against said pension fund. The board shall monthly deposit all contributions received in the county treasury to the credit of said fund.

From and after the date any system created by this act becomes operative, the board of supervisors shall in the preparation and adoption of the county or county fire protection districts budget, add to the appropriation for salaries and wages and include therein an appropriation equal in amount to the contributions to be made by the members of said retirement system during the period for which said budget is being prepared.

The county auditor shall certify to said board of supervisors at the end of each month the total amount of contributions paid by members to said retirement fund, and said board of supervisors shall thereupon transfer a like amount for such appropriation to said retirement fund.

(f) All contributions and deposits shall bear simple interest at a rate to be fixed by said board of retirement with the approval of said board of supervisors but said rate shall in no event be greater than 4 per cent per annum.

Interest shall be credited semiannually on June 30th and December 31st to all contributions in said retirement fund to the credit of each member which have been on deposit for six months immediately prior to such date.

(g) In any case where a member of said system shall have separated from the service of the county before retirement, and such separation is for any cause other than for permanent disability, there shall be paid to him, or, in case of his death while in the service, but before retirement, for any cause other than an injury received during the performance of his duty, or sickness caused by the discharge of such duty, there shall be paid to his legal representative, all the money paid in by him as his contribution to said fund, together with interest which shall have been credited to his account as provided for herein.

(h) Any member may redeposit in the retirement fund, within one year after his reentrance into the service, an amount equal to that which he withdrew therefrom at the last termination of his membership, plus a sum equal to that he would have deposited had his service been unbroken by such last termination, to be based on the salary received at the time of such last termination. Said redeposit shall constitute reinstatement in full in the foresters, fire wardens and fire protection district firemen's retirement system and said person making said redeposit shall thereupon be entitled to all of the privileges and benefits of said system.

Sec. 5. The title to all property acquired under the provisions of this act shall be taken in the name of the county. The title to any moneys which may become due to any forester, fire warden or fireman shall not pass from the county or county fire protection districts to such forester, fire warden or fireman until such forester, fire warden or fireman is entitled thereto under the provisions of this act. That portion of the wage of any forester, fire warden or fireman deducted or to be deducted under this act, the right of a forester, fire warden or fireman or other person to an annuity or pension and all of their rights in the fund herein provided, shall be exempt from taxation and from the operation of any law relating to bankruptcy or insolvency, and shall not be attached or taken upon execution or other process of any court. No assignment of any right in or to said funds, nor in or to any pension or annuity shall be valid.

Sec. 6. The board shall have charge and control of and shall safely keep the funds of the system and shall invest and reinvest the same, and may from time to time sell any securities held by them and invest and reinvest the proceeds therefrom, and any and all unappropriated income of said funds; provided, however, that all funds received by them not required for current disbursements shall be invested in those securities only which shall be legal for savings bank investments or deposited at interest in any State or National bank doing business with the county in accordance with the provisions of law authorizing and controlling the deposit of public funds in banks; provided, that the credit of the county shall not be given or lent in aid of, or to, any person, association or corporation, whether municipal or otherwise, nor shall it be pledged in any manner whatever for the payment of the liabilities of any individual, association, municipal or other corporation whatever. Whenever securities belonging to or held for said retirement system are sold, the county treasurer shall deliver the securities so sold upon receiving the proceeds thereof, and may execute any and all documents necessary

to transfer title thereto. The duties herein imposed upon the county treasurer shall be deemed a part of his official duties, for the faithful performance of which he shall be liable on his official bond.

SEC. 7. A trust fund account to be known as "County foresters, fire wardens and firemen's retirement fund" is hereby created to be opened upon the books of the auditor and treasurer of the counties adopting a retirement system under the provisions of this act. All transfers or payments to the retirement fund and all withdrawals and other cash transactions, shall be accounted upon the books of the auditor and treasurer in and out of this fund account, in the manner they would be accounted if they were county transactions.

SEC. 8. All warrants drawn on the county foresters, fire wardens and fire protection district firemen's retirement fund shall be signed by the treasurer and at least one other member of the board of retirement, who shall be designated by such board, but no warrant so drawn shall be valid until it has been countersigned and numbered by the county auditor and a record made of it by him. Payments provided for in this act shall be made monthly upon proper vouchers.

SEC. 9. As used in this act, the term "county foresters, fire wardens and firemen" shall mean all county foresters, county fire wardens, deputy or assistant county foresters, deputy or assistant county fire wardens, heads and assistant heads of all divisions of any county forester's or county fire warden's department, together with all fire apparatus engineers, fire prevention inspectors, forest firemen, fire patrolmen, fire observers and foremen assigned to fire suppression crews and all other personnel not specifically mentioned herein, and not specifically excluded, who are assigned to fire prevention and suppression in any county forester's or county fire warden's department, together with officers, engineers and firemen of any county fire protection district and all other personnel not specifically mentioned herein and not specifically excluded, who are assigned to fire prevention and suppression in any county fire protection district, but shall not include clerks, bookkeepers, stenographers, cooks, laborers, county fire protection district volunteer employees or persons who are not employed for full-time duty, or other employees not performing the duties of any of the persons enumerated and shall not include any honorary deputy county fire warden or honorary deputy county forester, or voluntary fire warden holding appointment as such but receiving no compensation therefor and not regularly performing particular official duties. "Terminal salary" shall mean the average salary earnable by any member during the last three years or the last five years prior to the date of his retirement, whichever average salary is the greater.

SEC. 10. Except as otherwise provided herein, all foresters, fire wardens and firemen eligible for participation under the system provided by this act, shall be included in and shall be subject to the provisions of said act 30 days after said act becomes operative in any county, or 30 days after their entrance into the service; provided however, that any forester, fire warden or fireman may elect to be excluded from the provisions of this act at any time within 30 days after said act becomes operative in any county or within 30 days after their entrance into the service, upon his written election to be so excluded, and no employee who has so elected to be excluded, may thereafter be included in or participate in the system herein provided.

In the event that any member shall enter the armed forces of the United States during war or national emergency proclaimed by the President or act of Congress providing for peacetime induction or conscription and thereafter shall have returned to active service as a forester, fire warden or fireman within 90 days after the termination of such service during such war or emergency, he shall be deemed to have been in continuous service as a forester, fire warden or fireman during the time he was in such armed forces of the United States; provided, that he shall have during the period of his absence from active duty, or shall have within six months after his return from active duty paid into said retirement fund an amount equal to the amount of contributions which he would have made had he remained on active duty.

SEC. 11. Any member shall be retired for disability regardless of age or amount of service, if incapacitated for the performance of duty as the result of an injury or disease occurring in and arising out of the course of his employment. Incapacity for performance of duty shall be determined by the board. Any member incapacitated for the performance of duty by reason of a cause not included in the immediately preceding sentence, shall be retired regardless of age but only after 10 years of service for which contribution provided for in this act has been made as a forester, fire warden or fireman as defined under Section 9 of this act.

Upon retirement of a member for service-connected disability, such member shall receive an annual pension, payable in equal monthly installments, equal to one-half of his terminal salary; provided, that such pension shall in no case be more than one hundred fifty dollars (\$150) per month.

Whenever any member shall be killed, or die, as a result of any injury received during the performance of his duty, or from sickness caused by the discharge of such duty, or after retirement for service-connected disability, an annual pension shall be paid in equal monthly installments to his widow, or child, or children, in an amount equal to one-half of such member's terminal salary; provided, that such

pension shall in no case be more than one hundred fifty dollars (\$150) per month. Said pension shall be paid to the widow, during her lifetime or until she remarries, and thereafter such pension shall be paid to the legally appointed guardian of the child or children of such deceased member until such child or children shall have attained the age of 18 years, or, should there be no widow, or widow qualified to receive such pension, then to such guardian of his child or children, until such child or children shall have attained the age of 18 years; provided, however, that no widow of a pensioner shall be entitled to a pension unless she shall have been married to such deceased pensioner at least five years prior to the date of his retirement; and provided further, that if such widow, child or children shall marry, then the pension paid to the person so marrying shall cease.

Upon retirement of a member for nonservice-connected disability such member shall receive an annual pension, payable in monthly installments, as follows, dependent upon the aggregate length of his service:

After 10 years but less than 12 years of service, the sum of fifty dollars (\$50) per month;

After 12 years but less than 14 years of service, the sum of fifty-five dollars (\$55) per month;

After 14 years but less than 16 years of service, the sum of sixty dollars (\$60) per month;

After 16 years but less than 18 years of service, the sum of sixty-five dollars (\$65) per month;

After 18 years but less than 20 years of service, the sum of seventy dollars (\$70) per month;

After 20 years of service, the sum of seventy-five dollars (\$75) per month; provided, that in no case shall any pension for nonservice-connected disability exceed an amount equal to one-half of the terminal salary of such member.

The board of retirement may, within its discretion, require any member retired for disability, under the age of 50 years, to undergo medical examination. The examination shall be made by a physician or physicians, appointed by said board, at the place of residence of said retired member or other place mutually agreed upon. Upon the basis of such examination said board shall determine whether such retired member is still incapacitated, physically or mentally, for service in the position held by him at the time of his retirement. If said board determines that such retired member is not so incapacitated, his pension shall be canceled forthwith, and subject to rules and regulations which may have been adopted by the county for the reinstatement or reemployment of personnel, he shall be eligible for reinstatement to a position in the class in which he was employed at time of retirement.

Should the pension of any such retired member be canceled, there shall be paid to him immediately out of said fund, an amount equal to his accumulated contributions, as of the date of his retirement, together with all interest which shall have been credited to his account as provided for herein, less an amount equal to one-half of the pension payments made to him during the period of his retirement.

Should such retired member reenter county service and be eligible for membership in said retirement system, his rate of contribution for future years shall be that established for his age at the time of such reentry. He shall also receive credit for all service rendered by him prior to the time of his disability retirement; provided, that he shall have deposited into said fund within six months after his reinstatement or reemployment an amount equal to the amount paid to him upon cancellation of his pension.

At any time before the first payment on account of any pension is made, a member or beneficiary may elect to receive the actuarial equivalent at that time of his pension in a lesser pension payable throughout his life and that of his widow, if she survives him, in accordance with one or the other of the following options:

Option 1: Upon his death, such lesser pension shall be continued throughout the life of and paid to his widow.

Option 2: Upon his death one-half of such lesser pension shall be continued throughout the life of and paid to his widow.

SEC. 12. Whenever any person at the time this act becomes effective or thereafter shall have been duly appointed, selected, or elected and qualified and shall have served for 20 years or more in the aggregate, as a forester, fire warden or fireman, and who shall have reached the age of 60 years, said board shall upon its own motion, or upon the application of such person, order and direct that such person be retired and such person shall thereafter receive a pension payable in equal monthly installments during his lifetime, equal to one-half of his terminal salary; provided, however, that the amount of such pension shall in no case be more than one hundred fifty dollars (\$150) per month.

SEC. 13. No employee who accepts any of the benefits under the provisions of this act shall engage in any public employment, where as a result of such employment the aggregate compensation paid to such pensioner would exceed the compensation paid to him in the position from which he was retired, and any violation of the provisions of this section shall result in the immediate termination of any and all such benefits.

SEC. 14. No county forester, fire warden or county fire protection district fireman who receives compensation from the county for disability under any workmen's compensation act or by virtue of any judgment obtained against the county for disability, shall receive any of the benefits provided by this act, nor in the event of his death, shall any such benefits inure to his dependents as here provided; provided, however, that where such person is retired under the provisions of this act, and would be entitled to a pension thereunder, such person may receive such portion of the pension authorized as is represented by the difference between workmen's compensation and the full amount of the pension to which he might otherwise be entitled, it being the intention that the pension allowed for injury incurred in line of duty, shall not be cumulative with the benefits under workmen's compensation which may be awarded for the same injury or disability.

SEC. 15. The boards of supervisors, in their respective counties, shall have jurisdiction and power, under such limitations and restrictions as are prescribed by law, to levy a special tax to be used for the payment of pensions and annuities to county and county fire protection district employees under such pension, retirement and benefit systems or associations as may have been established by law for county and county fire protection district employees.

SEC. 16. The purpose of this act is to recognize a public obligation to employees in the public service whose duties expose them to more than ordinary risks and at the same time provide a means whereby such public employees who may be incapacitated in the performance of their duties, or by age, may be replaced by more capable employees to the betterment of the public service and without prejudice and without inflicting a hardship upon the employees removed, and the retirement pension and benefits herein provided are granted as an additional element of compensation for future services.

This act, therefore, shall be given a liberal interpretation with a view of carrying out such purpose and it shall not be construed as a local measure or one intended as a benefit to particular persons or places.

SEC. 17. In case any section, or sections, or part of any section, of this act, shall be found to be unconstitutional or invalid for any reason, the remainder of the act shall not thereby be invalidated but shall remain in full force and effect."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1793 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Burkhalter asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1793 from the Committee on Ways and Means, for purpose of amendment at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1793

Assembly Bill No. 1793—An act prescribing the terms upon which licenses may be issued to astrologers, creating a State Board of Astrological Examiners and declaring its powers and duties.

Bill read second time.

Motion to Amend

Mr. Burkhalter moved the adoption of the following amendment:

Amendment No. 1

On page 6 of the printed bill, after line 33, insert
"Sec. 18. This act is hereby declared to be for the purpose of regulating existing practices and does not constitute an approval or endorsement of astrology, either as a science or otherwise."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 342—An act to amend Sections 2353, 2705, and 5556 of the Elections Code, relating to the time for opening and closing the polls.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Ralph C., Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Weber, Weybret, and Mr. Speaker—55.

NOES—Beck and Lowrey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 938—An act to add to Chapter 4 of Division 4 of the Agricultural Code a new article to be numbered Article 9, including a new section to be numbered Section 690, relating to the disposition of moneys, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollier, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Weber, Weybret, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 538—An act to amend Section 5196 of the Public Resources Code, relating to investment of funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollier, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1431—An act to amend Section 740 of the Welfare and Institutions Code, relating to commitments by the juvenile court, and authorizing commitment of wards to the Youth Correction Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley,

Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 848—An act to add to Chapter 2 of Division 5 of the Agricultural Code a new section to be numbered 790.5, relating to emergency standards, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 50

At 12.21 p.m., on motion of Mr. Hawkins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 50 refused passage by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Collins, George D., Crichton, Crowley, Debs, Desmond, Dills, Ralph C., Dunn, Evans, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Kilpatrick King, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Thomas, and Wollenberg—39.

NOES—Armstrong, Call, Carlson, Clarke, Collins, Sam L., Denny, Dickey, Dilworth, Doyle, Erwin, Field, Fourt, Guthrie, Hastain, Heisinger, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Middough, Miller, Potter, Price, Sawallisch, Smith, Stream, Thompson, Thorp, Watson, Weber, Werdel, and Weybret—35.

Notice of Motion to Reconsider Assembly Bill No. 50

Mr. Hawkins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 50 was this day refused passage.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were re-referred as follows:

Assembly Bill No. 1102 re-referred to Committee on Ways and Means.
Assembly Bill No. 1103 re-referred to Committee on Ways and Means.

RECESS

At 12.35 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 283—An act to add Article 3, comprising Section 3.56, to Chapter 4 of Part 1 of Division 3 of the School Code, and to add Article 3, comprising Section 8286, to Chapter 3 of Division 4 of the Education Code, relating to the absence of pupils from school for participation in religious exercises or for moral and religious instruction.

Bill read third time.

Demand for Previous Question

Messrs. Doyle, Knight, John B., Johnson, Debs and McCollister demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 283.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Collins, George D., Collins, Sam L., Crowley, Debs, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Field, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Watson, Weber, Werdel, and Mr. Speaker—54.

NOES—Bashore, Beck, Call, Carlson, Clarke, Denny, Dills, Ralph C., Evans, Fourt, Gannon, Hastain, Kilpatrick, Knight, John B., Leonard, Lowrey, Miller, Potter, Thorp, Weybret, and Wollenberg—20.

Notice of Motion to Reconsider Assembly Bill No. 283

Mr. Lowrey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 283 was this day passed.

Motion to Print Explanation of Vote in Journal

Mr. Maloney moved that the following explanation of vote be printed in the Journal:

Motion carried.

Explanation of Vote

We have voted against Assembly Bill No. 283 for the reasons stated in the following editorial appearing in The Sacramento Bee.

RALPH C. DILLS
JOHN W. EVANS
VERNON KILPATRICK
LLOYD W. LOWREY

Every Legislature sees an effort on the part of some well intentioned people to break down the barriers which the citizens of California many years ago wisely erected against sectarian invasion of the public schools.

This session is no exception.

Already the Assembly Committee on Public Morals has approved by a vote of 13 to 7 A. B. 283 authorizing school children to be excused from their classes one hour each week to attend classes in religious instruction.

The quarrel of opponents of the bill is not with the need of such instruction. But they can not see any reason or excuse for taking one hour of the already short school day to devote it to a purpose so foreign to the school curriculum.

Moreover, religious training is a matter of parental interest and concern, not that of the schools or their teachers.

The school classes generally are dismissed at 3 o'clock in the afternoon, and there is no school on Saturdays or Sundays.

If one hour of religious education is necessary, ample time exists to give it without invading and upsetting the schedules of the public schools.

Whole classes would be disorganized completely if half of the children were dismissed, while the rest remained.

However, it is more than the one hour which is involved.

If that concession can be wrested from the Legislature by the sectarians, it will be just the beginning of additional encroachments on the public schools.

The time to say hands off is now and to say it so emphatically that an end will be made of all such unsound proposals.

CONSIDERATION OF SENATE BILL NO. 291 (OUT OF ORDER)

Senate Bill No. 291—An act to provide for suspending the enforcement of certain obligations against the operators of gold and silver mines who have been forced to cease operations because of the war, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 9 and 10, and insert "until causes of said distress have been removed by cessation of the war"

This act shall, therefore, be effective until six months after the termination of hostilities between the United States and all nations with which the United States is at war as determined by an act of Congress or proclamation of the President of the United States, or until October 1, 1945, whichever first occurs."

Amendment No. 1a

On page 1, line 19, of said bill, as amended, strike out "both," and insert "minimum royalties, or (3) holds the property subject to a mortgage or trust deed or (4) holds gold or silver mining machinery or equipment under contract of sale or subject to chattel mortgage,"

Amendment No. 2

On page 3 of said bill, as amended, between lines 4 and 5, insert

"Sec. 5 Subject to the limitations as to time provided in Section 1 hereof, any operator of gold or silver mining property who has ceased operating pursuant to the restrictions imposed on gold or silver mining by the United States, and who is in danger of forfeiture under any of the instruments named in Section 2 hereof, may file a petition in the superior court of the county in which such gold or silver mining property or machinery or equipment or the major portion thereof is situated, praying for an order postponing the sale of such property or machinery and equipment, or prevention of forfeiture under the instruments set forth in Section 2 hereof

Sec. 6. A copy of such petition shall be served upon the trustee and the beneficiary under such deed of trust, upon the mortgagee under such mortgage upon the

lessor in a lease providing for payment of minimum royalties and upon the holder of the contract of sale or chattel mortgage on machinery and equipment or the obligee in any contract mentioned in Section 2 hereof, as the case may be, in the manner provided by law for the service of summonses in a civil action.

A notice of pendency of such petition shall immediately be recorded in each county in which any of such property is situated, and on the day of such recordation a copy thereof shall be mailed, postage prepaid, from a post office within this State, addressed to such trustee and beneficiary, such mortgagee, or the holder of the contract of sale or chattel mortgage on machinery and equipment, or upon the lessor in a lease providing for payment of minimum royalties or the obligee in any contract mentioned in Section 2 hereof, as the case may be, at their respective places of residence, if known to petitioner, if not, then at the county seat of the county, or at the city and county, where the proceeding is pending.

Such notice of pendency shall state the name of the petitioner, the nature of the petition, and the book and page of the records of the county recorder in which the mortgage or deed of trust or other instrument is recorded.

Sec. 7. Upon application of the petitioner, after service of such petition, or upon application of any other interested party after the filing of the petition, a hearing shall be had thereon within 20 days after such application, upon such notice as the court shall reasonably prescribe; provided, however, that the court if it finds equitable grounds therefor, may postpone such hearing for not to exceed 30 days.

After the filing of such petition and the recording and mailing of the notice of the pendency thereof as provided in Sections 5 and 6 of this act, no sale under the power of sale conferred by such deed of trust or such mortgage or other instrument shall be held nor shall any forfeiture be effected under any of the instruments set forth in Section 2 hereof until the court makes its order in the matter, but nothing herein contained shall prevent such sale or forfeiture at any time after October 1, 1945, or six months after termination of the war, whichever shall first occur.

Sec. 8. Upon such hearing the court may make its order, if it finds equitable grounds for relief, and finds that the security will not be unreasonably jeopardized thereby, ordering that such sale shall not be held or forfeiture declared until after such date as the court considers just and equitable, but in no event shall such date be beyond October 1, 1945, or six months after termination of the war, whichever first occurs, or may make its order dismissing such proceedings.

If the court orders the sale or forfeiture postponed it shall determine the reasonable value of the income from such property, or if the property has no income, then the reasonable rental value of such property, or if the property is unimproved, a reasonable sum to be paid by the trustor or mortgagor, or holder under other instrument set forth in Section 2 hereof, as determined by the court, and by such order shall require the trustor or mortgagor to pay all or at least a reasonable part of such income, rental value, or sum so determined by the court, in or toward the payment of taxes, insurance, interest, or principal of the indebtedness at such times and in such manner as are determined to be just and equitable under the circumstances.

Sec. 9. The court must include in such order provisions requiring maintenance and repair by the trustor or mortgagor, or holder under other instrument set forth in Section 2 hereof, regulating the disposition of any income from the property and such other provisions as it deems just and equitable for the protection of the security, but in no event shall the court order the payment by the trustor or mortgagor or holder under other instrument set forth in Section 2 hereof of a lesser sum than necessary to pay (a) current taxes, (b) all delinquent taxes, except that such taxes may be paid in installments as may be provided by law, and (c) any insurance premiums required to be paid by the petitioner under the contract between the parties.

Sec. 10. When any mortgage or deed of trust upon property, or upon machinery and equipment attached to or used in operating gold or silver mining property or other instrument, has been foreclosed, and the property covered thereby has been sold in whole or in part under decree of foreclosure, and the period of redemption has not yet expired, the mortgagor or trustor thereof, or holder under other instrument set forth in Section 2 hereof, having the right of redemption, may at any time not later than October 1, 1945, or six months after termination of the war, whichever first occurs, file a petition in the superior court of the county in which the property so sold or the major portion thereof is situated, praying for an order extending such period of redemption.

Sec. 11. A copy of such petition shall be served upon the purchaser of such property at the foreclosure sale, or, if there has been a redemption, upon the last redemptioner, in the manner provided by law for the service of summonses in a civil action.

A notice of pendency of such petition shall immediately be recorded in each county in which any of such property is situated, and, on the day of such recordation, a copy thereof shall be mailed, postage prepaid, from a post office within this State, addressed to such purchaser or last redemptioner, as the case may be, at his place of residence, if known to petitioner, if not, then at the county seat of the county, or at the city and county, where the proceeding is pending.

Such notice of pendency shall state the name of the petitioner, the nature of the petition, and the book and page of the records of the county recorder in which the mortgage or deed of trust or other instrument is recorded.

Sec. 12. Upon application of the petitioner after service of such petition, or upon application of any other interested party, after the filing of the petition, a hearing shall be had thereon within 20 days after such application, upon such notice as the court shall reasonably prescribe; provided, however, that the court, if it finds equitable grounds therefor, may postpone such hearing for not to exceed 10 days.

Upon the filing of such petition and the recording and mailing of the notice of pendency thereof as provided in Sections 10 and 11 of this act, the period of redemption, if such period would sooner terminate, shall be extended until 10 days after the court makes its order in the matter, but in no event beyond October 1, 1945, or six months after termination of the war, whichever first occurs.

Sec. 13. Upon such hearing the court may make its order, if it finds equitable grounds for relief and finds that the security will not be unreasonably jeopardized thereby, extending such period of redemption for such additional time as the court considers just and equitable, but in no event beyond October 1, 1945, or six months after termination of the war, whichever first occurs, or may make its order dismissing such proceeding.

If the court by its order extends the period of redemption, it shall determine the reasonable value of the income from such property, or if the property has no income, then the reasonable rental value of such property, or if the property is unimproved, a reasonable sum to be paid by the operator as determined by the court.

The court shall require the operator to pay all or at least a reasonable part of such income, rental value, or sum so determined by the court, in or toward the payment of taxes upon such property, the cost of insurance and the sums to which the purchaser of such property at such foreclosure sale, or the last redemption, as the case may be, is entitled under the provisions of Section 707 of the Code of Civil Procedure, at such times and in such manner determined to be just and equitable under the circumstances.

Sec. 14. The court may include in such order provisions requiring maintenance and repair by the operator, regulating the disposition of any income from the property, and such other provisions as it deems just and equitable for the protection of the interest and security of the purchaser or last redemption, as the case may be.

In no event shall the court order the payment by the operator of a lesser sum than the greater of (1) the amount of such reasonable value of the income, or such reasonable rental value, or such reasonable sum so determined by the court, or (2) a sum sufficient to pay (a) current taxes, (b) all delinquent taxes, except that such taxes may be paid in installment as provided by law, and (c) a sum reasonably necessary for fire and other insurance upon any improvement upon such property.

Sec. 15. Any sums paid to a purchaser or redemptioner pursuant to Sections 13 or 14 of this act shall be a credit upon the redemption money to be paid as provided in Section 707 of the Code of Civil Procedure; but in the event no redemption is made, the same shall belong to such purchaser or redemptioner.

Sec. 16. Nothing in this act shall be construed as abridging or limiting the statutory right of redemption provided in Sections 701, 702, 703, 704, 705, 706 and 707 of the Code of Civil Procedure, or as shortening the period of redemption as therein provided, or as altering the mode or procedure for redemption as therein provided.

Sec. 17. In any decree rendered, prior to October 1, 1945, foreclosing a mortgage or deed of trust upon real property, the court may provide that the sale of the property shall not be held until on or after such date as the court considers just and equitable, but in no event later than October 1, 1945. If the court provides in such decree that the sale shall not be held until on or after such date as it shall fix, it shall determine the reasonable value of the income from such property, or if the property has no income, then the reasonable rental value of such property, or if the property is unimproved, a reasonable sum to be paid by the trustor or mortgagor or holder under other instrument set forth in Section 2 hereof, as determined by the court, and shall require the trustor or mortgagor or holder under other instrument set forth in Section 2 hereof to pay all or at least a reasonable part of such income, rental value, or sum so determined by the court, in or toward the payment of taxes, insurance, interest, or principal of the indebtedness at such times and in such manner determined to be just and equitable under the circumstances. The court may include in such order provisions requiring maintenance and repair regulating the disposition of any income from the property, and such other provisions as it deems just and equitable for the protection of the security.

After such hearing the court, if it shall determine that it is equitable and just so to do and that the security will not be unreasonably jeopardized thereby, may make its order postponing to a date not later than October 1, 1945, or six months after termination of the war, whichever shall first occur, the foreclosure, termination or forfeiture of the petitioners' interest under such contract of purchase on

substantially the same terms and conditions as those prescribed in Sections 5, 6, 7, 8 and 9 of this act, or the court may make its order dismissing such proceeding.

Sec. 18. If the trustor, mortgagor or purchaser under a contract of purchase commits waste or defaults in any payment or act required by order or decree of court, the court, unless good excuse therefor is shown, shall order that the sale, foreclosure, termination or forfeiture postponed by its order or decree proceed as provided by law, or that the period of redemption extended by its order or decree shall expire on the making of its order or within the time provided by law, whichever shall last occur, and that the moneys to be paid on redemption, if theretofore reduced, be increased to the extent of such previous reduction, if it finds after hearing upon such notice to the original petitioner or his attorney as it prescribes, that there has been such waste or such default, unless good excuse therefor is shown, amounting to a material breach of the order or decree of postponement or extension.

Sec. 19. No suit or action shall be commenced against the guarantor of any note secured by a mortgage or deed of trust upon gold or silver mining properties property, or upon chattels attached to or used in connection with gold or silver mining property, in any case while, pursuant to the provisions of this act, no sale may be made under any power of sale contained in such mortgage or deed of trust or while no sale may be made under the final decree of foreclosure rendered in an action to foreclose such mortgage.

Sec. 20. No sale shall be made under any decree of foreclosure, of, or under any power of sale contained in, any chattel mortgage upon any personal property located in and used in connection with the operation of any building located upon gold or silver mining property, until on or after such date as a sale of such gold or silver mining property is lawfully held under such mortgage, deed of trust, or contract of purchase, when such chattel mortgage was given as additional security for an obligation also secured by a deed of trust, mortgage, or contract of purchase, on such real property or other instrument mentioned in Section 2 hereof.

Sec. 21. Whenever the time within which an action may be commenced upon any obligation founded upon a written instrument secured by chattel mortgage, mortgage, deed of trust or contract of purchase, or founded upon any guarantee of such obligation or any contract of suretyship therefor or any endorsement of such instrument, would expire by virtue of Section 337 of the Code of Civil Procedure, or any other provision of law, during the period commencing with the effective date of this act and ending on the date upon which this act shall cease to be in effect, with respect to any property or chattel relating to which a petition has been filed under this act, such time is hereby extended so as not to expire until December 31, 1945, or nine months after cessation of the war, whichever shall first occur.

Sec. 22. Nothing contained in this act shall apply to or be deemed to affect:

(a) Any mortgage, deed of trust, lease agreement, operating agreement or contract of sale upon gold or silver mining property, or upon chattels attached to real property, executed after the effective date of this act.

(b) Any mortgage or deed of trust while held and owned by the original lender securing any loan made by the United States Government or any agency thereof or any loan insured by the United States Government or any agency thereof; and any judgment entered in favor of, or any sheriff's or commissioner's certificate of sale issued to the United States Government or any agency thereof in an action to foreclose any such mortgage or deed of trust;

(c) Any mortgage or deed of trust securing an obligation in default at the time the owner or owners acquired title by purchase subsequent to the effective date of this act.

Sec. 23. As used in this act:

(a) The terms "mortgagor," "mortgagee," "trustor," "trustee," "purchaser," "vendor," "lessee," and "guarantor" shall include their personal representatives, assigns or successors in interest, and the singular shall include the plural.

(b) The term "trustee" shall also include the beneficiary of a deed of trust.

(c) As used in this act, the term "chattels attached to mining property," or similar designation, includes anything which is deemed affixed or attached to land, or as forming part of the land.

(d) The term "mining" means gold or silver mining.

(e) The term "real property" means gold or silver mining property.

(f) The term "operator" includes all persons, firms or corporations engaged in gold or silver mining operations.

(g) "Machinery" and "equipment" shall mean "gold or silver mining machinery" and "equipment."

Sec. 24. Nothing contained in this act shall preclude any trustor under a deed of trust or any mortgagor of chattels or any mortgagor under a mortgage or any purchaser under a contract for the purchase of real property, or chattels attached to real property, from executing and delivering at any time a deed to his beneficiary, mortgagee or vendor, or the purchaser at any foreclosure sale or a redemptioner, as the case may be, and the execution and delivery of any such deed by any such trustor, mortgagor or purchaser shall constitute a waiver of the benefit of all the provisions of this act. The failure on the part of any trustor, mortgagor or purchaser or operator to file a petition within the times specified in this act, shall be deemed a waiver of the benefit of the provisions of this act.

Sec. 25. Any sale of property under a chattel mortgage, or of real property, or of chattels attached to real property, under a deed of trust, mortgage, or chattel mortgage, and any forfeiture made in violation of this act shall be voidable, except as against a bona fide purchaser or encumbrancer for value, at the instance of the record owner of such real or personal property at the time of such sale, or the operator at the time of such forfeiture; provided, that any action to avoid such sale or any deed executed pursuant thereto must be brought within one year of the date of such sale.

Sec. 26. There shall be no filing fees for the filing of any document with the county clerk under the provisions of this act.

Sec. 27. Until October 1 1945, or six months after termination of the war, whichever shall first occur, no receiver shall be appointed at the instance of the mortgagee of any mortgage or the trustee or beneficiary of any deed of trust, with respect to real property or chattels attached to real property subject to mortgage or deed of trust, except in a suit or action for the foreclosure of such mortgage or deed of trust or for the enforcement of the covenants, or any thereof, contained in such mortgage or deed of trust, or in a proceeding ancillary to any such suit or action, or until after recording notice of default.

Sec. 28. If any section, clause or part of this act, or the application thereof to any person or circumstance, is finally determined by the courts to be unconstitutional, such section, clause or part shall no longer be effective or such application shall no longer control, but all other sections, clauses or parts or the application thereof to other persons and circumstances shall continue in full force and effect; it being the intent of the Legislature to make this act as effective as possible to relieve operators in the manner herein provided.

Sec. 29. Whenever any petition under this act is to be or is being heard by the court, the interested parties may submit to the court, in writing, a composition of the indebtedness involved in the proceeding, or a compromise settlement of the proceeding, and the court shall have jurisdiction and may "be" its order confirm and approve such composition or settlement.

Sec. 30. Nothing contained herein shall be construed as affecting any rights which have accrued under Chapter 1, Statutes of the Extra Session of 1934, or shorten the time within which any action may be commenced.

Sec. 31. Nothing contained herein shall be construed as affecting any rights which have accrued under Chapter 7, Statutes of 1935, Chapter 348, Statutes of 1935, Chapter 5 or Chapter 167, Statutes of 1937, Chapter 86, Statutes of 1939, or Chapter 208, Statutes of 1941, or shorten the time within which any action may be commenced, or affect any proceedings taken thereunder."

Amendment No. 3

On page 3, line 5, of said bill, as amended, strike out "5", and insert "32"

Amendment No. 4

On page 3, line 14, of said bill, as amended, strike out "6", and insert "33".

Amendment No. 5

On page 3, line 20, of said bill, as amended, strike out "7", and insert "34".

Amendment No. 6

On page 3, of said bill, as amended, strike out lines 24 to 27, inclusive.

Amendment No. 7

On page 3, line 28, of said bill, as amended, strike out "9", and insert "35".

~~Amendments read and adopted.~~

~~Bill ordered reprinted, and to third reading.~~

[On April 7, 1943, above action was rescinded, and record ordered expunged, whereby amendments to Senate Bill No. 291 were this day adopted.]

**WITHDRAWAL OF ASSEMBLY BILL NO. 694 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Bashore asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 694 from the Committee on Revenue and Taxation, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 694

Assembly Bill No. 694—An act to authorize the State Board of Equalization to enter into and act pursuant to agreements with the

United States or with any other State or political subdivision thereof for the purpose of coordinating the administration of taxes imposed by this State, the United States, or any other State or political subdivision thereof.

Bill read second time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "or with any other State or political subdivision thereof".

Amendment No. 2

In line 5 of the title of the printed bill, after "this State" strike out the comma, and insert "and"; after "United States", strike out the comma, and insert a period; and strike out the remainder of said line, and all of line 6 of the title.

Amendment No. 3

On page 1, lines 4 and 5, of the printed bill, strike out "or with a State or any political subdivision thereof,".

Amendment No. 4

On page 1, lines 7 and 8, of the printed bill, strike out "or by any other State or political subdivision thereof."

Amendment No. 5

On page 1 of the printed bill, strike out all of lines 13, 14, and 15.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 359 FROM INACTIVE FILE
BY UNANIMOUS CONSENT**

Mr. Middough asked for, and was granted, unanimous consent, to withdraw Assembly Bill No. 359 from the inactive file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 359

Assembly Bill No. 359—An act to add Section 1752.6 to the Welfare and Institutions Code, relating to the powers of the Youth Correction Authority.

Bill read third time.

Motion to Amend

Mr. Middough moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, after "may", insert ", with the approval of the Director of Finance,".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

RE-REFERENCE OF ASSEMBLY BILL NO. 1106

Mr. Leonard moved that Assembly Bill No. 1106 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 1094.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Thorp:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to repeal Sections 4239, 4239a, 4239b, 4239c, 4239d, 4239e, 4239f, 4239g, 4239h, 4239i, 4239j, 4239k, 4239l, 4239m, 4239n, 4239o, 4239p, 4239q, 4239r, 4239s, 4239t, 4239u, 4239v, and 4239w of, and to add Section 4239 to, the Political Code, relating to compensation for public services in counties of the tenth class.

Respectfully submitted.

J. E. THORP

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Thorp:

An act to repeal Sections 4239, 4239a, 4239b, 4239c, 4239d, 4239e, 4239f, 4239g, 4239h, 4239i, 4239j, 4239k, 4239l, 4239m, 4239n, 4239o, 4239p, 4239q, 4239r, 4239s, 4239t, 4239u, 4239v, and 4239w of, and to add Section 4239 to, the Political Code, relating to compensation for public services in counties of the tenth class.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 1967: By Mr. Thorp—An act to repeal Sections 4239, 4239a, 4239b, 4239c, 4239d, 4239e, 4239f, 4239g, 4239h, 4239i, 4239j, 4239k, 4239l, 4239m, 4239n, 4239o, 4239p, 4239q, 4239r, 4239s, 4239t, 4239u, 4239v, and 4239w of, and to add Section 4239 to, the Political Code, relating to compensation for public services in counties of the tenth class.

Referred to Committee on Municipal and County Government.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Watson and Armstrong:

House Resolution No. 165

Relating to the birthday of the Honorable Thomas M. Erwin

WHEREAS, Today marks the birthday of a Member of this Assembly who in the short space of a portion of a session has won a place of his own in the affections of the members of this body; and

WHEREAS, The boyhood ambition of this member seems to have been to own a cow, and this ambition has been realized to such full extent that he now owns some four hundred of them; and

WHEREAS, Until his last birthday, this member went about among his contented cows, embellished with the contented grin of bachelorhood; and

WHEREAS, Since his last birthday he has lost his status as a bachelor, but such loss of his contented grin as may have occurred is probably connected more with his assumption of the responsibilities of his position as a member of this body than with the assumption of his matrimonial status; and

WHEREAS, All such matters aside, this Assembly has been pleased to know and to have said member as one of this body; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly extends its felicitations to said Thomas M. Erwin and wishes for him many more happy birthdays to come.

Request for Unanimous Consent

Mr. Watson asked for, and was granted, unanimous consent to take up House Resolution No. 165, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr. Allen:

House Resolution No. 166

Relating to memorializing Congress to enact legislation to defer members of police and fire departments under Selective Service Laws

WHEREAS, Members of police and fire departments and of the various sheriffs' offices throughout the State, and members of the California Highway Patrol are so qualified by age and physical and mental fitness as to be desirable material under the Selective Service Act; and

WHEREAS, The services performed by members of those departments are of vital importance to the peace, health and safety of the State and can not be performed by persons who are not so qualified by age and physical and mental fitness; and

WHEREAS, The United States Selective Service System has made serious inroads in the personnel of the various police and fire departments and sheriffs' offices throughout the State, and in the California Highway Patrol, to the extent that the peace, health and safety of the State is in grave danger; now, therefore, be it

Resolved by the Assembly of the State of California, That Congress is hereby respectfully memorialized to enact legislation to defer members of police and fire departments and the various sheriffs' offices throughout the State and members of the California Highway Patrol under Selective Service Laws; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to forward a copy of this resolution to the President, the Secretary of War and to each Member of the Senate and House of Representatives from the State of California in the Congress of the United States; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to forward a copy of this resolution to the National Director of Selective Service and to the Director of Selective Service for the State of California.

Resolution read, and referred to Committee on Rules and House Functions.

Speaker Presiding

At 3.15 p.m. Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received and ordered printed in the Journal:

DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C., March 31, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk, California Legislature
Sacramento, California*

DEAR MR. OHNIMUS: This is in reply to your letter of February 3, 1943, addressed to Secretary Wickard, enclosing a copy of California Assembly Joint Resolution No. 27 with reference to retaining the administration of California fishery production in the Department of Agriculture.

On February 8, 1943, certain of our fisheries functions were transferred from the Department of Agriculture to the Department of the Interior as outlined in Food Directive No. 2, a copy of which is enclosed. This was done for the purpose of utilizing the Fish and Wildlife Service facilities.

Food Directive No. 2, referred to above, accomplishes, in part at least, the results contemplated in Assembly Joint Resolution No. 27 while retaining the identity of the Fish Products Division in the Department of Agriculture and the Division of Fishery Industries in the Department of the Interior.

The confidence evidenced by those who have wanted all commercial fishery problems handled by our department is appreciated very much.

Sincerely,

EMERY E. JACOBS, Assistant to the Secretary

Enclosure

Food Directive No. 2 ordered referred to Mr. Call.

By Speaker Lyon:

A communication from Jane Mead, relative to request to print article in the Journal, was received, and ordered referred to the Committee on Rules and House Functions.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, April 6, 1943

*Hon. Charles Lyon, Speaker of the Assembly
Assembly Chambers, State Capitol, Sacramento, California*

MY DEAR MR. SPEAKER: The California War Powers Act creating the War Council, adopted by the First Extraordinary Session of the Legislature, will become effective on May 1st. Because of the extreme importance of the functions to be exercised by the Council under the terms of the act, I believe it is desirable that the appointive members be selected and a meeting be held as soon as possible for the purpose of formulating plans, discussing budgetary matters, and selecting the man whom they desire to have serve as the State Director of Civilian Defense.

I am, today, announcing that I propose to appoint, as soon as the act becomes effective, Eugene W. Biscailuz, Sheriff of Los Angeles County, and Leshe Cleary, District Attorney of Stanislaus County, as the two representatives of the county governments of the State; and Mr. Walter W. Cooper, City Manager of San Diego, and Mr. Richard Graves, Executive Secretary of the League of California Cities, as the two representatives of the city governments of the State.

If convenient, I should appreciate it if you, as Speaker, will select the two Members of the Assembly whom you propose to appoint, and give me their names, in order that I may call an informal meeting of the War Council on Monday, April 12, at 2 p.m. in my office.

Sincerely,

EARL WARREN, Governor

Appointment of Representatives on California War Council

In compliance with the request made by the Governor in the foregoing message, the Speaker announced the appointment of Messrs. Weybret and Allen to represent the Assembly on the California War Council, and instructed the Chief Clerk to so notify the Governor of the appointments.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, and ordered printed in the Journal:

STATE OF CALIFORNIA
BUREAU OF PRINTING, SACRAMENTO, April 2, 1943

*Hon. Arthur A. Ohnimus, Chief Clerk
Fifty-fifth California Assembly
State Capitol, Sacramento, California*

DEAR MR. OHNIMUS: Our Check No. 6 in the sum of \$13,623.18 has been deposited to the credit of the Legislative Printing Fund. This covers total collections on the sale of legislative printed matter for the period of January 4th, to March 24th, less the sum of \$13.94 which covers \$13.89 received as collections of sales tax and \$0.05 overpayment. Our total collections for this period were \$13,637.12. Statement of Sales Distribution and Operating Statement for this period are attached for your information.

You will note in our Operating Statement that the percentage of our operating expenses for this period was 16½ per cent.

Referring to a report of the Supervisor of Documents in the Assembly Journal of 1941, pages 1549 and 1550, it will be of interest to note that the total amount reimbursed by that office for the two-year period from July 1, 1938, through June 30, 1940, on gross sales totaling \$30,601.17, after deducting overhead and administrative expenses, etc., of \$19,378.50, was \$11,222.67. The percentage of his cost of operation for that period, based on his report, is 48 7/10 per cent compared to 16½ per cent for the Legislative Bill Room's expense chargeable against legislative bill services.

It is of particular interest to the Legislature to know that in the three-month period that the Bill Room has been operating as a sales agent for the Senate and Assembly, that no other documents have been sold, the entire income of \$13,637.12 being derived from the sale of printed matter emanating out of the Legislature, and not including statutes and codes for 1943.

Respectfully submitted.

GEORGE H. MOORE, State Printer

Attest: WALTER E. FINCH, Chief Accounting Officer

**Legislative Bill Room Operating Statement of the Sales of Publications
and Bill Service**

For the Period January 4, 1943, to March 24, 1943

Sales per detail-----		\$15,835 38
Plus:		
Collection of sales tax-----	\$13 89	
Cost of special transportation by request of customer-----	30 41	44 30
Total gross sales-----		\$15,879 68
Cash receipts per bank report-----	\$13,637 12	
Petty cash -----	10 00	
Accounts receivable as of March 24, 1943-----	2,232 56	\$15,879 68

Cost of Operations for the Above Period

Labor -----	\$ 1,749 80
Postage -----	644 44
Prepaid express and freight -----	42 03
Miscellaneous supplies, envelopes, etc. -----	110 00
	<u>\$ 2,546 27</u>
Percentage of cost to sales-----	16½%

NOTE: The operating cost is not to be deducted from any revenue remittance to the Legislature, because the above cost is a part of the regular Bill Room operations and has been billed to the Legislature as such.

Attest: WALTER E. FINCH, Chief Accounting Officer.

**Statement of Sales Distribution
For the Period January 4, 1943, to March 24, 1943**

<i>Publication</i>	<i>Quantity</i>	<i>Amount</i>
Budget—1943-45	399	\$ 403 01
California Legislature	8	8 50
Legislative bill services.....	390	14,806 50
Miscellaneous bill orders.....		617 32
Special handling expense		44 30
Overpayment on sales.....		05

TOTAL SALES

W. E. FINCH.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1139

Assembly Bill No. 1509

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1102

Assembly Bill No. 1247

Assembly Bill No. 1103

Assembly Bill No. 1370

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 14 of Article XIII, relating to exemptions of property on account of military service;

And reports that the same has been correctly enrolled, and presented to the Governor on the sixth day of April, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 811—An act to amend Sections 749, 750 and 751 of the Code of Civil Procedure, relating to the determination of conflicting claims to real property; And reports that the same has been correctly enrolled, and presented to the Governor on the sixth day of April, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 296

Assembly Bill No. 1096

Assembly Bill No. 519

Assembly Bill No. 1150

Assembly Bill No. 684

Assembly Bill No. 1414

Assembly Bill No. 946

Assembly Bill No. 1762

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 846

Assembly Bill No. 1508

Assembly Bill No. 847

Assembly Bill No. 1511

Assembly Bill No. 1385

Assembly Bill No. 1534

Assembly Bill No. 1392

Assembly Bill No. 1746

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Universities and Colleges, to which were referred:

- Assembly Bill No. 411
- Assembly Bill No. 1140

Has had the same under consideration, and reports the same back with the recommendation: Do pass, as amended, and be re-referred to Committee on Ways and Means.

JOHNSON, Chairman

Above reported bills ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred.

- Assembly Bill No. 514
- Assembly Bill No. 582
- Assembly Joint Resolution No. 18
- Assembly Bill No. 1803
- Senate Bill No. 524

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman

Above reported bills ordered to second reading.

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

- Assembly Bill No. 211
- Assembly Bill No. 627
- Senate Bill No. 699

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ROBERTSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER. Your Committee on Elections and Reapportionment, to which was referred:

- Assembly Bill No. 1253

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ROBERTSON, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

- Assembly Bill No. 62
- Assembly Bill No. 515
- Assembly Bill No. 800
- Assembly Bill No. 1590
- Assembly Bill No. 1602
- Assembly Bill No. 686
- Assembly Bill No. 1359
- Assembly Bill No. 1592

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

- Assembly Bill No. 458
- Assembly Bill No. 472
- Assembly Bill No. 1380
- Assembly Bill No. 1542

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

Committee on Universities and Colleges

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Universities and Colleges, to which was referred:

Assembly Bill No. 1601

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

JOHNSON, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 1437

Assembly Bill No. 1092

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 55

Assembly Bill No. 448

Assembly Bill No. 107

Assembly Bill No. 1049

Assembly Bill No. 111

Assembly Bill No. 1222

Assembly Bill No. 257

Assembly Bill No. 1497

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 51

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 48

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 21

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 155
 Senate Bill No. 156
 Senate Bill No. 160
 Senate Bill No. 161
 Senate Bill No. 162
 Senate Bill No. 163
 Senate Bill No. 164
 Senate Bill No. 166
 Senate Bill No. 167

Senate Bill No. 341
 Senate Bill No. 392
 Senate Bill No. 401
 Senate Bill No. 482
 Senate Bill No. 499
 Senate Bill No. 859
 Senate Bill No. 591
 Senate Bill No. 1068

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Joint Resolution No. 21—Relative to memorializing Congress to make available to the civilian population property of Japanese evacuees.

Referred to Committee on Judiciary.

Senate Bill No. 155—An act to add Section 255.5 to the Revenue and Taxation Code, relating to the veterans' exemption from taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 156—An act to add Sections 261 and 262 to the Revenue and Taxation Code, relating to veterans' exemptions, and prescribing a penalty for filing false claims.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 160—An act to amend Sections 154, 159, 160, 161, 740, 741, 742, 743, 744, 745, 747, 749, 834, 835, 836, 869, 901, 903, 905, 906, 907, 908, 909, 910, 911, 1000, 1001, 1002, 1003, 1004, 1005, 1050, 1075, 1076, 1120, 1124, 1125, 1127, 1129, 1150, 1152, 1153, 1175, 1176, 1177, 1178, 1179, 1200 and 5252 of the Welfare and Institutions Code, to add Sections 1008, 1009, 1010, 1011, 1014, 1015, 1049, and 1077 thereto, to repeal Sections 1007 and 1202 thereof, to repeal Article 2 of Chapter 3 of Part 1 of Division 2 thereof, comprising Sections 1020, 1021, 1022, 1023, and 1024, and Article 5 of said chapter, comprising Sections 1100, 1101, and 1102, and to amend and renumber Section 155.5 of said code to be Section 1000.5, all relating to the Youth Correction Authority, providing for commitments thereto by the juvenile courts, transferring thereto the correctional schools and forestry camps now subject to the jurisdiction of the State Department of Institutions, and specifying the powers and duties of the Youth Correction Authority and its officers and employees in regard to the inmates of such institutions and to other persons committed to the Authority.

Referred to Committee on Crime and Correction.

Senate Bill No. 161—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code, relating to commitments to the Youth Correction Authority.

Referred to Committee on Crime and Correction.

Senate Bill No. 162—An act to add Section 1714.5 to the Welfare and Institutions Code, and to amend Sections 1717 and 1718 thereof,

relating to the Youth Correction Authority, and providing for the appointment of temporary members thereof.

Referred to Committee on Crime and Correction.

Senate Bill No. 163—An act to add Section 1767.3 to the Welfare and Institutions Code, relating to the Youth Correction Authority, and providing for the return to the custody of the authority of persons committed thereto who are at liberty on parole or otherwise.

Referred to Committee on Crime and Correction.

Senate Bill No. 164—An act to add Section 1752.7 to the Welfare and Institutions Code, relating to the collection of statistics and other information by the Youth Correction Authority, and requiring public officers and employees to furnish statistics and other information to the authority.

Referred to Committee on Crime and Correction.

Senate Bill No. 166—An act to add Section 1760.7 to the Welfare and Institutions Code, to amend Sections 112, 643, and 644 thereof, and to amend Section 1203.11 of the Penal Code, transferring the power of supervision over adult and juvenile probation and probation officers from the State Department of Social Welfare to the Youth Correction Authority.

Referred to Committee on Crime and Correction.

Senate Bill No. 167—An act to amend Section 1554.2 of the Penal Code, relating to proceedings against fugitives from justice, and authorizing the Youth Correction Authority to apply to the Governor for requisitions for the return of persons committed thereto.

Referred to Committee on Crime and Correction.

Senate Bill No. 341—An act to amend Sections 4a and 23 of the Bank and Corporation Franchise Tax Act, relating to the rate and method of determining the rate of tax on National banking associations, banks and financial corporations.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 392—An act to amend Section 4312 of the Political Code, relating to the location and office hours of certain county offices, to take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 401—An act to amend Section 8 of the County Civil Service Enabling Act, relating to dismissals, suspensions and reduction in pay or rank.

Referred to Committee on Municipal and County Government.

Senate Bill No. 482—An act to amend Sections 13600, 13607, 13610, 13652, 13655, 13656, 13687, 13727 and 13728 of the Health and Safety Code, and to repeal Sections 13513, 13609, 13611 and 13653 thereof, relating to spotting, sponging and pressing establishments.

Referred to Committee on Public Health.

Senate Bill No. 499—An act to amend Section 202 of the Welfare and Institutions Code, relating to county contracts for hospital care and services.

Referred to Committee on Public Health.

Senate Bill No. 859—An act to add Section 9603.5 to the Revenue and Taxation Code, relating to the taxation of vehicles.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 591—An act to amend Sections 794, 799, and 800 of the Fish and Game Code, relating to abalones, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Fish and Game.

Senate Bill No. 1068—An act to amend Section 841 and repeal Section 841a of the Military and Veterans' Code, relating to veterans' farm and home purchase funds.

Referred to Committee on Military Affairs.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 902 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 903 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1107 re-referred to the Committee on Ways and Means.

Assembly Bill No. 720 re-referred to the Committee on Judiciary.

Assembly Bill No. 549 re-referred to the Committee on Judiciary.

Assembly Bill No. 107 re-referred to the Committee on Ways and Means.

Assembly Bill No. 111 re-referred to the Committee on Ways and Means.

Assembly Bill No. 1497 re-referred to the Committee on Labor and Capital.

Assembly Bill No. 1222 re-referred to the Committee on Ways and Means.

Assembly Bill No. 1139 re-referred to the Committee on Agriculture.

Assembly Bill No. 1509 re-referred to the Committee on Agriculture.

Assembly Bill No. 1746 re-referred to the Committee on Ways and Means.

Assembly Bill No. 684 re-referred to the Committee on Revenue and Taxation.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Ralph C. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. William A. Thompson of Clearwater and Mrs. Frank Stiefel of Whittier.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Leland M. Ford of Los Angeles.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. R. A. Wondollock of Alameda.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ed Petersen, Allan Petersen, and Elwood Craig, of Watsonville.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Ray Galbert of Riverside.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. William Belton of Los Angeles.

On request of Messrs. Waters and Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to First Class Boatswain's Mate Charles Painter of Los Angeles.

On request of Mr. Brown, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Joseph Hart of Modesto.

On request of Mr. Maloney and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Major Edmund J. Borowski, Air Corps, United States Army, and Mr. and Mrs. John Molinari of San Francisco.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. S. L. Allen of Sacramento.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private David Arnon of Berkeley.

ADJOURNMENT

At 3.37 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, April 7, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-SEVENTH LEGISLATIVE DAY
NINETY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 7, 1943

The Assembly met at 9.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Collins, Sam L., Crichton, Crowley, Debs, Denny, Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Thompson, Watson, and Mr. Speaker—44.

Call of the Assembly

Mr. Sam L. Collins moved a call of the Assembly.

Motion carried. Time, 9.31 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 9.33 a.m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Anderson, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Watson, Weybret, and Mr. Speaker—51.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher :

O God, our Refuge and our Fortress, we put our trust in Thee.
We thank Thee that our lives are not left to be playthings of the winds of chance for all things work together for good to them that love God. Make us, therefore, steadfast, unmoveable, always abounding in the work of the Lord.

"Be still, my soul; the Lord is on thy side;
Bear patiently the cross of grief or pain;
Leave to thy God to order or provide;
In every change He faithful will remain.
Be still my soul; thy best, thy heavenly Friend
Thro thorny ways leads to a joyful end."

In Jesus name.

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Erwin.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:
Mr. Waters, on motion of Mr. Fourn.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 18

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 696

Assembly Bill No. 1265

Assembly Bill No. 707

Assembly Bill No. 1603

Assembly Bill No. 708

Assembly Bill No. 1862

Assembly Bill No. 1238

And reports the same correctly engrossed

PELLETIER, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 504

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 514—An act to amend Sections 679, 1400, 2604, 2631, 2700, 5557, 5565, 5809, 7967, and 11581 of the Elections Code, and to repeal Sections 19, 45, 46, 120, 121, 122, 123, 124, 125, 126, 127, 128,

129, 130, 131, 132, 134, 135, 136, 180, 181, 182, 183, 184, 185, 186, 224, 225, 226, 227, 228, 229, 230, 291, 292, 293, 294, 295, 296, 297, 298, 330, 370, 371, 372, 373, 374, and 9000 of the Elections Code as contained in Chapter 26 of the Statutes of 1939, relating to elections and matters incidental thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 582—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in a primary election.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1803—An act to amend Sections 132, 5901 and 5931 of the Elections Code, relating to absentee registration and voting of members of the armed forces of the United States, or any auxiliary branch thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 956—An act to authorize the creation of a branch of the University of California at Santa Barbara, to abolish Santa Barbara State College, to transfer to The Regents of the University of California all properties belonging to or used for the benefit of said college, including moneys appropriated and unexpended, or which may be appropriated, to grant to employees of Santa Barbara State College who may become employees of the University of California, certain privileges with respect to membership in retirement and pension systems.

Bill read second time, and ordered engrossed.

Assembly Bill No. 62—An act to make an appropriation for the cost of auditing and collecting unemployment relief restitutions, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 515—An act to provide for the establishment and maintenance of a school of public health in the University of California and making an appropriation therefor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 800—An act to amend Section 776 of the Vehicle Code, relating to the "Motor Vehicle Support Fund," to take effect July 1, 1943.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1590—An act to add Section 2 to an act entitled "An act making an additional appropriation for construction, improvements, and equipment at the University of California," approved July 8, 1941, relative to the period of time during which the moneys thereby appropriated are available for expenditure.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1602—An act to add Section 2 to an act entitled “An act to provide for the establishment and maintenance of a College of Veterinary Medicine in the University of California, and to make an appropriation therefor,” approved July 9, 1941, relative to the period of time during which the moneys thereby appropriated are available for expenditure.

Bill read second time, and ordered engrossed.

Assembly Bill No. 686—An act to amend Sections 101, 102, 104, 106, 107, 110, and 113 and to repeal Section 111 of, and to add Section 107.5 to of the Health and Safety Code, relating to the State Department Public Health.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1359—An act to add Chapter 3, comprising Section 2650, to Division 4 of the Welfare and Institutions Code, and to repeal certain laws and parts of laws therein specified, relating to relief and public assistance due to and caused by unemployment, abolishing the State Relief Administration, the State Relief Commission and the Office of State Relief Administrator, providing for the disposition of the properties thereof, and prohibiting the expenditure of money for certain purposes.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1592—An act to add Part 10, comprising Sections 17001 to 19452, inclusive, to Division 2 of, and to add Section 50015 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Personal Income Tax Act, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Assembly Bill No. 145—An act to amend Section 337a of the Penal Code, relating to pool-selling, bookmaking, bets and wagers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 975—An act to amend Section 67.5 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1102—An act making an appropriation for the purchase of land for State forests and restricting expenditures of the money appropriated.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1103—An act to amend Sections 4381 and 4382 of, and to add Section 4382.5 to, the Public Resources Code, relating to the establishment of a State Forest Fund, providing for the payment of money into and from such fund, and for the reimbursement of counties for the loss of tax revenues resulting from the acquisition of lands for State forest purposes.

Bill read second time, and ordered to third reading.

Assembly Bill No. 652—An act to amend Section 404 of the Fish and Game Code, relating to licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 657—An act to add Section 486.5 to the Fish and Game Code, relating to the taking of fish for the taking of which a sporting fishing license is required.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1161—An act to add Section 39.6 to the Fish and Game Code, relating to the sale of certain properties, real or personal, no longer necessary, or useful to the Fish and Game Commission.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1377—An act to amend Section 786.5 of the Fish and Game Code, relating to lobsters and shellfish.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1430—An act to amend Section 797 of the Fish and Game Code, relating to abalones, and declaring its urgency in order to produce more necessary food at once.

Bill read second time, and ordered engrossed.

Assembly Bill No. 211—An act to amend Section 3824 of the Elections Code, relating to ballots.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3824", and insert "Sections 3824 and 3921".

Amendment No. 2

On page 1, line 13, of said bill, after "by the", insert "respective number of the Congressional, Senatorial, and Assembly district, or the".

Amendment No. 3

On page 1, line 17, of said bill, before "the", strike out the comma.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 24, insert

"SEC. 2. Section 3921 of said code is amended to read:

3921. Across the top of the ballot shall be printed in heavy-faced gothic capital type, not smaller than 48-point, the words: "Official primary election ballot"; except that on a nonpartisan ballot the words may be printed in gothic capital type not smaller than 24-point. Beneath this heading shall be printed in heavy-faced gothic capital type, not smaller than 24-point, the party designation if it be a party ballot; or, in the case of a ballot containing the names of no candidates except candidates for a judicial, school, county, or township office, the words "Nonpartisan ballot." Beneath the party designation of the words "Nonpartisan ballot," shall be printed the respective number of the Congressional, Senatorial, or Assembly district or the name of the county in which the ballot is to be voted [.] and the date of the election in black-faced type, as large as the width of the ballot makes possible. In the case of ballots to be used at any primary election held for the nomination of candidates other

than those to be voted for at a presidential or a general State election, and on which the names of candidates may be printed in a single column or in two parallel columns, as the case may be, the words "Official primary election ballot" shall be printed thereon in heavy-faced gothic capital type, not smaller than 24-point. The party or nonpartisan designation shall be printed in heavy-faced gothic capital type, not smaller than 18-point. The instructions to voters shall be printed in 10-point gothic type."

Amendments read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 627—An act to add Section 4539 to the Elections Code, relating to campaign statements.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 5, of the printed bill, after "filed", insert "and for four years after expiration of the term".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 458—An act to amend Section 2720 of the Penal Code, relating to the Jute Mill Revolving Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended, after "section," insert "it,".

Amendment read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 472—An act to amend Section 2943 of the Penal Code, relating to the discharge of prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "prisoners", insert "and making an appropriation".

Amendment No. 2

On page 1 of the printed bill, as amended, after line 20, insert "SEC. 2. Out of any money in the State treasury not otherwise appropriated there is hereby appropriated the sum of seventy-five thousand dollars (\$75,000) for the Special Discharge and Parole Fund. The money herein appropriated shall be expended only on written authorization of the State Department of Finance for augmentation of the appropriations for support of the State prisons or California Institution for Men during the Ninety-fifth and Ninety-sixth Fiscal Years."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1380—An act making an appropriation in augmentation of the Emergency Fund specified in Item 216 of the Budget Act of 1941, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 2, of the printed bill, after the dollar sign, insert "158,510 00".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1542—An act making an appropriation to the University of California to be expended for an investigation of the control of Pierce's disease of grapevines in California, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, after "the", insert "Regents of the".

Amendment No. 2

Strike out all of line 1 of the printed bill after "1", which follows "Section"; and strike out all of lines 2 to 5, inclusive, and insert

"Out of any money in the State treasury not otherwise appropriated, there is hereby appropriated to The Regents of the University of California the sum of thirty-five thousand dollars (\$35,000), to be expended by The Regents of the University of California during the Ninety-fifth and Ninety-sixth Fiscal Years in carrying out an investigation of the control of Pierce's disease of grapevines in California."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 407—An act to amend Sections 422 and 990 of, and to add Section 422.5 to the Fish and Game Code, relating to hunting and fishing, and to provide for, the issuance of licenses therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "422 and 990 of, and to add Section 422.5 to", and insert "427, 428, and 990 of".

Amendment No. 2

In line 3 of the title of said bill, strike out "to provide for,".

Amendment No. 3

On page 1, line 1, of said bill, strike out "422", and insert "427".

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert "427. Class A. A hunting license, granting the privilege to take game birds and mammals, shall be issued:

(a) To any citizen of the United States, over the age of 18 years, who is a resident of this State, upon the payment of two dollars (\$2).

(b) To any citizen of the United States, under the age of 18 years, who is a resident of this State, upon the payment of one dollar (\$1).

(c) To any citizen of the United States, not a resident of this State, upon the payment of ten dollars (\$10).

(d) To any person, not a citizen of the United States, who shall have declared his intention to become such citizen according to the law made and provided for such purposes, who is a resident of this State, upon the payment of ten dollars (\$10). After such applicant has declared his intention to become a citizen he must complete his naturalization at the earliest period allowed by law. Such applicant shall make and subscribe an oath that he has not claimed his citizenship in a foreign country as a basis for avoiding service in the armed forces of the United States, and the person issuing such license is hereby empowered to administer such oath.

(e) To any person, not a citizen of the United States, upon the payment of twenty-five dollars (\$25), except as provided in subdivision (d) of this class; *provided, however, that no such license shall be issued to an alien Japanese.*

SEC. 2. Section 428 of said code is amended to read:

428. Class B. A sporting fishing license, granting the privilege to take fish for purposes other than profit shall be issued:

(a) To any citizen of the United States, over the age of 18 years, who is a resident of this State, upon the payment of two dollars (\$2).

(b) To any citizen of the United States, over the age of 18 years, not a resident of this State, upon the payment of three dollars (\$3)

(c) To any person, not a citizen of the United States, and over the age of 18 years, upon the payment of five dollars (\$5); *provided, however, that no such license shall be issued to an alien Japanese.*"

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 21, inclusive.

Amendment No. 6

On page 2 of said bill, strike out lines 9 to 28, inclusive, and insert a period and "A commercial fishing license may be issued to any person other than an alien Japanese. A commercial fishing license may be issued to a corporation only if said corporation is authorized to do business in this State and if none of the members, stockholders, or officers thereof are alien Japanese."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1571—An act to amend Section 1203.6 of, and to add Sections 1203.7, 1203.8, 1203.9, 1203.10, 1203.11, 1203.12, 1203.13, 1203.14, 1203.15 and 1203.16 to, the Fish and Game Code, relating to pheasants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "between November".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1, line 4, of said bill, strike out "15th and November [24th] 30th, inclusive.", and insert "during the 15-day period commencing with the fourth Sunday in November."

Amendment No. 3

On page 1, line 6, of said bill, strike out "10", and insert "6".

Amendment No. 4

On page 1, line 6, of said bill, strike out "open season.", and insert "opening day of the shooting season, nor more than four such pheasants on any of the remaining days of said open season; nor more than a total of 10 male pheasants for the entire open season."

Amendment No. 5

On page 2, line 34, of said bill, strike out "tax", and insert "tag".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1703—An act to amend Section 668 of the Fish and Game Code, relating to salmon, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 14 to 22, inclusive, and insert "The demands for increased food production in the prosecution of the war effort make it imperative that restrictions on the canning of salmon be relaxed to the fullest extent compatible with proper conservation. This act, by permitting salmon taken in certain districts to be canned, will make such salmon available for use for military and other purposes for which salmon in a fresh state is not suitable and to that extent will release other food supplies for local use to the benefit of the health of the people of this State."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1253—An act to add Section 5903 to and amend Sections 7881, 3712, 7204, 5804, 5809, 7003, 7005, 3711, 5707, 5511, 5708, 5803, 3814, 3818, 3819, 3872, 3873, 3879, 3921, 3922, 3929, 3938, 3939, 3941, 3822, 3944, and 3924 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "7881, 3712,"; and strike out lines 2, 3, and 4 of said title, and insert "661, 3711, 3712, 3814, 3818, 3819, 3822, 3872, 3873, 3879, 3921, 3922, 3924, 3929, 3938, 3939, 3941, 3944, 4536, 5503, 5505, 5507, 5508, 5511, 5557, 5560, 5562, 5563, 5565, 5699, 5707, 5708, 5724, 5737, 5802, 5803, 5804, 5809, 5931, 7003, 7005, 7007, 7008, 7011, 7020, 7074, 7204, 7881, 9102, and 9754 of the Elections Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

Strike out all of pages 2, 3, 4, 5, 6, 7, and 8 of the printed bill; and strike out lines 1 to 25, inclusive, of page 1, and insert

"SECTION 1. Section 661 of the Elections Code is amended to read as follows: 661. *No person shall be appointed to the election board who is running as a candidate for election, nor shall any member of his immediate family serve on the board, nor shall the polling place be held at his residence or office.*

No person is eligible to act as an officer of election who has, within 90 days preceding that election, been employed in any capacity by the State, county or city of his residence, except:

- (a) As an election officer, or
- (b) As a clerk engaged in the registering of electors.

SEC. 2. Section 3711 of said code is amended to read as follows:

3711. Each county clerk or, in case of separate city elections, the clerk or secretary of the legislative body of the city for each election other than a direct primary

or a presidential primary, shall cause to be printed, on plain white paper, without watermark, at least as many copies of the form of ballot provided for use in each voting precinct as there are voters in the precinct. These copies shall be designated "sample ballot" upon their face. The county clerk or clerk or secretary shall commence to mail one sample ballot, postage prepaid, to each voter not more than 40 nor less than 15 days before the day fixed by law for the election. The mailing of the sample ballots shall be completed at least [10] *five* whole days before the election.

SEC. 3. Section 3712 of said code is amended to read as follows:

3712 For each election precinct in the county the county clerk shall provide [10] *one* general [ballots] *ballot* for every [eight or fraction of eight voters] *voter* in the election precinct [, and an additional 10 ballots for each election precinct that has less than 30 voters.]. *The county clerk shall provide such additional ballots as he may deem necessary but in no event shall the number thereof exceed the total registration by less than 5 per cent nor more than 20 per cent*

The number of party ballots to be furnished to any precinct for a primary election shall be computed from the number of voters registered in that precinct as intending to affiliate with a party, and the number of nonpartisan ballots to be furnished to any precinct shall be computed from the number of voters registered in that precinct without statement of intention to affiliate with any of the parties participating in the primary election.

SEC. 4. Section 3814 of said code is amended to read as follows:

3814. Except as provided in Article VI, Section 26 of the Constitution, each group of candidates to be voted on shall be headed by the designation of the office and the words "Vote for One" or "Vote for Two" or more, according to the number to be elected to that office. This designation of the office and of the number of candidates to be voted for shall be printed in heavy-faced [gothic] type, not smaller than 10-point. The word designating the office shall be printed flush with the left-hand margin and the words "Vote for One" or "Vote for Two" or more, as the case may be, shall extend to the extreme right of the column and over the voting square. The designation of the office and the directions for voting shall be separated from the names of the candidates by a light line. The names of the candidates for each office shall be printed in 8-point [roman] type (capitals) in proper order below the designation of the office.

If the office is a partisan office, in the same line in which the name of the candidate is printed and at the right of the name or immediately below the name if there is not sufficient space to the right thereof, shall be printed in 8-point [roman] type (lower case) the designation of the political party or parties which shall not be abbreviated, by or on behalf of which the candidate has been nominated, the first political party so designated being the party with which the candidate was affiliated on the date his nomination papers were filed as ascertained by the Secretary of State from his affidavit of registration.

SEC. 5. Section 3818 of said code is amended to read as follows:

3818 The names of the candidates for an office shall not be separated from each other on the ballot by names of candidates for any other office, and the list of candidates for each office shall be separated from the lists of candidates for other offices by a double rule, above and below that list. Each series of the lists of candidates for the several offices shall be headed by the word "State," "Congressional," "Legislative," "County," "Municipal," or other proper general classification, as the case may be, printed in heavy-faced [gothic] capital type, not smaller than 12-point, each word being separated from the names of the candidates beneath by a 3-point line.

SEC. 6. Section 3819 of said code is amended to read as follows:

3819 Except in cases provided for by Section 26 of Article VI of the Constitution, immediately under the name of each candidate and not separated therefrom by any line may appear, at the option of the candidate, one of the following designations:

(a) Words designating the city, county, district or State office which the candidate then holds.

(b) If the candidate be a candidate for the same office which he then holds, and only in that event, the word "incumbent."

(c) The word designating the profession, vocation or occupation of the candidate. The profession, vocation or occupation so designated shall be the same as appears in the affidavit of registration of the candidate.

In all cases words so used shall be printed in 8-point [roman] bold face capital and lower case type.

SEC. 7. Section 3822 of said code is amended to read as follows:

3822. On each ballot a perforated line shall extend across the top of the ballot not less than [one inch] *one and one-half inches* from the top thereof. The same number as appears on the stub shall be printed above said perforated line within two inches of the perforated line on the left-hand side of the ballot, and above this number shall be printed in parentheses, in smaller type, as follows: (This number is to be torn off by the inspector) One-half inch to the right of this ballot number

there shall be a short perforated line extended from the perforated line along the top of the ballot to the top edge of the ballot.

SEC. 8. Section 3872 of said code is amended to read as follows:

3872. The left column shall be headed in heavy-faced 10-point, [gothic] type, as follows: "Candidates preferring -----" (The blank being filled in with the name of that candidate for presidential nominee for whom the members of the group in the left-hand column have expressed a preference). The second column shall be similarly headed except that the name of the candidate shall be that preferred by the members of the group in the second column; and so on for as many columns as may have groups who have expressed a preference for presidential nominee.

SEC. 9. Section 3873 of said code is amended to read as follows:

3873. In the center of each column so headed and not less than one inch or more than two inches below the line separating the heading from the rest of the column, there shall be a voting square one-half of an inch square. Immediately under the square there shall be printed across the width of the column in heavy-faced, 12-point [, gothic] type, these instructions, "A cross (+) stamped in this square shall be counted as being a vote for all candidates preferring-----" (The blank being filled in with the name of the candidate for presidential nominee heading the column).

SEC. 10. Section 3879 of said code is amended to read as follows:

3879. There shall be printed in heavy-faced, 12-point [, gothic] type, across the page above the columns of groups of candidates for delegates, the words, "For delegates to National convention. Vote for one group only."

SEC. 11. Section 3921 of said code is amended to read as follows:

3921. Across the top of the ballot shall be printed in heavy-faced [gothic] capital type, not smaller than 48-point, the words "Official primary election ballot"; except that on a nonpartisan ballot the words may be printed in [gothic] capital type not smaller than 24-point. Beneath this heading shall be printed in heavy-faced [gothic] capital type, not smaller than 24-point, the party designation if it be a party ballot; or, in the case of a ballot containing the names of no candidates except candidates for a judicial, school, county, or township office, the words "Nonpartisan ballot." Beneath the party designation or the words "Nonpartisan ballot," shall be printed the respective number of the Congressional, Senatorial, or Assembly district in which the ballot is to be voted, in black-faced type, as large as the width of the ballot makes possible. In the case of ballots to be used at any primary election held for the nomination of candidates other than those to be voted for at a presidential or a general State election, and on which the names of candidates may be printed in a single column or in two parallel columns, as the case may be, the words "Official primary election ballot" shall be printed thereon in heavy-faced [gothic] capital type, not smaller than 24-point. The party or nonpartisan designation shall be printed in heavy-faced [gothic] capital type, not smaller than 18-point. The instructions to voters shall be printed in 10-point [gothic] type.

SEC. 12. Section 3922 of said code is amended to read as follows:

3922. At least three-eighths of an inch below the district designation shall be printed in 10-point [gothic] type, double leaded, the following instructions to voters: "To vote for a person whose name appears on the ballot, stamp a cross (+) in the square at the right of the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose."

If you wrongly stamp, tear or deface this ballot, return it to the inspector of election and obtain another.

The instructions to voters shall be separated from the lists of candidates and the designation of the several officers to be nominated for by one light and one heavy line of rule.

SEC. 13. Section 3924 of said code is amended to read as follows:

3924. The names of the candidates and the respective offices shall, except as may be hereinafter otherwise provided, be printed on the ballot in four or more parallel columns, each [two and one-half] *three* inches wide. The number of these parallel columns shall be exactly divisible by two, and these parallel columns shall be equally divided on the ballot for party and nonpartisan tickets by a solid black line, extending down from the printed lines separating the instructions to voters from the list of names of candidates to the bottom margin of the ballot.

SEC. 14. Section 3929 of said code is amended to read as follows:

3929. Immediately under the name of each candidate and not separated therefrom by any line may appear, at the option of the candidate, one of the following designations:

a. Words designating the city, county, district or State office which the candidate then holds

b. If the candidate be a candidate for the same office which he then holds, and only in that event the word "incumbent."

c. The word designating the profession, vocation or occupation of the candidate. The profession, vocation or occupation so designated shall be the same as appears in the affidavit of registration of the candidate. This designation shall

remain the same for all purposes of both primary and general elections, unless canceled by the candidate.

In all cases words so used shall be printed in 8-point [roman] boldface capitals and lower case type.

SEC. 15. Section 3938 of said code is amended to read as follows:

3938. Each group of candidates to be voted on shall be preceded by the designation of the office for which the candidates seek nomination, and the words "Vote for one" or "Vote for two" or more according to the number to be elected to the office at the ensuing election. The designation of the office to be nominated for and of the number of candidates to be nominated shall be printed in heavy-faced [gothic] type, not smaller than 10-point. The designation of office shall be printed flush with the left-hand margin and the words, "Vote for one" or "Vote for two" or more, as the case may be, shall extend to the extreme right of the column and over the voting square. The designation of the office and the directions for voting shall be separated from the names of the candidates by a light line.

SEC. 16. Section 3939 of said code is amended to read as follows:

3939. The names of the candidates shall be printed on the ballot without indentation, in [roman] capital type not smaller than 8-point, between light lines or rules three-eighths of an inch apart.

SEC. 17. Section 3941 of said code is amended to read as follows:

3941. Each group of names of candidates shall be separated from the succeeding group by one light and one heavy line or rule. Each series of groups shall be headed by the word "State," "Congressional," "Legislative," "County and Township" or "Municipal" or other proper general classification, as the case may be, printed in heavy-faced [gothic] capital type, not smaller than 12-point.

SEC. 18. Section 3944 of said code is amended to read as follows:

3944. On each ballot a perforated line shall extend across the top of the ballot [one-inch] *one and one-half inches* from the top thereof. The same number as appears on the stub shall be printed above such perforated line within two inches of the perforated line on the left side of the ballot, and above this number shall be printed in parentheses in small type as follows: "(This number to be torn off by inspector)"; and one-half inch to the right of this ballot number there shall be a short perforated line extending from the perforated line along the top of the ballot to the top edge of the ballot. Immediately above this perforated line shall be printed in black-face lower case type, at least 12-point in size, and enclosed in parentheses, the following: "Fold ballot to this perforated line, leaving top margin exposed." Above this printed direction and midway between it and the top edge of the ballot, shall be printed in black-face capital type, at least 12-point in size, if possible, and with the four middle words underlined or otherwise made prominent, the following: "Mark crosses (+) on ballot only with rubber stamp; never with pen or pencil"

SEC. 19. Section 4536 of said code is amended to read as follows:

4536. No officer shall issue any certificate of nomination or election to any person until his campaign statement has been filed. No other statement of expenses at a primary shall be required

SEC. 20. Section 5503 of said code is amended to read as follows:

5503. The county clerk shall furnish to the election officers:

- (a) Original books of affidavits of registration.
- (b) Printed copies of the indexes.
- (c) Necessary printed blanks for roster and tally lists, tally lists, lists of voters, oath, and returns.
- (d) Envelopes in which to enclose returns.
- (e) [Twelve] Nine instruction cards to each precinct for the guidance of voters in obtaining and marking their ballots on which shall be printed necessary instructions, and the provisions of Sections 5512, 5513, 5560, 5561, 5705, 5706, 5714, 5716, 5718, 5720, 5731, 5732, 5733, 7003, 7004, 7012, 7014, 7016, 7017, 7018, 11501.

(f) A digest of the election laws with any further instructions the county clerk may desire to make. One copy shall be furnished to each election officer at the time of his appointment. *When voting machines are not used the county clerk may delete references thereto in the digest sent to election officers.*

SEC. 21. Section 5505 of said code is amended to read as follows:

5505. All officers upon whom is imposed, by law, the duty of designating polling places, shall furnish the polling places with:

- (a) An American Flag of such size as may be determined upon by the county board of supervisors to be erected at or near each polling place within the county.
- (b) A ballot box, to be marked on the outside "General tickets."
- (c) When any city or town officers are to be elected, a second ballot box, to be marked on the outside "Municipal tickets."
- (d) A sufficient number of places, booths, or compartments, at or in which voters may conveniently mark their ballots, so that they may be screened from the observation of others.
- [(e) A guard rail, rope, or other barricade.

(f) (e) Several ink pads and several stamps, for each booth, so made that a cross (+) may be made with either end of the stamp. The stamp shall be one solid piece.

SEC. 22. Section 5507 of said code is amended to read as follows:

5507. The number of voting booths or compartments shall [not be less than one for every forty voters in the precinct] *be determined by the county clerk.*

SEC. 23. Section 5508 of said code is amended to read as follows:

5508. The polling places shall be arranged so that neither the ballot boxes nor the box-booths or compartments shall be hidden from the view of those [just outside the guard rail, rope, or other barricade] *within six feet of ballot boxes, booths or compartments.*

SEC. 24. Section 5511 of said code is amended to read as follows:

5511. Nothing contained in this chapter shall prevent a voter from using a pencil, *indelible pencil or pen* for the purpose of writing in on the ballot the name of any [candidate] *person* for whom he desires to vote.

SEC. 25. Section 5557 of said code is amended to read as follows:

5557. By resolution adopted prior to the publication of notice of an election the election board of any city, may provide that the polls be opened at 7 o'clock a.m. of the day of any election including any primary election election and be kept open until 8 o'clock p.m., of the same day, when the polls shall be closed, except as provided in Section [5714] 5734.

SEC. 26. Section 5560 of said code is amended to read as follows:

5560. Within 100 feet *of the property line of the premises on which* a polling place *is located*, no person shall solicit a vote or speak to a voter on the subject of marking his ballot.

SEC. 27. Section 5562 of the Elections Code is hereby repealed.

SEC. 28. Section 5563 of said code is amended to read as follows:

5563. Only voters engaged in receiving, preparing, or depositing their ballots and persons authorized by the precinct board to keep order and enforce the law may be permitted to be within [the barricade] *six feet of the ballot boxes, booths or compartments* before the closing of the polls.

SEC. 29. Section 5565 of said code is amended to read as follows:

5565 The roster [and tally list] to be kept by each precinct board shall be substantially in the following form:

ROSTER [AND TALLY LISTS].

of the-----election held in the----precinct-----district, County of-----, on the-----day of-----19-----.

Following are the voters of above precinct desiring to vote under provisions of Sections 5700, 5702, 5703, 5704, and 5707 of the Elections Code:

No.	Signature of Voter	Residence of Voter
1	-----	-----
2	-----	-----
3	-----	-----
etc.	-----	-----

We hereby certify that all voters whose signatures appear herein voted this day except the following:

No.	Name	No.	Name
-----	-----	-----	-----
-----	-----	-----	-----

We further certify that the number of voters who voted in this precinct at this election is -----, and that the above list of voters, less those who did not vote as enumerated, constituted the roster [and tally list] of this precinct for this election.

-----	Clerk	-----	Inspector
-----	Clerk	-----	Judge
-----	Clerk	-----	Judge

SEC. 30. Section 5699 of said code is amended to read as follows:

5699. Every voter shall, on the day of every general, direct primary or presidential primary election at which he is entitled to vote, be entitled to absent himself from any service or employment in which he is then engaged for two consecutive hours, between the time of opening and the time of closing the polls. The voter shall not, because of so absenting himself, be liable to any penalty, nor shall any deduction be made on account of such absence from his usual salary or wages *if he actually votes.*

SEC. 31. Section 5707 of said code is amended to read as follows:

5707. In order to prevent voters from marking their ballots with a pencil, or otherwise contrary to law, whenever an election officer delivers a ballot to any voter he shall then orally distinctly state to him, so that he may be heard by the bystanders, that he shall mark the ballot with the stamp provided by law or the ballot will not be counted. *The provisions of this section shall not prevent a voter from using a pencil for the purpose of writing in on the ballot the name of any candidate for whom he desires to vote.*

SEC. 32. Section 5708 of said code is amended to read as follows:

5708. Booths shall not be occupied by more than one person at a time. [Voters shall not] *No voter shall remain in or occupy a booth longer than is necessary to prepare [their ballots] his ballot, which shall not exceed 10 minutes.*

SEC. 33. Section 5724 of said code is amended to read as follows:

5724. The clerks [keeping the poll lists] shall keep a list of the voters who have been assisted in marking their ballots. The list shall be [returned and] preserved *and returned to the clerk [in the same way as the poll lists are returned and preserved] to be retained in his office for the period prescribed for the retention of voted ballots.*

SEC. 34. Section 5737 of said code is amended to read as follows:

5737. Upon the day of an election, immediately upon the arrival of the hour when the polls are required by law to be closed, the county clerk in each county shall openly, [in his main office,] in the presence of as many persons as may there assemble to observe his act, proceed to destroy every unused ballot which remains in his control, and forthwith make and file his affidavit, in writing, as to the number of ballots so destroyed.

SEC. 35. Section 5802 of said code is amended to read as follows:

5802. No one shall be entitled to vote at any primary election who has not been a resident of the State one year, and of the county 90 days *and 40 days in the precinct in which he lives,* preceding the day upon which such primary election is held.

SEC. 36. Section 5803 of said code is amended to read as follows:

5803. Every voter shall be instructed by a member of the board as to the proper method of marking and folding his ballot, and he shall then retire to an unoccupied booth [and without undue delay] stamp the ballot with the rubber stamp there found.

SEC. 37. Section 5804 of said code is amended to read as follows:

5804. [If a voter spoils or defaces the ballot first received he shall at once return it to the ballot clerk and receive another.] *Any voter who spoils a ballot may return it to the ballot clerk and receive another in its place, one at a time, not to exceed three in all.*

SEC. 38. Section 5809 of said code is amended to read as follows:

5809. When a voter has stamped his ballot he shall fold it so that its face is concealed [and only the printed designation on its back is visible,] and hand it to the member of the board in charge of the ballot box. Such folded ballot shall be voted as ballots are voted at general elections and the name of the voter checked upon the affidavit or (of) registration as having voted as is required at general elections.

SEC. 39. Section 5903 is hereby added to said code, to read as follows:

5903. If upon receipt of an application for an absent voter's ballot the clerk does not have the original affidavit of registration, he may make the comparison required by Section 5902 of this code at any time prior to the canvass of absent voter ballots. If after delivering or mailing any ballot the clerk shall determine upon making the comparison required that the applicant was not entitled to a ballot, he shall make a notation of such fact upon the identification envelope if and when the same is received, which shall call the attention of the election board and make possible the interposing of a challenge.

SEC. 40. Section 5931 of said code is amended to read as follows:

5931. At any time on or before the date of an election an absent voter may appear before the clerk, *postmaster* or any notary public or any officer of the district, city, county, Territory, or other Federal district, or in any State, Territory, or district within the United States, or in the District of Columbia, in which he may be at the time of receiving his ballot to mark his ballot if:

(a) In the case of any election conducted by the county clerk he is absent from his election precinct, or

(b) In the case of any other election, he is absent from the city or district of his residence, or

(c) He is unable because of disability to go to his polling place; *provided, further, that any person unable because of disability to go to the polling place, shall have the privilege of having his ballot acknowledged by the doctor or nurse.*

Under the scrutiny of such officer he may mark and seal his ballot as before set forth in this article, except that he may mark his ballot with pen and ink or indelible pencil, instead of with rubber stamp. Such officer shall then certify to the affidavit printed on the identification envelope and enclose the envelope in the return envelope and seal it. After writing or stamping his name across the seal.

he shall deliver the envelope to the voter to be by him returned to the office of the clerk of the locality where the voter resides.

SEC. 41. Section 7003 of said code is amended to read as follows:

7003. As soon as the polls are finally closed the precinct board shall immediately commence to canvass the votes by taking out of the box the ballots, unopened, except so far as to ascertain whether each ballot is single, and counting them to ascertain whether the number of ballots corresponds with the number of names on the [list] *roster of voters* kept by the clerk.

SEC. 42. Section 7005 of said code is amended to read as follows:

7005. If the precinct board finds two or more separate ballots so folded together as to present the appearance of a single ballot, it shall lay them aside until the count of the ballots is completed. If upon comparison of the count with the number of names of voters on the [tally lists.] *roster of voters*, it appears that the two ballots folded together were cast by one voter, the precinct board shall reject them.

SEC. 43. Section 7007 of said code is amended to read as follows:

7007. If the ballots in the box exceed in number the names on the [tally lists] *roster*, one of the judges shall publicly, and without looking into the box, draw out singly, and destroy, unopened, a number of ballots equal to such excess. The precinct board shall make a record, upon the roster and tally list of the number of ballots so drawn and destroyed.

SEC. 44. Section 7008 of said code is amended to read as follows:

7008. The number of ballots agreeing or being thus made to agree with the number of names on the [tally lists] *roster*, the inspector and judges shall sign the roster and tally lists. The clerks shall attest the roster and tally lists. The precinct board shall set down in words and figures at the foot of each list, and over the signatures of the inspector and judges and the attestation of the clerks, substantially in the form prescribed in Section 5365, the number of names on the list.

SEC. 45. Section 7011 of said code is amended to read as follows:

7011. A majority of the precinct board shall endorse upon all ballots rejected for illegality the cause of rejection, sign the endorsement, and string the rejected ballots upon a string *or wire*.

SEC. 46. Section 7020 of said code is amended to read as follows:

7020. The ballot, as soon as the names marked on it as voted for are read and verified, shall be strung on a string *or wire* by one of the judges, and shall not thereafter be examined by any person, but shall, as soon as all are counted, be carefully sealed in a strong envelope, each member of the precinct board writing his name across the seal.

SEC. 47. Section 7074 of said code is amended to read as follows:

7074. [Every person who removes or defaces any posted copy of the result of votes cast is guilty of a misdemeanor.] *It shall be the duty of the precinct board to post a copy of the result of votes cast outside the polling place and any person who removes or destroys any posted copy of the result of votes cast within 2 1/2 hours after the date of the election is guilty of a misdemeanor.*

SEC. 48. Section 7204 of said code is amended to read as follows:

7204. The package containing the spoiled canceled and unused ballots shall remain unopened in the custody of the county clerk [and shall be held and disposed of as are the voted ballots] *for at least six months and then destroyed.*

SEC. 49. Section 7881 of said code is amended to read as follows:

7881. The identification envelopes shall be preserved and returned to the clerk, to be retained in his office as a record for the period [of one year] *prescribed for the retention of voted ballots.*

SEC. 50. Section 9102 of said code is amended to read as follows:

9102. The members of the precinct boards provided for in Sections 9100 and 9101 shall be appointed, and shall act, as provided in this chapter. One tally list and one copy of the tally list shall be kept, *one roster of voters shall be furnished*, and one book of original affidavits of registration shall be furnished for use at each precinct. The tally lists and affidavits shall be returned to the proper officers with the official returns, in the manner provided for the returns at a general election.

SEC. 51. Section 9754 of said code is amended to read as follows:

9754. In case of municipal election to fill offices, the city clerk shall publish a list of the names of the nominees, in alphabetical order *or in the order in which they appear on the ballot* and the respective offices for which they have been nominated at least twice before the day of election in one or more daily or weekly newspapers published in the city. If there is no newspaper published and circulated in the city the notice shall be typewritten and copies shall be posted conspicuously within that time in at least three public places in the city. This list shall be headed "Nominees for public office" in conspicuous type, and be substantially in the following form:

NOMINEES FOR PUBLIC OFFICE

Notice is hereby given that the following persons have been nominated for the offices hereinafter mentioned to be filled at the general municipal election to be

held in the _____ of _____, on _____, the _____ day of _____, 19____. (Here follow with the list of nominees.)
 Dated, _____

 City Clerk

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 411—An act to provide for persons in the armed services of the United States, extension division courses of the University of California, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Universities and Colleges:

Amendment No. 1

In line 11 of the printed bill, strike out "legal."

Amendment No. 2

In line 12 of the printed bill, strike out the entire sentence, beginning with "The residence", and insert

"For the purpose of this act, The Regents of the University of California are authorized to accept the signed statement of a member of the armed forces as to his compliance with the requirement of residence."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1140—An act to provide for the establishment and maintenance of a School of Aeronautical Engineering and Sciences in the University of California at Los Angeles, and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Universities and Colleges:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", strike out "provide for the establishment and maintenance of", and strike out all of lines 2, 3, and 4 of the title, and insert "provide for the erection and equipment of a building or buildings on the Campus of the University of California at Los Angeles for use in connection with instruction in engineering, for the establishment and maintenance of a course in engineering on the Campus of the University of California at Los Angeles, and to make an appropriation therefor."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 10, both inclusive, and insert "SECTION 1. In addition to any money otherwise appropriated to The Regents of the University of California or for the support of the University of California, the sum of one million, two hundred fifty thousand dollars (\$1,250,000) is hereby appropriated to The Regents of the University of California out of any money in the State treasury not otherwise appropriated, to be expended by The Regents of the University of California for the purpose of establishing and maintaining on the Campus of the University of California at Los Angeles instruction in engineering, with emphasis on the major disciplines fundamental to aeronautical science and engineering, and for the erection and equipment of a building or buildings to be used in connection with said course of instruction."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1092—An act to amend Section 61.2 of the Alcohol Beverage Control Act, relating to the purchase and sale of alcoholic beverages, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 4. of the printed bill, strike out "it shall be illegal for".

Amendment No. 2

On page 1, line 5, of said bill, after "employee", insert "may refuse".

Amendment No. 3

On page 1 of said bill, strike out lines 8 to 13, inclusive, and insert "who is unable to produce adequate written evidence that he or she is over the age of 21 years."

Amendment No. 4

On page 1, line 14, of said bill, strike out "the", and insert "In order to provide such evidence, the".

Amendment No. 4.5

On page 1 of said bill, strike out line 18, and insert "the applicant filing sufficient documentary evidence to show he is".

Amendment No. 5

On page 1, lines 19 and 20, of said bill, strike out ", which shall include his photograph and legal birth certificate, or copy of a", and insert ". A".

Amendment No. 6

On page 1, line 22, of said bill, after "States," insert "or a copy of such registration certificate,".

Amendment No. 7

On page 1, line 24, of said bill, after "applicant", strike out the period, and insert " shall be sufficient evidence for the issuance of a "liquor purchaser's identification card." A "liquor purchaser's identification card" shall include a photograph of the applicant, the date of his birth, and his signature, and upon the presentation of such "liquor purchaser's identification card" to any licensee, or his agent, shall be deemed prima facie evidence of the fact that its holder is over the age of 21 years and legally entitled to purchase alcoholic beverages."

Amendment No. 8

On page 2, line 4, of said bill, strike out "demanded", and insert "requested".

Amendment No. 9

On page 2, lines 6 and 9, of said bill, strike out "a minor or to any person under 26", and insert "any person under 21".

Amendment No. 10

On page 2 of said bill, between lines 13 and 14, insert "(d) Any person who, for the purpose of inducing a sale or service of any alcoholic beverage, uses another person's "liquor purchaser's identification card" or permits another person to use his or hers, shall be guilty of a misdemeanor."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1437—An act relating to taxation, providing for the licensing and regulation of pinball, claw, bowling, baseball and other coin operated amusement machines, providing for the enforcement of this act, and making an appropriation, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "relating to taxation, providing for the licensing and"; and strike out lines 2 to 5, inclusive, of said title, and insert "to add Section 337g to the Penal Code, relating to coin operated amusement devices."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert "Section 337g is added to the Penal Code, to read:

337g. It shall be unlawful to maintain in a public place any coin operated device the purpose of which is to provide amusement, other than music with or without motion pictures, and every person who owns or controls any device which is so maintained or the premises upon which it is so maintained is guilty of a misdemeanor. Every such device and its contents shall be seized and disposed of in the manner described in Section 335a with reference to gambling devices."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive, and strike out all of pages 2, 3, and 4 of said bill.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 125—An act to add Section 842.5 to the Fish and Game Code, relating to the use of nets, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out line 4, and insert "nets now permitted to".

Amendment No. 2

On page 1, line 5, of said bill, strike out "and", and insert "or".

Amendment No. 3

On page 1, line 6, of said bill, after "district", insert "may be used in such or any other district to take such fish".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1164—An act to amend Section 487.5 of the Fish and Game Code, relating to trout roe or spawn for bait.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, lines 3, 4, and 5, of the printed bill, strike out all after "unlawful", and insert

"(a) to sell fresh trout or salmon roe, or spawn, for bait;
(b) to use fresh trout or salmon roe, or spawn, for bait except during the period between September 1st and the last day of February, inclusive. Fresh trout or salmon roe, or spawn, are such eggs attached together and in place in the ovarian membrane whether frozen or otherwise treated for preservation."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1687—An act to amend Section 956 and 957 of the Fish and Game Code, relating to drag nets.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 6, of the printed bill, insert "A tolerance of one-half inch in length of mesh may be allowed after such nets have been used."

Amendment No. 2

On page 1, line 13, of said bill, insert "A tolerance of one-half inch in length of mesh may be allowed after such nets have been used."

Amendments read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 1794—An act to add Section 724.5 to the Fish and Game Code, relating to catfish.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In the title of the printed bill, strike out "724 5", and insert "724 6".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "5", and insert "6".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "5", and insert "6".

Amendment No. 4

On page 1 of the printed bill, strike out lines 4 to 6, inclusive, and insert "taking in District No. 1 of catfish at night, or the possession at such time of a fishing rod and attachments capable of being used for said purpose. The additional possession of a hand flashlight shall not, in itself, be prima facie evidence of any intent to violate the provisions of this code relating to the protection of game birds, game mammals and game fish."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 524—An act to amend Section 1401 of the Elections Code, relating to initiative measures, the submission of a draft thereof to the Attorney General for the preparation of a summary thereof, and the payment of a fee therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 718—An act to release The Regents of the University of California from all obligations assumed by said The Regents of the University of California pursuant to the provisions of Sections 1, 2 and 3 of an act entitled, "An act appropriating five hundred twenty-five thousand dollars (\$525,000) to be used and expended by The Regents of the University of California for the construction and equipment of a building or buildings on the site of the University of California at Los Angeles; providing that none of said money shall be

drawn or expended until said The Regents shall deliver to the Chairman of the Department of Finance an obligation binding said The Regents (a) to set aside for sale certain real property in Los Angeles owned by said The Regents; (b) not to use or permit to be used the same so as to interfere with or prevent its sale; provided, that said The Regents may lease the whole or part of said property for periods of not more than six months; (c) to sell parts or parcels of said property or the whole at such prices and on such terms and conditions as said The Regents with approval of the Department of Finance shall fix; (d) to pay over to the State Treasury all sums received from sales or rentals, less the costs of selling and leasing and the necessary costs of care and maintenance of said real property; providing that on sale of the last part or the whole of said real property and payment of all moneys agreed to be paid into the State Treasury by said The Regents, the Chairman of the Department of Finance shall deliver to said The Regents a written acknowledgment that all requirements of said The Regents' obligation have been performed and further providing that said The Regents shall thereupon be discharged of every duty and requirement in the premises, declaring the urgency thereof and providing that this act shall take effect immediately," approved May 31, 1929, assenting to the conveyance to the State of California by The Regents of the University of California of certain real property in the City of Los Angeles, providing for the transfer to the State of California of leases and contracts of sale affecting said real property, and providing for the sale of such property by the State.

Bill read second time, and ordered to third reading.

Senate Bill No. 2—An act to amend Section 691 of the Fish and Game Code, relating to striped bass.

Bill read second time, and ordered to third reading.

Senate Bill No. 184—An act to provide for the transfer of certain real property of the State in Napa County to the Fish and Game Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 420—An act to add Section 651.3 to the Fish and Game Code, relating to salmon.

Bill read second time, and ordered to third reading.

Senate Bill No. 699—An act to add Section 1407 to the Elections Code, relating to the initiative.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, after "delivered", insert "or mailed".

Amendment No. 2

On page 1, line 5, of said bill, after "date", insert "for such proposed initiative measure".

Amendment No. 3

On page 1, line 6, of said bill, after "shall", insert "forthwith".

Amendment No. 4

On page 1, line 13, of said bill, strike out "said", and insert "a".

Amendment No. 5

On page 1, line 15, of said bill, strike out the period, and after the quote, insert "of such proposed initiative measure, and no clerk or registrar of voters shall accept first petitions on such proposed initiative measure thereafter".

Amendment No. 6

On page 1 of said bill, strike out lines 16 to 22, inclusive, and insert "Supplemental petitions in accordance with Section 1 of Article IV of the Constitution of California may be filed in any county or city and county wherein first petitions were filed, provided same are filed as required by said Section 1 of said Constitution."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 526—An act to add Section 1347 to the Fish and Game Code, relating to elk.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "elk", and insert "dwarf elk (Cervus nannodes) commonly known as tule elk".

Amendment No. 2

On page 1, line 9, of said bill, before "elk", insert "said".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 23
Senate Bill No. 344

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 344—An act to amend Section 4273 of the Political Code, relating to the compensation of public officers.

Referred to Committee on Municipal and County Government.

Senate Bill No. 23—An act to add Sections 48, 49, 50 and 51 to, to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3927, 3930, 3941, 3946, 7966, 8720, 8721 and 8722 of, and to repeal Section 2838 of, the Elections Code, relating to nominations and party conventions.

Referred to Committee on Elections.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1958 FROM COMMITTEE

Mr. Bennett gave notice that on Friday, April 9, 1943, he would move to withdraw Assembly Bill No. 1958 from the Committee on Ways and Means, and have it placed upon the file.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

- Assembly Bill No. 1094.
- Assembly Bill No. 50.
- Assembly Bill No. 283.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 163

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 163

House Resolution No. 163

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Western Union (Tolls).....	\$178 81
Bureau of Purchases (Supplies).....	182 36
Department of Finance (Pro rate telephone service).....	39 39
Cascade Towel Supply (Towel service).....	29 28
J. N. Blair & Company (2-tube ozone generator).....	410 97
Pacific Telephone & Telegraph Co.....	77 10
Pacific Telephone & Telegraph Co.....	11 70

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Watson, Werdel, Weybret, and Mr. Speaker—48.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1010—An act to add Section 276.5 to the Vehicle Code, relating to the extension of the life of operators' licenses during the war emergency, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough,

Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Watson, Werdel, Weybret, and Mr. Speaker—57.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Watson, Werdel, Weybret, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 979—An act to amend Section 666 of the Agricultural Code, relating to the labeling of milk products and imitations thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Sargent, Smith, Thomas, Thompson, Watson, Werdel, Weybret, and Mr. Speaker—51.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 516—An act to add Section 10971.7 to the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Thomas, Thompson, Watson, Weybret, and Mr. Speaker—55.
NOES—None.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 128 ORDERED TO INACTIVE FILE

Mr. Leonard moved that Assembly Bill No. 128 be withdrawn from the third reading file, and placed upon the inactive file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 786—An act to add Section 4041i to the Political Code, relating to the transfer of county property used for fair purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister,

McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Thomas, Thompson, Watson, Weybret, Wollenberg, and Mr. Speaker—58.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1096—An act authorizing a conveyance to the United States of America of the reversionary and possessory interest of the State of California in and to certain portions of tide and submerged lands heretofore conveyed in trust to the City of Long Beach by the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1939—An act to add Section 3466d to the Political Code, relating to reclamation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 559—An act to amend Section 4252 of the Political Code, relating to compensation for public services in counties of the twenty-third class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Bashore—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 566—An act to amend Section 4 of an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919, relating to funds of the system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 654—An act to amend Section 352 of the Political Code, relating to the traveling expenses of State officers and employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sargent, Stream, Thomas, Thompson, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 927—An act to amend Section 13.02 of the Building and Loan Association Act, relating to the employment of attorneys by the Building and Loan Commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1050—An act to amend Section 4005 of the Government Code, relating to the filing of reports of public work.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 829—An act to add Section 79.03a to, and to amend Sections 79.03, 79.04 and 79.05 of the Civil Code, all relating to premarital examinations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dunn, Erwin, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Potter, Rosenthal, Sargent, Sawallisch, Smith, Thomas, Thompson, Weybret, and Mr. Speaker—44.

NOES—Bashore, Burkhalter, Dills, Ralph C., Doyle, Evans, Field, Hawkins, Heisinger, Knight, T. Fenton; Lowrey, Maloney, Niehouse, Pelletier, Price, Robertson, Stream, Watson, Weber, Werdel, and Wollenberg—20.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1169—An act to amend and renumber Section 1208 of the Code of Civil Procedure as added by Statutes of 1905, Chapter 472, and amended by Statutes of 1935, Chapter 104, to be Section 1208.5, relating to liens upon animals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Jonathan J. Hollibaugh Presiding

At 10.40 a.m., Hon. Jonathan J. Hollibaugh, Member of the Assembly from the Fifty-second District, presiding.

Assembly Bill No. 519—An act providing for the taking of a census in cities, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Weber, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—Werdel—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse,

O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Weber, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—Werdel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 691—An act to amend Section 739 of, and to add Section 737.1 to, the Vehicle Code, relating to the filing of notices to appear in court, the fixing of bail and the endorsement thereof upon such notices, the deposit of bail and the forfeiture thereof for failure to appear.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Weber, Weybret, Wollenberg, and Mr. Speaker—57.
NOES—Werdel—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 144—An act to amend Section 7b of the Municipal Court Act of 1925, relating to the salaries of marshal's deputies and assistants in cities of the first and one-half class.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Call, Clarke, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.
NOES—Massion—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 325—An act to amend Section 605e of the Civil Code, relating to the disposition of assets of nonprofit corporations upon dissolution or winding up

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Watson, Weber, Werdel, Weybret, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 326—An act to amend Section 2727 of, and to add Section 2727.5 to, the Business and Professions Code, relating to the practice of nursing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Watson, Weber, Werdel, Weybret, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 327—An act to amend Section 1215 of the Health and Safety Code, relating to applicability of clinic and dispensary licensing provisions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Deany, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Watson, Weber, Werdel, Weybret, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 343—An act to add Section 7421 to the Business and Professions Code, relating to temporary licenses for hair dressers and cosmeticians or cosmetologists, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dilworth moved a call of the Assembly.

Motion carried. Time, 11.27 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

RESOLUTIONS

The following resolution was offered:

By Messrs. Hastain, Field, Thorp, Price, Crichton, Bashore, Denny, Werdel, Armstrong, Weybret, Miller, Heisinger, Erwin, King, Thompson, Gannon, Guthrie, Lowrey, Clarke, and Dills, Ralph C.:

House Resolution No. 167

WHEREAS, The American Meat Institute has evolved a program to achieve proper distribution of meat to the armed forces, to the civilian population, and to lend-lease without interfering with the wartime objective of inflation control; and

WHEREAS, Such program is the result of the work of more than two hundred men, including 22 institute committees, over a period of several weeks and was

approved at a meeting of the directors of the institute appointed by members from all parts of the United States; and

WHEREAS, This program was endorsed by the Joint Livestock Committee representing 93 organizations engaged in the production, feeding and marketing of livestock; and

WHEREAS, It appears that the basis of the program consists of an integrated, centralized control having authority to correlate slaughter and Government buying with civilian needs in order at all times to keep the supply consistent with the demand; and

WHEREAS, It appears to this body that such purposes are sound; now, therefore, be it

Resolved by the Assembly of the State of California, That it hereby endorses the meat industry program for solving wartime meat problems; and be it further

Resolved, That Chester C. Davis, Food Administrator, be and he is hereby memorialized to place the full authority to achieve the objectives of such a program in a person and staff thoroughly and practically experienced in the problems of the meat industry; and be it further

Resolved, That such person and staff be aided by an advisory committee appointed by appropriate Government authority to represent the meat industry in all its phases and locations; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution by mail to the President and Vice President of the United States, and to the Members of the Congress of the United States from California; and be it further

Resolved, That the Chief Clerk of the Assembly telegraph the contents of this resolution to the Honorable Chester C. Davis, Food Administrator, the Honorable Prentiss Brown, Administrator of the Office of Price Administration, the Honorable James Byrnes, Director of Economic Stabilization, and the Honorable Alfred J. Elliot, Chairman of the California Delegation in the House of Representatives.

Request for Unanimous Consent

Mr. Hastain asked for, and was granted, unanimous consent to take up House Resolution No. 167, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Denny, Dickey, Dills, Ralph C., Erwin, Evans, Field, Fourt, Gannon, Guthrie, Hastain, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, Price, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—48.

NOES—Anderson, Bennett, Berry, Brady, Collins, George D., Crowley, Dunn, Gaffney, Haggerty, Hawkins, Kilpatrick, Massion, McMillan, O'Day, and Pelletier—15.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. O'Day:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 209.5 to the Revenue and Taxation Code, relating to exemptions from taxation.

Respectfully submitted.

EDWARD F. O'DAY

Request referred to Committee on Legislative Procedure.

By Mr. Burns:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 4 to an act entitled "An act to provide for the improvement and reconstruction of a road in the County of Mendocino, and making an appropria-

tion therefor," approved July 11, 1941, relating to availability of any unexpended balance of the appropriation made therein.

Respectfully submitted.

MICHAEL J. BURNS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Michael J. Burns:

An act to add Section 4 to an act entitled "An act to provide for the improvement and reconstruction of a road in the County of Mendocino, and making an appropriation therefor," approved July 11, 1941, relating to availability of any unexpended balance of the appropriation made therein.

By Mr. O'Day:

An act to add Section 209.5 to the Revenue and Taxation Code, relating to exemptions from taxation.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kulpatrik, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, McMillan, Middough, Miller, O'Day, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1968: By Mr. O'Day—An act to add Section 209.5 to the Revenue and Taxation Code, relating to exemptions from taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1969: By Mr. Burns—An act to add Section 4 to an act entitled "An act to provide for the improvement and reconstruction of a road in the County of Mendocino, and making an appropriation therefor," approved July 11, 1941, relating to availability of any unexpended balance of the appropriation made therein.

Referred to Committee on Ways and Means.

Assembly Concurrent Resolution No. 50: By Mr. Weybret—Relative to providing for a full year state-wide celebration in 1950 commemorating admission of California to the Union and the end of the war and providing for a Joint Committee to plan for the celebration.

Referred to Committee on Rules and House Functions.

REQUEST TO PRINT ARTICLE IN JOURNAL

Mr. Dunn requested that an article appearing in the Retail Grocer of March 19th be printed in the Journal.

Request referred to Committee on Rules and House Functions.

Speaker Presiding

At 11 53 a m., Hon. Charles W Lyon, Speaker of the Assembly, presiding.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON ADOPTION OF URGENCY CLAUSE TO
ASSEMBLY BILL NO. 343**

At 11 55 a.m., on motion of Mr. Dilworth, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 343 refused adoption by the following vote:

AYES—Allen, Armstrong, Bashore, Brown, Burkhalter, Clarke, Collins, Sam L. Crichton, Debs, Denny, Dills, Clayton A., Dilworth, Erwin, Field, Fourn, Gannon, Guthrie, Hastain, Heisinger, Hollibaugh, Kellem, King, Knight, John B., Knight, T. Fenton; Kraft, McMillan, Middough, Miller, Niehouse, Potter, Price, Robertson, Sargent, Sawaltisch, Smith, Stream, Thomas, Thorp, Watson, Weber, Werdel, Weybret, and Mr. Speaker—43.

NOES—Anderson, Beck, Bennett, Berry, Brady, Burns, Call, Carey, Carlson, Collins, George D., Crowley, Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Haggerty, Hawkins, Johnson, Kilpatrick, Lowrey, Lyons, Maloney, Massion, McCollister, O'Day, Pelletier, Rosenthal, Sheridan, Thompson, and Wollenberg—31.

Notice of Motion to Reconsider Urgency Clause to Assembly Bill No. 343

Mr. Dilworth gave notice that on the next legislative day he would move to reconsider the vote whereby the urgency clause to Assembly Bill No. 343 was this day refused adoption.

RESOLUTIONS

The following resolution was offered:

By Messrs. Bashore, Heisinger, Erwin, Lowrey, Denny, Burns, Guthrie, Weybret, Hastain, Leonard, Clarke, and Thorp:

House Resolution No. 168

Relating to foot and mouth disease in imported cattle

WHEREAS, A joint committee of this Legislature has in hearings relating to the shortage of meat in California received expert testimony that if Argentine cattle were to be imported into the United States, such importation would be practically certain to result in outbreaks of the foot and mouth disease among California and other American cattle; and

WHEREAS, Such importation, instead of increasing the meat supply in the United States would, by destruction of the American cattle supply, decrease the total amount available and subject the people of this Country to the possible harmful effects of eating diseased meat; and

WHEREAS, The Bureau of Animal Industry of the United States Department of Agriculture through Dr. S. C. Fladness undertook an investigation of the situation in Argentina with respect to the prevalence of the foot and mouth disease about a year ago, and has apparently made a report on the situation to the Department of Agriculture; and

WHEREAS, The officers of this State charged with the administration of laws designed to protect the people and animals of this State against the foot and mouth disease have made appropriate efforts to obtain that report or the results thereof and despite the legitimate interest of the people of this Country in the results of this report it has thus far been unavailable; now, therefore, be it

Resolved by the Assembly of the State of California, That in order to protect the livestock of this Country, its food supply and its general economy, the Members

of the Congress of the United States from California be and they are hereby requested to demand a copy of this report so that there shall be no secrecy upon a matter that is so vital to the well-being of every man, woman and child in this Country, and if such demand fails to make the report available that the Congress of the United States by and through its appropriate committees subpoena Dr. S. C. Fladness to testify as to the results of his investigation of the foot and mouth disease situation in Argentina, and any other country from which the Federal Administration proposed to import cattle; and be it further

Resolved, That a copy of this resolution be sent to each Senator and Member of the House of Representatives from California in the Congress of the United States.

Resolution read, and referred to Committee on Rules and House Functions.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Maloney moved to expunge the record and rescind the action whereby amendments to Senate Bill No. 291 were, on April 6, 1943, adopted.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 439

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1008

Assembly Bill No. 1274

Assembly Bill No. 1502

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Assembly Bill No. 420

Assembly Bill No. 1203

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THORP, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

- Assembly Bill No. 867
- Assembly Bill No. 1488

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THORP, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

- Assembly Bill No. 1947

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THORP, Chairman

Above reported bill ordered to second reading.

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which were referred:

- Assembly Bill No. 465
- Assembly Bill No. 457

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

MIDDOUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which were referred:

- Senate Bill No. 676
- Senate Bill No. 678

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MIDDOUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred:

- Assembly Bill No. 316

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

MIDDOUGH, Chairman

Above reported bill ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

- Assembly Bill No. 1849

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 898

Senate Bill No. 722

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 475

Assembly Bill No. 899

Has had the same under consideration, and reports the same back with the recommendation. Do pass, and re-refer to the Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bills re-referred to Committee on Ways and Means.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 344

Assembly Bill No. 513

Assembly Bill No. 908

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 617

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

BURNS, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 1702

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BURNS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 169

Assembly Bill No. 222

Assembly Bill No. 854

Assembly Bill No. 896

Assembly Bill No. 1104

Assembly Bill No. 1604

Assembly Bill No. 1953

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 487

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 406

Assembly Bill No. 805

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

WEYBRET, Chairman

Above reported bills re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 261

Assembly Bill No. 869

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred

Assembly Bill No. 698

Assembly Bill No. 1139

Assembly Bill No. 1612

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1943

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 83

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEYBRET, Chairman

Above reported bill ordered to second reading.

MOTION TO REFER REQUESTS FOR PRINTING TO COMMITTEE

Mr. Maloney moved that hereafter all requests to print newspaper or periodical clippings in the Journal be referred to the Committee on Rules and House Functions.

Motion carried.

RECESS

At 12.10 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file and re-referred as follows:

Assembly Bill No. 1603 re-referred to the Committee on Social Welfare.

Assembly Bill No. 1265 re-referred to the Committee on Education.

Assembly Bill No. 439 re-referred to the Committee on Judiciary.

Assembly Bill No. 1008 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1274 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1502 re-referred to the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 918—An act to amend Section 5133 of the Streets and Highways Code, relating to publications.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. John B. Knight moved a call of the Assembly.

Motion carried. Time, 1.33 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 918

At 1.35 p.m., on motion of Mr. John B. Knight, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 918 passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Dickey, Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Heisinger, Hollibaugh, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sheridan, Stream, Thompson, Watson, Weybret, and Mr. Speaker—46.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 197—An act amending Section 4076 of the Political Code, relating to county government.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Brady, Brown, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sawallsch, Sheridan, Stream, Thompson, Watson, Weybret, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 445—An act to amend Section 4248 of the Political Code, relating to compensation of public officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Brady, Brown, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Hawkins, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Sawallisch, Sheridan, Stream, Thompson, Watson, Weybret, and Mr. Speaker—42.

NOES—Bashore, Burkhalter, Debs, and Heisinger—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1254—An act to provide a method for the dissolution of Orange County Water District, a district organized and existing under an act of the Legislature of the State of California, approved June 14, 1933, and to provide for the distribution of its assets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 465—An act to add Sections 89.5, 89.6, 89.7, and 89.8 to the Agricultural Code, relating to the powers and duties of district agricultural associations, and the use of county fair property and declaring the urgency thereof and providing that this act shall take effect immediately;

And appointed Senators Engle, Hatfield, and Deuel, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

CONSIDERATION OF ASSEMBLY AMENDMENTS TO SENATE BILL NO. 465

Senate Bill No. 465—An act to add Sections 89.5, 89.6, 89.7, and 89.8 to the Agricultural Code, relating to the powers and duties of district agricultural associations, and the use of county fair property and declaring the urgency thereof and providing that this act shall take effect immediately.

The question being: Shall the Assembly recede from its amendments to Senate Bill No. 465?

The roll was called, and the Assembly refused to recede by the following vote:

AYES—Call, Crichton, Evans, Kraft, Maloney, Middough, Niehouse, Sheridan, and Weybret—9.

NOES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Debs, Dills, Ralph C., Doyle, Dunn, Erwin, Field, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, John B., Lowrey, Lyons, Massion, Pelletier, Potter, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Watson, Werdel, and Mr. Speaker—44.

Appointment of Committee on Conference Concerning Senate Bill No. 465

The Speaker announced the appointment of Messrs. Lowrey, King, and Weybret as a Committee on Conference concerning Senate Bill No. 465.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Constitutional Amendment No. 17—Proposed amendment to Article XIII of the Constitution, adding a new section numbered 1c, relating to taxation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Gaffney, and Knight, T. Fenton—2.

Resolution ordered transmitted to the Senate.

Explanation of Vote

I intended voting "Aye" on final passage of Assembly Constitutional Amendment No. 17. Was misinformed, and thought roll call was on an amendment.

My vote otherwise would have been "Aye" on final passage.

EDWARD M. GAFFNEY

Assembly Constitutional Amendment No. 17

A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section numbered 1c to Article XIII thereof, relating to taxation.

Resolved by the Assembly of the State of California, the Senate concurring, That the Legislature of the State of California at its Fifty-fifth Session, commencing on the fourth day of January, 1943, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding a new section, to be numbered 1c, to Article XIII thereof, to read:

Sec. 1c. In addition to such exemptions as are now provided in this Constitution, the Legislature may exempt from taxation all or any portion of property used exclusively for religious, hospital or charitable purposes and owned by community chests, funds, foundations or corporations organized and operated for religious, hospital or charitable purposes, not conducted for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual.

Assembly Bill No. 1777—An act to add Section 5418.5 to the Health and Safety Code, relating to sewerage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Desmond, Dills, Ralph C., Dilworth, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—McCollister—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Dunn, Carlson, Sheridan, Carey, Johnson, and Dickey:

House Resolution No. 169

Relative to The Oakland Tribune Yearbook for 1943

WHEREAS, The Oakland Tribune has just released The Oakland Tribune Yearbook for 1943, a publication encompassing a full record of the varied economic and social activities of metropolitan Oakland and the achievements of that area in the present war emergency; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly congratulate The Oakland Tribune upon its spirit of public enterprise thus expressed, and upon the excellence and beauty of its publication, and by this resolution convey an expression of their appreciation of the courtesy extended by The Oakland Tribune in presenting to each of them a copy of The Oakland Tribune Yearbook for 1943; and be it further

Resolved, That the Chief Clerk transmit a copy of this resolution to Joseph R. Knowland, publisher of The Oakland Tribune.

Request for Unanimous Consent

Mr. Dunn asked for, and was granted, unanimous consent to take up House Resolution No. 169, at this time, without reference to committee. Resolution read and adopted.

WITHDRAWAL OF ASSEMBLY BILL NO. 1097 FROM COMMITTEE
BY UNANIMOUS CONSENT

Mr. Field asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1097 from the Committee on Revenue and Taxation for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1097

Assembly Bill No. 1097—An act to amend Section 8.1 of the Metropolitan Water District Act, relating to district taxation.

Bill read second time.

Motion to Amend

Mr. Field moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 25 to 28, inclusive; and on page 2, strike out lines 1 to 21, inclusive, and insert

"On or before the first Monday in February in any year the governing body of any city may declare its intention to pay out of its municipal funds the whole of the amount of taxes to be derived from the area of the district within such city, as such amount shall be fixed in the next succeeding August by resolution of the board of directors of the district. Such declaration of intention shall be made by order upon motion, which order shall be certified to the controller of the district and shall recite that such city, pursuant to the provisions of Section 8, subdivision (d) of this act and at the time and in the manner there provided, will elect to pay the whole of the amount of taxes of the district to be derived from such city as so fixed in said resolution of the board of directors of the district. Concurrently with the certification to the controller of the district of said declaration of intention, the city shall transmit to the controller a statement showing its financial condition, the funds from which it is intended that such payment will be made and the sources of revenue to be used therefor. If it appears that the financial condition of such city reasonably will assure such payment, the controller of the district shall accept such declaration of intention. On or before the last Monday in February of that year he shall so notify the county assessor of the county wherein such city is situated, or other officer whose duty it is to collect taxes under the provisions of said Section 9 (a) of Article XIII of the Constitution of the State of California, and thereupon said county assessor or other officer shall not collect in such city under said section any such taxes for the benefit of such district prior to the next ensuing first day of September. If any city whose declaration of intention has been so accepted shall fail to make its intended election at the time and in the manner provided in Section 8, sub-

division (d) of this act and in compliance with all applicable requirements, the controller of the district, on or before the first day of September, shall so notify the county auditor of the county in which such city shall lie and thereupon the county assessor or county tax collector of said county or other officer whose duty it then is to collect such taxes, forthwith shall collect for the benefit of said district such taxes under the provisions of said Section 9 (a) of Article XIII of the Constitution of the State of California; provided, that no penalties shall attach to such taxes as are collected by the first day of December."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Speaker Pro Tempore Presiding

At 2.47 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

RESOLUTIONS

The following resolution was offered:

By Messrs. Burns and Lyon:

House Resolution No. 170

Relating to the death of John Quinn

WHEREAS, John Quinn was a Member of this Assembly and served his State by representing the County of Humboldt in the Forty-first and Forty-second Sessions of the California Legislature, occupying Seat No. 79 in the Assembly thereof; and

WHEREAS, The said John Quinn took an active interest in the public affairs of his State at all times and was mayor of the City of Eureka; and

WHEREAS, John Quinn was in private life a practicing attorney at law, and thus has earned himself an enviable reputation as an able and conscientious lawyer; and

WHEREAS, This Assembly has learned with regret of the death of John Quinn at Woodland on April 6, 1943; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly extends its sympathy to the members of his family, and that the Clerk prepare suitable copies of this resolution and send copies thereof to members of his family.

Request for Unanimous Consent

Mr. Burns asked for, and was granted, unanimous consent to take up House Resolution No. 170, at this time, without reference to committee.

Resolution read and adopted by a rising vote of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 158—An act to amend Section 1028 of the Code of Civil Procedure, relating to award of costs against the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dilworth, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Watson, Weber, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 107—An act to amend Section 996 of the Political Code and Section 1770 of the Government Code, relating to an office becoming vacant.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out line 19, and insert "SEC. 2. Section 1770 of the Government Code is amended to read:"

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Speaker Presiding

At 2.55 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1068 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Burns asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1068 from the Committee on Motor Vehicles, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1068

Assembly Bill No. 1068—An act to add Section 135.4 to the Vehicle Code, relating to members of California Highway Patrol having power of peace officers.

Bill read second time.

Motion to Amend

Mr. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, after "to", insert "and may".

Amendment No. 2

On page 1 of the printed bill, strike out lines 7 to 13, inclusive, and insert "such assistance of a reasonable nature to the armed forces of the United States, Interstate Commerce Commission, and the Department of Justice, taking into consideration the organization and functions of the California Highway Patrol as will assist the same in the performance of such of their duties as are directly concerned with the emergency or the war effort; provided, that such assistance has been requested by said agencies. In rendering such assistance, the members of the California Highway Patrol shall have the power of peace officers.

Nothing in this section shall be deemed to preclude or limit the powers or duties of the California Highway Patrol as set forth elsewhere by law."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1449
FROM INACTIVE FILE**

Mr. Dilworth gave notice that on Thursday, April 8, 1943, he would move to withdraw Assembly Bill No. 1449 from the inactive file, and have it placed upon the third reading file.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 229
FROM INACTIVE FILE**

Mr. Debs gave notice that on Thursday, April 8, 1943, he would move to withdraw Assembly Bill No. 229 from the inactive file, and have it placed upon the third reading file.

**WITHDRAWAL OF ASSEMBLY BILL NO. 583 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. King asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 583 from the Committee on Fish and Game, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 583

Assembly Bill No. 583—An act to add Sections 102, 611.7, and 611.8 to the Fish and Game Code, creating a new fish and game district and regulating the taking of trout therein.

Bill read second time.

Motion to Amend

Mr. King moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out “, 611.7 and 611.8”, and insert “and 611.7”.

Amendment No. 2

On page 2 of said bill, strike out lines 17 to 41, inclusive, and insert “611.7. In District 102, from September 1st to October 31st, trout may be taken in accordance with all of the provisions of this code relating to the taking of, and bag and possession limits for, trout in District 1. From November 1st to the last day of February, trout 15 inches or over in length and of any species may be taken, but not more than three such trout in the aggregate of all species may be taken by any one person in any one day and not more than one daily bag limit of such trout may be possessed by any one person during one day.”

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Mr. Lyon:

House Resolution No. 171

Relative to the birthday of Wilkie Ogg

WHEREAS, On the sixth day of April, Wilkie Ogg, the Sergeant-at-Arms of this Assembly, celebrated his birthday anniversary; and

WHEREAS, During all the years he has held that office Wilkie Ogg has served the Members of this Assembly efficiently and with unflinching courtesy, and in a manner appropriate to the responsibilities placed upon him; now, therefore, be it

Resolved by the Assembly of the State of California, That by this resolution, and in recognition of the service and friendship he has given them, the Members of this Assembly congratulate Wilkie Ogg upon his birthday and wish him many more happy years.

Request for Unanimous Consent

Mr. Weber asked for, and was granted, unanimous consent to take up House Resolution No. 171, at this time, without reference to committee.

Resolution read and adopted unanimously.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 465—An act to add Sections 89.5, 89.6, 89.7, and 89.8 to the Agricultural Code, relating to the powers and duties of district agricultural associations, and the use of county fair property and declaring the urgency thereof and providing that this act shall take effect immediately;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill, as amended on April 2, 1943, be further amended as follows:

On page 2, line 22, of the printed bill, as amended, strike out "Labor", and insert "Fiber".

ENGLE
HATFIELD
DEUEL

KING
LOWREY
WEYBRET

Senate Committee on Conference

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dilworth, Field, Fourt, Gaffney, Gannon, Guthrie, Hagerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kalpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Watson, Weber, Weybret, and Wollenberg—58.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Concurrent Resolution No. 51: By Mr. McCollister—Relative to requesting the Governor to set aside November 11, 1943, as a day to pay homage to the heroes of the last war and as a day of prayer for early and successful termination of the present war.

Referred to Committee on Rules and House Functions.

REQUEST TO PRINT ARTICLE IN JOURNAL GRANTED

Upon favorable report from the Committee on Rules and House Functions, the following excerpt from California Retail Grocer of March 19th was ordered printed in the Journal at the request of Mr. Dunn:

Compare Food Prices for Two Wars

Although food costs in San Francisco and other Pacific Coast cities have shown a consistent increase during the first 13 months of World War II, the rate of advance under OPA control has been appreciably smaller than it was during the corresponding period of World War I.

Disclosure of this fact was made today in a report of comparative increases issued by William A. Bledsoe, Regional Price Economist of the Bureau of Labor Statistics in OPA regional headquarters in San Francisco.

The percentage changes in the average retail prices in San Francisco of a selected list of food items from April, 1917, to May, 1918, and December, 1941, to January, 1943, follow:

	WORLD WAR 1 Per cent change* from April, 1917, to May, 1918	WORLD WAR 2 Per cent change* from Dec., 1941, to Jan., 1943
Round steak -----	41.8	16.3
Rib steak -----	36.7	10.6
Chuck roast -----	48.5	14.5
Pork chops -----	34.0	9.6
Bacon, sliced -----	33.9	8.4
Ham, sliced -----	24.4	5.5
Lamb -----	38.2	21.1
Roasting chickens -----	42.4	31.3
Canned salmon—red -----	20.6	9.4
Eggs -----	15.0	32.8
Butter -----	4.2	33.0
Cheese -----	5.4	10.9
Fresh milk -----	21.0	9.2
Bread, white -----	44.9	No change
Flour -----	13.8	7.8
Corn meal -----	43.4	2.4
Rice -----	27.8	23.6
Prunes -----	8.7	50.8
Navy beans -----	0.6	12.8
Lard -----	31.3	19.0
Sugar -----	—	5.5
Coffee -----	1.3	7.5
Tea -----	7.0	12.3

*All percentage changes are plus unless otherwise noted.

REPORTS OF STANDING COMMITTEES**Committee on Civil Service and State Departments**

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which were referred:

Assembly Bill No. 987

Assembly Bill No. 988

Assembly Bill No. 989

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

T. FENTON KNIGHT, Chairman

Above reported bills ordered to second reading.

Committee on Public Utilities, Manufacturing, and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which was referred:

Assembly Bill No. 1433

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ALLEN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 639

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 641

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Burkhalter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Walter J. Sullivan of Los Angeles.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Kate S. Farrow of Los Angeles.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Percy G. West, former Assemblyman, of Sacramento.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Allen G. Thurman, wife of Assemblyman Thurman, of Colfax.

On request of Mr. Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant and Mrs. Brandt of Colorado.

On request of Mr. Brady, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Adolph Uhl, James E. Ricketts, and Daniel Del Carlo of San Francisco.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lena B. Everett and the following pupils of Stanford Junior High School: Patsy Bingham, Frances Bird, Shirley Bobo, Barbara Bryan, Betty Cole, David Duncan, Jackie DuLak, Joan Edwards, Tommy Ferrara, Edward Gardener, Delores Gross, Reba Green, Velma Green, Everett Handy, Barbara Harris, Patricia Kent, Dorothy Krammer, Joseph Krein, Mary Krein, Kathleen Lasell, Louellyn Meredith, Betty Ann Moseley, Billy Mossap, Jean Oas, Roselyn Reysler, Jack Riley, Gertrude Schroeter, Charles Shaw, Tommy Simpson, Marilyn Stewart, Edsella Stoneburner, Fred Styles, James Edwards.

On request of Mr. Smith, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Leslie J. Cooper of South Pasadena.

On request of Mr. Brown, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert Garrett, Harry Nystrom, W. F. Fredine, W. G. Stower, and E. B. Ledue of Turlock.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenants Rudicel and Carroll of Kansas, Noonam of Santa Rosa, and Smith of Los Angeles.

On request of Mr. Kraft, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Jim McFadden of San Diego.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Anna Nieroth and Mrs. Laura Boyer of Hollywood.

ADJOURNMENT

At 3 12 p m., on motion of Mr. Sam L Collins, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, April 8, 1943, out of respect to the memory of the late Honorable John Quinn.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-EIGHTH LEGISLATIVE DAY

NINETY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, April 8, 1943

The Assembly met at 9.30 a m.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Dehs, Denny, Dickey, Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollbaugh, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Price, Robertson, Rosenthal, Sargent, Stream, Thomas, Thompson, Thorp, Watson, Werdel, Weybret, Wollenbeig. and Mr. Speaker—50.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Our Father, speak to us in Thy still small voice which is more potent than the voices of many waters in this world in which we sojourn. Help us to select the good, the beautiful and true values thus to build our lives to be of service to Thee and our fellowmen. We ask for insight to use that exhaustless strength which we gratefully accept as a heritage from Thee, and a blessed guidance for our deliberations.

"My bark is wafted to the strand
By breath divine;
And on the helm there rests a Hand
Other than mine"

We pray it in Thy holy name.

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Berry.

MOTION TO EXCUSE MEMBER

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, because of illness.

MOTION TO REFER COMMUNICATION TO COMMITTEE

Mr. Carlson moved that a communication from William R. Maloney, President of the California Medical Association, relative to pending legislation, be referred to the Committee on Rules and House Functions to ascertain the advisability of printing the communication in the Journal.

Mr. Watson seconded the motion.

Motion carried.

MOTION TO REFER COMMUNICATIONS TO COMMITTEE ON RULES AND HOUSE FUNCTIONS

Mr. Carlson moved that all communications, addressed to the Assembly and pertaining to pending legislation, be referred to the Committee on Rules and House Functions for recommendation of printing such communications in the Journal.

Mr. Watson seconded the motion.

Motion carried.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lowrey:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows: An act to add Section 86.3 to, and to amend Section 173 of, the State Civil Service Act, relating to time limit for protesting examinations and holding hearings. Respectfully submitted.

LLOYD W. LOWREY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Lowrey:

An act to add Section 86.3 to, and to amend Section 173 of, the State Civil Service Act, relating to time limit for protesting examinations and holding hearings.

PELLETIER, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sam L. Collins moved a call of the Assembly

Motion carried. Time, 9.44 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

INTERPRETATION OF RULE REFERRED TO LEGISLATIVE COUNSEL

The question of the interpretation of Rule No. 79, with regard to Assembly Constitutional Amendment No. 11, was ordered referred to the Legislative Counsel, with the Speaker pro tempore appointing Mr. Robertson to handle the matter, and report back to the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Public Utilities, Manufacturing, and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which was referred:

Senate Bill No. 562

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ALLEN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which was referred:

Assembly Bill No. 974

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 145
Assembly Bill No. 514
Assembly Bill No. 515
Assembly Bill No. 582
Assembly Bill No. 652
Assembly Bill No. 694
Assembly Bill No. 956
Assembly Bill No. 975
Assembly Bill No. 1085

Assembly Bill No. 1161
Assembly Bill No. 1266
Assembly Bill No. 1377
Assembly Bill No. 1430
Assembly Bill No. 1590
Assembly Bill No. 1602
Assembly Bill No. 1793
Assembly Bill No. 1803

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 229
Assembly Bill No. 359
Assembly Bill No. 1528

Assembly Bill No. 1569
Assembly Bill No. 1570

And reports the same correctly re-engrossed

PELLETIER, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 911

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 348
Senate Bill No. 511
Senate Bill No. 533
Senate Bill No. 548
Senate Bill No. 638
Senate Bill No. 640
Senate Bill No. 652
Senate Bill No. 677

Senate Bill No. 685
Senate Bill No. 731
Senate Bill No. 776
Senate Bill No. 777
Senate Bill No. 799
Senate Bill No. 864
Senate Bill No. 978

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 32

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 348—An act to amend Sections 23, 23a, 23b, 24.1 and 24.5, and to repeal Sections 19, 25, 26, 26a, 26b, 26c, 27, 31, 31a, 31b, 31c, 31d, 31e, 31f, 31g and 32 of the Alcoholic Beverage Control Act and to add thereto new sections to be designated Sections 19, 23e, 23d, 26, 27 and 38.2, relating to the taxation of beer and wine and to provide that this act shall take effect immediately.

Referred to Committee on Public Morals.

Senate Bill No. 511—An act to amend Section 5.380 of the School Code and to amend Section 12751 of the Education Code, relating to the suspension of credentials issued by the State Board of Education.

Referred to Committee on Education.

Senate Bill No. 533—An act to amend Section 359c of the Political Code, relating to vacations of State officers and employees.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 548—An act to add Section 1.108 to the School Code and to add Section 16424 to the Education Code and to amend Sections 10270 and 11512 of the Insurance Code, and to add Section 11512.4 to the Insurance Code, all relating to the insurance of pupils of the public schools.

Referred to Committee on Education.

Senate Bill No. 638—An act to repeal Section 12108 of the Business and Professions Code, relating to the construction and installation of heavy duty scales.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 640—An act to amend Sections 12700, 12701, 12703, 12704, 12706 and 12709 of the Business and Professions Code, relating to public weighmasters.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 652—An act to amend Section 3.816 of the School Code and to amend Section 10624 of the Education Code, relating to credit hours of junior college work.

Referred to Committee on Universities and Colleges.

Senate Bill No. 677—An act to add Sections 1547 and 2762 to the Penal Code, and to repeal Section 2783 of the Penal Code, relating to the escape of prisoners.

Referred to Committee on Crime and Correction.

Senate Bill No. 685—An act to validate certain acts of counties, cities and counties and of their officers, relating to taxation of property.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 731—An act to amend Section 5014 of the Public Resources Code, relating to the State Park Maintenance and Acquisition Fund.

Referred to Committee on Conservation, Natural Resources, and Planning

Senate Bill No. 776—An act to amend Section 20 of the "Personal Property Brokers Act" as revised and set forth in Chapters 952 and 1044 of the Statutes of 1939, relating to personal property brokers and to persons who, as brokers, negotiate loans made by personal property brokers.

Referred to Committee on Finance and Insurance.

Senate Bill No. 777—An act to amend Section 19 of the "California Small Loan Act," relating to lenders engaged in the business of making loans of three hundred dollars (\$300) or less, and to persons who, as brokers, negotiate loans made by such lenders.

Referred to Committee on Finance and Insurance.

Senate Bill No. 799—An act to amend Section 329 of the Political Code, and to amend Section 9608 of the Government Code, relating to the termination or suspension of a law and the effect thereof upon penalties for violations committed during the operative period of the law.

Referred to Committee on Judiciary.

Senate Bill No. 864—An act to add Section 797.1 to the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

Senate Bill No. 978—An act to amend Section 688 of the Political Code, relating to claims against the State of California in respect to damages inflicted by vehicles, and claims and actions therefor.

Referred to Committee on Motor Vehicles

Senate Concurrent Resolution No. 32—Relative to adjournment sine die of Fifty-fifth Session of Legislature.

Referred to Committee on Rules and House Functions.

RE-REFERENCE OF ASSEMBLY BILL NO. 257

Mr. Gannon moved that Assembly Bill No. 257 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 898—An act to amend Sections 720, 800, and 870 of the Military and Veterans Code, relating to veterans.

Bill read second time, and ordered engrossed.

Assembly Bill No. 487—An act to make an appropriation to pay off the amount of outstanding bonds issued under "An act to provide for the payment of the funded indebtedness of the State of California and to contract a funded debt for that purpose," approved April 2, 1870, and to repeal "An act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to repeal an act of the Legislature of the State of California, approved March 4, 1881, entitled 'An act to appropriate money to reimburse the University of California, for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom and appropriated to other State purposes,' and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893," approved March 3, 1893.

Bill read second time, and ordered engrossed.

Assembly Bill No. 169—An act to amend Section 515.5 of the Vehicle Code, relating to driving speed of motor vehicles, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 222—An act to add Section 511.4 to the Vehicle Code, relating to reduction of speed on State highways within cities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 854—An act to amend Section 500 of the Vehicle Code, relating to the crime of negligent homicide.

Bill read second time, and ordered engrossed.

Assembly Bill No. 896—An act to amend Sections 739.1 and 758 of, and to add Section 759 to, the Vehicle Code, relating to waiver of filing of written complaint and presumptions as to the character of residence and business districts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1104—An act to amend Section 140 of the Vehicle Code, relating to the registration of motor vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1604—An act to amend Section 258 of the Vehicle Code, relating to chauffeurs.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1953—An act to amend Section 672 of the Vehicle Code, relating to escorts, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1947—An act to add Section 343.5 to the Agricultural Code, relating to inspection of cattle.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1849—An act to add Sections 520, 521, 522, 523, 524, 525 and 526 to the Military and Veterans Code, relating to High School Cadets.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Sections 520, 521, 522, 523, 524, 525 and 526 to", and insert "amend Sections 500, 502, 512, 513 and 515 of".

Amendment No. 2

In line 2 of the title of said bill, after "Code," insert "and to add Section 12011 to the Education Code,".

Amendment No. 3

On page 1, line 1, of said bill, strike out "520 is added to", and insert "500 of".

Amendment No. 4

On page 1, line 2, of said bill, strike out the comma, and insert "is amended".

Amendment No. 5

On page 1 of said bill, strike out all of lines 3 to 9, inclusive, and insert "500. [The male students of any high school in this state] *Each four year high school in this State having 100 or more male [such may be organized into] students of 14 years of age or over shall establish a high school cadet company or companies under such rules and regulations as the governing body of the schools and The Adjutant General may prescribe, and any four year high school in the State having less than 100 of such students may establish a high school cadet company or companies. Said companies shall be of such strength as [may] shall be prescribed by The Adjutant General.*"

Amendment No. 6

On page 1, line 11, of said bill, strike out "521 is added to said code," and insert "502 of said code is amended".

Amendment No. 7

On page 1 of said bill, strike out all of lines 12 to 30, inclusive, and insert "502. Upon recommendation of the school board having jurisdiction over the school and with the approval of The Adjutant General the Governor may commission commandants, assistant commandants, and assistant commandants (junior grade) of cadets for duty in each school having one or more cadet companies. Commandant corresponds to the rank of major of the National Guard; assistant commandant corresponds to the rank of captain of the National Guard; and assistant commandant (junior grade) corresponds to the rank *not higher than* [of] first lieutenant of the National Guard. Said officers shall be commissioned in the same manner that National Guard officers are commissioned. Each such officer shall hold office at the pleasure of the Governor, or until his successor has been appointed and qualified or his connection with the cadets is severed. Said officers shall be entitled to the same privileges and exemptions accorded National Guard officers, of corresponding rank, as above stated except that pay and expenses on special detail shall be taken from the moneys appropriated for the maintenance of the California High School Cadets."

Amendment No. 8

On page 2, line 1, of said bill, strike out "522 is added to said code," and insert "512 of said code is amended".

Amendment No. 9

On page 2 of said bill, strike out all of lines 2 to 6, inclusive, and insert "512. Target practice shall constitute a part of the instruction to be given to cadets. The Adjutant General shall purchase and supply to each of the high schools a sufficient number of Springfield or other efficient rifles for field target work and gallery practice and the ammunition and equipment therefor, as in his judgment is necessary for efficient rifle practice. All target practice shall be under the supervision of the commandants of cadets or competent members of the National Guard, *State Guard* or Naval Militia detailed by The Adjutant General. The expenditures therefor may be paid out of the moneys appropriated for the maintenance of the High School Cadets."

Amendment No. 10

On page 2, line 8, of said bill, strike out "523 is added to said code," and insert "513 of said code is amended".

Amendment No. 11

On page 2 of said bill, strike out all of lines 9 to 14, inclusive, and insert "513. The Adjutant General may detail from the organizations of the National Guard, *State Guard* or Naval Militia some competent member thereof [having the rank of major in the National Guard, or corresponding rank in the Naval Militia, or higher:] who shall act as drill and rifle practice instructor for High School Cadets. The Adjutant General may provide for compensating the persons detailed by him to instruct the cadets in drill and target practice."

Amendment No. 12

On page 2, line 16, of said bill, strike out "524 is added to said code," and insert "515 of said code is amended".

Amendment No. 13

On page 2 of said bill, strike out all of lines 17 to 23, inclusive, and insert "515. High School Cadet companies shall be inspected once each year by officers of the National Guard, *State Guard* or Naval Militia detailed by The Adjutant General for that purpose. Such inspectors shall report to The Adjutant General the result of inspections relating to the drill, target practice, attendance, discipline, and condition of property of High School Cadet organizations. Such report shall contain an inventory of the State property on hand in the cadet companies at the time of inspections. Such reports shall be made and forwarded, in duplicate, one copy to the State Superintendent of Public Instruction and one copy to The Adjutant General's Office, and shall bear the endorsement of the principal of the high school, containing remarks the principal deems pertinent."

Amendment No. 14

On page 2 of said bill, strike out all of lines 25 to 51, inclusive, and insert "SEC. 6 Section 12011 is added to the Education Code, to read:
12011. The State Board of Education may issue a special certificate to any person who is qualified by graduation from the American Legion Instructor's School or to any other person who is recommended by The Adjutant General to receive the special certificate, which special certificate shall entitle the holder thereof to teach basic military drill to the various High School Cadet companies established under Chapter 1 of Part 2 of Division 2 of the Military and Veterans Code. The certificate shall be issued only to those who shall qualify as to character in the same manner as required for holders of secondary teaching certificates.
This section shall remain in effect until cessation of hostilities in all wars in which the United States is now engaged as determined by act of Congress or proclamation of the President of the United States"

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 465—An act to amend Section 2049 of the Penal Code, and to add Sections 2090.5, 2714, 3020.5 and 3040.5 to the Penal Code, relating to prisons and prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 2, line 14, of the printed bill, strike out "paid by the State of California", and insert "paid, in whole or in part, by the State of California"

Amendment read and adopted.
Bill ordered reprinted and engrossed.

Assembly Bill No. 457—An act to amend Section 2762 of the Penal Code, relating to employment of prisoners at road camps.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1 of the printed bill, strike out lines 17 to 22, inclusive, and insert "medical attendance and clerical help. The net credits to each convict's account shall not be permitted to exceed an average of".

Amendment No. 2

On page 2 of the printed bill, strike out lines 4 to 10, inclusive, and insert "for escapes."

Amendments read and adopted.
Bill ordered reprinted and engrossed.

Assembly Bill No. 344—An act to amend Section 142 of the Vehicle Code, relating to exemption from registration.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 20, of the printed bill, before "Farm", insert "(d)".

Amendment No. 2

On page 1, line 20, of said bill, after "equipment", insert "which"

Amendment No. 3

On page 1, line 22, of said bill, strike out "for any farming purpose or use," strike out all of lines 23 to 26, both inclusive, and insert "within the county, unladen, except for implements of husbandry, for use on that farm when driven, or to the nearest adequate repair station. Such trucks shall display a distinguishing license issued by the department at a charge of not to exceed one dollar (\$1)."

Amendment No. 4

On page 1, line 27, of said bill, strike out "(d)", and insert "(e)".

Amendments read and adopted.
Bill ordered reprinted and engrossed.

Assembly Bill No. 513—An act to add Section 604.11 to the Vehicle Code, relating to ambulances.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "The", and insert "Notwithstanding the provisions of any contract or charter which may now or hereafter be in effect, the".

Amendment No. 2

On page 1, line 9, of said bill, strike out "and who neglects or refuses to", and insert "shall".

Amendment No. 3

On page 1, line 10, of said bill, strike out "neglects or refuses to".

Amendment No. 4

On page 1, lines 12 and 13, of said bill, strike out "is guilty of a misdemeanor.", and insert "unless transportation would, in the judgment of the driver or operator, further injure such person. Any person who neglects or refuses to care for or transport such injured person is guilty of a misdemeanor."

Amendment No. 5

On page 1 of said bill, strike out lines 14 to 20, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 908—An act to amend Sections 39, 382 and 623 of the Vehicle Code, and to add Sections 168 and 628 thereto, relating to vehicles and vehicular traffic.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 3, line 43, of the printed bill, as amended, strike out the comma; and strike out all of lines 44 to 48, inclusive, and insert a period.

Amendment No. 2

On page 4, line 35, of said bill, strike out "Motor".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 316—An act to amend Section 270a of the Penal Code, relating to nonsupport of a wife.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1, line 8, of the printed bill, after "attendance," insert "or other remedial care".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 420—An act to amend Section 737.6 of the Agricultural Code, relating to money collected for the administration of stabilization and marketing plans for fluid milk or fluid cream or both.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 736.14 and".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "money collected for the administration of", and insert "the".

Amendment No. 3

In line 3 of the title of the printed bill, strike out "plans for fluid milk or", and insert "of fluid milk and".

Amendment No. 4

In line 4 of the title of the printed bill, strike out "or both", and insert "and to assessments and refunds thereunder, declaring the urgency of this act, to take effect immediately".

Amendment No. 5

On page 1, line 1, of the printed bill, strike out "737.6", and insert "736.14".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 1 of the printed bill, between lines 2 and 3, insert "736.14. Distributors who are subject to the provisions of this article shall pay to the director on all milk fat contained in fluid milk and fluid cream purchased from producers, including their own production, if any, a fee in mills per pound of milk fat equal to that required to be deducted from the payments due producers of fluid milk under Section 737.6 of this code. [The amount so] *Such assessed fees* received by the director shall be used in the administration and enforcement of this chapter or any stabilization or marketing plan established by this chapter. [Any amounts in excess of that required for this purpose shall be returned pro rata, at such times as the director may determine, to distributors from whom such sums were collected.]

At the close of each fiscal year any amounts which have been collected and which the director finds are in excess of those which may reasonably be required for the administration and enforcement of this chapter shall be refunded pro rata to all distributors from whom such sums were due and collected pursuant to the provisions of this section.

Any assessments which may have been collected for a period when a stabilization and marketing plan was not actually in full operation for a period in excess of one year for any particular marketing area shall be refunded by the director and any assessments which were not collected for such period and area shall be deemed waived.

SEC. 2. Section 737.6 of the Agricultural Code is hereby amended to read as follows:".

Amendment No. 7

On page 2, line 9, of the printed bill, after "amounts", insert "of the assessment".

Amendment No. 8

On page 2, line 12, of the printed bill, after "amounts", insert "of all such assessments".

Amendment No. 9

On page 2 of the printed bill, strike out all of lines 18 to 23, inclusive, and insert

"At the close of each fiscal year any amounts which have been collected and which the director finds are in excess of those which may reasonably be required for the administration and enforcement of this chapter shall be refunded pro rata to all producers and/or distributors from whom such sums were due and collected pursuant to the provisions of this section.

Any assessment which may have been collected for a period when a stabilization and marketing plan was not actually in full operation for a period in excess of one year for any particular marketing area shall be refunded by the director and any assessments which were not collected for such period and area shall be deemed waived.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the

meaning of Section 1 of Article IV of the Constitution of the State of California and therefore shall take effect immediately.

The following is a statement of facts constituting such necessity:

Immediate action is necessary relative to refunds now being attempted with reference to accumulations of receipts from the beginning of the operation of the law and the difficulties of computing these refunds over this period of time indicates the necessity for such action each fiscal year.

Return of assessments paid in during the period that a stabilization and marketing program was inoperative pending dissolution of a restraining order through court procedure is necessary as soon as possible in order that persons entitled to same may be paid before further complications arise, e.g., transfers, consolidations, and discontinuances of businesses."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1203—An act to amend Sections 736.14 and 737.6 of the Agricultural Code, relating to assessments for administration of stabilization and marketing plans for fluid milk and fluid cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "The amount so", and insert "Such assessed fees".

Amendment No. 2

On page 1, line 12, of the printed bill, strike out all of said line following the period, and all of lines 13, 14, and 15.

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 16 to 21, inclusive, and insert "At the close of each fiscal year any amounts which have been collected and which the director finds are in excess of those which may reasonably be required for the administration and enforcement of this chapter shall be refunded pro rata to all distributors from whom such sums were due and collected pursuant to the provisions of this section."

Amendment No. 4

On page 2, line 26, of the printed bill, following "amount", insert "of the assessments".

Amendment No. 5

On page 2, line 29, of the printed bill, following "amounts", insert "of all such assessments".

Amendment No. 6

On page 2, line 32, of the printed bill, strike out all of said line following the period, and all of lines 33 to 41, inclusive, and insert

"At the close of each fiscal year any amounts which have been collected and which the director finds are in excess of those which may reasonably be required for the administration and enforcement of this chapter shall be refunded pro rata to all producers and/or distributors from whom such sums were due and collected pursuant to the provisions of this section."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1433—An act to add Section 21a to the Corporate Securities Act, relating to the commissioner or his employees accepting employment by corporations, the organization, reorganization, rehabilitation or merger of which they supervised.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities, Manufacturing, and Corporations:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "is appointed by him, or in any other way acts as deputy, attorney or otherwise for him," and insert "may act as a deputy commissioner,".

Amendment No. 2

On page 1, line 8, of the printed bill, strike out "five", and insert "two".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 987—An act to amend Section 1043 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out ", special deputy commissioner, actuary, examiner or attorney".

Amendment No. 2

On page 1, line 14, of the printed bill, strike out "five", and insert "two".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 988—An act to add Section 135g to the Bank Act, relating to conservators, Superintendent of Banks or their employees accepting employment by merged, liquidated or reorganized banks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out ", special deputy superintendent, actuary, examiner or attorney".

Amendment No. 2

On page 1, line 9, of the printed bill, strike out "five", and insert "two".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 989—An act to add Section 13.20 to the Building and Loan Association Act, relating to employment of the commissioner or his employees by merged, liquidated or reorganized associations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out “, special deputy commissioner, actuary, examiner or attorney”.

Amendment No. 2

On page 1, line 11, of the printed bill, strike out “five”, and insert “two”.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 261—An act to amend Section 19484 of the Business and Professions Code, relating to fees for horse racing meetings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out “Section 19484”, and insert “Sections 19484 and 19562”.

Amendment No. 2

In line 2 of the title of said bill, strike out “fees for”.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, after line 5, insert

“SEC. 2. Section 19562 of said code is amended to read:

19562. It is hereby declared that since the purpose of this chapter is the encouragement of agriculture and the breeding of horses in this State a sum equal to 10 per cent of the first money of every purse won by a “California bred” horse shall be paid by the licensee conducting the horse racing meeting to the breeder of such animal. A “California bred” horse, within the meaning of this section, shall, prior to [January 1, 1944] *September 1, 1945*, be deemed to be a foal dropped by a mare in California, whether conceived in California or not, and after [January 1, 1944] *September 1, 1945*, shall be deemed to be a foal dropped by a mare in California after being bred in California and remaining in California until the foal is weaned. The board shall by rule provide for the registration of all “California bred” horses.

Every licensee conducting a horse racing meeting shall run at least one race each racing day to be known as a “California bred race” which shall be limited to California bred horses as defined in this section.

If, however, sufficient competition can not be had among such class of horses, the race may, with the consent of the board, be eliminated for the day and a substitute race provided.”

Amendments read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 869—An act to add Chapter 7 to Division 6 of the Agricultural Code, relating to contracts for the sale of agricultural products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 10, of the printed bill, as amended, after “nuts,” insert “not in actual existence or ready for immediate delivery.”.

Amendment No. 2

On page 2, lines 11 and 12, of said bill, strike out "on delivery,".

Amendment No. 3

On page 2, line 15, of said bill, strike out "All con-", and strike out lines 16, 17, and 18 and insert

"Any purchaser of edible nuts delivered pursuant to a contract in violation of this section shall be liable to the seller for the reasonable value of such nuts as of time of delivery and in addition thereto shall be liable to the seller for a penalty of twice such reasonable value of such nuts. This section shall not be applicable to contracts between members and cooperative agricultural".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 698—An act making an appropriation for the control and eradication of Oriental fruit moth.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the period, and insert ", and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1, line 3, of the printed bill, strike out the dotted line, and insert "four hundred thirty-one thousand nine hundred eighty-four".

Amendment No. 3

On page 1, line 4, of the printed bill, strike out the dotted line, and insert "431,984".

Amendment No. 4

On page 1 of the printed bill, after line 7, insert

"SEC. 2. This act is hereby declared to be an urgency measure for the immediate preservation of the public peace, health and safety, within the meaning of Section 1 of Article IV of the Constitution of the State of California, and as such shall take effect immediately. The following is a statement of the facts constituting such necessity:

The Oriental fruit moth is a destructive pest of deciduous fruits which has recently been found in California for the first time. It is now limited to a small area in the southern part of the State, and its further spread would seriously interfere with the production of deciduous fruits and would result in an annual fixed charge on that important industry for all time

The pest is now active and in order to permit control and eradication measures to proceed without delay, it is necessary that funds be made available at the earliest possible date."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1139—An act to add Section Sections 153.1, 153.2, and 153.3 to the Agricultural Code, relating to eradication of Oriental fruit moth and indemnification for host plants removed and destroyed in connection therewith, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 3, line 36, of the printed bill, as amended, strike out the dotted line, and insert "four hundred thirty-two thousand seven hundred twenty".

Amendment No. 2

On page 3, line 37, of said bill, strike out the dotted line, and insert "432,720".

Amendment No. 3

On page 3 of said bill, strike out line 39, and insert "two hundred seventy thousand seven hundred twenty dollars (\$270,720) may be used for".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1612—An act to amend Section 312 of the Agricultural Code, relating to meat inspection.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 312", and insert "Sections 305 and 306".

Amendment No. 2

On page 1 of the printed bill, in line 1, strike out "312" and insert "305".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 3 to 24, inclusive, and insert: "305. No establishment may be operated in the State for the purpose of slaughtering animals, or for the manufacture of meat food products unless such establishment is operated under Federal inspection, State inspection, or approved municipal inspection. No dressed carcasses of animals intended for food purposes, parts thereof, prepared meats or meat food products shall be sold, offered for sale, exposed for sale or [having possession] possessed for sale or transported within the State unless the same shall bear the "Inspected and passed" stamp of an establishment operating under Federal inspection, State inspection or approved municipal inspection.

This section shall be effective only in counties having a population of 28,000 or over.

Sec. 2. Section 306 of said code is amended to read:

306. In counties where inspection is not mandatory State inspection may be conducted by the department whenever requested [and paid for]. Whenever such inspection is requested by the governing body of any county or city and such inspection is inaugurated the provisions of this article shall apply throughout such county or city, as the case may be"

Amendment No. 4

On page 2 of the printed bill, strike out all of line 15, and insert "six hundred forty-eight thousand dollars (\$648,000) to be expended by the Depart-".

Amendment No. 5

On page 2 of the printed bill, after line 18, insert

"No portion of the sum appropriated by this act shall be expended in any county, city and county or city where an approved meat inspection service is now maintained, except for supervision by the director, unless such establishment shall elect in writing to the Director of Agriculture on or before January 1, 1944, to discontinue such municipal or county approved inspection service and assume State inspection service. If an establishment does not elect to assume State inspection on or before January 1, 1944, then it may not so elect to assume State inspection service until further moneys shall have been appropriated by the Legislature from the General Fund to provide State inspection service in said establishment. State inspection service may be instituted in such an establishment requesting it, when such moneys have been made available to the Department of Agriculture to provide State inspection service in said establishment. During the period that moneys are available for the conduct of State meat inspection service out of the moneys herein appropriated, the provisions of Section 312 of the Agricultural Code shall not

apply in so far as said section pertains to the payment of inspection fees to the Director of Agriculture."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1702—An act to add Section 106.5 to the Vehicle Code, relating to personnel of the Department of Motor Vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert "106.5. Deputy Director. There shall be a Deputy Director of Motor Vehicles, which office is hereby created. The deputy director shall be appointed by and hold office at the pleasure of the Governor."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 867—An act to amend Section 453 of, and to add Section 453.1 to, the Agricultural Code, relating to milk and cream.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 20, inclusive, and insert "453. The director may condemn any milk or cream which is found to be impure, unclean, adulterated or unwholesome or that is produced, handled or kept in an insanitary place and he may mark the same for identification. The director shall prescribe the method of marking said milk or cream for identification but shall not, in marking said milk or cream for identification, add any substance which will render said milk or cream unsuitable for a use or purpose other than human consumption. Milk or cream so marked shall thereafter be returned to the producer thereof or used for the manufacture of products other than products used for human consumption or destroyed. No such milk or cream marked for identification shall be destroyed until the producer thereof shall have been notified and for a period of at least 12 hours after such notification."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1488—An act to amend Section 469 of the Agricultural Code and to repeal Section 472, relating to milk and cream.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 6 to 14, inclusive, and insert "It is unlawful to sell, purchase, use, or represent as market milk or market cream any milk or cream which does not meet the requirements and standards of market milk and market cream.

It is unlawful to sell, purchase, use, or represent as market milk or market cream any milk or cream combined with any other substance or compound.

It is unlawful to serve to any customer for consumption on the premises any milk or cream when combined with any other substance or compound and represented as a substitute for or to take the place of market milk or market cream."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 722—An act to amend Section 800 of the Military and Veterans Code, relating to veterans.

Bill read second time, and ordered to third reading.

Senate Bill No. 676—An act to amend the title of Chapter 1 of Title 5 of Part 3 of the Penal Code, and to add Section 4502 to the Penal Code, relating to possession of deadly weapons by prisoners.

Bill read second time, and ordered to third reading.

Senate Bill No. 678—An act to amend Section 669 of the Penal Code, relating to terms of imprisonment.

Bill read second time, and ordered to third reading.

Senate Bill No. 83—An act to amend Section 36 of, and to add Section 8b to, the California Water District Act, relating to districts organized under said act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 8b", and insert "Sections 8b and 9a".

Amendment No. 2

In line 3 of the title of said bill, after "act", insert ", declaring the urgency of this act, to take effect immediately".

Amendment No. 3

On page 1 of said bill, between lines 18 and 19, insert

"Sec. 2. Section 9a is added to said act, to read:

Sec. 9a. The provisions of Section 3714b of the Political Code are not applicable to districts heretofore or hereafter organized under this act and all assessments heretofore levied by any such district without compliance with said Section 3714b shall nevertheless be valid notwithstanding such noncompliance."

Amendment No. 4

On page 1, line 19, of said bill, strike out "2", and insert "3".

Amendment No. 5

On page 2 of said bill, after line 11, insert

"Sec. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and therefore shall take immediate effect. The following is a statement of the facts constituting such necessity:

Large areas of productive land within this State are within water districts organized under the California Water District Act and the fiscal affairs of such districts have an important bearing upon the production of essential food products in the areas involved. This bill amends and clarifies the law relating to assessments and charges for water in such districts and will permit the orderly conduct of the affairs of such districts in the public interest and unless this act takes immediate effect the fiscal affairs of certain districts may become unnecessarily complicated so as to result in difficulties in operation which might seriously interfere with agricultural production in the areas affected."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 50

Assembly Bill No. 1094

Assembly Bill No. 343

Assembly Bill No. 283

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1936—An act to amend Section 347½ of the Penal Code, relating to the sale and use of drugs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Ralph C., Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1762—An act authorizing the investment of surplus funds of any bridge and highway district, in bonds, obligations and securities and legalizing all such investments heretofore made, and authorizing such bridge and highway districts to use such surplus funds for the refunding or partial refunding of any existing bonded indebtedness of bridge and highway districts and to add Section 27154 to the Streets and Highways Code for the same purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Crichton, Crowley, Debs, Dickey, Dills, Ralph C., Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—60.

NOES—Collins, Sam L., and Knight, T. Fenton—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 928—An act to amend Section 11003 of, and to repeal Article 1a, consisting of Sections 11540 and 11541 of Chapter 5, of Division 10 of the Health and Safety Code, relating to narcotics.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendments:

Amendment No. 1

In lines 1, 2, and 3 of the title of the printed bill, strike out “, and to repeal Article 1a, consisting of Sections 11540 and 11541 of Chapter 5, of Division 10 of”.

Amendment No. 2

On page 1 of said bill, strike out lines 6 and 7.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1239—An act to amend Section 25502 of the Water Code, relating to irrigation district assessments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Randal F. Dickey Presiding

At 10.36 a.m., Hon. Randal F. Dickey, Member of the Assembly from the Fourteenth District, presiding.

Assembly Bill No. 1293—An act to amend Section 20043 of the Water Code, relating to reports by the California Districts Securities Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1294—An act to repeal Sections 22900, 22901, 22902, 22903, 22904, 22905, and 22906 of the Water Code, relating to the distribution of electric power in irrigation districts containing 500,000 acres or more.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1295—An act to amend Section 22950 of the Water Code, relating to assessments in irrigation districts containing 500,000 acres or more.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1296—An act to amend Sections 25035 and 25335 of the Water Code, relating to refunding bonds of irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1299—An act to add Section 24628.5 to the Water Code, relating to warrants of an irrigation district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1856—An act to amend Sections Section 32a of the California Irrigation District Act, relating to the issuance of bonds, funding and refunding bonds and the refunding of bonds and warrants, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty,

Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1304—An act to amend Section 61 of the California Irrigation District Act, relating to the issuance of warrants by an irrigation district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1300—An act to amend the title and Sections 3 and 4 and to repeal Sections 4c and 4d of an act entitled "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and for elections and the qualification of electors therein and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, and to add Article 6 to Chapter 5, Part 5, of Division 11 of the Water Code, relating to the government, operation, and functions of irrigation districts of an area of over 500,000 acres.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1301—An act to amend Sections Sections 1 and 3 of an act entitled “An act to provide for the acquisition, development, and disposal of electrical power by irrigation districts,” approved May 21, 1919, relating to the application of the California Irrigation District Act and acts amendatory thereof and supplemental to the California Irrigation District Act and to the borrowing of funds and issuance of warrants and securities by irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Miller, Niehouse, O’Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1855—An act to add Chapter 5 to Part 4 of Division 11 of the Water Code, relating to irrigation district elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Miller, Niehouse, O’Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 716—An act to add Chapter 9 to Part 6, Division 1, of the Revenue and Taxation Code, relating to the rental and sale of tax-deeded property, the disposal thereof, the assessments, the levy of taxes, the collection of taxes, the redemption of tax-delinquent property and providing for an alternative procedure for accomplishing said purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Miller, Niehouse, O’Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1541—An act to add Section 37i to the Water Commission Act, and Chapter 9 to Part 4 of Division 2 of the Water

Code, relating to methods and procedure to carry into effect decrees providing for the distribution of water and for the allocation and payment of the expenses thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Knight, John B., Leonard, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Weber, Werdel, and Weybret—52

NOES—Desmond, King, and Lowrey—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1391—An act to amend Sections 7301, 7303, 7304, 7351, 7352, 7402, 7405, 7501, and 7604 of, and to amend and renumber Section 7306 to be Section 6210.3 of, the Public Resources Code, relating to the sale and exchange of land, and granting and taking rights and interests therein, by the State and its political subdivisions.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, and Weybret—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1594—An act to amend Section 9912 of the Revenue and Taxation Code, relating to jeopardy determinations with respect to the motor vehicle transportation license tax, including the delinquency penalty and interest in connection therewith, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, and Weybret—58.

NOES—None.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, and Weybret—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 444—An act to add Sections 569, 3794.2, 3807.3, 3811, 3812, 3813, 3814, to, to amend Sections 1834, 1901, 2614, 2621, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2634, 3351, 3437, 3439, 3480, 3513, 3712, 3716, 3717.5, 3718, 3797, 3805, 4109, 4109.5, 4337, 4834, 4837, 4838, 4880, 4946, 4948, 4989, 4990, 4991, and 4992 of, and to repeal Section 3707.5 of the Revenue and Taxation Code, relating to property taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Maloney, Masson, McMillan, Middough, Miller, O'Day, Pelletier, Price, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, and Weybret—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 613—An act to amend Section 2617 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Maloney, Masson, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Weber, Werdel, and Weybret—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 693—An act to add Section 833 to the Revenue and Taxation Code, relating to inspection of information and records in the State Board of Equalization Office.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Masson, McColister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Weber, Werdel, and Weybret—60.

NOES—Kilpatrick—1.

Bill ordered transmitted to the Senate.

Hon. Ralph C. Dills Presiding

At 11.15 a.m., Hon. Ralph C. Dills, Member of the Assembly from the Sixty-ninth District, presiding.

Assembly Bill No. 1951—An act to add Section 256.5 to the Revenue and Taxation Code, relating to exemptions from real property taxation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, and Weybret—59.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, and Weybret—59.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1593—An act to amend Sections 6702, 6736, 6738, 6757, 6776, and 6796, and to repeal Sections 6360 and 6361 of the Revenue and Taxation Code, relating to the sales and use taxes, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Mr. Speaker—62.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1048—An act to amend and renumber the heading of Article 1 of Chapter 1 of Part 9 of Division 2 of the Labor Code, to add Article 1, comprising Sections 2200 and 2201, and Article 3.5, comprising Sections 2370 and 2371, to said chapter, and to repeal an act entitled "An act to provide for the keeping of medical and surgical appliances in factories," approved May 19, 1913, and an act entitled "An act to require employers of labor to furnish, without charge, pure drinking water to their employees during working hours," approved

May 24, 1915, all relating to the obligations of employers of labor to provide for the health and comfort of their employees.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Weber, Weybret, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1073—An act to amend Section 974 of the Labor Code, relating to penalties for violation of provisions concerning advertisements for employees during labor trouble.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Thomas, Thompson, Thorp, Weber, Werdel, Weybret, and Mr. Speaker—58.

NOES—Bashore, Collins, Sam L., Field, and Stream—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1323—An act to amend Section 1352 of the Labor Code, relating to working hours for women.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1166—An act to amend Section 1395 of the Labor Code, relating to the employment of minors in radio broadcasting and television studios.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan,

Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 675—An act to add Section 1562 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McColister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Weybret, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 676—An act to add Section 2507 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid and relief to indigents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McColister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Weybret, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 677—An act to add Section 3092 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid to the needy blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McColister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Weybret, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 678—An act to add Section 2190 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid to the aged.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McColister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Weybret, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 481—An act to add Section 26528 to the Health and Safety Code, relating to the sale of horse meat.

Bill read third time.

Motion to Amend

Mr. Armstrong moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 26528 to the Health and Safety Code", and insert "Sections 301.5, 319.1, 319.2, 319.3 and 319.4 to the Agricultural Code".

Amendment No. 2

In line 2 of the title of said bill, strike out "the sale of horse meat.", and insert "horse meat, declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 1, line 1, of said bill, strike out "Section 26528 is added to the Health and Safety", and insert "Section 301.5 is added to the Agricultural".

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 6, inclusive, and insert

"301.5. In this article, unless the context otherwise requires:

"Horse" includes horse, ass, mule, and burro;

"Horse meat" means meat from the horse, the ass, the mule, the burro, or any product derived, in whole or in part, from any of such animals.

Sec. 2. Section 319.1 is added to the Agricultural Code, to read:

319.1. All carcasses of horses slaughtered for human consumption shall be stamped, on each standard cut thereof, "horse meat." All horse meat food products shall be conspicuously branded, marked, tagged, or labeled: "Horse meat," or "Horse Meat Product."

Sec. 3. Section 319.2 is added to the Agricultural Code, to read.

319.2. The labels for horse meat or horse meat food products thereof shall be printed on light green paper, and shall bear the words "Horse Meat" or "Horse Meat Product."

Sec. 4. Section 319.3 is added to the Agricultural Code, to read:

319.3. All horse meat or horse meat products sold at retail must be sold from a separate compartment, which shall contain a sign, with letters not less than two inches high, conspicuously placed, marked "Horse Meat."

Any restaurant, hotel, or other place where prepared food is served for consumption on the premises, which serves or sells horse meat or any product thereof, shall state on the menu, or by such other means as is practiced for advising customers of foods available, that horse meat is served there, and no horse meat or horse meat food product shall be served to any customer who is not advised that it is horse meat.

Sec. 5. Section 319.4 is added to the Agricultural Code, to read.

319.4. Any retail butcher or other person who sells any horse meat contrary to the provisions hereof is guilty of a misdemeanor, and for a second conviction for a violation of the provisions is punishable by a fine of not less than three hundred dollars (\$300) or more than one thousand dollars (\$1,000), or by imprisonment in the county jail for not less than 90 days or more than one year, or by both such fine and imprisonment.

SEC. 6. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Due to the shortage of cattle the sale of horse meat will become commonplace. There are many people who feel strongly against the use of horse meat as a food product, and it is important that these people be not defrauded or misled into purchases not of their choice. There is the further opportunity on the part of dishonest merchants to sell horse meat as a different kind of food product. These evils must be corrected at their inception. Therefore it is imperative that the act go into effect immediately."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 291—An act to provide for suspending the enforcement of certain obligations against the operators of gold and silver mines who have been forced to cease operations because of the war, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "act", strike out "to provide for suspending the enforcement of certain"; strike out all of lines 2 and 3; and in line 4, strike out "war", and insert "relating to the relief of gold and silver mining operators, permitting postponement of sales under certain chattel mortgages, mortgages, deeds of trust or contracts of purchase on gold and silver mines and gold and silver mining machinery and equipment, or postponement of forfeitures and terminations under gold and silver mining contracts and leases, regulating appointment of receivers in certain cases, extending the time in which the purchase price may be paid and extending the statute of limitations."

Amendment No. 1a

On page 1 of the printed bill, as amended, strike out lines 9 and 10, and insert "until causes of said distress have been removed by cessation of the war.

This act shall, therefore, be effective until six months after the termination of hostilities between the United States and all nations with which the United States is at war as determined by an act of Congress or proclamation of the President of the United States, or until October 1, 1945, whichever first occurs."

Amendment No. 2

On page 1, line 22, of said bill, as amended, strike out "both," and insert "minimum royalties, or (3) holds the property subject to a mortgage or trust deed or (4) holds gold or silver mining machinery or equipment under contract of sale or subject to chattel mortgage."

Amendment No. 3

On page 3 of said bill, as amended, between lines 8 and 9, insert

"SEC. 5. Subject to the limitations as to time provided in Section 1 hereof, any operator of gold or silver mining property who has ceased operating pursuant to the restrictions imposed on gold or silver mining by the United States, and who is in danger of forfeiture under any of the instruments named in Section 2 hereof, may file a petition in the superior court of the county in which such gold or silver mining property or machinery or equipment or the major portion thereof is situated, praying for an order postponing the sale of such property or machinery and equipment, or prevention of forfeiture under the instruments set forth in Section 2 hereof.

SEC. 6. A copy of such petition shall be served upon the trustee and the beneficiary under such deed of trust, upon the mortgagee under such mortgage upon the lessor in a lease providing for payment of minimum royalties and upon the holder of the contract of sale or chattel mortgage on machinery and equipment or the obligee in any contract mentioned in Section 2 hereof, as the case may be, in the manner provided by law for the service of summons in a civil action.

A notice of pendency of such petition shall immediately be recorded in each county in which any of such property is situated, and on the day of such recordation a copy thereof shall be mailed, postage prepaid, from a post office within this State, addressed to such trustee and beneficiary, such mortgagee, or the holder of the contract of sale or chattel mortgage on machinery and equipment, or upon the lessor

in a lease providing for payment of minimum royalties or the obligee in any contract mentioned in Section 2 hereof, as the case may be, at their respective places of residence, if known to petitioner, if not, then at the county seat of the county, or at the city and county, where the proceeding is pending.

Such notice of pendency shall state the name of the petitioner, the nature of the petition, and the book and page of the records of the county recorder in which the mortgage or deed of trust or other instrument is recorded.

SEC. 7. Upon application of the petitioner, after service of such petition, or upon application of any other interested party after the filing of the petition, a hearing shall be had thereon within 20 days after such application, upon such notice as the court shall reasonably prescribe; provided, however, that the court if it finds equitable grounds therefor, may postpone such hearing for not to exceed 10 days.

After the filing of such petition and the recording and mailing of the notice of the pendency thereof as provided in Sections 5 and 6 of this act, no sale under the power of sale conferred by such deed of trust or such mortgage or other instrument shall be held nor shall any forfeiture be effected under any of the instruments set forth in Section 2 hereof until the court makes its order in the matter, but nothing herein contained shall prevent such sale or forfeiture at any time after October 1, 1945, or six months after termination of the war, whichever shall first occur.

SEC. 8. Upon such hearing the court may make its order, if it finds equitable grounds for relief, and finds that the security will not be unreasonably jeopardized thereby, ordering that such sale shall not be held or forfeiture declared until after such date as the court considers just and equitable, but in no event shall such date be beyond October 1, 1945, or six months after termination of the war, whichever first occurs, or may make its order dismissing such proceedings.

If the court orders the sale or forfeiture postponed it shall determine the reasonable value of the income from such property, or if the property has no income, then the reasonable rental value of such property, or if the property is unimproved, a reasonable sum to be paid by the trustor or mortgagor, or holder under other instrument set forth in Section 2 hereof, as determined by the court, and by such order shall require the trustor or mortgagor to pay all or at least a reasonable part of such income, rental value, or sum so determined by the court, in or toward the payment of taxes, insurance, interest, or principal of the indebtedness at such times and in such manner as are determined to be just and equitable under the circumstances.

SEC. 9. The court must include in such order provisions requiring maintenance and repair by the trustor or mortgagor, or holder under other instrument set forth in Section 2 hereof, regulating the disposition of any income from the property and such other provisions as it deems just and equitable for the protection of the security, but in no event shall the court order the payment by the trustor or mortgagor or holder under other instrument set forth in Section 2 hereof of a lesser sum than necessary to pay (a) current taxes, (b) all delinquent taxes, except that such taxes may be paid in installments as may be provided by law, and (c) any insurance premiums required to be paid by the petitioner under the contract between the parties.

SEC. 10. When any mortgage or deed of trust upon property, or upon machinery and equipment attached to or used in operating gold or silver mining property or other instrument, has been foreclosed, and the property covered thereby has been sold in whole or in part under decree of foreclosure, and the period of redemption has not yet expired, the mortgagor or trustor thereof, or holder under other instrument set forth in Section 2 hereof, having the right of redemption, may at any time not later than October 1, 1945, or six months after termination of the war, whichever first occurs, file a petition in the superior court of the county in which the property so sold or the major portion thereof is situated, praying for an order extending such period of redemption.

SEC. 11. A copy of such petition shall be served upon the purchaser of such property at the foreclosure sale, or, if there has been a redemption, upon the last redemptioner, in the manner provided by law for the service of summons in a civil action.

A notice of pendency of such petition shall immediately be recorded in each county in which any of such property is situated, and, on the day of such recordation, a copy thereof shall be mailed, postage prepaid, from a post office within this State, addressed to such purchaser or last redemptioner, as the case may be, at his place of residence, if known to petitioner, if not, then at the county seat of the county, or at the city and county, where the proceeding is pending.

Such notice of pendency shall state the name of the petitioner, the nature of the petition, and the book and page of the records of the county recorder in which the mortgage or deed of trust or other instrument is recorded.

SEC. 12. Upon application of the petitioner after service of such petition, or upon application of any other interested party, after the filing of the petition, a hearing shall be had thereon within 20 days after such application, upon such notice as the court shall reasonably prescribe; provided, however that the court, if it finds equitable grounds therefor, may postpone such hearing for not to exceed 10 days.

Upon the filing of such petition and the recording and mailing of the notice of pendency thereof as provided in Sections 10 and 11 of this act, the period of redemption, if such period would sooner terminate, shall be extended until 10 days after the court makes its order in the matter, but in no event beyond October 1, 1945, or six months after termination of the war, whichever first occurs.

SEC. 13. Upon such hearing the court may make its order, if it finds equitable grounds for relief and finds that the security will not be unreasonably jeopardized thereby, extending such period of redemption for such additional time as the court considers just and equitable, but in no event beyond October 1, 1945, or six months after termination of the war, whichever first occurs, or may make its order dismissing such proceeding.

If the court by its order extends the period of redemption, it shall determine the reasonable value of the income from such property, or if the property has no income, then the reasonable rental value of such property, or if the property is unimproved, a reasonable sum to be paid by the operator as determined by the court.

The court shall require the operator to pay all or at least a reasonable part of such income, rental value, or sum so determined by the court, in or toward the payment of taxes upon such property, the cost of insurance and the sums to which the purchaser of such property at such foreclosure sale, or the last redemptioner, as the case may be, is entitled under the provisions of Section 707 of the Code of Civil Procedure, at such times and in such manner determined to be just and equitable under the circumstances.

SEC. 14. The court may include in such order provisions requiring maintenance and repair by the operator, regulating the disposition of any income from the property, and such other provisions as it deems just and equitable for the protection of the interest and security of the purchaser or last redemptioner, as the case may be.

In no event shall the court order the payment by the operator of a lesser sum than the greater of (1) the amount of such reasonable value of the income, or such reasonable rental value, or such reasonable sum so determined by the court, or (2) a sum sufficient to pay (a) current taxes, (b) all delinquent taxes, except that such taxes may be paid in installment as provided by law, and (c) a sum reasonably necessary for fire and other insurance upon any improvement upon such property.

SEC. 15. Any sums paid to a purchaser or redemptioner pursuant to Sections 13 or 14 of this act shall be a credit upon the redemption money to be paid as provided in Section 707 of the Code of Civil Procedure; but in the event no redemption is made, the same shall belong to such purchaser or redemptioner.

SEC. 16. Nothing in this act shall be construed as abridging or limiting the statutory right of redemption provided in Sections 701, 702, 703, 704, 705, 706 and 707 of the Code of Civil Procedure, or as shortening the period of redemption as therein provided, or as altering the mode or procedure for redemption as therein provided.

SEC. 17. In any decree rendered prior to October 1, 1945, foreclosing a mortgage or deed of trust upon real property, the court may provide that the sale of the property shall not be held until on or after such date as the court considers just and equitable, but in no event later than October 1, 1945. If the court provides in such decree that the sale shall not be held until on or after such date as it shall fix, it shall determine the reasonable value of the income from such property, or if the property has no income, then the reasonable rental value of such property, or if the property is unimproved, a reasonable sum to be paid by the trustor or mortgagor or holder under other instrument set forth in Section 2 hereof, as determined by the court, and shall require the trustor or mortgagor or holder under other instrument set forth in Section 2 hereof to pay all or at least a reasonable part of such income, rental value, or sum so determined by the court, in or toward the payment of taxes, insurance, interest, or principal of the indebtedness at such times and in such manner determined to be just and equitable under the circumstances. The court may include in such order provisions requiring maintenance and repair regulating the disposition of any income from the property, and such other provisions as it deems just and equitable for the protection of the security.

After such hearing the court, if it shall determine that it is equitable and just so to do and that the security will not be unreasonably jeopardized thereby, may make its order postponing to a date not later than October 1, 1945, or six months after termination of the war, whichever shall first occur, the foreclosure, termination or forfeiture of the petitioners' interest under such contract of purchase on substantially the same terms and conditions as those prescribed in Sections 5, 6, 7, 8 and 9 of this act, or the court may make its order dismissing such proceeding.

SEC. 18. If the trustor, mortgagor or purchaser under a contract of purchase commits waste or defaults in any payment or act required by order or decree of court, the court, unless good excuse therefor is shown, shall order that the sale, foreclosure, termination or forfeiture postponed by its order or decree proceed as provided by law, or that the period of redemption extended by its order or decree

shall expire on the making of its order or within the time provided by law, whichever shall last occur, and that the moneys to be paid on redemption, if theretofore reduced, be increased to the extent of such previous reduction, if it finds after hearing upon such notice to the original petitioner or his attorney as it prescribes, that there has been such waste or such default, unless good excuse therefor is shown, amounting to a material breach of the order or decree of postponement or extension.

Sec. 19. No suit or action shall be commenced against the guarantor of any note secured by a mortgage or deed of trust upon gold or silver mining properties property, or upon chattels attached to or used in connection with gold or silver mining property, in any case while, pursuant to the provisions of this act, no sale may be made under any power of sale contained in such mortgage or deed of trust or while no sale may be made under the final decree of foreclosure rendered in an action to foreclose such mortgage.

Sec. 20. No sale shall be made under any decree of foreclosure, of, or under any power of sale contained in, any chattel mortgage upon any personal property located in and used in connection with the operation of any building located upon gold or silver mining property, until on or after such date as a sale of such gold or silver mining property is lawfully held under such mortgage, deed of trust, or contract of purchase, when such chattel mortgage was given as additional security for an obligation also secured by a deed of trust, mortgage, or contract of purchase, on such real property or other instrument mentioned in Section 2 hereof.

Sec. 21. Whenever the time within which an action may be commenced upon any obligation founded upon a written instrument secured by chattel mortgage, mortgage, deed of trust or contract of purchase, or founded upon any guarantee of such obligation or any contract of suretyship therefor or any endorsement of such instrument, would expire by virtue of Section 337 of the Code of Civil Procedure, or any other provision of law, during the period commencing with the effective date of this act and ending on the date upon which this act shall cease to be in effect, with respect to any property or chattel relating to which a petition has been filed under this act, such time is hereby extended so as not to expire until December 31, 1945, or nine months after cessation of the war, whichever shall first occur.

Sec. 22. Nothing contained in this act shall apply to or be deemed to affect:

(a) Any mortgage, deed of trust, lease agreement, operating agreement or contract of sale upon gold or silver mining property, or upon chattels attached to real property, executed after the effective date of this act.

(b) Any mortgage or deed of trust while held and owned by the original lender securing any loan made by the United States Government or any agency thereof on any loan insured by the United States Government or any agency thereof; and any judgment entered in favor of, or any sheriff's or commissioner's certificate of sale issued to the United States Government or any agency thereof in an action to foreclose any such mortgage or deed or trust;

(c) Any mortgage or deed of trust securing an obligation in default at the time the owner or owners acquired title by purchase subsequent to the effective date of this act.

Sec. 23. As used in this act:

(a) The terms "mortgagor," "mortgagee," "trustor," "trustee," "purchaser," "vendor," "lessee," and "guarantor" shall include their personal representatives, assigns or successors in interest, and the singular shall include the plural.

(b) The term "trustee" shall also include the beneficiary of a deed of trust.

(c) As used in this act, the term "chattels attached to mining property," or similar designation, includes anything which is deemed affixed or attached to land, or as forming part of the land.

(d) The term "mining" means gold or silver mining.

(e) The term "real property" means gold or silver mining property.

(f) The term "operator" includes all persons, firms or corporations engaged in gold or silver mining operations.

(g) "Machinery" and "equipment" shall mean "gold or silver mining machinery" and "equipment."

Sec. 24. Nothing contained in this act shall preclude any trustor under a deed of trust or any mortgagor of chattels or any mortgagor under a mortgage or any purchaser under a contract for the purchase of real property, or chattels attached to real property, from executing and delivering at any time a deed to his beneficiary, mortgagee or vendor, or the purchaser at any foreclosure sale or a redemption, as the case may be, and the execution and delivery of any such deed by any such trustor, mortgagor or purchaser shall constitute a waiver of the benefit of all the provisions of this act. The failure on the part of any trustor, mortgagor or purchaser or operator to file a petition within the times specified in this act, shall be deemed a waiver of the benefit of the provisions of this act.

Sec. 25. Any sale of property under a chattel mortgage, or of real property, or of chattels attached to real property, under a deed of trust, mortgage, or chattel mortgage, and any forfeiture made in violation of this act shall be voidable, except as against a bona fide purchaser or encumbrancer for value, at the instance of the

record owner of such real or personal property at the time of such sale, or the operator at the time of such forfeiture; provided, that any action to avoid such sale or any deed executed pursuant thereto must be brought within one year of the date of such sale.

Sec. 26. There shall be no filing fees for the filing of any document with the county clerk under the provisions of this act.

Sec. 27. Until October 1, 1945, or six months after termination of the war, whichever shall first occur, no receiver shall be appointed at the instance of the mortgagee of any mortgage or the trustee or beneficiary of any deed of trust, with respect to real property or chattels attached to real property subject to mortgage or deed of trust, except in a suit or action for the foreclosure of such mortgage or deed of trust or for the enforcement of the covenants, or any thereof, contained in such mortgage or deed of trust, or in a proceeding ancillary to any such suit or action, or until after recording notice of default.

Sec. 28. If any section, clause or part of this act, or the application thereof to any person or circumstance, is finally determined by the courts to be unconstitutional such section, clause or part shall no longer be effective or such application shall no longer control, but all other sections, clauses or parts or the application thereof to other persons and circumstances shall continue in full force and effect; it being the intent of the Legislature to make this act as effective as possible to relieve operators in the manner herein provided.

Sec. 29. Whenever any petition under this act is to be or is being heard by the court, the interested parties may submit to the court, in writing, a composition of the indebtedness involved in the proceeding, or a compromise settlement of the proceeding, and the court shall have jurisdiction and may by its order confirm and approve such composition or settlement.

Sec. 30. Nothing contained herein shall be construed as affecting any rights which have accrued under Chapter 1, Statutes of the Extra Session of 1934, or shorten the time within which any action may be commenced.

Sec. 31. Nothing contained herein shall be construed as affecting any rights which have accrued under Chapter 7, Statutes of 1935, Chapter 348, Statutes of 1935, Chapter 5 or Chapter 167, Statutes of 1937, Chapter 86, Statutes of 1939, or Chapter 208, Statutes of 1941, or shorten the time within which any action may be commenced, or affect any proceedings taken thereunder."

Amendment No. 4

On page 3, line 9, of said bill, strike out "5", and insert "32".

Amendment No. 5

On page 3, line 18, of said bill, strike out "6", and insert "33".

Amendment No. 6

On page 3, line 24, of said bill, strike out "7", and insert "34".

Amendment No. 7

On page 3 of said bill, strike out lines 28 to 31, inclusive.

Amendment No. 8

On page 3, line 32, of said bill, strike out "9", and insert "35".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 946—An act relating to full time civil service employees of this State and of any local governmental agency thereof and restricting the activities of such persons with regard to the practice of any profession or business requiring a license issued under any statute of this State.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended, strike out "any of its", and insert "the".

Amendment No. 2

On page 1, line 12, of said bill, as amended, strike out "subdivisions while so employed.", and insert "subdivision with which he is regularly employed while so temporarily employed; provided further, that this act shall not apply to any employee

engaged in an advisory capacity by any organization composed of employees of the State or of any political subdivision thereof or of both."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 387

Assembly Bill No. 669

Assembly Bill No. 890

Assembly Bill No. 901

Assembly Bill No. 995

Assembly Bill No. 1270

Assembly Bill No. 1753

Assembly Bill No. 1931

Assembly Bill No. 1964

Senate Bill No. 133

Senate Bill No. 227

Senate Bill No. 959

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 729

Assembly Bill No. 1081

Assembly Bill No. 1701

Senate Bill No. 726

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CARLSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 289

Assembly Bill No. 762

Assembly Bill No. 1032

Assembly Bill No. 1420

Assembly Bill No. 1795

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CARLSON, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 313

Assembly Bill No. 1659

Assembly Bill No. 1934

Senate Bill No. 499

Senate Bill No. 451

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POTTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 1880

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

POTTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Public Health, to which were referred:
 Assembly Bill No. 1937
 Assembly Bill No. 1950

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

POTTER, Chairman

Above reported bills ordered to second reading.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which were referred:
 Assembly Bill No. 1005
 Assembly Bill No. 1415
 Assembly Bill No. 1633

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which were referred:
 Assembly Bill No. 100
 Assembly Bill No. 961

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STREAM, Chairman

Above reported bills ordered to second reading.

WITHDRAWAL OF ASSEMBLY BILL NO. 1807 FROM COMMITTEE
 BY UNANIMOUS CONSENT

Mr. Allen asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1807 from the Committee on Military Affairs, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1807

Assembly Bill No. 1807—An act to add Chapter 4, comprising Sections 570 to 574, inclusive, to Part 2 of Division 2 of the Military and Veterans Code, relating to the California Military Cadet Corps, and making an appropriation.

Bill read second time.

Motion to Amend

Mr. Allen moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "add", strike out "Chapter 4, comprising Sections 570 to 574," and insert "Chapter 2.5, comprising Sections 532 to 543,".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Chapter 4, comprising Sections 570 to 574," and insert "Chapter 2.5, comprising Sections 532 to 543."

Amendment No. 3

On page 1, line 5, of said bill, strike out "4", and insert "2.5".

Amendment No. 4

On page 1 of said bill, strike out lines 7 to 24, inclusive, and insert "532. The California Military Cadet Corps consists of:

(a) The governing body which shall consist of The Adjutant General, a Supervisory Council composed of the California Military Cadet Corps Commander and one juvenile authority to be appointed by the Governor from each county of the State, together with instructor supervisors provided for in this chapter.

(b) Officers commissioned by the Governor.

(c) Officers appointed by The Adjutant General who shall be known as brevet officers.

(d) The enlisted personnel.

Units of the California Military Cadet Corps shall be organized in accordance with the Table of Organization, California Military Cadet Corps. No unit shall be accepted or enrolled until it shall have been mustered and inspected by the California Military Cadet Corps Commander or an officer designated by him.

533. Officers commissioned by the Governor shall be the California Military Cadet Corps Commander, and the instructor supervisors. The California Military Cadet Corps Commander shall receive his appointment through recommendation of The Adjutant General and shall have a rank corresponding to that of major in the California State Guard. The commander shall receive remuneration without travel pay or ration allowance of two hundred fifty dollars (\$250) a month. Qualification for appointment shall be based on adaptability for youth leadership as well as military knowledge. Instructor supervisors shall be commissioned by the Governor upon recommendation of the California Military Cadet Corps Commander. They shall have a rank corresponding to that of captain in the California State Guard, and shall be paid two hundred dollars (\$200) each month without travel pay or ration allowance.

534. Brevet officers shall be commissioned by The Adjutant General upon recommendation of the California Military Cadet Corps Commander, and shall have the rank of brevet colonel (regimental commander), brevet majors (battalion commanders), brevet captains (company commanders), brevet first lieutenants (junior company commanders), and brevet second lieutenants (junior officers). They shall serve without remuneration. All brevet officers shall before appointment take a competitive examination based upon the following qualifications, which examination shall be both oral and written:

1. (Sixty per cent qualification)—Military organization, discipline, courtesy, customs of the service, military rifle marksmanship, and infantry drill regulations.

2. (Thirty per cent qualification)—Ability to handle men, and practical examination on field regulations.

3. (Ten per cent qualification)—Personality and attitude of candidate.

535. Enlisted men of the California Military Cadet Corps shall be between 15 and 18 years of age. Every person who enlists shall take an oath of enlistment and each individual so enlisted shall have the right to withdraw from the organization upon written notice.

Appointment of noncommissioned officers shall be in conformity with the Table of Organization. All noncommissioned officers shall be appointed by the regimental commander upon the recommendation of the commanding officer of the unit in which they serve.

Privates first class shall be appointed by their respective company commanders. Transfers between companies may be accomplished by regimental order, and transfers between regiments shall be upon order of the California Military Cadet Corps Commander.

536. Separation from the California Military Cadet Corps shall be by withdrawal, by reaching the age of 18 years, or death; the following shall be cause for discharge:

1. Enlistment or induction in the armed forces.

2. Discontinuance of the organization.

3. Change of residence.

4. Misconduct.

5. Any other reason that the California Military Cadet Corps Commander shall deem to be for the best interests of the corps.

537. The system of discipline of the California Military Cadet Corps shall conform generally to that of the State Guard of California.

(1) All matters relating to the organization and discipline of the California Military Cadet Corps not otherwise provided in this code or in the general regulations, shall be decided by the custom and usage of the California State Guard.

(2) All commanding officers shall be responsible to their immediate superiors for the equipment, drill, instructions, movements, and efficiency of their respective commands.

(3) Every officer and enlisted man shall be responsible to the officer or non-commissioned officer under whose immediate command he serves for prompt and unhesitating obedience to lawful orders, faithful performance of duty, and the preservation and proper use of the property of the State or organization in his possession. Each officer and enlisted man shall at all times, without equivocation, obey the lawful orders of his superior officers.

(4) Any officer or enlisted man of the California Military Cadet Corps who wilfully fails to attend any parade or encampment, or who neglects or refuses to obey the lawful command of his superior officer on any day, or at any parade or encampment, or so fails to perform such military duty as may be lawfully required of him, or who uses disrespectful language toward his superior officer, or commits any act of insubordination, shall be punished as a court martial may direct.

(5) Courts martial of the California Military Cadet Corps shall be as prescribed for the active Militia, in Chapter 9 of Part 1 of Division 2 of the Military and Veterans Code.

538. All moneys, including company or regimental funds, of which the commanding officer or other officer or employee is the custodian, shall be deposited in a National bank or a bank incorporated under the laws of the State.

Any person who secretes, sells, disposes of, offers for sale, purchases, retains after demand made by a commanding officer of the California Military Cadet Corps, or pawns or pledges arms, uniforms, equipment or military property of the State of California or of the United States, or any organization of the California Military Cadet Corps, shall be guilty of a military offense and shall be tried by summary court martial as provided in Section 458 of this code.

539. Enlistment records shall be prepared in duplicate. The original enlistment record shall be filed with the records of the unit to which the individual belongs and the duplicate forwarded to the office of the California Military Cadet Corps Commander. Upon termination of service, the original service record shall be completed and forwarded through channels to the office of the California Military Cadet Corps Commander.

When a unit is to be mustered into the service, an initial roster shall be prepared in duplicate. The original shall be given to the mustering officer, who shall forward it, together with a report of inspection in letter form, to the office of the California Military Cadet Corps Commander. The duplicate shall be retained in the unit files.

Each unit shall prepare and submit to the office of the California Military Cadet Corps Commander a monthly report of attendance at drill. This report shall include subjects covered during the drill period and a report of officers and enlisted men present and absent.

Each headquarters, detachment, and unit shall prepare in triplicate on the last day of each month a roster showing all officers and men and all changes since the prior report. The original shall be forwarded to the office of the California Military Cadet Corps Commander direct, one copy shall be forwarded to regimental headquarters and one copy retained in the unit files.

540. The uniform of the California Military Cadet Corps shall be:

1. Shoes (tan)
2. Trousers, wool or serge (olive drab).
3. Belt, web (olive drab).
4. Leggings, canvas (field only).
5. Shirt, wool (olive drab).
6. Cap, garrison (olive drab) (Overseas cap).
7. Tie, cotton, khaki. (No ties worn with leggings.)

541. The service program of the California Military Cadet Corps shall be:

1. Drill, one evening per week (compulsory).
2. Field exercises, one day per week (not compulsory).
3. Officers and noncommissioned officers schools, one evening per week (compulsory).
4. Field maneuvers, twice a year, not to exceed one week at any one time.
5. Such special drills, classes and meetings as may be ordered by the commanding officer.

The table of organization shall be as follows:

Each regiment shall be composed of six (6) rifle companies and one (1) Headquarters Company.

Colonel brevet	Commanding Regiment	-----	1
Major brevet	Commanding First Battalion		
Major brevet	Commanding Second Battalion		
Major brevet	Commanding Third Battalion	-----	3

COMPANIES

Captain brevet	Commanding	
First Lt. brevet	Junior Commander	
Second Lt. brevet	Junior Officer	21
	Total officers (brevet)	25

HEADQUARTERS COMPANY, WHICH SHALL INCLUDE HEADQUARTERS, SIGNAL CORPS, SPECIAL SERVICE PLATOONS

	(1st Platoon) Headquarters	(2d Platoon) Signal Corps	(3d Platoon) Special Service	
Master sergeant	1			1
Technical sergeant	1	1	1	3
Staff sergeant	1	1	1	3
First sergeant	1	1	1	3
Sergeants	1	1	1	3
Corporals	3	3	3	9
Privates and privates first class	21	21	21	63
Total number of enlisted men	-----			83

RIFLE COMPANY

	(First Platoon)	(Second Platoon)	(Third Platoon)	
First sergeant				1
Sergeants	1	1	1	3
Corporals	3	3	3	9
Privates and privates first class	21	21	21	63
(Three squads of seven (7) men each to a platoon)				
Total number of enlisted men	-----			76

Regiment two Companies to each Battalion	
A and B First Battalion	152
C and D Second Battalion	152
E and F Third Battalion	152
Headquarters Company	83

FULL REGIMENT STRENGTH

Enlisted men	539
Officers	25
Total	-----
	564

Amendment No. 5

On page 2, line 5, of said bill, after "years", insert "to be expended for support and maintenance of the California Military Cadet Corps."

Amendments read and adopted.
Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 227—An act to amend Sections 1859 and 1860 of the Civil Code, relating to the liability of innkeepers, to include voluntary hospitals.

Bill read third time.

Motion to Amend

Mr. Debs moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, after "hospitals", insert "rest homes and sanitariums".

Amendment No. 2

On page 1, line 4, of said bill, after "hospital," insert "rest home or sanitarium,".

Amendment No. 3

On page 1, line 18, of said bill, after "hospital," insert "rest home or sanitarium,".

Amendments read and adopted.
Bill ordered reprinted and re-engrossed.

Assembly Bill No. 228—An act to amend Section 341a of the Code of Civil Procedure, relating to personal property left in hotel, etc., to include hospitals.

Bill read third time.

Motion to Amend

Mr. Debs moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "in hotel, etc., to include hospitals", and insert "by tenants, guests or patients".

Amendment No. 2

On page 1, line 5, of said bill, after "hospital," insert "rest home, sanitarium,".

Amendment No. 3

On page 1, line 10, of said bill, after "hospital," insert "rest home, sanitarium,".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1102—An act making an appropriation for the purchase of land for State forests and restricting expenditures of the money appropriated.

Bill read third time.

Motion to Amend

Mr. Leonard moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 15, of the printed bill, as amended, after "expended", insert "during the Ninety-fifth and Ninety-sixth Fiscal Years".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

WITHDRAWAL OF BILLS FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. John B. Knight asked for, and was granted, unanimous consent to withdraw Assembly Bills Nos. 1226, 1229, 1230, 1231, 1232, 1234, 1235, and 1236, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1226

Assembly Bill No. 1226—An act to amend Sections 66 to 72, inclusive, of the Unemployment Insurance Act, relating to claims for benefits.

Bill read second time.

Motion to Amend

Mr. John B. Knight moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "individual", and insert "individuals".

Amendment No. 2

On page 2, line 29, of said bill, before "(a)", insert "Sec. 67."

Amendment No. 3

On page 2, lines 34 and 35, of said bill, strike out "under oath of the claimant", and insert ", signed by the claimant,".

Amendment No. 4

On page 2, line 36, of said bill, strike out the period after "filed".

Amendment No. 5

On page 2 of said bill, strike out line 44, and insert "base period
(4) That the claimant executes such claim under penalties of perjury."

Amendment No. 6

On page 2, lines 45 and 46, of said bill, strike out "under oath of the claimant", and insert ", signed by the claimant,".

Amendment No. 7

On page 3 of said bill, strike out line 2, and insert "he was employed since the filing of his last previous claim

(4) That the claimant executes such claim under penalties of perjury."

Amendment No. 8

On page 3, line 13, of said bill, before "(a)", insert "Sec. 68."

Amendment No. 9

On page 4, line 9, of said bill, before "parties", insert "proper and interested".

Amendment No. 10

On page 4, line 10, of said bill, after "proceedings", insert "before the department or in any court".

Amendment No. 11

On page 7, line 11, of said bill, after the period, insert "If under the initial or additional claim determination benefits in any amount or for any weeks are payable irrespective of the decision on the issues upon which the objection was based, such benefits shall be promptly paid regardless of such appeal."

Amendment No. 12

On page 7, line 29, of said bill, after "69.", insert "Such rules and regulations need not conform to statutory rules of evidence and other technical rules of procedure prescribed by the laws of this State."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 1229

Assembly Bill No. 1229—An act to amend Section 44.2 of the Unemployment Insurance Act, relating to contributions, refunds, and benefits under said act.

Bill read second time.

Motion to Amend

Mr. John B. Knight moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 5, of the printed bill, after "full", insert "daytime".

Amendment No. 2

On page 2, line 9, of said bill, after "regular", insert "daytime".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 1230

Assembly Bill No. 1230—An act to amend Section 13 of the Unemployment Insurance Act, relating to the definition of "suitable employment" under said act.

Bill read second time.

Motion to Amend

Mr. John B. Knight moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "Any work"; and strike out all of lines 13 to 20, inclusive.

Amendment No. 2

On page 2, lines 19 and 20, of said bill, strike out "one month", and insert "six months".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 1231

Assembly Bill No. 1231—An act to amend Sections 55, 56, 57 and 57.5 and repeal Section 58 of the Unemployment Insurance Act, relating to eligibility for benefits under said act.

Bill read second time.

Motion to Amend

Mr. John B. Knight moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "one month", and insert "six months".

Amendment No. 2

On page 3, line 22, of said bill, strike out the period, and insert a colon.

Amendment No. 3

On page 3 of said bill, strike out lines 30 to 40, inclusive, and insert

"(b) During a period of 26 weeks after the most recent date on which such individual without good cause refused to accept suitable employment when offered him or failed without good cause to apply for and make a bona fide effort to obtain suitable employment when notified thereof by a district public employment office; and with respect to any claim for benefits filed by such individual thereafter wages earned prior to such most recent date shall be disregarded in computing base period earnings for purposes of fixing eligibility for benefits and benefit amounts.

(c) During a period of 26 weeks after the most recent date upon which such individual left an employment voluntarily without good cause attributable to his employer; and with respect to any claim for benefits filed by such individual thereafter wages earned prior to such most recent date shall be disregarded in computing base period earnings for purposes of fixing eligibility for benefits and benefit amounts."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 1232

Assembly Bill No. 1232—An act to amend Sections 2, 45, 45.9, 45.10, 75, 91, 92, and 94 of the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Bill read second time.

Motion to Amend

Mr. John B. Knight moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "75".

Amendment No. 2

On page 2, lines 6 and 7, of said bill, strike out "California Employment Commission", and insert "commission".

Amendment No. 3

On page 3, lines 23 and 24, of said bill, strike out "California Employment Commission", and insert "commission".

Amendment No. 4

On page 4 of said bill, strike out lines 30 to 35, inclusive.

Amendment No. 5

On page 4, line 36, of said bill, strike out "6", and insert "5".

Amendment No. 6

On page 5, line 1, of said bill, strike out "7", and insert "6".

Amendment No. 7

On page 5, line 22, of said bill, strike out "8", and insert "7".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 1234

Assembly Bill No. 1234—An act to amend Sections 41 and 61, and to repeal Section 41.3 of, and to add Section 41.6 to, the Unemployment Insurance Act, relating to contributions, funds and accounts under the act.

Bill read second time.

Motion to Amend

Mr. John B. Knight moved the adoption of the following amendments :

Amendment No. 1

On page 2 of the printed bill, strike out lines 1 to 8, inclusive.

Amendment No. 2

On page 2, line 9, of said bill, strike out "SEC. 3. Section 61 of said code", and insert "SEC. 2. Section 61 of said act".

Amendment No. 3

On page 2, line 14, of said bill, strike out "not less than 2", and insert "2.7".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 1235

Assembly Bill No. 1235—An act to amend Sections 52.2, 53, and 54 of the Unemployment Insurance Act, relating to base periods and benefits under said act.

Bill read second time.

Motion to Amend

Mr. John B. Knight moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "52.2".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 10, inclusive.

Amendment No. 3

On page 1, line 11, of said bill, strike out "SEC. 2.", and insert "SECTION 1."

Amendment No. 4

On page 1, line 14, of said bill, strike out "earned by", and insert "paid to".

Amendment No. 5

On page 1, line 19, of said bill, strike out "earned by", and insert "paid to".

Amendment No. 6

On page 2, line 28, of said bill, strike out "SEC. 3.", and insert "SEC. 2."

Amendment No. 7

On page 2, line 33, of said bill, strike out "earned by", and insert "paid to".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 1236

Assembly Bill No. 1236—An act to amend Section 7 of, and to add Sections 7.1 and 7.2 to, the Unemployment Insurance Act, relating to inclusions and exclusions from employment under a System of Unemployment Insurance.

Bill read second time.

Motion to Amend

Mr. John B. Knight moved the adoption of the following amendments:

Amendment No. 1

On page 4, lines 29 and 30, of the printed bill, strike out "for a person as an insurance agent or as an insurance solicitor".

Amendment No. 2

On page 4, line 31, of said bill, strike out "for such person".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

WITHDRAWAL OF ASSEMBLY BILL NO. 1382 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Evans asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1382 from the Committee on Social Welfare for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1382

Assembly Bill No. 1382—An act to amend Sections 2005, 2007, 2011, 2020, 2021, 2140, 2141, 2160, 2160.5, 2160.6, 2180, 2181, 2182, 2183, 2186, 2187, 2188, 2200, 2220, 2221, 2222, and 2223 of the Welfare and Institutions Code, to repeal Sections 2012, 2022, 2023, 2160.7, 2184, 2185, 2189, and 2224 thereof, and to add Sections 2012, 2020.5, 2184, and 2187.5 thereto, relating to aid to the aged, providing for the administration thereof, determining the amount of aid to be granted, the eligibility qualifications therefor, and the respective participation of the State and the counties in the cost thereof, eliminating the liability of relatives of recipients to make reimbursement for aid granted, granting burial and funeral expenses to recipients of such aid, and making an appropriation, to become operative as therein provided.

Bill read second time.

Motion to Amend

Mr. Evans moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "2005, 2007, 2011, 2020, 2021, 2140," and insert "2011, 2020, 2021,".

Amendment No. 2

In the title of said bill, strike out lines 2 to 5, inclusive, and insert "2160, 2181, 2186 and 2187 of the Welfare and Institutions Code, to repeal Sections 2160.7 and 2224 thereof, and to add Sec-".

Amendment No. 3

In line 6 of the title of said bill, strike out "2020.5, 2184", and insert "2183.1".

Amendment No. 4

In lines 12 and 13 of the title of said bill, strike out "granting burial and funeral expenses to recipients of such aid,".

Amendment No. 5

On page 1, lines 1 and 2, of said bill, strike out "2012, 2022, 2023, 2160.7, 2184, 2185, 2189," and insert "2160.7".

Amendment No. 6

On page 1 of said bill, strike out lines 5 to 14, inclusive.

Amendment No. 7

On page 2 of said bill, strike out lines 1 to 18, inclusive.

Amendment No. 8

On page 2, line 20, of said bill, strike out "4.", and insert "2."

Amendment No. 9

On page 2, line 21, of said bill, strike out "the State", and insert "any county".

Amendment No. 10

On page 2, line 28, of said bill, strike out "5.", and insert "3."

Amendment No. 11

On page 2 of said bill, strike out line 30, and insert "in the Department of Social Welfare or in any county office shall be".

Amendment No. 12

On page 2, lines 37 and 38, of said bill, strike out "department", and insert "county".

Amendment No. 13

On page 2, line 40, of said bill, strike out "6.", and insert "4."

Amendment No. 14

On page 3 of said bill, strike out lines 17 to 26, inclusive.

Amendment No. 15

On page 3, line 28, of said bill, strike out "8.", and insert "5."

Amendment No. 16

On page 3, lines 31 and 32, of said bill, strike out "the State Department of Social Welfare", and insert "every county within the State".

Amendment No. 17

On page 3, lines 33 and 34, of said bill, strike out "and who have county residence as provided in this chapter".

Amendment No. 18

On page 3 of said bill, strike out lines 36 to 39, inclusive, and insert "person maintained or supported by such county."

Amendment No. 19

On page 3, line 41, of said bill, strike out "the State Department of Social Welfare", and insert "every county within this State".

Amendment No. 20

On page 3, line 49, of said bill, strike out "the State Department of Social Welfare", and insert "every county within this State".

Amendment No. 21

On page 3, lines 51 and 52, of said bill, strike out "and who have county residence as provided in this chapter".

Amendment No. 22

On page 4 of said bill, strike out lines 2 to 5, inclusive, and insert "tained or supported by such county"

Amendment No. 23

On page 4, line 7, of said bill, strike out "the State Department of Social Welfare", and insert "every county within this State".

Amendment No. 24

On page 4 of said bill, strike out lines 14 to 35, inclusive.

Amendment No. 25

On page 4, line 37, of said bill, strike out "11.", and insert "6."

Amendment No. 26

On page 6 of said bill, strike out lines 12 to 40, inclusive.

Amendment No. 27

On page 6, line 42, of said bill, strike out "15.", and insert "7."

Amendment No. 28

On page 6, line 43, of said bill, strike out "Division of State Aid to the Aged", and insert "board of supervisors, directly or through an authorized investigator,".

Amendment No. 29

On page 6 of said bill, strike out lines 49 to 51, inclusive; strike out all of page 7; and on page 8, strike out lines 1 and 2.

Amendment No. 30

On page 8 of said bill, strike out line 4, and insert "SEC. 8. Section 2183.1 is added to said code, to read:".

Amendment No. 31

On page 8, line 5, of said bill, strike out "2184.", and insert "2183 1."

Amendment No. 32

On page 8, line 8, of said bill, strike out "State Controller", and insert "county auditor".

Amendment No. 33

On page 8, lines 13 and 14, of said bill, strike out "State Controller", and insert "county auditor".

Amendment No. 34

On page 8, line 16, of said bill, strike out "State Treasurer", and insert "county treasurer".

Amendment No. 35

On page 8, line 22, of said bill, strike out "19.", and insert "9."

Amendment No. 36

On page 8, lines 25 and 26, of said bill, strike out "the State Department of Social Welfare", and insert "each county".

Amendment No. 37

On page 8, line 37, of said bill, before "any", insert "such county's proportionate share of".

Amendment No. 38

On page 8, line 40, of said bill, after the period, insert "The State Department of Social Welfare shall determine the portion of the amount so granted or made available for administration costs to be paid to the counties, which portion shall be not less than one-half of the amount so granted or made available. The State Department of Social Welfare shall adopt rules and regulations which shall be of uniform application for determining the proportionate shares of the respective counties of the portion so determined to be paid to such counties."

Amendment No. 39

On page 8, line 41, of said bill, strike out "20.", and insert "10."

Amendment No. 40

On page 8, line 44, of said bill, strike out "the State Department of Social Welfare", and insert "each county".

Amendment No. 41

On page 8, line 47, of said bill, strike out "department", and insert "county".

Amendment No. 42

On page 8 of said bill, strike out lines 48 to 50, inclusive, and insert "after deducting from the sums so expended:

(a) The amount paid to the county under subdivision (1) of Section 2186 of this code; and

(b) The sum of ten dollars (\$10) for each resident of the county granted the maximum amount of aid, and such lesser sum for each resident of the county granted less than the maximum amount of aid as bears that proportion to the sum of ten dollars (\$10) which the amount of aid granted to the individual bears to the maximum amount of aid which may be granted to any individual."

Amendment No. 43

On page 9 of said bill, strike out lines 1 to 25, inclusive, and insert "SEC. 11. Section 2187.5 is added to said code, to read: 2187.5 The sums deducted under subdivision (b) of Section 2187 from the moneys paid under that section to each county constitute the county's share of the cost of aid to the needy aged in the county, and each county shall pay such share from the funds of the county."

Amendment No. 44

On page 9 of said bill, strike out lines 27 to 51, inclusive.

Amendment No. 45

On page 10 of said bill, strike out lines 1 to 39, inclusive.

Amendment No. 46

On page 10, line 41, of said bill, strike out "26.", and insert "12."

Amendment No. 47

On page 10, lines 46 and 47, of said bill, strike out "State Department of Social Welfare", and insert "board of supervisors".

Amendment No. 48

On page 10, line 48, of said bill, strike out "State Department of Social Welfare may", and insert "board may, on inquiry and with the approval of the State Department of Social Welfare,".

Amendment No. 49

On page 11 of said bill, strike out lines 6 to 51, inclusive.

Amendment No. 50

On page 12 of said bill, strike out lines 1 to 15, inclusive.

Amendment No. 51

On page 12, line 17, of said bill, strike out "29.", and insert "13."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON INTRODUCTION OF A BILL**

At 12.05 p.m., on motion of Mr. Lowrey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill granted to Mr. Lowrey by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McColister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

The following bills were introduced, and read the first time:

Assembly Bill No. 1970: By Mr. Lowrey—An act to add Section 86.3 to, and to amend Section 173 of, the State Civil Service Act, relating to time limit for protesting examinations and holding hearings.

Referred to Committee on Civil Service and State Departments.

Assembly Concurrent Resolution No. 52: By Mr. Sam L. Collins—Relative to the Joint Rules.

Referred to Committee on Rules and House Functions.

Assembly Concurrent Resolution No. 53: By Mr. McCollister—Relative to congratulating the Honorable Walter F. Price.

Referred to Committee on Rules and House Functions.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, April 7, 1943

*To the Honorable Members of the Assembly
State of California, Sacramento, California*

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 455, entitled, "An act to amend Section 3024 of the Penal Code, relating to minimum sentences of imprisonment."

My objections to this bill are as follows:

This bill provides that the minimum terms of sentence and imprisonment for a person armed with a deadly weapon shall not apply to persons convicted of violating Section 245 of the Penal Code; that section makes it a felony for any person to commit an assault with a deadly weapon or by means of force likely to produce great bodily injury. In my opinion, this is no time to lend any encouragement whatsoever to those who would arm themselves for the purpose of committing crime. At the present time there is an upsurge in crimes of violence in many parts of the State, and this upsurge is properly causing a great deal of concern in view of the necessity for protecting our many war industries from sabotage and the workers in those industries from injury.

Furthermore, the ranks of police departments and sheriffs' offices have been decimated by the demands made by Selective Service, through enlistment in the armed forces, and through acceptance of employment in war industry plant protection systems. These departments and offices are struggling to keep people and property safe in their communities and in my opinion this measure would make their task infinitely more difficult.

In addition, it is manifestly inequitable to relieve a man who armed himself with, and used a deadly weapon, from the penalty of serving a minimum sentence, while a person who committed a crime not involving violence but armed with a deadly weapon which he did not use, is required to serve a minimum sentence. The person who arms himself with a deadly weapon and commits an assault with that weapon is not deserving of the leniency extended by this bill.

The author has assured me that he did not intend by the measure to accomplish any such result as that to which I have above referred and has requested me to withhold my approval of the bill.

Respectfully submitted.

EARL WARREN, Governor

Above bill ordered to unfinished business file.

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, April 7, 1943

*To the Honorable Members of the Assembly
State of California, Sacramento, California*

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 706, entitled, "An act to amend Section 1066 of, and to add Section 1066 5 to, the Agricultural Code, relative to economic poisons and thallium salts."

My objections to this bill are as follows:

The purpose of the bill is to allow the possession of thallium salts, a poison, by research and chemical laboratories and to permit the sale of the poison by registered manufacturers and dealers for use in any poisons containing limited quantities of thallium. However, the language of the bill is susceptible of the construction that manufacturers and dealers are entitled to possess, use, and sell thallium salts without restriction or limitation as to quantity or purpose. In my opinion, it would be dangerous to have the law in such uncertainty.

The foregoing objection has been brought to the attention of the author of the bill, who states that he has another bill by which the purpose of this measure may be accomplished.

Respectfully submitted.

EARL WARREN, Governor of California

Above bill ordered to unfinished business file.

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, April 5, 1943

*To the Honorable Members of the Assembly
State of California, Sacramento, California*

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 464, entitled "An act to amend Section 2920 of the Penal Code, relating to credits and terms of imprisonment."

My objections to this bill are as follows:

The bill provides that time credits allowed to a prisoner in a State prison shall be deducted from the end of his term rather than from each year of his sentence. The bill also deletes the present definition of "term of confinement" which provides that, as to a prisoner serving time for a crime committed while under sentence, time credits must be computed on the separate term imposed for such subsequent conviction, and substitutes a provision (the last sentence in the measure) that "term of imprisonment" shall include the entire period from the prisoner's arrival at the prison to his final discharge "on any and all sentences for which he is undergoing imprisonment."

The application of this measure in practice would result in the following anomalous situation: One prisoner, with no previous criminal record, is received at prison and his sentence is fixed at five years. Under both the existing law and this bill he would earn time credits aggregating 17 months, completing his term after having actually served 43 months. Another prisoner, having been released on parole after serving four years and having been convicted of a second felony, committed while on parole, is received at the same time, at the same prison, and his sentence is also fixed at five years, to run concurrently with the previously imposed sentence. Under this bill, because he would be entering the fifth year of his "term of imprisonment," he would earn time credits at the rate of five months per year from the date of his return to the prison, such credits would aggregate 25 months during his sentence, and he would complete his term in only 35 months, being released eight months earlier than the first offender. In my opinion this would be an unconscionable thing to do.

It seems to me both unwise from the viewpoint of society, and unfair from the standpoint of the prisoner, that the provisions of this bill should become the law of the State.

The author has assured me that he did not intend by the measure to accomplish any such result as that to which I have above referred and has requested me to withhold my approval of the bill.

Respectfully submitted.

EARL WARREN, Governor

Above bill ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 153

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 48—Approving certain amendments to the charter of the City of Alameda, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the ninth day of March, 1943; And reports the same has been correctly enrolled, and presented to the Governor on the eighth day of April, 1943, at 10 a.m.

PELLETTIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
 Assembly Bill No. 849
 Assembly Bill No. 1591
 And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
 Assembly Bill No. 1097
 And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Commerce and Navigation, to which were referred:

Assembly Bill No. 544
 Assembly Bill No. 923

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MALONEY, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 576
 Assembly Bill No. 1381

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bills re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1112
 Assembly Bill No. 1194
 Assembly Bill No. 1196
 Assembly Bill No. 1198
 Senate Bill No. 135
 Senate Bill No. 315

Senate Bill No. 506
 Senate Bill No. 512
 Senate Bill No. 563
 Senate Bill No. 649
 Senate Bill No. 808

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1158
 Assembly Bill No. 1179
 Assembly Bill No. 1180
 Assembly Bill No. 1181
 Assembly Bill No. 1184
 Assembly Bill No. 1187
 Assembly Bill No. 1188
 Assembly Bill No. 1190

Assembly Bill No. 1191
 Assembly Bill No. 1193
 Assembly Bill No. 1197
 Assembly Bill No. 1280
 Senate Bill No. 613
 Senate Bill No. 765
 Senate Bill No. 535

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 377

Assembly Bill No. 1192

Assembly Bill No. 1186

Assembly Bill No. 1195

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bills ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1266 re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1793 re-referred to Committee on Ways and Means.

Assembly Bill No. 694 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1097 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1591 re-referred to Committee on Ways and Means.

Assembly Bill No. 849 re-referred to Committee on Agriculture.

RECESS

At 12.15 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Hon. Gardiner Johnson Presiding

At 1.31 p.m., Hon. Gardiner Johnson, Member of the Assembly from the Eighteenth District, presiding.

ABSENCE OF QUORUM SUGGESTED

Mr. Sam L. Collins suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Bashore, Beck, Brown, Burns, Carey, Collins, Sam L., Dills, Ralph C., Erwin, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Lowrey, Lyons, Massion, McMillan, Miller, Pelletier, Potter, Sheridan, Smith, Watson, Weber, Werdel, and Weybret—29.

Call of the Assembly

Mr. Sam L. Collins moved a call of the Assembly.

Motion carried. Time, 1.35 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 1.44 p.m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The roll was called, and the following answered to their names:

Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Ralph C., Dilworth, Erwin, Evans, Guthrie, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lyons, Massion, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Stream, Watson, Weber, Werdel, and Weybret—44.

Quorum present.

RESOLUTIONS

The following resolution was offered:

By Messrs. Fourt and Knight, T. Fenton:

House Resolution No. 172

Relative to the creation of an Assembly Legislative Committee, to study and report on matters relating to administration in California of the Low Rent Housing Program by housing authorities.

WHEREAS, Local housing authorities created under the "Housing Authorities Law," enacted by the Fifty-third (First Extraordinary) Session, 1938, are now administering housing projects; and

WHEREAS, The development and administration of housing projects is a relatively new field of Governmental enterprise; and

WHEREAS, The development of housing projects is frequently referred to as one of the principal fields of Governmental activities and reemployment during the postwar period; and

WHEREAS, Many housing projects have been constructed in California and are owned by agencies of the Federal Government for the purpose of temporarily housing military personnel and persons employed in industries connected with the war effort; and

WHEREAS, Proposals for additional legislation extending or curtailing the powers of local housing authorities are presented from time to time to this Legislature; and

WHEREAS, It is important that the Legislature be fully informed as to the present policies and activities of local housing authorities before additional legislation is enacted; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee to Investigate Public Housing Administration, to consist of five Members of the Assembly appointed by the Speaker of the Assembly, which committee shall make a complete investigation into, and analysis of, the administration of public housing projects in California by local housing authorities, and shall prepare and submit to the Legislature on or before January 15, 1945, a full and complete report of the results of its investigation, together with such legislative proposals as it may deem necessary or desirable as the result of its investigation.

The committee hereby created is authorized to act during the session of the Legislature, during any recess thereof and following final adjournment. The committee hereby created shall have all powers conferred upon investigating committees by the Joint Rules of the Senate and Assembly as they are now or may hereafter be amended, and by Article 8, Chapter 2, Title 1, Part 3 of the Political Code.

The committee may create subcommittees from its membership, assigning to the subcommittees any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly, or other officers designated by him, are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee or any subcommittee thereof, when directed to do so by the chairman or by a majority of the membership of the committee or subcommittee; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of four thousand dollars (\$4,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the

Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the Contingent Fund of the Assembly and disbursed, after certification by the chairman of the committee, upon a warrant drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 385—An act to amend Section 307 of the Agricultural Code, relating to meat.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 107—An act to amend Section 996 of the Political Code and Section 1770 of the Government Code, relating to an office becoming vacant.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, McMillan, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Watson, Weber, Werdel, Weybret, and Wollenberg—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 173—An act to add Chapter 7 to Division 4 of the Public Resources Code, relating to the cutting of immature trees for lumber.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Watson, Weber, Werdel, Weybret, and Wollenberg—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 184—An act to provide for the transfer of certain real property of the State in Napa County to the Fish and Game Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Weber, Werdel, Weybret, and Wollenberg—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 2—An act to amend Section 691 of the Fish and Game Code, relating to striped bass.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Watson, Weber, Werdel, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 2.16 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

MOTION TO TEMPORARILY EXCUSE MEMBER

Upon motion of Mr. Evans, Mrs. Niehouse was excused for the balance of the legislative day.

Upon motion of Mr. Fourt, Mr. Waters was excused for the balance of the legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 896—An act to add Section 161 to the Revenue and Taxation Code, relating to contracts for the publication of notices, delinquent lists and other documents.

Bill read third time.

Demand for Previous Question

Messrs. Allen, Debs, Heisinger, Beck, and Rosenthal demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 896.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, King, Leonard, Lowrey, Maloney, McCollister, Miller, Pelletier, Robertson, Sawallisch, Sheridan, Stream, Thompson, Thorp, Weber, Werdel, Weybret, and Wollenberg—42.

NOES—Allen, Anderson, Beck, Burkhalter, Collins, George D., Debs, Dills, Ralph C., Erwin, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Kraft, Lyons, Massion, McMillan, Middough, O'Day, Potter, Rosenthal, Sargent, Smith, Thomas, Watson, and Mr. Speaker—29.

Notice of Motion to Reconsider Senate Bill No. 896

Mr. Hollibaugh gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 896 was this day passed.

RECESS

At 2.35 p.m., on motion of Mr. Maloney, the Assembly recessed until 3.35 p.m., to hear from Mr. and Mrs. Thomas Sullivan and daughter Genevieve, pursuant to the motion by Mr. Doyle delegating Mr. Maloney to invite Mr. and Mrs. Sullivan and their daughter to be the guests of the Legislature.

REASSEMBLED

At 3.35 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By Speaker Lyon:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, April 7, 1943

*Hon. Frederick F. Houser, Acting Governor of California
State Capitol, Sacramento, California*

DEAR GOVERNOR HOUSER: Only absence from the State prevents my joining with you in the privilege of extending official greetings to Mr. and Mrs. Thomas Sullivan and daughter Genevieve. If opportunity affords itself, I would appreciate your expressing these few thoughts in my behalf.

All America is drawing from the story of service and sacrifice of the Sullivan family that solemn inspiration which rises in all free men when the depths of their sympathy have been stirred.

From the example which this wonderful family has afforded we draw both strength and confidence—strength from the understanding and fortitude of a mother and father who have laid the costly sacrifice of five sons on the altar of freedom—confidence that such understanding of the worthiness of the cause for which we fight can lead to naught but eventual victory over the evil forces which have exacted such a toll.

California is proud to have these few moments to honor you and those whom you have loved and lost. It cherishes with you the memory of those five brave boys who gave their all in our struggle to preserve man's freedom. It is proud that its workers have been privileged to build and launch a ship which will honor and keep alive in battles to come the name and memory of each of those boys. And, it is doubly proud of this opportunity to honor the mother whose simple admonition to all is "my boys told me to keep my chin up." Our Nation leans heavily upon such fortitude, Mrs. Sullivan, and it is grateful for your example.

Sincerely,

EARL WARREN, Governor

Also:

The following communication from the Legislative Counsel was received, read, and ordered printed in the Journal:

OFFICE OF LEGISLATIVE COUNSEL

STATE CAPITOL, SACRAMENTO, CALIFORNIA, April 8, 1943

*Honorable Charles W. Lyon, Speaker of the Assembly
Assembly Chamber, State Capitol, Sacramento, California*

DEAR MR. SPEAKER: This is in response to a request for an opinion whether Assembly Standing Rule No. 79 applies to the following facts:

A certain committee met and transacted certain of its business with a quorum present and continued for a time without a quorum.

At its next meeting, this committee had no quorum present.

It is proposed to sign out one of the measures previously referred to this committee.

In the absence of an official interpretation by way of a ruling by the presiding officer or by the House (we have found no such ruling) we interpret Rule No. 79 as inapplicable to these facts, and as not authorizing the signing out of a bill under the circumstances indicated.

The question whether, at either meeting, the bill proposed to be signed out was heard or scheduled for hearing, or not, seems quite immaterial. If, at either meeting, there was a quorum, the question how long the quorum lasted seems immaterial under Rule 79.

In the situation indicated, some other rule, such as Rule 58 or Rule 91, not 79, seems applicable.

Very truly yours,

FRED B. WOOD, Legislative Counsel

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: Assembly Bill No. 1705
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:
Assembly Bill No. 1076 Assembly Bill No. 625
Assembly Bill No. 1212 Senate Bill No. 280
Assembly Bill No. 542
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WERDEL, Vice Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:
Assembly Bill No. 968 Assembly Bill No. 1083
Assembly Bill No. 541 Senate Bill No. 338
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WERDEL, Vice Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:
Assembly Bill No. 198
Assembly Bill No. 1918
Senate Bill No. 299
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WERDEL, Vice Chairman

Above reported bills ordered to second reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Gordon Garland, former Speaker of the Assembly, and now Director of Motor Vehicles.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to L. B. Sarasin, principal, and the following pupils of the Crystal School of

Suisun: Richard Fockler, Frank Minick, Paula Crowley, Blanche Baker, Elmer Mulanaz, Joel Haskill, Dale Spicer, Edward Howard, Ruth Clifton, Norma Hicks, Esther Engell, Elouise Headlee, Rhojean Davis, Arlene Engell, Donalene White, Hazel Hombach, Lily Mae Browning, Georgia Rodgers, Donna Morrison, and Frances Low.

On request of Mr. McCollister, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. H. O. Peters and Mr. Charles Austin of San Rafael.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Ida Clark, teacher, and the following pupils of the Monticello School, Napa County: Ted Eaton, David Robbins, Kenneth Smith, Robert Gardner, Jack McLaughlin, Tom Washabough, Elsie Kidwell, Jean Adams, Jane McLaughlin, Kathreen Clark, and Voda Harvey.

On request of Mr. Sargent, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. John Amherst Sexon of Pasadena.

On request of the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Auxiliary Thelma Schwitzgebel and Lieutenant Winifred E. Thome of the United States Army.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. H. S. Payne of Corona and Mr. W. H. Rapson of Arlington.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judges George B. Harris, Melvyn Cronin, and Clarence Morris of San Francisco.

On request of Mr. Sam L. Collins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Horace Stevens of Tustin.

ADJOURNMENT

At 3.40 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, April 9, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-NINTH LEGISLATIVE DAY

NINETY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, April 9, 1943

The Assembly met at 9.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L. Debs, Denny, Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellem, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Waters, Watson, Werdel, Weybret, and Mr. Speaker—53.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Our Father, who are in Heaven, whose earthly dwelling place is in the hearts of men, we are grateful to live in days like these. Help us to recognize the vastness of our responsibilities, the depth of our privileges and the infinitude of our rewards

“White Captain of my soul, lead on;
I follow Thee, come dark or dawn,
Only vouchsafe three things I crave;
Where terror stalks, help me be brave!
Where righteous ones can scarce endure
The siren call, help me be pure!
Where vows grow dim, and men dare do
What once they scorned, help me be true!”

Through Jesus Christ our Lord.

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Pelletier.

MOTIONS TO EXCUSE MEMBERS

On motion of Mr. McMillan, Mr. Clayton A. Dills was excused for the legislative day, because of illness.

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, because of illness.

COMMUNICATIONS

By Mr. Maloney:

The following communication was received and ordered printed in the Journal:

CZECHOSLOVAK CONSULATE
SAN FRANCISCO, CALIFORNIA, April 8, 1943

*Honorable Thomas A. Maloney
State Capitol, Sacramento, California*

DEAR MR. MALONEY: I am sorry I have not found time before this to write you and express how much I enjoyed my visit to Sacramento on March 18th, and how deeply I appreciate the honor extended me on that date to address the State Assembly.

I hope that we may meet again.

Sincerely yours,

BOHUS BENES, Consul

By Speaker Lyon:

A resolution from California Federation of Women's Clubs, San Francisco District, relative to western States' cooperation in the solution of food problems, was received and filed with the Committee on Rules and House Functions.

Also:

A resolution from the California Federation of Women's Clubs, San Francisco District, relative to the Youth Correction Authority, was received and ordered referred to the Committee on Crime and Correction.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 974—An act to amend Section 494 of the Civil Code, relating to the sale of property and franchises of railroad corporations.

Bill read second time, and ordered to third reading.

Assembly Bill No. 669—An act to amend Sections 12, 21.30 and 21.90 of, and to add Section 31 to, of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon." approved May 23, 1921, relating to municipal utility districts

Bill read second time, and ordered to third reading.

Assembly Bill No. 890—An act to amend Section 4240 of the Political Code, relating to compensation for public services in counties of the eleventh class.

Bill read second time, and ordered to third reading.

Assembly Bill No. 901—An act to add Section 22142 to the Streets and Highways Code, relating to the creation of assessment districts and the levy and collection of assessments on property therein to pay the

cost and expenses of improvements provided for in the Tree Planting Act of 1931, being Division 15, Part 1 of said code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 995—An act to validate contracts between public utility districts and individuals, firms or corporations for the joint payment for or joint construction or joint use of sewers or sewer facilities or for the purchase of rights or capacity in any sewer or sewer facilities constructed by such districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1270—An act to amend Section 160 and to add Sections 55.5 and 154 to the County Employees Retirement Act of 1937, relating to retirement.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1753—An act to amend Section 4243 of the Political Code, relating to compensation for public services in counties of the fourteenth class.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1931—An act authorizing any city, county, or city and county to acquire property and to construct, operate and maintain parking facilities in connection with any stadium or coliseum maintained by such city, county, or city and county, and to make such parking facilities available to the use of the public and to make a charge therefor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1964—An act to amend Section 4310 of the Political Code, relating to sheriffs' special funds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 313—An act to add Section 7432, and Article 8.5, comprising Sections 7402 to 7409, inclusive, to Chapter 10 of Division 3 of the Business and Professions Code, relating to minimum price schedules for services licensed under the chapter on cosmetology.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1659—An act to amend Section 21224 of the Business and Professions Code, relating to licensing of sellers of prophylactics.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1934—An act to add Section 3056 to the Business and Professions Code, relating to the admission to practice optometry, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1005—An act to add Section 17a to an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges, and approaches thereto, and for the acquisition of all property necessary

therefor, and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts, and for the annexation of additional territory thereto," approved May 25, 1923, authorizing the refunding of existing indebtedness, whether bonded or otherwise, and for the issuance of bonds and other indebtedness in aid of the refunding of existing bonds, or the creation of a new bonded indebtedness.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1415—An act to add Section 25 to an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, to provide for the building of approach roads in cooperation with city, city and county, county, district, and State authorities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1633—An act to add Sections 195.5 and 1623.5 to the Streets and Highways Code, relating to expenditure of money allocated to counties, cities, and cities and counties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1112—An act to amend Section 385 of the Political Code, relating to the appointment of secretaries, assistants and employees of the Governor, and to repeal Section 386 of the Political Code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1194—An act to amend Sections 6720 and 6721 of the Welfare and Institutions Code, relating to escapes and return from parole of patients under the jurisdiction of a State hospital.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1196—An act to amend Section 5050.7 of the Welfare and Institutions Code, relating to the apprehension of mentally ill or insane persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1198—An act to amend Section 1461 of the Probate Code, relating to the appointment of guardians for insane or incompetent persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 544—An act granting certain salt marsh, tide and submerged lands of the State of California to the City of Oakland, including the management, use and control thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 923—An act authorizing municipal corporations to compromise litigation wherein the United States of America seeks to

condemn tide or submerged lands heretofore granted such municipal corporation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 198—An act to add Sections 10580 and 10581 to the Health and Safety Code, relating to birth certificates.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1918—An act to add Section 53.5 to the Code of Civil Procedure, relating to review of the record on appeal.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1705—An act to amend Section 105 of the Vehicle Code, relating to the office of director.

Bill read second time, and ordered to third reading.

Assembly Bill No. 387—An act to authorize municipal and county governments to vacate certain easements and providing a procedure therefor.

Bill read second time.

Motion to Amend

Mr. Carlson moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 31, of the printed bill, after "of", and before "any", insert "the State or of"

Amendment No. 2

On page 2, line 49, of said bill, strike out "unnecessary" and "any", and after "or", insert "part of an easement therein"

Amendment No. 3

On page 2, of said bill, strike out all of line 50, and in line 51, strike out "easement" is defined in Section 45 hereof."

Amendment No. 4

On page 3, line 43, of said bill, after "any", insert "easement or part of an easement therein"; and strike out "unneces-"

Amendment No. 5

On page 3, of said bill, strike out all of line 44; and in line 45, strike out "or any unnecessary part of an easement."

Amendment No. 6

On page 4, line 13, of said bill, strike out "less than 200", and insert "more than 300".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 729—An act to amend the County Water District Act approved June 10, 1913, as amended, by amending Sections 3, 4, 5, 6, 8, 12a and 14, relating to county water districts; and by adding new Sections 12 16, relating to payment of expenses of organization of districts; 14 5, relating to liability of district directors, officers, agents and employees; 14.6, relating to claims against districts, their directors, officers, agents and employees and actions thereon; 14.7, relating to liability of districts, their directors, officers, agents and employees; 14.8, relating to judgments against district directors, officers, agents and employees; and 22d, relating to the use of various improvements acts in district improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 3 of the title of the printed bill, strike out “, 12A”.

Amendment No. 2

On page 10 of said bill, strike out lines 44 to 52, inclusive; and on page 11, strike out lines 1 to 52, inclusive; and on page 12, strike out lines 1 to 13, inclusive.

Amendment No. 3

On page 12, line 14, of said bill, strike out “Sec. 8”, and insert “Sec. 7”.

Amendment No. 4

On page 12, line 50, of said bill, strike out “Sec. 9”, and insert “Sec. 8”.

Amendment No. 5

On page 13, line 12, of said bill, strike out “Sec. 10”, and insert “Sec. 9”.

Amendment No. 6

On page 13, line 35, of said bill, strike out “Sec. 4 11”, and insert “Sec. 10”.

Amendment No. 7

On page 13, line 50, of said bill, strike out the single quotation after “property”.

Amendment No. 8

On page 13, line 51, of said bill, strike out the double quotation marks after the period, and insert “; approved May 18, 1919 ””

Amendment No. 9

On page 14, line 1, of said bill, strike out “Sec. 12”, and insert “Sec. 11”.

Amendment No. 10

On page 14, line 7, of said bill, strike out “Sec. 13”, and insert “Sec 12”.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1081—An act to amend Section 3714 of the Political Code, relating to annual financial estimates of counties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 19, of the printed bill, as amended, strike out the first “State”.

Amendment No. 2

On page 6, line 44, of said bill, strike out the first “the State”.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1701—An act to amend Section 4 of the “Municipal Water District Act of 1911,” relating to elections therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 35, of the printed bill, following “the”, insert “election and”.

Amendment No. 2

On page 2, line 36, of said bill, strike out “and taking of office by”.

Amendment No. 3

On page 2, line 38, of said bill, following "the", insert "election and".

Amendment No. 4

On page 2, lines 38 and 39, of said bill, strike out "and taking of office by".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1158—An act to add Section 474b to the Political Code, relating to the collection of claims or judgments due the State, or to any department, board or commission, under one thousand dollars (\$1,000), and payment for services therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 9, of the printed bill, after the comma, insert "with the approval of such department, board or commission,".

Amendment No. 2

On page 1, line 10, of said bill, after "employ", insert "special counsel or when any such claim, demand or judgment does not exceed one hundred dollars (\$100) the Attorney General may employ either such special counsel or".

Amendment No. 3

On page 1, line 11, of said bill, strike out "in this State".

Amendment No. 4

On page 1, line 12, of said bill, after "such", insert "special counsel.".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1179—An act to amend Section 6726 and 6727 of the Welfare and Institutions Code, relating to payment for family care and other needs of patients on parole from State hospitals, and declaring the urgency thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections".

Amendment No. 2

On page 1, line 9, of said bill, strike out "insane".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1180—An act to amend Section 5355 and to add Sections 5355.1, 5356.1 and 5356.2 to the Welfare and Institutions Code, relating to the cost and care of narcotic addicts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5355", and insert "Sections 5355 and 5356 of".

Amendment No. 2

In line 3 of the title of said bill, strike out "cost and care" and insert "commitment, support, parole, and discharge".

Amendment No. 3

On page 1, line 25, of said bill, strike out "to a State hospital", and insert "as a drug addict".

Amendment No. 4

On page 2, line 3, of said bill, strike out "either".

Amendment No. 5

On page 2, line 4, of said bill, strike out "or on", and insert "and before".

Amendment No. 6

On page 2, lines 6 to 8, of said bill, strike out "with the same power as contained in Article 8, Chapter 1, Part 4, Division 6 of this code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 7

On page 2 of said bill, after line 8, insert
"SEC. 25. Section 5356 of the Welfare and Institutions Code is hereby amended to read as follows:

5356. At the hearing the court shall inquire into the financial condition of the person committed or, if the person is a minor, of the parent, guardian, or other person charged with his support. If the court finds such person or persons able to do so in whole or in part, a further order shall be made requiring him or them to pay, to the extent the judge considers just, the expenses of the proceedings in connection with his commitment, and to pay to the county of which he is a bona fide resident, such sums as the court deems proper, during such time as the person committed remains in the hospital or on parole to a licensed home for the care of such person. The court shall make a further order requiring such person or persons to pay to the Department of Institutions the expense of delivery of the patient to the State hospital [to] for placement in which he was committed, which shall be paid to and collected by the department and credited to the appropriation for transportation of patients.

The county auditor shall keep a record of such payments ordered to be made to the county, and shall receive, receipt for, and record such payments made, pay over such payments to the county treasurer, see that the persons ordered to make such payments comply with such orders, and report to the court any failure on the part of such persons to make such payments."

Amendment No. 8

On page 2, line 15, of said bill, strike out "boarding".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1181—An act to amend Sections 5260, 7009, and 7010 of the Welfare and Institutions Code, relating to the cost and reimbursement for the care of feeble-minded persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "boarding".

Amendment No. 2

On page 2, line 6, of said bill, strike out "placed in a licensed boarding home", and insert "paroled to a licensed home".

Amendment No. 3

On page 2, line 7, of said bill, strike out "who".

Amendment No. 4

On page 2 of said bill, strike out line 9, and insert "shall upon certification from the superintendent of the State home pay to the licensed home an amount adequate".

Amendment No. 5

On page 2, lines 11 and 12, of said bill, strike out "upon certification from the superintendent of the State home."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1184—An act to amend Section 7302 of the Welfare and Institutions Code, relating to the Langley Porter Clinic.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 7310 to,".

Amendment No. 2

On page 1 of said bill, after line 30, insert "Sec. 2. Section 7310 is added to Chapter 7, Part 4, Division 6, of said code, to read:

7310. The secretary of the Superintendent of the Langley Porter Clinic shall have power, for official State business only, to take and certify the proof and acknowledgment of any written instrument, to take and certify affidavits, and to administer oaths."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1187—An act to amend Sections 5701 and 5701.5 of the Welfare and Institutions Code, relating to licensing of private institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2 of the printed bill, strike out lines 6, 7, 8, and 9 and insert "the sum fixed for the entire fiscal year. The department shall require a license fee, in situations where licensed establishments increase their number of patients during any fiscal year, based upon a pro rata charge under the schedule set forth herein."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1188—An act to amend Section 162 of the Welfare and Institutions Code, relating to the expenses of deporting non-resident persons who were committed to State institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out line 8, and insert "tion of such nonresident persons to the States in which they have residence shall be advanced from the funds".

Amendment read and adopted.
Bill ordered reprinted and engrossed.

Assembly Bill No. 1190—An act to amend Sections 7500, 7501, 7505 and 7506 of the Welfare and Institutions Code, relating to the general powers and duties of the State Department of Institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, after line 7, insert "As used in this part, "establishment" and "institution" include every hospital, sanitarium, home, or other place receiving or caring for any of the persons enumerated in this section."

Amendment read and adopted.
Bill ordered reprinted and engrossed.

Assembly Bill No. 1191—An act to amend Sections 5700, 5703, 5705, 5706, 5707, 5708, 5750, 5751, and 5753 of the Welfare and Institutions Code, relating to private institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 3 of the title of the printed bill, before "relating", insert "and to add Sections 5699 and 5700.5 thereto,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert "SECTION 1. Section 5699 is hereby added to Chapter 1 of Part 2 of Division 6 of the Welfare and Institutions Code, to read as follows: 5699. As used in this part, "establishment" and "institution" include every hospital, sanitarium, home, or other place receiving or caring for any insane, alleged insane, mentally ill, or other incompetent person referred to in this division. SEC. 1.5. Section 5700 of the Welfare and Institutions".

Amendment No. 3

On page 1 of said bill, after line 23, insert "SEC. 1.6. Section 5700.5 is hereby added to the Welfare and Institutions Code, to read as follows: 5700.5. The district attorney of every county shall, upon application by the State Department of Institutions or its authorized representatives, institute and conduct the prosecution of any action brought for the violation within his county of any of the provisions of this chapter."

Amendment No. 4

On page 2 of said bill, strike out lines 18 to 22, inclusive, and insert "to be visited and examined."

Amendment No. 5

On page 2, line 30, of said bill, strike out "and", and insert a comma.

Amendment No. 6

On page 2, line 35, of said bill, strike out "as well as the records of such persons".

Amendment No. 7

On page 3, line 25, of said bill, strike out "that they", and insert "who".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1193—An act to amend Sections 7352, 7353, 6514, and 7504 of the Welfare and Institutions Code, relating to the care and parole of patients from State hospitals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, after "to", and before "the", insert "the State Department of Institutions, providing for the establishment of in-service training programs for social workers in State hospitals, and providing for".

Amendment No. 2

On page 1 of said bill, strike out lines 21 and 22, and insert "ment on parole of those patients selected for parole by the superintendents of the institutions, and shall supervise them while on parole."

Amendment No. 3

On page 2, line 4, of said bill, strike out "as well as", and insert "or".

Amendment No. 4

On page 2, line 5, of said bill, after "workers," insert "or both."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1197—An act to amend Sections 1516, 1535, 1550, 1554, and 1558 of the Probate Code, relating to guardianship matters of persons confined in State institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed bill, after "guardian", insert "creditor or other interested party".

Amendment No. 2

On page 1, line 5, of said bill, after "instruct", strike out "him", and insert "guardian".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1280—An act relating to public officers, deputies, assistants, and employees, and their return to public service, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, strike out "or defense work".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 7 to 11, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 968—An act to add Section 487a to the Penal Code, and to add Section 378.5 to the Agricultural Code, relating to theft of animals or carcasses or parts of same.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "or parts of same", and insert "thereof".

Amendment No. 2

On page 1, line 4, of said bill, strike out "or any part of the carcass".

Amendment No. 3

On page 1, line 12, of said bill, strike out ", their carcasses or parts", and insert "or carcasses".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 541—An act to amend Section 1183.5 to, the Civil Code, relating to the proof or acknowledgment of instruments, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 29, 1943, strike out "to," and insert "of".

Amendment No. 2

On page 3 of the printed bill, as amended in the Assembly on March 29, 1943, strike out lines 16 and 17.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1083—An act to amend Section 6854 of the Business and Professions Code, relating to exclusions from definition of "collection agency."

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary :

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 16 to 20, inclusive, and insert

“(h) duly licensed personal property brokers while making collections for another person of common ownership or affiliated through corporate control.”

Amendment read and adopted.

Bill ordered reprinted and engrossed.

House Resolution No. 153—Requests appointment of citizens' committee to promote guayule production.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions :

Amendment No. 1

On page 1 of the typewritten resolution, in the sixth “WHEREAS” paragraph, after “understanding” strike out “between the State of California and”, and insert “among”.

Amendment read and adopted.

Resolution ordered on file for adoption.

Assembly Bill No. 289—An act to amend Sections 4037, 4038, 4112, 4152, and 4178 of, to add Sections 4036½ and 4152a to, and to repeal Sections 4039, 4040 and 4179 of, the Political Code; to amend Section 1052 of the Code of Civil Procedure; and to add Section 12073 to the Insurance Code, relating to duties of county officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government :

Amendment No. 1

On page 2, line 37, of the printed bill, strike out “make”, and insert “, not later than the twenty-fifth day of each month, file with the board of supervisors”.

Amendment No. 2

On page 2 of said bill, strike out line 38; and in line 39, strike out “of supervisors of his county,”.

Amendment No. 3

On page 2, line 40, of said bill, after “thereof”, insert “made by him during the preceding calendar month”.

Amendment No. 4

On page 2, line 41, of said bill, after “disbursements”, insert “therefrom for the said period”.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 762—An act to amend Sections 4269 and 4284 of the Political Code, relating to compensation for public services.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "eight hundred dollars (\$800)", and insert "one thousand two hundred dollars (\$1,200)".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1032—An act to amend Sections 43.5 and 43.6 of the County Employees Retirement Act of 1937, relating to retirement.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, following "Sections", insert "28,".

Amendment No. 2

On page 1, line 20, of the printed bill, preceding "section", insert "SEC. 2".

Amendment No. 3

On page 1, line 24, of the printed bill, following "officials", insert "have chosen or shall".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

Following line 33 of the printed bill, insert "SEC. 3 Section 28 of said act is amended to read:

Sec. 28. Upon the adoption of a system by any county pursuant to this act, "prior service" shall mean service [of a member as defined herein] prior to the [effective] date of [adoption] *entry of a member into the retirement system.*"

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1420—An act to add a new section to the District Organization Act (Statutes of 1933, page 2280), relating to the improvement district acts made applicable to the provisions for the dissolution of such districts in the manner provided in said District Organization Act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after the first "to", insert "amend Sections 3 and 626 of, and".

Amendment No. 2

In line 1 of the title of the printed bill, after "section", insert "633."

Amendment No. 3

On page 1, line 1, of the printed bill, after the period which follows "1", insert "Section 3 of the District Organization Act is hereby amended to read as follows:

Sec. 3. Except as provided in Section 633 of this act, this act does not repeal or otherwise affect any existing statute, nor does it affect any district now existing.

Its provisions shall apply and become operative only as and when and to the extent that they are adopted or incorporated by reference in an act providing for a particular district or type of district, except as provided by Section 633 of this act.

SEC. 2. Section 626 of the District Organization Act is hereby amended to read as follows.

Sec. 626. Upon the filing of a petition with the governing body signed by twenty (20) qualified electors of a district, the governing body may submit the question of dissolution of the district to the electors thereof.

SEC. 3."

Amendment No. 4

On page 1, line 6, of the printed bill, after "acts", insert "or any codification or reenactment thereof".

Amendment No. 5

On page 1 of the printed bill, strike out the whole of line 13.

Amendment No. 6

On page 1 of the printed bill, strike out line 16.

Amendment No. 7

On page 1 of the printed bill, following line 17, insert "1927 706 1229 Park Recreation and Parkway

Article 4, of Chapter 3, of Division 5, of the Public Resources Code, Park Recreation and Parkway."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1795—An act to add Section 16 $\frac{3}{4}$ to the Los Angeles County Flood Control Act, relating to district liability.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "16 $\frac{3}{4}$ ", and insert "13 $\frac{1}{2}$ ".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "district liability", and insert "storm drain improvements and drainage system".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "16 $\frac{3}{4}$ ", and insert "13 $\frac{1}{2}$ ".

Amendment No. 4

On page 1 of said bill, strike out all of lines 3 to 7, inclusive, and insert "Sec. 13 $\frac{1}{2}$. The board of supervisors of the Los Angeles County Flood Control District shall have power to accept on behalf of said district a transfer and conveyance of storm drain improvements and drainage systems lying within the territorial limits of said district and which have been constructed by any other public body or agency prior to July 1, 1943, whenever the governing body of any public agency owning or exercising jurisdiction over such storm drain and drainage improvements, by resolution describing them, requests the said Los Angeles County Flood Control District to accept the same. Upon such acceptance, the board of supervisors of said district shall thereupon assume sole control and jurisdiction over such storm drain and drainage systems and shall thereafter provide for the operation, maintenance, repair and improvement thereof, except that such flood control district shall not assume or be liable for any bonded indebtedness that may be against the said storm drain or drainage systems. Any city or county within whose limits any storm drain or drainage system has been constructed, and which storm drain or drainage system also lies within the territorial limits of said Los Angeles County Flood Control District, may, by a four-fifths vote of the legislative body of such city or county, transfer and convey to said flood control district any such storm drain or drainage systems for future operation, maintenance, repair and improvement, and upon acceptance thereof the board of supervisors of said flood control district shall have power, and it shall be its duty, to levy a special tax each year upon the taxable real property in said district sufficient to pay the cost and expense of operating, maintaining, repairing and improving such storm drain and drainage systems so transferred and accepted, excepting only the payment of interest and principal on any outstanding bonds for which the said district shall not be liable. Said tax shall

be levied and collected at the same time and in the same manner as the general tax for county purposes, and the revenue derived from said tax shall be paid into the county treasury to the credit of said flood control district and said board of supervisors shall have the power to control and order the expenditure thereof for said purposes. Taxes levied under authority of this section shall be separate and distinct from, and shall be in addition to, the taxes authorized to be levied under Section 14 of this act."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1880—An act to amend Section 13111 of the Health and Safety Code, and to add Article 3.5, comprising Sections 13625 to 13628, inclusive, to Chapter 3, Part 2, Division 12 thereof, relating to spotting, sponging and pressing establishments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 13111 of the Health and Safety"; and strike out all of lines 2, 3, and 4 of said title, and insert "amend Section 13111 of the Health and Safety Code, and to Article 3.5, comprising Sections 13625 to 13628, inclusive, to Chapter 3, Part 2, Division 12 thereof, relating to the spotting, sponging and pressing establishments."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 26, inclusive; and on page 2, strike out all of lines 1 to 15, inclusive, and insert

"SECTION 1. Article 3.5, comprising Sections 13625 to 13628, inclusive, is added to Chapter 3, Part 2, Division 12 of the Health and Safety Code, to read:

Article 3.5. Board of Examiners

13625. The Board of Examiners is hereby created. There shall be two boards of examiners, one for northern California and one for southern California. Each board shall consist of five members of the spotting, sponging and pressing industry, elected by the advisory council of the State Association of Spotters, Spongers and Pressers.

13626. Each member of the Board of Examiners, shall hold office for a term of one year and until the election and qualification of his successor.

13627. The Board of Examiners shall have full and complete control of all examinations given new applicants for the licenses required by this chapter. It shall frame the questions for and conduct such examinations and shall report its findings to the State Fire Marshal. The latter shall not issue any license to any applicant who does not prove to the satisfaction of the Board of Examiners he or she is fully qualified.

Salary for the members of the Board of Examiners, shall be fifteen dollars (\$15) per examination.

13628. A registration certificate, shall be issued by the State Fire Marshal, without a prior examination by the Board of Examiners, to any working partner of a licensee, who at the time or prior to the time, the laws regulating spotting, sponging and pressing establishments first became effective and were working together in the same shop, upon request to the State Fire Marshal.

ADVISORY COUNCIL

13628.5. The advisory council to the State Fire Marshal is hereby created.

The State Association of Spotters, Spongers and Pressers, shall elect 20 of its members to act as an advisory council to the State Fire Marshal.

Each member of the advisory council shall hold office for a term of one year and until the election and qualification of his successor.

They shall meet at least semiannually and not more than quarterly each year, with the State Fire Marshal, to discuss educational work designed to protect the general public, and the members of the spotting, sponging and pressing industry against the hazards of fire in the use of dry-cleaning solvents, in the spotting, sponging and pressing processes and shall pass upon all appeals, from applicants for license, from the decision of the Board of Examiners and make written reports of their finding to the State Fire Marshal, who shall enforce their decisions.

The State Fire Marshal shall refer to the Advisory Council all matters not pertaining to fire hazards or fire prevention within the industry.

They shall elect the Board of Examiners annually and fill all vacancies on the board, caused by death, resignation or removal.

They shall be vested with power to remove any member of the Board of Examiners, found guilty by them of favoring any applicant for license or registration and/or who acts in a prejudiced manner to any applicant for license or registration.

The members of the Advisory Council shall be paid the sum of fifteen dollars (\$15) per day for traveling expenses and at no session shall their pay exceed more than three days salary.

The State Fire Marshal shall include in his budget, sufficient funds to cover all expenses of the Advisory Council meeting."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 100—An act to add Section 486 to the Streets and Highways Code, relating to State highways, including the making of an appropriation for the acquisition of rights of way for State highways and the deeding by local agencies of rights of way to the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 486 to the Streets and Highways Code," and strike out all of lines 2 to 5, inclusive, of said title, and insert "repeal Section 469 and to amend Section 362 of the Streets and Highways Code, relating to highways."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 20, inclusive, and insert "SECTION 1. Section 469 of the Streets and Highways Code is repealed.

SEC. 2. Section 362 of said code is amended to read:

362. Route 62 is from:

(a) Route 171 near Buena Park to [Los Angeles-Orange County line near La Habra,

(b) Route 26 near West Covina to] Route 9 near Azusa.

[(c)] (b) Route 9 at Azusa to Route 61 via Pine Flats in San Gabriel Canyon."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 961—An act to add Chapter 7, consisting of Sections 880 and 881, to Division 1 of the Streets and Highways Code, relating to the acquisition, by the State, of shoreline property adjoining State highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "and".

Amendment No. 2

On page 1, line 10, of said bill, strike out "it shall", and insert "and has been designated for recreational or scenic use either in the State Master Plan of Shoreline Development or the county master plan of shoreline development, it may".

Amendment No. 3

On page 1, line 11, of said bill, after "it", insert "is two thousand five hundred (2,500) feet or more in length and".

Amendment No. 4

On page 1, line 14, of said bill, strike out "located", and insert "acquired".

Amendment No. 5

On page 1, line 15, of said bill, strike out "acquired, if adaptable to recreational purposes, shall", and insert "shall, except when required wholly or in part for State highway widening or other State requirements,".

Amendment No. 6

On page 1, line 16, of said bill, after "Commission", strike out the period, and insert "and shall be dedicated in perpetuity for beach, park and recreational purposes for the benefit and use of the public. If such land is more valuable for commercial purposes than for recreational purposes by reason of its use or suitability for railroad rights of way, docks, wharves, or other shipping or industrial purposes or is being zoned by the proper public authority for important commercial development it shall not be acquired."

Amendment No. 7

On page 1 of said bill, strike out lines 18 to 22; and on page 2, strike out lines 1 to 3, inclusive, and insert

"§81. Where land which would otherwise fulfill the description given in Section 880 is occupied by beach club buildings, docks, wharves or other shipping or industrial structures and is offered to the State for acquisition, or where such land whether offered or not is occupied only by shacks, small buildings or other minor improvements, it may be acquired in accordance with and subject to the provisions of Section 880, if by a".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 377—An act to regulate vocational, trade or business schools, to provide for the licensing thereof and providing penalties.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 3 of said bill, after line 27, insert
"Sec. 10. Nothing in this act shall be construed to affect any "in-service" school, conducted by any person, firm or corporation for training and education of the employees of such person, firm or corporation."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1186—An act to amend Sections 6650, 6655, 6662, and to repeal Section 6657, and to add a new section to be called 6727.5 of the Welfare and Institutions Code, relating to the property and support of patients in State hospitals or patients on parole from such hospitals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 6650, 6655, 6662", and insert "Sections 6650, 6651, 6655 and 6662".

Amendment No. 2

In line 2 of the title of said bill, strike out "tion 6657, and to add a new section to be called 6727.5 of", and insert "tion 6657 of, and to add Section 6727.5 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, after line 18, insert

"SEC. 1.5 Section 6651 of the Welfare and Institutions Code is hereby amended to read as follows:

6651. The monthly rate for the care, support, and maintenance of all insane persons and inebriates at the hospitals for the insane and inebriates where there is liability to pay for such care, support, and maintenance, shall be determined by the Director of Institutions, [but it shall not exceed forty dollars (\$40) per month] and shall be payable in advance. The superintendent of a State institution for the insane or inebriates shall, however, on the order of the Director of Institutions, reduce, cancel or remit the amount to be paid by the estate or the relatives, as the case may be, liable for the care, support, and maintenance of any insane person or inebriate committed thereto and confined therein, on satisfactory proof that the estate or relatives, as the case may be, are unable to pay the cost of such care, support and maintenance. In any case where there has been an advance payment under this section, and such advances or any part thereof should be refunded because of the death, parole, or discharge of any inmate of such institution, such amount shall be paid by the institution or the Department of Institutions to the person who made the payment upon demand, and in the statement to the Controller the amounts refunded shall be itemized and the aggregate deducted from the amount to be paid into the State treasury, as provided by law. If any insane person or inebriate dies at any time while his estate is liable for his care, support, and maintenance and other expenses at a State hospital, the claim for the amount due may be presented to the executor or administrator of his estate, and paid as a preferred claim, with the same rank in order of preference, as claims for expenses of last illness."

Amendment No. 4

On page 3, line 9, of said bill, after "to the charges", insert "and liability".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1192—An act to amend Sections 5404 and 5406 of, and to add Sections 5404.1 and 5404.2 to, the Welfare and Institutions Code, relating to dipsomaniacs, inebriates and stimulant addicts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 4 of the title of the printed bill, after "addicts", and before the period, insert ", and providing for their support while in State hospitals and on parole therefrom".

Amendment No. 2

On page 1, line 25, of said bill, strike out "boarding".

Amendment No. 3

On page 2, line 10, of said bill, strike out "to", and insert "for placement in".

Amendment No. 4

On page 2, line 20, of said bill, strike out "to", and insert "for placement in".

Amendment No. 5

On page 2, line 29, of said bill, strike out "boarding".

Amendment No. 6

On page 3, lines 3 to 5, of said bill, strike out "; provided, that neither parole nor discharge shall be granted until such", and insert ", except that neither parole nor discharge shall be granted until the".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1195—An act to amend Sections 7051, 7058, 7069 and to add Section 7058.1 and to repeal Section 7051.5 of the Welfare and Institutions Code, relating to defective and psychopathic delinquents.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 18, 19, and 20 and insert "7058. If the court after hearing the evidence is in doubt whether the minor is a defective or psychopathic delinquent, the court may commit the minor to the Department of Institutions for placement in a State institution for".

Amendment No. 2

On page 1, line 26, of said bill, strike out "Thereafter the court shall".

Amendment No. 3

On page 2 of said bill, strike out lines 1, 2, and 3.

Amendment No. 4

On page 2, line 4, of said bill, strike out "and proper under all the circumstances."

Amendment No. 5

On page 2, line 8, of said bill, insert

"The medical superintendent or other person in charge of the State institution in which the minor has been placed for observation pursuant to this section shall, within 90 days, examine the person and return him to the committing court together with a report, diagnosis, and recommendation concerning the person's future care, supervision and treatment.

If the medical superintendent or other person in charge of the State institution in which the minor has been placed for observation reports to the court that the minor is not a defective or psychopathic delinquent, the court shall proceed with the case and make such other disposition thereof as the court may deem necessary and proper under all circumstances.

If the medical superintendent or other person in charge of the State institution in which the minor has been placed for observation reports to the court that the minor is a defective or psychopathic delinquent, the court may make an order committing the person to the Department of Institutions for placement in a State institution for defective or psychopathic delinquents for an indeterminate period."

Amendments read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 1076—An act to add Section 273d to the Penal Code, relating to wilful corporal injury to wife or child.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "at a whip."; and strike out lines 8 to 11, inclusive, and insert "by the application of not to exceed 25 lashes of a "cat of nine tails."

"Cat of nine tails," as used in this section, means nine rawhide thongs fastened to a handle."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1212—An act to amend Section 710 and to add Sections 690.48 and 710.5 to the Code of Civil Procedure, relating to moneys due and owing to a judgment debtor by his employer.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "For 10", and insert "This notice may be served personally, or by mailing to, or leaving at the employee's last known address, or at the employer's address. For 15".

Amendment No. 2

On page 1, line 12, of the printed bill, strike out "10", and insert "15".

Amendment No. 3

On page 1, lines 14 and 15, of the printed bill, strike out "which claim sets forth facts showing", and insert "claiming".

Amendment No. 4

On page 1, line 16, of the printed bill, following "execution", and before the comma, insert ", and files an authenticated copy thereof with the officer".

Amendment No. 5

On page 1, line 17, of the printed bill, strike out "sheriff", and insert "officer".

Amendment No. 6

On page 1 of the printed bill, strike out lines 19 to 21, inclusive, and insert "file such claim and file such authenticated copy within the 15-day period, the officer shall pay over the moneys collected to the judge".

Amendment No. 7

On page 1, line 22, of the printed bill, following the period, insert "If the decision of the court is that the moneys, or a portion thereof, are not exempt from execution, the court shall pay the same to the judgment creditor, or person entitled thereto."

Amendment No. 8

On page 2 of the printed bill, between lines 32 and 33, insert "If any such State agency is paying pay roll claims by revolving fund, its disbursing officer, or other person making such payment, shall give the notice and follow the procedure required under Section 710.5, and the State Controller shall have no responsibility in the matter."

Amendment No. 9

On page 3, line 43, of the printed bill, strike out the second "the", and insert "a".

Amendment No. 10

On page 3, line 44, of the printed bill, strike out "owing money." and insert ", or with any county, city and county, city or municipality, quasi municipality, or public corporation owing".

Amendment No. 11

On page 3, line 45, of the printed bill, following "Controller", insert ", or disbursing officer".

Amendment No. 12

On page 3, line 49, of the printed bill, strike out "For 10", and insert "This notice may be served personally, or by mailing to, or leaving at the employee's last known address. For 15".

Amendment No. 13

On page 3, line 50, of the printed bill, before "auditor", insert "disbursing officer, or".

Amendment No. 14

On page 3, line 52, of the printed bill, strike out "10", and insert "15".

Amendment No. 15

On page 4, line 2, of the printed bill, strike out "which claim"; and strike out lines 3 to 11, inclusive, and insert "claiming the moneys to be exempt from execution, and files an authenticated copy of such petition with the State Controller, disbursing officer, or auditor, such officer shall immediately pay the moneys into that court, pending decision of the matter. If the decision is that the moneys, or some part thereof, are not exempt from execution, the court shall pay the moneys to the judgment creditor, or other person entitled thereto. If the judgment debtor does not file such petition, and file an authenticated copy thereof, with the State Controller, disbursing officer, or auditor, within the 15-day period, such officer shall pay the moneys to the court which issued the abstract or transcript of judgment"

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 625—An act to amend Sections 197 and 200 of the Civil Code, relating to minors over the age of 18 years.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "over the age of 18 years".

Amendment No. 2

On page 1, line 4, of said bill, strike out ", services and", and insert "and services."

Amendment No. 3

On page 1 of the said bill, strike out lines 5 and 6; and in line 7, "of 18 years", and insert "In the absence of a relinquishment of his or her right to the earnings of a minor child, its parent or parents are equally entitled to the minor child's earnings. A relinquishment may be shown by express or implied agreement with the minor child or by the conduct of the parties."

Amendment No. 4

On page 1, line 14, of said bill, strike out ", services and earnings, except that she", and insert "and services."

Amendment No. 5

On page 1 of said bill, strike out lines 15 and 16, and insert "In the absence of a relinquishment of her right to the earnings of a minor child, the mother of an illegitimate married minor is entitled to its earnings. A relinquishment may be shown by express or implied agreement with the minor child or by the conduct of the parties."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1937—An act to amend Sections 7618, 7630, to add Section 7632 to, and to amend Sections 7640, 7641, 7643, 7647, to add Section 7651 to and to amend Sections 7662, 7665, 7666, 7667, 7668, 7669, 7680, 7702, 7726 and 7729 of the Business and Professions Code, relating to funeral directors, embalmers and apprentice embalmers, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 15, of the printed bill, after "and", insert a comma.

Amendment No. 2

On page 1, line 16, of the printed bill, after "director", insert a comma.

Amendment No. 3

On page 2, line 19, of the printed bill, after "board", strike out the period, and insert "; *provided, however, that this section shall have no effect on students and instructors of embalming in embalming colleges approved by the board.*"

Amendment No. 4

On page 2, line 32, of the printed bill, strike out "21", and insert "19".

Amendment No. 5

On page 2, lines 34 to 36, of the printed bill, strike out "hold a diploma or certificate", and insert "*Furnish proof.*"

Amendment No. 6

On page 2, line 36, of the printed bill, after "of", insert "a"; and after "school", insert "*course.*"

Amendment No. 7

On page 3, line 10, of the printed bill, insert "*Notice of the time and place of such.*"

Amendment No. 8

On page 3 of the printed bill, strike out "Section 8".

Amendment No. 9

On page 3, line 28, of the printed bill, strike out "Sec. 9", and insert "*Sec 8.*"

Amendment No. 10

On page 3, line 32, of the printed bill, strike out "19", and insert "*17.*"

Amendment No. 11

On page 3, lines 34 to 36, of the printed bill, strike out "Hold a diploma or certificate", and insert "*Furnish proof.*"

Amendment No. 12

On page 3, line 36, of the printed bill, after "of", insert "a"; and after "school", insert "*course.*"

Amendment No. 13

On page 3, line 43, of the printed bill, strike out "Sec. 10", and insert "*Sec. 9.*"

Amendment No. 14

On page 3, line 46, of the printed bill, strike out "semi-".

Amendment No. 15

On page 3, line 47, of the printed bill, after "during", strike out "the apprenticeship period", and insert "*the month of January and at the completion of their apprenticeship.*"

Amendment No. 16

On page 3, line 49, of the printed bill, strike out "semi-".

Amendment No. 17

On page 4, line 1, of the printed bill, strike out the period after "period", and insert ": *provided, that whenever an apprentice changes his employment from one funeral establishment to another he shall forthwith notify the board of such change, state the name of the funeral director to whose establishment he has changed and the name of the embalmer under whom he is thereafter to serve and shall at the same time report to the board, upon forms provided by the board, showing the work which he shall have performed during his apprenticeship previous to such change.*"

Amendment No. 18

On page 4, line 7, of the printed bill, strike out "Sec 11.", and insert "*Sec. 10.*"

Amendment No. 19

On page 4, lines 9 to 14, of the printed bill, strike out all words beginning "provided, that this" to and including "allowed by the board", and insert "*provided, a registrant who has completed his one apprenticeship may re-serve his apprenticeship by re-registration for not more than two additional one year periods.*"

Amendment No. 20

On page 4, line 36, of the printed bill, strike out "Sec 12", and insert "*Sec. 11.*"

Amendment No. 21

On page 5, line 1, of the printed bill, strike out "Sec. 13", and insert "*Sec. 12.*"

Amendment No. 22

On page 5, line 32, of the printed bill, strike out "Sec. 14", and insert "*Sec. 13.*"

Amendment No. 23

On page 5, line 39, of the printed bill, after "re-registration", strike out all words beginning with "if the certificate" and ending with "by the board" on line 45, and insert "*upon compliance with existing law. Reregistration shall be permitted so as to continue as apprenticeship upon the period of three years from the date of the original reregistration.*"

Amendment No. 24

On page 6, line 1, of the printed bill, strike out "Sec. 15", and insert "*Sec. 14*".

Amendment No. 25

On page 6, line 16, of the printed bill, strike out "Sec. 16", and insert "*Sec. 15*".

Amendment No. 26

On page 6, line 25, of the printed bill, strike out "Sec. 17", and insert "*Sec. 16*".

Amendment No. 27

On page 6, line 27, of the printed bill, strike out the comma after "Director", and insert "*or*".

Amendment No. 28

On page 6, line 27, of the printed bill, strike out "or registered apprentice".

Amendment No. 29

On page 6, line 29, of the printed bill, strike out "or certificate of registration".

Amendment No. 30

On page 6, line 32, of the printed bill, strike out "or registrant".

Amendment No. 31

On page 6, line 39, of the printed bill, after "penalties", insert "*not exceeding twenty-five (\$25.00) dollars*".

Amendment No. 32

On page 6, line 42, of the printed bill, strike out "Sec. 18", and insert "*Sec. 17*".

Amendment No. 33

On page 7, line 24, of the printed bill, strike out "Sec 19", and insert "*Sec. 18*".

Amendment No. 34

In line 2 of the title of the printed bill, strike out "to add Sec."; and in line 3 of said title, strike out "tion 7651 to and to amend Sections".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1950—An act to amend Sections 7100, 7101, 7103, 7104, 7105, 7110 of, and to add Sections 7025 and 7113 to, the Health and Safety Code, relating to the disposition and autopsy of human remains.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 3 of the printed bill, following line 40, insert "SEC. 9. Section 10375 of the Health and Safety Code is hereby amended to read as follows:

10375. The certificate of death shall contain the following items, and such other items as the department may designate:

(1) Full name of decedent. If an unnamed child the surname preceded by "Unnamed."

(2a) Place of death, including State, county, and township, village or city. If in a city, the street and house number; if in a hospital or other institution, its name shall be given instead of the street and house number; if an industrial camp, the name of the camp shall be given.

(2b) Length of residence; (a) in place of death; (b) in California; (c) in the United States if of foreign birth.

(3) Usual residence of deceased, including State, county, and township, village or city, and if a city, the street and house number.

(4) Sex.

(5) Color or race.

- (6a) Conjugal condition—as single, married, widowed or divorced.
- (6b) Name of husband or wife.
- (7) Date of birth, including the year, month, and day.
- (8) Age, in years, months and days. If less than one day, the hours and minutes.
- (9) Birthplace; at least State or foreign country, if known.
- (10) The occupation of any person, male or female, who had any remunerative employment shall be reported, with the statement of trade, profession or particular kind of work.
- (11) General industry or business in which work was done.
- (12) Full name of father.
- (13) Birthplace of father; at least State or foreign country, if known.
- (14) Maiden name of mother.
- (15) Birthplace of mother; at least State or foreign country, if known.
- (16) Name and address of informant.
- (17) Whether burial in ground, entombment, cremation or removal; and date of such interment.
- (18) Name and license number of embalmer; name and address of funeral director, or person acting as such.
- (19) Official signature of registrar, with date when certificate was filed; registered number.
- (20) Date of death; year, month and day.
- (21) Certification as to medical attendance on decedent, fact and time of death, time last seen alive, and the cause of death, with contributory (secondary) cause of complication, if any, and date of onset or duration of each.
- (22) Certification as to action of the coroner when compelled to act by law, stating kind of action taken, whether inquest, autopsy or inquiry, and the fact and cause of death.
- (23a) If death is due to accidental or violent means, it shall be stated as to whether accident, suicide or homicide; date of injury, place of injury; whether in home, industry or public place; manner and nature of injury.
- (23b) Whether or not disease or injury is related to occupation.
- (24) Signature and address of attending physician, or the signature of the coroner, with the statement of the county of which he is an officer."

Amendment No. 2

In line 1 of the title of the printed bill, after "7110", insert "and 10735".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 542—An act to add Chapter 17 comprising Sections 9000 to 9023, inclusive, to Division 3 of the Business and Professions Code, relating to licensing and control of tax counselors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 24, of the printed bill, after "employees", insert "or agents".

Amendment No. 2

On page 1, line 25, of said bill, after "governments", insert "engaged in tax work".

Amendment No. 3

On page 1, line 26, of said bill, after "employees", insert "or agents, to former employees or agents of such governments who were engaged in tax work for such governments".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 8, 1943

MR SPEAKER: I am directed to inform your honorable body that the Senate on April 8, 1943, adopted the report of the Committee on Conference concerning:

Senate Bill No. 465—An act to add Sections 89.5, 89.6, 89.7 and 89.8 to the Agricultural Code, relating to the powers and duties of district agricultural associations, and the use of county fair property and declaring the urgency thereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SECOND READING OF SENATE BILLS

Senate Bill No. 133—An act to amend Section 4267 of the Political Code, relating to compensation for public services in counties of the thirty-eighth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 499—An act to amend Section 202 of the Welfare and Institutions Code, relating to county contracts for hospital care and services.

Bill read second time, and ordered to third reading.

Senate Bill No. 227—An act to amend Section 6361 of the Business and Professions Code, relating to provision of library quarters for law libraries, by counties, by defining such provision.

Bill read second time, and ordered to third reading.

Senate Bill No. 959—An act to amend Section 4280 of the Political Code, relating to the compensation of public personnel.

Bill read second time, and ordered to third reading.

Senate Bill No. 451—An act to add Section 249 to, and to amend Sections 250, 257, and 268 of the Health and Safety Code, relating to services for physically handicapped children, providing for receipt and administration of Federal funds, providing for cooperation with the Federal Government.

Bill read second time, and ordered to third reading.

Senate Bill No. 135—An act to add Chapter 3, comprising Section 2650, to Division 4 of the Welfare and Institutions Code, to repeal certain laws and parts of laws therein specified, relating to relief and public assistance due to and caused by unemployment, abolishing the State Relief Administration, the State Relief Commission and the Office of State Relief Administrator, providing for the disposition of the properties thereof, and prohibiting the expenditure of money for certain purposes.

Bill read second time, and ordered to third reading.

Senate Bill No. 315—An act to amend Sections 105 and 106 of the Welfare and Institutions Code, relating to the Director of Social Welfare, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 506—An act to add Section 156.1 to the Welfare and Institutions Code, relating to travel expenditures by the Department of Institutions.

Bill read second time, and ordered to third reading.

Senate Bill No. 512—An act to provide for the disposal of certain real property of the State in Sonoma County and for the disposition of the proceeds of such sale.

Bill read second time, and ordered to third reading.

Senate Bill No. 563—An act to amend Section 675 of the Political Code, relating to the powers of the Director of Finance.

Bill read second time, and ordered to third reading.

Senate Bill No. 649—An act granting to the County of Sonoma certain lands of the State of California located in the County of Sonoma, upon certain trusts and conditions.

Bill read second time, and ordered to third reading.

Senate Bill No. 808—An act to abolish the Waste Utilization Commission and to provide for the transfer of its property, powers, and duties to the Department of Agriculture, and to repeal certain acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 299—An act to amend Section 328b of the Civil Code, relating to the transfer by trustees.

Bill read second time, and ordered to third reading.

Senate Bill No. 562—An act to amend Section 50 $\frac{1}{4}$ of the Public Utilities Act, relating to fees for applications for certificates of public convenience and necessity.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Utilities, Manufacturing, and Corporations:

Amendment No. 1

On page 2, line 50, of the printed bill, after "operating", insert "in the immediate vicinity".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 726—An act to amend Section 4041.11 of the Political Code, relating to control of dogs and predatory animals.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "1041 11", and insert "4041 11".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 613—An act to provide for the final liquidation of the State Land Settlement, for the disposition by the State of all real and personal property and funds owned or held by the State in connection therewith, and to repeal the Land Settlement Act, an act entitled "An act authorizing the Department of Finance to manage, administer, or dispose of certain real and personal property owned by the State of California at Delhi State Lands Settlement, and acquired through trade of property at Delhi State Lands Settlement," approved July 22, 1939, and Sections 361e, 361f, 361g, 361h, 361i, 690a, 690b, 690c and 690d of the Political Code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "either with or without".

Amendment No. 2

On page 1, line 12, of said bill, strike out "in such lands, for cash at", and insert "including oil and gas in such lands, and reserving to the State or persons authorized to do so by the State the right to prospect for, extract and remove, said minerals, oil and gas therefrom, for cash at".

Amendment No. 3

On page 1, line 8, of the printed bill, as amended, strike out "Stanislaus", and insert "Merced".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 765—An act to amend Section 70 of and to add Sections 70.1 and 70.2 to the Streets and Highways Code, relating to the California Highway Commission and providing for the organization thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 12, of the printed bill, following "duties", insert "and a per diem of fifteen dollars (\$15) per day while in attendance at the meetings of the commission".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 535—An act to amend Section 540 of the Political Code, relating to State printing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 540", and insert "Sections 528 and 540".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 28, insert

"SEC. 2. Section 528 of said code is amended to read:

528. 1. There must be printed of the laws of each session of the Legislature, [two thousand two hundred fifty] *one thousand eight hundred* copies in English, to be deposited with the Secretary of State, who, after retaining a sufficient number of said volumes for distribution, in accordance with the provisions of Section 410 of the Political Code, shall sell the remaining copies at a price to be approved by the State Board of Control, who may authorize the Superintendent of Printing to compile and print any number of additional copies; the moneys thus received to be paid into the State treasury at the end of each month. Whenever any bill, joint or concurrent resolution is passed to enrollment, by either the Senate or Assembly, the committee on enrollment of the house, in which the bill, joint or concurrent resolution originated, shall transmit the same, without delay, to the Superintendent of State Printing, who shall receipt for all such bills and resolutions, and proceed at once to have the same printed, in the order in which received, in the measure prescribed by law for the Statutes. So soon as printed, one copy, with proper blanks for the signatures of the officers whose duty it is to sign enrolled bills, shall be printed on bond paper, which, together with the engrossed bill, shall be sent to the

committee on enrollment of the house in which the bill originated. Said committee shall compare such copy with the engrossed bill, and if it is found to be correct shall present it to the proper officers for their signatures. When such officials shall have signed their names, thereon, as required by law, it shall be an enrolled bill, and shall be transmitted to the Governor for his approval. If the same is signed by the Governor and becomes a law, the printed law shall go to the Secretary of State and become the official record.

2. Whenever a law is signed by the Governor, official notice shall be forwarded, in writing, to the Superintendent of State Printing of the fact. Upon the receipt of said official notice, the Superintendent of State Printing shall cause to be printed, for the use of the Legislature, 240 copies of said law, joint or concurrent resolution, to be distributed, one-third to the Senate and two-thirds to the Assembly, the Sergeant-at-Arms of the respective houses to receipt to the Superintendent of State Printing for the same, whose receipt shall be a proper voucher for the work. He shall also cause to be printed the requisite number of sheets to make the number of copies of the Statutes required by law to be printed, the one composition of type to answer the purpose of printing the three editions.

The Superintendent of State Printing shall have the laws, Journals of Senate and Assembly, and the Appendices thereto, properly indexed and bound, the laws in law buckram binding, and deliver the same to the Secretary of State for distribution as soon as practical after the final adjournment of the Legislature, and the receipt of the Secretary of State shall be his voucher therefor."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 338—An act to amend Section 227 of, and to add Section 227aa to, the Civil Code, relating to adoption by a stepparent.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "by a stepparent".

Amendment read and adopted.

Bill ordered reprinted and to third reading.

Senate Bill No. 280—An act to add Section 68 to the Code of Civil Procedure, relating to State officers, including judges of the superior court, and providing for the rights of such officers after service in the armed forces, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "68 to the Code of Civil Procedure", and insert "395.3 to the Military and Veterans Code".

Amendment No. 2

In line 2 of the title of said bill, strike out "State officers, including judges of the superior court", and insert "public officers and employees".

Amendment No. 3

In line 3 of the title of said bill, after "officers", insert "and employees".

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert "SECTION 1 Section 395.3 is added to the Military and Veterans Code, to read: 395.3. In the event that any public officer or employee has resigned or resigns his office or employment to serve or to continue to serve in the armed forces of the United States or in the armed forces of this State, he shall have a right to return to and reenter the office or employment prior to the time at which his term of office or his employment would have ended if he had not resigned, on serving a written

notice to that effect upon the authorized appointing power, or if there is no authorized appointing power, upon the officer or agency having power to fill a vacancy in the office or employment, within six months of the termination of his active service with the armed forces.

As used in this section, "public officers and employees" includes all of the following:

- (a) Members of the Senate and of the Assembly.
- (b) Justices of the Supreme Court and the district courts of appeal, judges of the superior courts and of the municipal courts, and all other judicial officers.
- (c) All other State officers and employees, whether or not within the State civil service, including all officers for whose selection and term of office provision is made in the Constitution and laws of this State.
- (d) All officers and employees of any county, city and county, city, township, district, political subdivision, authority, commission, board, or other public agency within this State.

The right of reentry into public office or employment provided for in this section shall include the right to be restored to such civil service status as the officer or employee would have had if he had not so resigned; and no other person shall acquire civil service status in the same position so as to deprive such officer or employee of his right to restoration as provided for herein.

This section shall be retroactively applied to extend the right of reentry into public office or employment to public officers and employees who resigned prior to its effective date.

This section does not apply to any public officer or employee to whom the right to reenter public office or employment after service in the armed forces has been granted by any other provision of law.

If any provision of this section, or the application of this section to any person or circumstance, is held invalid, the remainder of this section, or the application of this section to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby."

Amendment No. 5

On page 1 of said bill, strike out line 23, and insert "service. Many public officers and employees have resigned their offices and employments to serve".

Amendment No. 6

On page 2, line 2, of said bill, after "officers", insert "and employees".

Amendment No. 7

On page 2, line 3, of said bill, after "office", insert "or employment".

Amendments read and adopted

Bill ordered reprinted, and to third reading

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. George D. Collins:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 5705 of the Labor Code, relating to affirmative defenses in compensation cases

Respectfully submitted.

GEORGE D. COLLINS

Request referred to Committee on Legislative Procedure.

By Mr. Brown:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 421 to the Penal Code, relating to spying on the business operations of manufacturers, merchant, motion picture theater operators and others.

Respectfully submitted.

RALPH BROWN

Request referred to Committee on Legislative Procedure.

By Mr. Gaffney :

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to establish the Victory Bond Fund, making an appropriation to and providing for the investment and expenditure of such fund, declaring the urgency of this act, to take effect immediately.

Respectfully submitted.

EDWARD M. GAFFNEY

Request referred to Committee on Legislative Procedure.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 465

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 993
Senate Bill No. 113
Senate Bill No. 745
Senate Bill No. 886
Senate Bill No. 497

Senate Bill No. 405
Senate Bill No. 614
Senate Bill No. 748
Senate Bill No. 468

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 552
Senate Bill No. 63
Senate Bill No. 588

Senate Bill No. 490
Senate Bill No. 58
Senate Bill No. 667

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 993—An act to amend Section 6 and to repeal Sections 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87 and 88 of, and to add Sections 75, 76, 77, 78, 79, 80, 81, 82 and 83 to the Unemployment Insurance Act, relating to the administration thereof, creating the California Employment Stabilization Commission and the California Unemployment Insurance Appeals Board and abolishing the California Employment Commission.

Referred to Committee on Finance and Insurance.

Senate Bill No. 113—An act to amend Section 3.324 of the School Code and to amend Section 8730 of the Education Code, relating to taxation in elementary school districts.

Referred to Committee on Education

Senate Bill No. 745—An act to add Section 59.5 to the State Civil Service Act, providing for the creation of a clerical pool to make available clerical services to all State appointing powers.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 836—An act to convey the Solano Monument lands, whose use for a monument has been abandoned, to the contributors of the purchase price.

Referred to Committee on Ways and Means.

Senate Bill No. 497—An act to add Sections 3e, 3f, 38f, 38g, 101b, 101c, 103a and 114 to, and to amend Sections 8, 9, 28, 28a, 38c, 38e, 46, 47, 49, 51, 58b, 84, 85, 90, 92, 94, 100, 101 and 111 of, the State Employees' Retirement Act, relating to a retirement system for public officers and employees.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 405—An act to add Section 675b to the Political Code, relating to the approval of contracts by the Department of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 614—An act to amend Section 675.1 of the Political Code, relating to the approval of salaries by the Department of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 748—An act to amend Section 689.5 of the Political Code, relating to the Service Revolving Fund.

Referred to Committee on Ways and Means.

Senate Bill No. 468—An act to amend an act entitled "An act providing for the joint exercise of powers by counties, by municipalities, or by municipalities and counties, approved May 20, 1921," by amending the title and Section 1 thereof to extend the provisions of the act to other public agencies including the Federal Government, the State, a county, city and county, city, public corporation, municipal corporation and public district, and defining public agencies.

Referred to Committee on Municipal and County Government.

Senate Bill No. 552—An act to add Sections 5002.5 and 5002.6 to the Elections Code, making it a misdemeanor for any candidate seeking election or reelection to any office, board or agency authorized to issue licenses, or any officer, employee or appointee of such office, board or agency, to solicit or receive from persons holding licenses issued by said office, board or agency, any money or other thing of value for any political campaign for election or reelection to such office, board or agency, and making it a misdemeanor for any licensee or holder of a license to contribute or give money or any other thing of value for any such political campaign.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 63—An act to amend Section 737kk of the Political Code, relating to the salary of superior judges in and for the County of San Diego.

Referred to Committee on Judiciary.

Senate Bill No. 588—An act to add Section 12.5 to the Water Conservation Act of 1929, relating to the offices of the directors of water conservation districts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 490—An act to add Section 4307.1 to the Political Code, relating to county charges.

Referred to Committee on Municipal and County Government.

Senate Bill No. 58—An act to add Section 5.3 to the Metropolitan Water District Act, relating to contracts for transportation of water.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 667—An act to amend Section 4238 of the Political Code, relating to compensation for public services in counties of the ninth class.

Referred to Committee on Municipal and County Government.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 125

Assembly Bill No. 458

Assembly Bill No. 472

Assembly Bill No. 583

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 211

Assembly Bill No. 407

Assembly Bill No. 487

Assembly Bill No. 854

Assembly Bill No. 898

Assembly Bill No. 1068

Assembly Bill No. 1104

Assembly Bill No. 1794

Assembly Bill No. 1947

Assembly Bill No. 1953

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

CHIEF CLERK INSTRUCTED TO WRITE LETTERS OF THANKS

Mr. Maloney moved that the Chief Clerk be instructed to write letters to the Navy Mother's Club, the 20-30 Club of Sacramento, and the Sacramento Chamber of Commerce thanking them for their participation in the program honoring Mr. and Mrs. Thomas Sullivan and their daughter.

UNFINISHED BUSINESS

Consideration of Governor's Veto

Assembly Bill No. 706—An act to amend Section 1066 of, and to add Section 1066.5 to, the Agricultural Code, relative to economic poisons and thallium salts.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 706 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Robertson—1

NOES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Collins, Sam L., Crichton, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Thompson, Waters, Watson, Werdel, Weybret, and Mr. Speaker—49.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Senate Bill No. 896.

Assembly Bill No. 50.

Assembly Bill No. 343.

MOTIONS TO CONTINUE CONSIDERATION OF GOVERNOR'S VETO

Mr. Fourt moved that consideration of the Governor's veto to Assembly Bills Nos. 455 and 464 be continued until April 12, 1943.

Motion carried.

Mr. Waters moved that consideration of the Governor's veto to Assembly Bill No. 290 be continued until April 19, 1943.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1113—An act to add Sections 1521.5, 2166, 3047.5 and 3448 to the Welfare and Institutions Code, relating to the property of persons receiving public assistance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Collins, Sam L., Crichton, Crowley, Dickey, Dills, Ralph C., Dove, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1114—An act to repeal Section 1600 of the Welfare and Institutions Code, relating to the publishing of names of children in orphan asylums.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1115—An act to add Sections 2143, 3092, and 3463 to the Welfare and Institutions Code, relating to disputes between counties as to responsibility under the public assistance laws.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 70—An act to amend Section 21.5 of the Municipal Court Act of 1925, relating to mileage of judges of the municipal court in any city or city and county of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 911—An act making an appropriation for administrative expenses of the Department of Social Welfare, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 911?

Amendment No. 1

On page 1, lines 2 and 3, of the printed bill, as amended, strike out "seventy-two thousand five hundred dollars".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 911 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 911 ordered enrolled.

WITHDRAWAL OF ASSEMBLY BILL NO. 263 FROM INACTIVE FILE BY UNANIMOUS CONSENT

Mr. Kilpatrick asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 85 from the inactive file for purpose of amendment, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 85

Assembly Bill No. 85—An act to add Section 2504.5 to the Welfare and Institutions Code, relating to county aid and relief to indigents.

Bill read third time.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, after line 15, insert
 "Nothing in this section shall be construed to require any county to furnish medical or surgical care or treatment to any person at any place other than a public clinic, public hospital, or other public institution."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1353—An act defining, prohibiting, and prescribing the penalties for the commission of certain fraudulent and unfair trade practices in connection with the sale of merchandise.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Dickey, Dills, Ralph C., Doyle, Dunn, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 330—An act to amend Section 42 of the Probate Code, relating to exemptions from restrictions on devises or bequests.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 55—An act to amend Section 4 of the California Water Storage District Act, relating to giving of notice of proposed organization of a water storage district to landowners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier,

Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1392—An act to amend Sections 6301, 6321, and 6502, to amend and renumber Sections 6443 and 6444 of and to add Section 6443 to, the Public Resources Code, relating to leases or exchanges of land by the State Lands Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L. Crichton, Crowley, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 717—An act to amend Sections 22727, 22728, 22729, and 22730 of the Water Code and Sections 2 and 3 of the act entitled "An act relating to the liability of irrigation districts, their officers and employees," approved July 20, 1935, relating to filing of verified claims with the officers, employees and secretary of the board of directors of irrigation districts as a condition precedent to the filing or maintaining of actions against irrigation districts, their officers and employees and the payment of claims.

Bill read third time

Motion to Amend

Mr. O'Day moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend", and insert "repeal".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "Sections 2 and 3 of".

Amendment No. 3

In line 5 of the title of said bill, strike out "filing of verified claims"; and strike out all of lines 6 and 7 of said title

Amendment No. 4

On page 1, line 1, of said bill, strike out "Section 2 of the", and insert "The".

Amendment No. 5

On page 1 of said bill, between lines 1 and 2, insert "repealed"
SEC. 2. Sections 22727, 22728, 22729 and 22730 of the Water Code are repealed"

Amendment No. 6

On page 1 of said bill, strike out lines 2 to 18, inclusive; and on page 2, strike out all of lines 1 to 50, and insert

"SEC. 3. The liability of irrigation districts shall be governed by the law applicable to liability of private persons or corporations"

Amendments read.

Roll Call Demanded

Messrs Doyle, Heisinger, and Johnson demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote.

AYES—Anderson, Berry, Brady, Collins, George D., Crichton, Crowley, Debs, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, Knight, T. Fenton;

Lyons, Maloney, Massion, McCollister, McMillan, O'Day, Sheridan, Thompson, Waters, Weber, and Wollenberg—25.

NOES—Allen, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Call, Carlson, Clarke, Collins, Sam L., Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, Kraft, Leonard, Lowrey, Miller, Pelletier, Potter, Price, Rosenthal, Smith, Stream, Thomas, Thorp, Watson, Werdel, Weybret, and Mr. Speaker—41

The question being on the passage of Assembly Bill No. 717.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, King, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Weber asked for, and was granted, unanimous consent to pin certain air maps on the wall in the rear of the Assembly Chamber.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1247—An act to amend Section 25301 of the Water Code, relating to bonds of irrigation districts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

RECONSIDERATION OF ASSEMBLY BILL NO. 283

In compliance with a notice given on a previous day, Mr. Lowrey moved that the vote whereby Assembly Bill No. 283 was passed be reconsidered.

Demand for Previous Question

Messrs. Robertson, Anderson, Allen, McMillan, and Evans demanded the previous question.

Demand for previous question sustained.

The question being on reconsideration of Assembly Bill No. 283.

The roll was called, and reconsideration refused by the following vote:

AYES—Bashore, Beck, Call, Carlson, Clarke, Collins, Sam L., Crichton, Dickey, Dills, Ralph C., Erwin, Evans, Fourn, Gannon, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Miller, Potter, Smith, Weybret, and Wollenberg—23.

NOES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Collins, George D., Crowley, Debs, Desmond, Doyle, Dunn, Field,

Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Lyons, Maloney, Massion, McMillan, Middough, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Mr. Speaker—45.

Bill ordered transmitted to the Senate.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 1958 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Bennett moved that Assembly Bill No. 1958 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

Demand for Previous Question

Messrs. Werdel, Dunn, Kraft, Crichton, and Heisinger demanded the previous question.

The roll was called, and demand for the previous question sustained by the following vote:

AYES—Armstrong, Bashore, Berry, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Dickey, Dilworth, Doyle, Dunn, Erwin, Fourt, Guthrie, Heisinger, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, McCollister, Miller, Price, Sawallisch, Sheridan, Stream, Thorp, Watson, Weber, Werdel, Weybret, and Mr. Speaker—37.

NOES—Allen, Anderson, Beck, Bennett, Brady, Brown, Burkhalter, Collins, George D. Debs, Denny, Dills, Ralph C., Evans, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Hollibaugh, Kilpatrick, King, Lyons, Maloney, Massion, Middough, O'Day, Pelletier, Potter, Rosenthal, Sargent, Smith, Thomas, Thompson, Waters, and Wollenberg—34.

The question being on the motion by Mr. Bennett that Assembly Bill No. 1958 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bennett moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Brady, Burkhalter, Clarke, Collins, George D., Debs, Desmond, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Gaffney, Hawkins, Hollibaugh, Kilpatrick, King, Knight, John B., Lyons, Maloney, Massion, McMillan, Middough, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Smith, Thomas, and Thorp—35.

NOES—Armstrong, Berry, Burns, Call, Carey, Carlson, Crichton, Denny, Dickey, Dunn, Gannon, Haggerty, Hastain, Heisinger, Johnson, Kellems, Knight, T. Fenton; Kraft, Leonard, McCollister, Miller, Potter, Price, Sheridan, Stream, Thompson, Waters, Weber, Werdel, Weybret, and Wollenberg—32.

Time, 11.37 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

WITHDRAWAL OF ASSEMBLY BILL NO. 1759 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Sawallisch asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1759 from the Committee on Judiciary for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1759

Assembly Bill No. 1759—An act to amend Section 1 of the Judges' Retirement Act, and to amend Sections 2, 4 and 4.5 of the Judges' Retirement Fund Act, relating to retirement of judges.

Bill read second time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 8, of the printed bill, strike out "if he"; and strike out lines 9 to 12, inclusive; and in line 13, strike out "during the 15- or 24- year period".

Amendment No. 2

On page 2 of said bill, strike out lines 31 to 50, inclusive; and on page 3, strike out lines 1 to 9, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1803—An act to amend Sections 132, 5901 and 5931 of the Elections Code, relating to absentee registration and voting of members of the armed forces of the United States, or any auxiliary branch thereof.

Bill read third time.

Motion to Amend

Mr. O'Day moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 5931 of", and insert "5931 and 5932 of, and to add Sections 5912, 5933 and 5934 to".

Amendment No. 2

On page 2 of said bill, between lines 17 and 18, insert

"SEC. 2.5. Section 5912 is added to said code, to read:

5912. Not later than 30 days before any election, the Secretary of State shall cause to be delivered to the commanding officer of every camp, post, fort, reservation, or other military establishment in which he believes there are voters of this State who are members of the armed forces of the United States or any auxiliary branch thereof, at least twice as many absent voters' ballots, identification envelopes and return envelopes as there are absent voters therein. These ballots, identification envelopes and return envelopes shall have stamped or printed thereon the words "War Ballots".

If for any cause, there is an insufficient number of official ballots and envelopes, unofficial ballots and envelopes, as nearly as possible in the official form, may be used."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, after line 47, insert

"SEC. 4. Section 5932 of said code is amended to read:

5932. All ballots cast under the provisions of this chapter shall, in order that they may be counted, be received by the clerk from whom they were received within [six] 14 days after the date of the election in which they are to be counted.

SEC. 5. Section 5933 is added to said code, to read:

5933. Each absent voter's ballot and identification envelope designated as a "War Ballot" shall be returned to the Secretary of State who shall cause it to

be sent to the clerk of the county of the absent voter's residence, as designated in the affidavit on the envelope of identification.

SEC. 6. Section 5934 is added to said code, to read:

5934 After an absent voter's ballot and identification envelope designated as a "War Ballot" has been received, the clerk receiving it shall compare the signature and place of residence stated in the affidavit on the identification envelope with those upon the original affidavit of registration. If it appears that the signature and place of residence stated are the same in both affidavits, the absent voter's ballot designated as a "War Ballot" shall be counted."

Amendments read and adopted.

Bill ordered reprinted and re-grossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1058 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. McCollister asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1058 from the Committee on Revenue and Taxation for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1058

Assembly Bill No. 1058—An act to amend Sections 7454, 7457, 7701, 7702, 7703 and 7704 of the Revenue and Taxation Code, relating to the collection of the motor vehicle fuel license tax.

Bill read second time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "7, 7305, 7306, 7307, 7308, 7351, 7352, 7353, 7401".

Amendment No. 2

In line 1 of the title of the printed bill, after "7457", insert "7481, 7485, 7493, 7507, 7508, 7651, 7652".

Amendment No. 3

In line 1 of the title of the printed bill, after "7703", strike out "and", and insert a comma.

Amendment No. 4

In line 2 of the title of the printed bill, after "7704", insert "7727, 7728, 7730, 7891, 7892, 7895, 7934, 7935, 7981, 8191, 8253, 8303, 8304, 8306, 8403, and 50007".

Amendment No. 5

In line 2 of the title of the printed bill, after "Code," insert "to add Sections 28, 7407, 7660, 7661, 7662, 7663, 7698, 7699, 7700, 7706, 8193, 8194, to amend the headings of Articles 1, 2, and 3 of Chapter 5 of Part 2 of Division 2, and of Article 5 of Chapter 7 of said part, to add Article 2.5 consisting of Sections 7670 to 7675, inclusive, and Article 3.5 consisting of Sections 7710 to 7716, inclusive, to Chapter 5 of said part, and to repeal Sections 7653, 7654, 7676, 7677, and 7678 of said code."

Amendment No. 6

In line 3 of the title of the printed bill before "collection", insert "scope of, returns under, payments under, administration of, and".

Amendment No. 7

In line 3 of the title of the printed bill, after "tax", insert "and providing that this act shall take effect immediately."

Amendment No. 8

On page 1, line 1, of the printed bill, strike out "7454", and insert "7".

Amendment No. 9

On page 1 of the printed bill, between lines 2 and 3, insert

"7. Whenever a power is granted to, or a duty imposed on, any person or board by any provision of this code, it may be exercised or performed by any deputy or person authorized by [him] *the person or board to whom the power is granted or on whom the duty is imposed*, unless it is expressly provided that [it] *the power or duty shall be exercised [in person] or performed only by the person or board to whom the power is granted or on whom the duty is imposed*.

SEC. 2. Section 7305 of the Revenue and Taxation Code is hereby amended to read as follows:

7305. "Distribution" includes any of the following:

(a) The refining, manufacturing, producing, blending, or compounding of motor vehicle fuel in this State, and the sale, donation, consignment for sale, barter, or use of the fuel in this State.

(b) The importing of motor vehicle fuel into this State, and the sale, donation, consignment for sale, barter, or use of the fuel in this State *unless the State is prohibited by the Constitution or laws of the United States from imposing a tax with respect to such sale, donation, consignment of sale, barter or use* [whether in the original package or container in which imported or otherwise].

(c) The [acquiring] *receiving in this State* of motor vehicle fuel [in this State in the original package or container in which it was imported,] *with respect to which there has been no prior taxable distribution* and the sale, donation, consignment for sale, barter, or use of the fuel in this State [whether in the original package or container in which imported or otherwise].

"Distribution" does not include the exchange of motor vehicle fuel for motor vehicle fuel, gallon for gallon, with another duly licensed distributor of motor vehicle fuel.]

SEC. 3. Section 7306 of the Revenue and Taxation Code is hereby amended to read as follows:

7306. "Distributor" includes every person who, within the meaning of the term "distribution" as defined in this chapter, distributes motor vehicle fuel *and also includes every person who refines, manufactures, produces, blends or compounds motor vehicle fuel in this State and every person who imports motor vehicle fuel into this State or who receives in this State motor vehicle fuel of which there has been no prior taxable distribution*.

SEC. 4. Section 7307 of the Revenue and Taxation Code is hereby amended to read as follows:

7307. "Producer" includes every person, other than a distributor, engaged in the business of producing or manufacturing *kerosene distillate, kerosene, diesel fuel, gas oil, stove oil, distillate* or any other petroleum product used in, or which may be used in, the blending, compounding, or manufacturing of motor vehicle fuel. "Producer" *does not include a person whose business with respect to petroleum products is confined to the production, purchase or sale of crude oil which it is necessary to refine before it may be used in such blending, compounding, or manufacturing [is not a petroleum product within the meaning of this definition]*.

SEC. 5. Section 7308 of the Revenue and Taxation Code is hereby amended to read as follows:

7308. "Broker" includes every person, other than a distributor, dealing, either as the owner or as the agent of another, in motor vehicle fuel, *kerosene distillate, kerosene, diesel fuel, gas oil, stove oil, distillate* or any other petroleum product used in, or which may be used in, the blending, compounding, or manufacturing of motor vehicle fuel. "Broker" does not include anyone dealing in such fuel or product only in quantities of less than 200 gallons *nor a person whose business with respect to petroleum products is confined to the dealing in crude oil which it is necessary to refine before it may be used in such blending, compounding, or manufacturing [is not a petroleum product within the meaning of this definition]*.

SEC. 6. Section 7351 of the Revenue and Taxation Code is hereby amended to read as follows:

7351. For the privilege of distributing motor vehicle fuel a license tax is hereby imposed upon distributors at the rate of three cents (\$.03) for each gallon of fuel distributed by them in this State[.]. [except that no tax shall be paid in respect to the following distributions:

(a) The sale, donation, consignment for sale, barter, or use by a distributor of motor vehicle fuel, imported into this State by the distributor, in the original package or container in which it was imported.

(b) The sale, donation, consignment for sale, barter, or use by a distributor of motor vehicle fuel, acquired in its original package or container by the distributor after its importation into this State, in its original package or container.]

SEC. 7. Section 7352 of the Revenue and Taxation Code is hereby amended to read as follows:

7352. For the purpose of the proper administration of this part and to prevent evasion of the license tax, unless the contrary is established, it shall be presumed that[:

(a) All motor vehicle fuel sold, donated, consigned for sale, bartered, or used has been distributed.

(b) All motor vehicle fuel refined, manufactured, produced, blended, or compounded in this State or imported into this State and no longer in the possession of the distributor has been distributed. *This presumption can not be overcome by proof that the motor vehicle fuel has been converted to his own use by any person to whom the distributor has entrusted the control or possession of the fuel either as bailee, consignee, employee, or agent.*

SEC. 8. Section 7353 of the Revenue and Taxation Code is hereby amended to read as follows:

7353. [Under such regulations as the board may prescribe, sales and other deliveries of natural gasoline may be made to a duly licensed distributor free of tax.] *Upon revocation or cancellation of the license of the distributor or his cessation of business, all motor vehicle fuel remaining in his possession or ownership shall be deemed distributed and subject to jeopardy assessment as provided in Section 7698 if, in the judgment of the board, this is necessary to insure payment of the tax with respect to distribution of such fuel.*

SEC. 9. Section 7401 of the Revenue and Taxation Code is hereby amended to read as follows:

7401. The provisions of this part requiring the payment of license taxes do not apply to any of the following:

(a) [Motor vehicle fuel imported into this State in interstate or foreign commerce and intended to be sold in the original and unbroken tank cars or other original containers and so sold while it is in interstate or foreign commerce.] *Natural gasoline sold to a duly licensed distributor under such regulations as the board may prescribe.*

(b) Motor vehicle fuel exported from this State by the distributor or delivered by the distributor to any vessel clearing from a port of this State for a port outside of this State and actually exported from this State in the vessel.

(c) Motor vehicle fuel sold for the exclusive use of the United States to the United States or any [department] agency or any instrumentality thereof [for official use], *but this exemption shall not apply to any corporate agency or corporate instrumentality unless wholly owned by the United States or by a corporation wholly owned by the United States.*

(d) *Motor vehicle fuel sold to a distributor who has furnished bond and security in the maximum amount prescribed by Section 7454 and who has established to the satisfaction of the board that this bond together with property to which the lien imposed by Section 7871 attaches, is sufficient security to assure payment of all license taxes as they may become due to the State from him under this part.*

Every distributor claiming an exemption shall report the exports or sales to the board in such detail as the board may require; otherwise the exemption granted in this section shall be null and void and all the fuel shall be considered distributed in this State subject fully to the provisions of this part.

SEC. 10. Section 7454 of the Revenue and Taxation Code is hereby amended to read as follows:—

Amendment No. 10

On page 1, line 20, of the printed bill, after "SEC.", strike out "2", and insert "11".

Amendment No. 11

On page 1, line 24, of the printed bill, insert

"SEC. 12. Section 7481 of the Revenue and Taxation Code is hereby amended to read as follows:

7481. Every person before becoming a producer or broker shall apply for a license on forms prescribed by the board. Each application shall be accompanied by a license fee of ten dollars (\$10) payable to the board. *It is unlawful for any person to be a producer or broker without first securing a license.*

SEC. 13. Section 7485 of the Revenue and Taxation Code is hereby amended to read as follows:

7485. *If any person shall become a producer or broker without first securing a license or if any producer or broker fails to apply for the license required and to pay the fee specified prior to January 1st of each year, a penalty of 25 per cent of the fee shall be added thereto on account of the delinquency.*

SEC. 14. Section 7493 of the Revenue and Taxation Code is hereby amended to read as follows:

7493. The notice may be served personally or by mail. If by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure and shall be addressed to the applicant at his address as it appears in the records of the board, *but the service shall be deemed complete at the time of the deposit of the notice in the mail without extension of time on account of the distance between the place of deposit and the place of address.*

SEC. 15. Section 7507 of the Revenue and Taxation Code is hereby amended to read as follows:

7507. Before revoking any license the board shall [send notice by registered mail to] *notify* the licensee [at his last known address ordering him] to show cause [before

the board at Sacramento or such other place in this State as the board may designate, at a time not less than] *within 10 days after [the mailing of] the notice is given*, why his license should not be revoked *The notice may be served as prescribed by Section 7493.*

SEC. 16. Section 7508 of the Revenue and Taxation Code is hereby amended to read as follows:

7508. *The board may cancel any license issued under this part immediately upon surrender thereof but before revoking a license the board shall allow the distributor, producer, or broker an opportunity to [be heard pursuant to the notice] show cause as provided in Section 7507.*

SEC. 17. Section 7651 of the Revenue and Taxation Code is hereby amended to read as follows:

7651. Each distributor shall [on or before the fifteenth day of each month] *prepare and file with the board on forms prescribed by the board a [sworn statement] return verified by oath showing the total number of gallons of motor vehicle fuel distributed by him within this State during [the preceding] each calendar month, or such monthly period ended during that calendar month as [prescribed by] the board [.* The distributor need not report distributions not taxable under this part. The report shall also contain] *may authorize, the amount of license tax due for the month covered by the return, and such other information as the board [may require] deems necessary for the proper administration of this part. The distributor shall file the return on or before the first day of the second calendar month following the monthly period to which it relates, together with a remittance payable to the Controller for the amount of license tax due for that period less whatever amounts may have been paid theretofore for the same period because of returns and payments made on a weekly basis.*

SEC. 18. Section 7652 of the Revenue and Taxation Code is hereby amended to read as follows:

7652. [If any distributor fails, neglects, or refuses to file the report within the time prescribed by this article, the board shall note the failure, neglect, or refusal upon the tax roll provided for in this article. The board shall estimate the motor vehicle fuel distributions of the distributor, shall determine the license tax thereon, and shall add to the license tax a penalty of 15 per cent thereof. The distributor is estopped from complaining of the amount of the estimate.] *Whenever the exemption for which provision is made in Section 7491 is inapplicable because the motor vehicle fuel is not sold for the exclusive use of the United States, the license tax shall be payable with respect to these distributions in such manner and at such time as the laws of the United States may provide. These distributions may be excluded from schedules of taxable sales in the returns of distributors filed under Section 7651, but when the license tax is paid with respect thereto shall be credited to the accounts of the distributors from whom the motor vehicle fuel was obtained and offsetting additional determinations of license tax against these distributors shall be made by the board. These determinations shall not include any penalties or interest."*

Amendment No. 12

On page 1, line 25, of the printed bill, after "SEC.", strike out "3", and insert "19".

Amendment No. 13

On page 1 of the printed bill, strike out all of lines 27 and 28; and on page 2, strike out all of lines 1 to 3, inclusive, and insert

"7701. *In order to minimize the security required of him for the payment of his license tax, subject to such terms and conditions as the board may prescribe, any distributor may undertake to pay [on each Tuesday the] his license tax [accruing on all of his distributions of motor vehicle fuel during the week ending the Saturday next preceding] on a weekly basis. If he does so, the distributor shall be required to file a return each Tuesday showing the total number of gallons of motor vehicle fuel distributed by him during the week ending the Saturday next preceding, the amount of tax due for that week and such other information as the board deems necessary for the proper administration of this article. The return shall be accompanied by a remittance payable to the Controller for the amount of license tax due for the period covered."*

Amendment No. 14

On page 2, line 5, of the printed bill, after "SEC.", strike out "4", and insert "20".

Amendment No. 15

On page 2 of the printed bill, strike out all of lines 7 to 16, both inclusive, and insert "7702. A distributor [undertaking] required to make weekly payments is not relieved of the duty of filing the [sworn] verified monthly [statement] return required by Article 1 of this chapter. The determination of the amount of the tax of any distributor who makes weekly payments shall be shown on the roll prepared under Article 1 of this chapter in the same manner as the determinations of the taxes of other distributors are shown thereon, and the Controller shall apply the payments to the credit of the distributor on the roll for the month during which the distributions covered by the payments were made."

Amendment No. 16

On page 2, line 18, of the printed bill, after "SEC.", strike out "5", and insert "21".

Amendment No. 17

On page 2, line 22, of the printed bill, after "fails", insert "to make a weekly return or".

Amendment No. 18

On page 2, line 29, of the printed bill, after "SEC.", strike out "6", and insert "22".

Amendment No. 19

On page 2, line 31, of the printed bill, after "fails", insert "to make his weekly return or".

Amendment No. 20

On page 2, line 35, of the printed bill, after "payable", strike out the comma, and insert "1", followed by "The board shall thereupon make a jeopardy determination under Section 7698".

Amendment No. 21

On page 2, line 37, of the printed bill, strike out "Chapter", and insert "Chapters 5 and 6".

Amendment No. 22

On page 2, line 38, of the printed bill, strike out "that chapter", and insert "those chapters"

Amendment No. 23

On page 2 of the printed bill, after line 39, insert "SEC. 23. Section 7727 of the Revenue and Taxation Code is hereby amended to read as follows:

7727. The board shall forthwith ascertain as best it may the amount of the distributions [, and the unlicensed distributor is estopped from complaining of the amount so ascertained. The board] and shall determine immediately the license tax on the amount, adding to the license tax a penalty of 100 per cent of the amount of the tax.

SEC. 24 Section 7728 of the Revenue and Taxation Code is hereby amended to read as follows:

7728. The board shall file a [certificate of the] *copy of this jeopardy* determination with the Controller who shall forthwith collect the license tax and penalty due from the unlicensed distributor by seizure and sale of property in the manner prescribed for the collection of a delinquent monthly license tax.

SEC. 25. Section 7730 of the Revenue and Taxation Code is hereby amended to read as follows:

7730. In the suit [the certificate of] a *copy of the jeopardy* determination [made by the board, or copy thereof] certified by the *secretary of the board* or by the Controller, shall be prima facie evidence that the unlicensed distributor is indebted to the State in the amount of the license tax, [and] penalties and interest computed as prescribed by Section 7706 .

SEC. 26 Section 7891 of the Revenue and Taxation Code is hereby amended to read as follows:

7891 Whenever any distributor is delinquent in the payment of the license tax, the Controller or his authorized representative may forthwith collect the license tax due in the following manner: The Controller shall seize any property, real or personal, [used by] of the distributor [in the operation of his business] , and thereafter sell the property, or a sufficient part of it, at public auction to pay the *license* tax due together with any penalties, *interest* [imposed for the delinquency] and any costs incurred on account of the seizure and sale.

SEC. 27. Section 7892 of the Revenue and Taxation Code is hereby amended to read as follows:

7892. Notice of the sale and the time and place thereof shall be given to the delinquent distributor in writing at least 10 days before the date set for the sale. The notice shall be enclosed in an envelope addressed to the distributor at his last known place of business in this State and shall be deposited in the United States Mail, postage prepaid. The notice shall also be published for at least 10 days before the date set for the sale in a newspaper of general circulation published in the county in which the property seized is to be sold. If there is no newspaper of general circulation in the county, notice shall be posted in three public places in the county 10 days prior to the date set for the sale. The notice shall contain a description of the property to be sold, a statement of the amount of the taxes, penalties, *interest* and costs, the name of the distributor, and the further statement that unless the taxes, penalties, *interest* and costs are paid on or before the time fixed in the notice for the sale, the property, or so much of it as may be necessary, will be sold in accordance with law and the notice.

SEC. 28. Section 7895 of the Revenue and Taxation Code is hereby amended to read as follows:

7895. If upon the sale the moneys received exceed the amount of all license taxes, penalties, *interest* and costs due the State from the distributor, the Controller

shall return the excess to the distributor and obtain his receipt. If for any reason the receipt of the distributor is not available, the Controller shall deposit the excess moneys with the State Treasurer, as trustee for the distributor, subject to the order of the distributor, his heirs, successors, or assigns.

SEC. 29. Section 7934 of the Revenue and Taxation Code is hereby amended to read as follows:

7934. The Controller shall distribute the proceeds of the sale in the following order:

- (a) The payment of all expenses of the sale.
- (b) The payment of [taxes and penalties accruing] *all amounts due from the distributor* under this part [which are a lien on the property].
- (c) The remainder to the General Fund of the State.

SEC. 30. Section 7935 of the Revenue and Taxation Code is hereby amended to read as follows:

7935. At the sale the Controller shall deliver to the purchaser a bill of sale for any personal property and a deed for any real property sold. The bill of sale or deed vests title in the purchaser free from any existing lien for [taxes and penalties accruing] *amounts due* under this part.

SEC. 31. Section 7981 of the Revenue and Taxation Code is hereby amended to read as follows:

7981. In any suit brought to enforce the rights of the State under this part [the tax roll] *a copy of the return filed with the board by the distributor, certified by the Secretary of the board, or a copy of the notice of determination prepared by the board and filed with the Controller, [or a copy of so much thereof as is applicable in the suit, duly] certified either by the secretary of the board or the Controller, showing unpaid license taxes, penalties, or interest assessed or determined against any distributor, shall be prima facie evidence of the following:*

(a) The determination of the license tax, the delinquency thereof, and the amount of the license tax, penalties, and [costs] *interest* due and unpaid to the State.

(b) The indebtedness of the distributor to the State in the amount of the license tax, [and] *penalties and interest* therein appearing unpaid.

(c) The full compliance by all persons required to perform administrative duties under this part with all the forms of law in relation to the determination and levy of the license tax, *penalties and interest.*

SEC. 32. Section 8191 of the Revenue and Taxation Code is hereby amended to read as follows:

8191. If examinations of the records of distributors or investigations made by the board disclose that any [reports] *returns* of distributors filed with the board show incorrectly the amount of gallonage of motor vehicle fuel distributed or the tax accruing thereon, the board may make such [changes in subsequent] determinations of the taxes of the distributors as it deems necessary to correct the errors so disclosed. *These determinations shall be made in pursuance of the procedure provided in Chapter 5 of this part.*

SEC. 33. Section 8253 of the Revenue and Taxation Code is hereby amended to read as follows:

8253. The board may make such examinations of the records of distributors, *producers and brokers* and such other investigations as it may deem necessary in carrying out the provisions of this part.

SEC. 34. Section 8303 of the Revenue and Taxation Code is hereby amended to read as follows:

8303. Every producer shall keep an accurate record in such form as the board may prescribe of all manufacture, sales, and deliveries of *kerosene distillate, kerosene, diesel fuel, gas, oil, stove oil, distillate* and any other petroleum product used in, or which may be used in, the blending, compounding, or manufacturing of motor vehicle fuel.

SEC. 35. Section 8304 of the Revenue and Taxation Code is hereby amended to read as follows:

8304. Every broker shall likewise keep an accurate record of all purchases and sales of motor vehicle fuel and petroleum products mentioned in Section 8303, the record to show the vendor [or] *and vendee, the quantity purchased [or] and sold, the correct description of the commodity, and the means of transportation from the vendor to the broker [or] and from the broker to [the] his vendee.*

SEC. 36. Section 8306 of the Revenue and Taxation Code is hereby amended to read as follows:

8306. Upon demand of the board or its representatives [every] *a distributor shall furnish a statement under oath reflecting the contents of any records kept by [them] him with respect to the matters specified [under] in this chapter.*

SEC. 37. Section 8403 of the Revenue and Taxation Code is hereby amended to read as follows:

8403. It is unlawful for any person, firm, association, or corporation, or any officer or agent thereof, to conduct any activities requiring a license under this part without a license or after a license has been *surrendered, canceled or revoked.*

Any violation of this section is subject to the same punishment as is prescribed in Section 8402.

SEC. 38. Section 50007 of the Revenue and Taxation Code is hereby amended to read as follows:

50007. The Motor Vehicle Fuel License Tax Act and all acts amendatory thereof and supplementary thereto are hereby repealed *except that all said acts shall be continued in full force and effect with respect to any amounts due and payable thereunder on or before July 1, 1943, as a result of any action theretofore taken by anyone on whom an administrative duty was conferred by said acts or any of them.*

SEC. 39. Section 28 is added to the Revenue and Taxation Code, to read as follows:

28. As used in Division 2 of this code "person" shall include, in addition to the items of definition contained in Section 19, trustee, trustee in bankruptcy, receiver, executor, administrator, or assignee.

SEC. 40. Section 7407 is added to the Revenue and Taxation Code, to read as follows:

7407. At its discretion the board may extend for reasonable cause the time for filing certificates of export as fixed in Section 7403 and claims for exemption as fixed in Section 7405.

SEC. 41. Section 7660 is added to the Revenue and Taxation Code, to read as follows:

7660. If any distributor fails, neglects, or refuses to file the return within the time prescribed by this article, the board shall estimate the motor vehicle fuel distributions of the distributor for the period for which he made no return within the time required. Upon the basis of this estimate the board shall determine the license tax due from the distributor, and shall add to the license tax a penalty of 10 per cent thereof.

SEC. 42. Section 7661 is added to the Revenue and Taxation Code, to read as follows:

7661. All determinations so made, exclusive of penalties, shall bear interest at the rate of one-half of 1 per cent per month, or fraction thereof, from the first day of the second calendar month after the close of the monthly period for which the amount or any portion thereof shall have been returned until the date of payment.

SEC. 43. Section 7662 is added to the Revenue and Taxation Code, to read as follows:

7662. If the neglect or refusal of a distributor to file a return is due to fraud or intent to evade the license tax, a penalty of 25 per cent of the tax shall be added thereto in addition to the 10 per cent penalty provided in Section 7660.

SEC. 44. Section 7663 is added to the Revenue and Taxation Code, to read as follows:

7663. Promptly after making its determination the board shall give to the delinquent distributor written notice of the estimate, tax, and penalty, the notice to be served personally or by mail as prescribed by Section 7493.

SEC. 45. Section 7698 is added to the Revenue and Taxation Code, to read as follows:

7698. If the board believes that the collection of any amount of license tax imposed under this part will be jeopardized by delay, it shall thereupon make a determination of the amount of tax, noting that fact upon the determination. The amount determined is immediately due and payable.

SEC. 46. Section 7699 is added to the Revenue and Taxation Code, to read as follows:

7699. If the amount of the tax, interest, and penalty specified in the jeopardy determination is not paid within 10 days after service upon the distributor of notice of the determination, the determination becomes final, unless a petition for redetermination is filed within the 10 days, and the delinquency penalty and interest provided in Article 2 of this chapter shall attach to the amount specified.

SEC. 47. Section 7700 is added to the Revenue and Taxation Code, to read as follows:

7700. The distributor against whom a jeopardy determination is made may petition for the redetermination thereof pursuant to Article 3 5 of this chapter. He shall, however, file the petition for redetermination with the board within 10 days after the service upon him of notice of the determination. The distributor shall also within the 10-day period deposit with the board such security as it may deem necessary to insure compliance with this part.

SEC. 48. Section 7706 is added to the Revenue and Taxation Code, to read as follows:

7706. All jeopardy determinations including those made under Section 7704, exclusive of penalty, shall bear interest at the rate of one-half of 1 per cent per month, or fraction thereof, from the first day of the second calendar month following the close of the monthly period for which the amount or any portion thereof should have been returned until the date of payment.

SEC. 49. Section 8193 is added to the Revenue and Taxation Code, to read as follows:

8193. Interest shall be paid upon any overpayment of any amount of tax at the rate of one-half of 1 per cent per month from the first day of the second calendar month following the monthly period for which the overpayment is made; but no refund or credit shall be made of any interest imposed upon the claimant with respect to the amount being refunded or credited.

The interest shall be paid:

(a) In the case of a refund, to the fifteenth day of the calendar month following the date upon which the claimant is notified by the board that a claim may be filed or the date upon which the claim is certified to the State Board of Control, whichever date is earlier

(b) In the case of a credit, to the same date as that to which interest is computed on the tax or amount against which the credit is applied.

SEC. 50. Section 8194 is added to the Revenue and Taxation Code, to read as follows:

8194. If the board determines that any overpayment has been made intentionally or by reason of carelessness, it shall not allow any interest thereon.

SEC. 51. The article heading of Article 1 of Chapter 5 of Part 2 of Division 2 of the Revenue and Taxation Code is amended to read as follows:

Article 1. Returns and [Determinations] *Payments*

SEC. 52. The article heading of Article 2 of Chapter 5 of Part 2 of Division 2 of the Revenue and Taxation Code is amended to read as follows:

Article 2. [Payments Generally] *Determinations If No Return Made*

SEC. 53. The article heading of Article 3 of Chapter 5 of Part 2 of Division 2 of the Revenue and Taxation Code is amended to read as follows:

Article 3. *Jeopardy Determinations and Weekly Payments*

SEC. 54. The article heading of Article 5 of Chapter 7 of Part 2 of Division 2 of the Revenue and Taxation Code is amended to read as follows:

Article 5. [Corrections and] *Cancellations and Refunds of Overpayments*

SEC. 55. Article 2.5, consisting of Sections 7670 to 7675, inclusive, is hereby added to Chapter 5 of Part 2 of Division 2 of the Revenue and Taxation Code, to read as follows:

Article 2.5. *Deficiency Determinations*

7670. If the board is not satisfied with the return made by any distributor, it may make a deficiency determination of the license tax required to be paid by the distributor based upon information contained in the return or upon any information in the possession of the board. The board may make a determination for more than one period and may make one or more determinations for the same period.

7671. The board shall give the distributor written notice of its determination. The notice may be served as prescribed by Section 7493.

7672. If any part of the deficiency for which a deficiency determination is made is due to neglect or intentional disregard of this part or authorized rules and regulations, a penalty of 10 per cent of the amount of the determination shall be added thereto.

7673. If any part of the deficiency for which a deficiency determination is made is due to fraud or an intent to evade the tax a penalty of 25 per cent of the amount of the determination shall be added thereto.

7674. All deficiency determinations, exclusive of penalty, shall bear interest at the rate of one-half of 1 per cent per month, or fraction thereof, from the first day of the second calendar month following the close of the monthly period for which the amount or any portion thereof should have been returned until the date of payment.

7675. Except in the case of a fraudulent return, neglect, or refusal to make a return, every notice of a deficiency determination shall be given to the distributor within three years after the first day of the second calendar month following the monthly period for which the amount is proposed to be determined or within three years after the return is filed, whichever period expires the later.

SEC. 56. Article 3.5, consisting of Sections 7710 to 7716, inclusive, is hereby added to Chapter 5 of Part 2 of Division 2 of the Revenue and Taxation Code, to read as follows:

Article 3.5. *Redeterminations*

7710. Any distributor against whom a determination is made by the board under Article 1 of this chapter may petition for a redetermination within 30 days after the date the notice thereof is given to him. If a petition for redetermination is not filed within the 30-day period, the determination becomes final at the expiration of the period.

7711. If a petition for redetermination is filed within the 30-day period, the board shall reconsider the determination and, if the distributor has so requested

in his petition, shall grant him an oral hearing and shall give him 10 days notice of the time and place of the hearing. Service of notice shall be as prescribed by Section 7493. The board may continue the hearing from time to time as may be necessary.

7712. The order or decision of the board upon a petition for redetermination becomes final 30 days after the giving of notice thereof to the distributor as prescribed by Section 7493.

7713. All determinations made by the board under this chapter are due and payable at the time they become final. If they are not paid when due and payable, a penalty of 10 per cent of the amount of the determination, exclusive of interest and penalties, shall be added thereto. Payment shall be made in the form of a remittance payable to the Controller and shall be filed with the board together with a copy of the notice of determination which the board shall furnish to the distributor for that purpose.

7714. In making a determination the board may offset overpayments for a period or periods, together with interest on the overpayments, against underpayments for another period or periods, against penalties, and against the interest on the underpayments. The interest on the underpayments and overpayments shall be computed in the manner set forth in Sections 7674 and 8193.

7715. All payments received by the board from distributors under this part shall be deposited by the board to the credit of the Controller in an approved State depository designated by him and appropriate advices of such payments shall be transmitted to him by the board.

7716. The board shall notify the Controller of any and all determinations made pursuant to this chapter as well as the amounts self-determined under this part, and the Controller shall keep an appropriate record of all such matters.

SEC. 57 Sections 7653, 7654, 7676, 7677, and 7678 of the Revenue and Taxation Code are hereby repealed.

SEC. 58. If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional.

SEC. 59 This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution take effect immediately, by the provisions hereof amending the Revenue and Taxation Code which become operative at the same time as Part 2 of Division 2 of that code."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

WITHDRAWAL OF ASSEMBLY BILL NO. 1692 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Call asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1692 from the Committee on Fish and Game for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1692

Assembly Bill No. 1692—An act to amend Sections 50, 51, 54, and 55 of the Fish and Game Code, relating to game management areas.

Bill read second time.

Motion to Amend

Mr. Call moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "120 acres or more", and insert "not less than 200 acres, nor more than 7,000 acres".

Amendment No. 2

On page 1, line 13, of said bill, after the period, insert "Such area must be open to any licensed hunter for shooting during the entire game management season upon payment of the fee as set forth in the application filed by the licensee with the Division of Fish and Game; provided, that the maximum legal number of birds have not been killed on said area."

Amendment No. 3

On page 2, line 14, of said bill, after the period, insert "The licensee shall fix a daily bag limit, not to exceed six birds of the species released on such area."

Amendment No. 4

On page 2, line 35, of said bill, strike out "September 1st to December", and insert "November 1st to January".

Amendment No. 5

On page 2, line 49, of said bill, strike out ". . . dollars (\$____) per bird", and insert "three dollars and fifty cents (\$3.50) per bird".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 1150—An act to add Section 8653 to the Revenue and Taxation Code, relating to the use fuel tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Call, Carey, Clarke, Collins, Sam L., Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF ASSEMBLY BILL NO. 495 FROM INACTIVE FILE

Mr. Middough moved that Assembly Bill No. 495 be withdrawn from the inactive file, and placed upon the third reading file.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 639—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 29 of, and to add two new sections to be numbered 7.1, 8.1, and 18.1 to, The Corporation Income Tax Act, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 640—An act to amend Sections 4, 4a, 5, 6, 8, 9, 11, 12, 13, 14, 16, 17, 20, 21, 24, 25, 25.1, 27, 28, 29, 30, 31, 32 and 35 of, and to add two new sections to be numbered 8.1, 9.1 and 24.1 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 641—An act to amend Sections 2, 7, 7.1, 8, 9, 9.2, 9.3, 9.4, 9.5, 10, 12, 13, 16, 19 and 20 of, and to add three new sections to be numbered 7.2, 8.1, 8.2 and 34.2 to, The Personal Income Tax Act, relating to taxes upon the incomes of individuals, estates and trusts, and to provide that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST TO PRINT IN JOURNAL

Mr. Waters requested that certain explanations of Assembly Bills Nos. 369, 640, and 641, be printed in the Journal.

Request referred to Committee on Rules and House Functions.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS NOS. 638 AND 640

Mr. Brown moved that Senate Bills Nos. 638 and 640 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Agriculture.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON WITHDRAWAL OF ASSEMBLY BILL NO. 1958

At 12.01 p.m., on motion of Mr. Bennett, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion to withdraw Assembly Bill No. 1958 from the Committee on Ways and Means lost by the following vote :

AYES—Allen, Anderson, Beck, Bennett, Brady, Burkhalter, Collins, George D., Debs, Dills, Ralph C., Erwin, Evans, Field, Gaffney, Hawkins, Hollibaugh, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyons, Massion, McMillan, Middough, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Smith, Thomas, Thompson, Waters, and Mr. Speaker—33.

NOES—Armstrong, Bashore, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Fourt, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Johnson, Kellems, Kraft, Leonard, Maloney, McCollister, Miller, Potter, Price, Sawallisch, Sheridan, Stream, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—42.

Notice of Motion to Reconsider Motion to Withdraw Assembly Bill No. 1958 from Committee

Mr. Dills gave notice that on the next legislative day he would move to reconsider the vote whereby the motion to withdraw Assembly Bill No. 1958 from Committee on Ways and Means was this day lost.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. George D. Collins :

An act to amend Section 5705 of the Labor Code, relating to affirmative defenses in compensation cases.

By Mr. Brown:

An act to add Section 421 to the Penal Code, relating to spying on the business operations of manufacturers, merchants, motion picture theater operators and others.

By Mr. Gaffney:

An act to establish the Victory Bond Fund, making an appropriation to and providing for the investment and expenditure of such fund, declaring the urgency of this act, to take effect immediately.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kelleus, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalhsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1971: By Mr. George D. Collins—An act to amend Section 5705 of the Labor Code, relating to affirmative defenses in compensation cases.

Referred to Committee on Judiciary.

Assembly Bill No. 1972: By Mr. Brown—An act to add Section 421 to the Penal Code, relating to spying on the business operations of manufacturers, merchants, motion picture theater operators and others.

Referred to Committee on Judiciary.

Assembly Bill No. 1973: By Mr. Gaffney—An act to establish the Victory Bond Fund, making an appropriation to and providing for the investment and expenditure of such fund, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1571—An act to amend Section 1203.6 of, and to add Sections 1203.7, 1203.8, 1203.9, 1203.10, 1203.11, 1203.12, 1203.13, 1203.14, 1203.15 and 1203.16 to, the Fish and Game Code, relating to pheasants.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended, strike out "1206", and insert "1203.6".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 306 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Price asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 306 from the Committee on Ways and Means for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 306

Assembly Bill No. 306—An act to establish a Postwar Construction Fund in the State Treasury, to make an appropriation thereto, and to declare the purpose for which said fund is intended.

Bill read second time.

Motion to Amend

Mr. Price moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, after "Treasury", insert "for postwar construction of public works and necessary planning and surveys therefor in advance thereof".

Amendment No. 2

On page 1, line 7, of said bill, strike out "; at the end of each biennium", and insert ", or as much thereof as is available in the State General Fund, not otherwise appropriated, in excess of ten million dollars (\$10,000,000) on July 1, 1943; at the end of each fiscal year".

Amendment No. 3

On page 1, lines 12 and 13, of said bill, strike out "twenty-five million dollars (\$25,000,000)", and insert "ten million dollars (\$10,000,000)".

Amendment No. 4

On page 1, line 17, of said bill, strike out "odd-numbered".

Amendment No. 5

On page 1 of said bill, strike out line 23, and insert
"Sec. 4. The moneys in the Post-War Construction Fund are to be used for such surveys and such postwar construction of highways, flood control works, and State buildings and other improvements as may be approved by the Legislature. The Department of Public Works shall conduct such surveys and work of construction with the approval of the Department of Finance until such time as the Legislature shall provide for a Post-War Commission or other public body or agency to conduct such surveys and work of construction. Until the Legislature otherwise provides, none of the moneys in the Post-War Construction Fund are or shall be available for expenditure except that (1) not exceeding one million dollars (\$1,000,000) of said fund is available for expenditure, with the approval of the Department of Finance, for immediate surveys by the Department of Public Works, and (2) any and all moneys or bonds at any time and from time to time in the Post-War Construction".

Amendment No. 6

On page 2, line 6, of said bill, strike out "No", and insert "Except as otherwise provided in Section 4 of this act, no".

Amendments read and adopted.

Bill ordered reprinted and engrossed

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 125 re-referred to Committee on Fish and Game.
Assembly Bill No. 583 re-referred to Committee on Fish and Game.
Assembly Bill No. 411 re-referred to Committee on Ways and Means.
Assembly Bill No. 1140 re-referred to Committee on Ways and Means.
Assembly Bill No. 1164 re-referred to Committee on Fish and Game.
Assembly Bill No. 1794 re-referred to Committee on Fish and Game.
Assembly Bill No. 1068 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1092 re-referred to Committee on Public Morals.
 Assembly Bill No. 1437 re-referred to Committee on Public Morals.
 Assembly Bill No. 1687 re-referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1015

Assembly Bill No. 1020

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 221

Assembly Bill No. 294

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 1014

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATERS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 1774

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

WATERS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1013

Senate Bill No. 300

Assembly Bill No. 1425

Senate Bill No. 666

Assembly Bill No. 1389

Senate Bill No. 149

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 962

Assembly Bill No. 1954

Assembly Bill No. 1962

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 76
Assembly Bill No. 1935

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 1127
Assembly Bill No. 1404
Senate Bill No. 289

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Senate Joint Resolution No. 20

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

RALPH C. DILLS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 963
Assembly Bill No. 964

Assembly Bill No. 1676
Assembly Bill No. 1772

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

RALPH C. DILLS, Chairman

Above reported bills re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 913
Senate Bill No. 466
Senate Bill No. 1078

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 876
Assembly Bill No. 879
Assembly Bill No. 883

Assembly Bill No. 884
Assembly Bill No. 1525

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BASHORE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred: Senate Bill No. 543 Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BASHORE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred: Assembly Bill No. 1097 Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BASHORE, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1914 | Assembly Bill No. 1312 |
| Assembly Bill No. 1917 | Assembly Bill No. 1313 |
| Assembly Bill No. 1915 | Assembly Bill No. 247 |
| Assembly Bill No. 255 | Assembly Bill No. 249 |
| Assembly Bill No. 1484 | Assembly Bill No. 250 |
| Assembly Bill No. 1047 | Senate Bill No. 134 |
| Assembly Bill No. 439 | Senate Bill No. 547 |
| Assembly Bill No. 434 | Senate Bill No. 403 |
| Assembly Bill No. 531 | Senate Bill No. 404 |

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

- | | |
|------------------------|-----------------------|
| Assembly Bill No. 1712 | Assembly Bill No. 328 |
| Assembly Bill No. 1916 | Senate Bill No. 140 |

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

- Assembly Bill No. 1857
- Assembly Bill No. 1033

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALL, Chairman

Above reported bills ordered to second reading.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

- Assembly Bill No. 653

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HAWKINS, Chairman

Above reported bill ordered to second reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Bill No. 1282

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SAM L. COLLINS, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 411

Assembly Bill No. 1164

Assembly Bill No. 627

Assembly Bill No. 1380

Assembly Bill No. 1140

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1092

Assembly Bill No. 1571

Assembly Bill No. 1437

Assembly Bill No. 1687

Assembly Bill No. 1542

Assembly Bill No. 1703

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

RECESS

At 12.01 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 1049—An act to add Section 100.5 to the Labor Code, relating to preferred claims for work performed or personal services rendered.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. George D. Collins moved a call of the Assembly.

Motion carried. Time 2.15 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1103—An act to amend Sections 4381 and 4382 of, and to add Section 4382.5 to, the Public Resources Code, relating to the establishment of a State Forest Fund, providing for the payment of money into and from such fund, and for the reimbursement of counties for the loss of tax revenues resulting from the acquisition of lands for State forest purposes.

Bill read third time.

Motion to Amend

Mr. Leonard moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended, strike out lines 2 to 4, inclusive, and insert "4382.5 to, the Public Resources Code, relating to State forests and providing for the re-".

Amendment No. 2

On page 1 of said bill, strike out lines 7 and 8, and insert "ated, to carry out the provisions of this article, including the management, development, and utilization of properties now owned or acquired for State forests."

Amendment No. 3

On page 1, lines 12 and 13, of said bill, strike out "at least quarterly", and insert "monthly".

Amendment No. 4

On page 1, line 14, of said bill, strike out "State Forest Fund," and insert "General Fund."

Amendment No. 5

On page 1 of said bill, strike out lines 15 to 21, inclusive; and on page 2, strike out all of lines 1 to 7, inclusive.

Amendment No. 6

On page 2, line 10, of said bill, strike out "in the State Forest Fund available", and insert "appropriated".

Amendment No. 7

On page 2, line 12, of said bill, strike out "June", and insert "July".

Amendment No. 8

On page 2, line 28, of said bill, strike out "State Forester", and insert "Division of Forestry of the Department of Natural Resources".

Amendment No. 9

On page 2, line 33, of said bill, strike out 'in the State Forest Fund".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS

CONSIDERATION OF SENATE BILL NO. 742

Senate Bill No. 742—An act to provide for precautions against enemy attack, including uniform blackout and dimout regulations, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "uniform".

Amendment No. 2

On page 2, line 42, of the printed bill, as amended, strike out "herewith", and insert "therewith".

Amendment No. 3

On page 4 of the printed bill, as amended, strike out lines 25 and 26, and insert "vehicles shall operate at night, regardless of the direction of travel, with two lighted driving lamps, but not more than two, and each".

Amendment No. 4

On page 4, line 31, of the printed bill, as amended, before the comma, and after "state", insert "or under Federal laws or regulations".

Amendment No. 5

On page 4, line 51, of the printed bill, as amended, after "Command", insert "or of any other military agency designated by the Secretary of War;".

Amendment No. 6

On page 5, line 17, of the printed bill, as amended, after "effective", insert "and shall have the same effect".

Amendment No. 7

On page 5, line 19, of the printed bill, as amended, after "chapter", insert "(including persons or subjects herein excluded from the operation of this chapter)".

Amendment No. 8

On page 5, line 25, of the printed bill, as amended, before the comma and after "Command", insert "or such other military agency as may be designated by the Secretary of War".

Amendment No. 9

On page 5 of the printed bill, as amended, strike out lines 28 to 30, inclusive, and insert "as possible the regulations so adopted shall be uniform with the orders or recommendations of the said Commanding General."

Amendment No. 10

On page 5, line 36, of the printed bill, as amended, after "possible", insert "or assumed".

Amendment No. 11

On page 6 of the printed bill, as amended, strike out lines 8 and 9, and insert "may have been defined by the State War Council and the Commanding General, Western Defense Command, or such other military agency as may be designated by the Secretary of War."

Amendment No. 12

On page 8 of the printed bill, as amended, strike out lines 50 and 51, and insert "the Commanding General, Western Defense Command, or any other military agency designated by the Secretary of War, or an agency designated by such Commanding General to approve such variations."

Amendment No. 13

On page 9 of the printed bill, as amended, strike out lines 1 and 2; and in line 3, strike out "Council."

Amendment No. 14

On page 9 of the printed bill, as amended, strike out line 19, and insert "to the Governor and if the Governor and the Commanding General of the Western Defense Command or such other military agency as may be designated by the Secretary of War concurs therein, the Governor shall".

Amendment No. 15

On page 9, line 21, of the printed bill, as amended, strike out "as law", and insert "and shall have the same effect as laws".

Amendment No. 16

On page 9, line 23, of the printed bill, as amended, after "chapter", insert "(including persons or subjects herein excluded from the operation of this chapter)".

Amendment No. 17

On page 10, line 49, of the printed bill, as amended, strike out "adequate", and insert "satisfactory".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 448—An act to add Section 740.5 to the Welfare and Institutions Code, relating to minors believed to be mentally unsound, authorizing the juvenile court to order commitments for observation, and providing for subsequent proceedings in relation to such minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Brown, Burkhalter, Carey, Carlson, Collins, Sam L. Crichton, Debs, Denny, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Guthrie, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Maloney, Middough, Miller, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—42

NOES—Anderson, Beck, Brady, Burns, Crowley, Dills, Ralph C., Hawkins, Lyons, Massion, O'Day, Robertson, and Rosenthal—12.

Bill ordered transmitted to the Senate.

Assembly Bill No. 228—An act to amend Section 341a of the Code of Civil Procedure, relating to personal property left by tenants, guests or patients.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1370—An act to amend Section 96 of the Labor Code, relating to assignments of claims.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1142—An act to amend Sections 163, and 7012 of the Welfare and Institutions Code; to amend Sections 6650, 6651, 6652, 6653, 6654, 6654.5, 6655, 6656, 6656.5, 6657, 6658, 6659, 6660, 6660.5, 6661, 6662, 6663 and to renumber them to be Sections 167, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183 and 184 thereof; to repeal Sections 1201, 1202, 5105.5, 5105.6, 5260, 5262.6, 5356, 5515, 5516, 6664, 6702, 6703, 7009, 7010, 7011, 7015, 7060, 7062, 7063, 7064, 7106, 7107, 7108, 7109 and the article heading of Article 5, Chapter 1, Part 4, Division 6 thereof; to add Section 154.5 and 168 thereto; and to

repeal Sections 1373, 1373.5 and 1375 of the Penal Code, relating to costs of maintenance of persons committed to the State Department of Institutions for placement in institutions.

Bill read third time.

Motion to Refer to Committee on Revenue and Taxation

Mr. Bashore moved that Assembly Bill No. 1142 be referred to the Committee on Revenue and Taxation.

Mr. Field seconded the motion.

Motion to Table Motion

Mr. Lowrey moved that the motion by Mr. Bashore be laid on the table.

Mr. Evans seconded the motion.

Mr. Lowrey withdrew his motion with the consent of his second, Mr. Evans.

Substitute Motion

Mr. Carlson moved, as a substitute motion, that Assembly Bill No. 1142 be referred to the Committee on Ways and Means.

Mr. Burns seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Armstrong, Bashore, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crowley, Desmond, Dickey, Doyle, Erwin, Field, Fourn, Hastain, Johnson, Kellems, Leonard, Lyons, Maloney, McCollister, Miller, Potter, Smith, Stream, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—31.

NOES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Collins, George D., Crichton, Debs, Denny, Dills, Ralph C., Dilworth, Dunn, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Kraft, Lowrey, Massion, Middough, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Thomas, Thompson, and Watson—40.

The question being on the motion by Mr. Bashore, that Assembly Bill No. 1142 be referred to the Committee on Revenue and Taxation:

The roll was called, and the motion lost by the following vote:

AYES—Armstrong, Bashore, Burns, Carlson, Clarke, Collins, Sam L., Crowley, Desmond, Doyle, Erwin, Field, Fourn, Hastain, Johnson, Kellems, Knight, T. Fenton; Leonard, Lyons, Maloney, McCollister, Miller, Potter, Smith, Stream, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—31.

NOES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Collins, George D., Crichton, Debs, Denny, Dills, Ralph C., Dilworth, Dunn, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Kraft, Lowrey, Massion, Middough, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Thomas, and Thompson—37.

The question being on the passage of Assembly Bill No. 1142.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Dilworth, Dunn, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Kraft, Lowrey, Maloney, Massion, Middough, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Thomas, Thompson, Thorp, and Waters—47.

NOES—Armstrong, Bashore, Carlson, Collins, Sam L., Erwin, Johnson, Kellems, Knight, T. Fenton; Leonard, Lyons, McCollister, Potter, Smith, Stream, Watson, Weber, Wollenberg, and Mr. Speaker—18.

Notice of Motion to Reconsider Assembly Bill No. 1142

Mr. Bashore gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1142 was this day passed.

Speaker Pro Tempore Presiding

At 3.05 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 718—An act to release The Regents of the University of California from all obligations assumed by said The Regents of the University of California pursuant to the provisions of Sections 1, 2 and 3 of an act entitled, "An act appropriating five hundred twenty-five thousand dollars (\$525,000) to be used and expended by The Regents of the University of California for the construction and equipment of a building or buildings on the site of the University of California at Los Angeles; providing that none of said money shall be drawn or expended until said The Regents shall deliver to the Chairman of the Department of Finance an obligation binding said The Regents (a) to set aside for sale certain real property in Los Angeles owned by said The Regents; (b) not to use or permit to be used the same so as to interfere with or prevent its sale, provided, that said The Regents may lease the whole or part of said property for periods of not more than six months; (c) to sell parts or parcels of said property or the whole at such prices and on such terms and conditions as said The Regents with approval of the Department of Finance shall fix; (d) to pay over to the State Treasury all sums received from sales or rentals, less the costs of selling and leasing and the necessary costs of care and maintenance of said real property; providing that on sale of the last part or the whole of said real property and payment of all moneys agreed to be paid into the State Treasury by said The Regents, the Chairman of the Department of Finance shall deliver to said The Regents a written acknowledgment that all requirements of said The Regents' obligation have been performed and further providing that said The Regents shall thereupon be discharged of every duty and requirement in the premises, declaring the urgency thereof and providing that this act shall take effect immediately," approved May 31, 1929, assenting to the conveyance to the State of California by The Regents of the University of California of certain real property in the City of Los Angeles, providing for the transfer to the State of California of leases and contracts of sale affecting said real property, and providing for the sale of such property by the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Kraft, Leonard, Lyons, Maloney, Mason, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thoup, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 420—An act to add Section 651.3 to the Fish and Game Code, relating to salmon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 524—An act to amend Section 1401 of the Elections Code, relating to initiative measures, the submission of a draft thereof to the Attorney General for the preparation of a summary thereof, and the payment of a fee therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—58.

NOES—Armstrong—1.

Bill ordered transmitted to the Senate.

[On April 9, 1943, above action was rescinded, and record ordered expunged, whereby Senate Bill No. 524 was this day passed.]

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 946—An act relating to full time civil service employees of this State and of any local governmental agency thereof and restricting the activities of such persons with regard to the practice of any profession or business requiring a license issued under any statute of this State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Dickey, Doyle, Dunn, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Massion, Miller, O'Day, Pelletier, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Weybret, and Wollenberg—49.

NOES—Beck, Carlson, Debs, Dills, Ralph C., Evans, Rosenthal, and Waters—7.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 291—An act relating to the relief of gold and silver mining operators, permitting postponement of sales under certain chattel mortgages, mortgages, deeds of trust or contracts of purchase on

gold and silver mines and gold and silver mining machinery and equipment, or postponement of forfeitures and terminations under gold and silver mining contracts and leases, regulating appointment of receivers in certain cases, extending the time in which the purchase price may be paid and extending the statute of limitations, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Allen, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dunn, Erwin, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Debs, Dills, Ralph C., Evans, Potter, and Waters—5.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Weber, Weybret, and Wollenberg—57.

NOES—Anderson, Debs, Dills, Ralph C., Evans, Hawkins, Massion, Potter, and Waters—8

Notice of Motion to Reconsider Senate Bill No. 291

Mr. Potter gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 291 was this day passed.

**MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON
SENATE BILL NO. 524**

Mr. Carlson moved to expunge the record, and rescind the action whereby Senate Bill No. 524 was this day passed.

The roll was called, and the motion carried by the following vote :

AYES—Allen, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—61.

NOES—None.

Senate Bill No. 524 ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1347—An act to amend Sections 595, 596 and 605e of the Civil Code, relating to nonprofit corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Dunn,

Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton, Kraft, Leonaid, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Potter, Price, Smith, Stream, Thompson, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1049

At 3.40 p.m., on motion of Mr. George D. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1049 passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Weber, Weybret, and Wollenberg—47.

NOES—Armstrong, Bashore, Carey, Carlson, Collins, Sam L., Dilworth, Erwin, Field, Fourt, Johnson, Kellems, Knight, T. Fenton; Leonard, Middough, Miller, Potter, Price, Stream, Thorp, Waters, Watson, and Mr. Speaker—22.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1849—An act to amend Sections 500, 502, 512, 513, and 515 of the Military and Veterans Code, and to add Section 12011 to the Education Code, relating to high school cadets.

Bill read third time.

Motion to Amend

Mr. Gannon moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 38, of the printed bill, as amended, strike out "522 is added to said code," and insert "512 of said code is amended".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 524—An act to amend Section 1401 of the Elections Code, relating to initiative measures, the submission of a draft thereof to the Attorney General for the preparation of a summary thereof, and the payment of a fee therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dickey, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Miller, O'Day, Potter, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—Beck, Collins, George D., Dills, Ralph C., Evans, Hawkins, Lyons, Massion, and Pelletier—8.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 3.45 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Senate Bill No. 699—An act to add Section 1407 to the Elections Code, relating to the initiative.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Brown, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Denny, Desmond, Dickey, Doyle, Erwin, Field, Fourn, Gannon, Guthrie, Haggerty, Johnson, Kellems, King, Knight, T. Fenton, Leonard, Lowrey, Maloney, McCollister, Miller, O'Day, Potter, Price, Rosenthal, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—46.

NOES—Anderson, Bennett, Berry, Burkhalter, Carlson, Collins, George D., Debs, Dills, Ralph C., Dunn, Evans, Gaffney, Hawkins, Heisinger, Hollibaugh, Massion, Middough, Pelletier, and Thomas—18

Bill ordered transmitted to the Senate.

RE-REFERENCE OF ASSEMBLY BILL NO. 495

Mr. Sawallsch moved that Assembly Bill No. 495 be withdrawn from the file, and re-referred to the Committee on Public Morals.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Kratt, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—60

NOES—None.

WITHDRAWAL OF ASSEMBLY BILL NO. 159 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Waters asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 159 from the Committee on Finance and Insurance, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 159

Assembly Bill No. 159—An act to revise an act entitled "An act defining industrial loan companies; providing for their incorporation, powers and supervision; and regulating the rates of interest and other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies," approved May 18, 1917, as amended and revised, so as to define industrial loan companies, provide for their incorporation, powers and supervision and regulate the rates of interest and all other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies; to prohibit devices and subterfuges to evade this act; to provide for exemptions from this act; to provide for the administration of this act; to authorize the making of examinations and investigations; to provide for the suspension, surrender and revocation of permits; and to prescribe penalties for the violation of this act.

Bill read second time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

In line 14 of the title of the printed bill, after "act", insert "and the issuance of rules and regulations thereunder".

Amendment No. 2

On page 2, line 48, of said bill, strike out "No permit shall be required from the corpora-"; and strike out line 49 thereof.

Amendment No. 3

On page 4, line 18, of said bill, strike out "limitations", and insert "limitation".

Amendment No. 4

On page 4 of said bill, strike out lines 19 to 52, inclusive; and on page 5, strike out lines 1 to 14, inclusive, and insert

"Interest, brokerage and all other charges by an industrial loan company, broker and all other persons on any loan, forbearance of money, credit, goods or things in action shall not exceed in the aggregate 2 per cent per month on the unpaid principal balance of said loan for the period for which said loan or forbearance is actually outstanding.

For the purpose of determining "unpaid principal balance" as that term is herein used, all payments made on any installment investment certificate purchased by the borrower in connection with the making of a loan shall be regarded as payments on the loan. All payments made on the loan shall be applicable, first, to interest and all other charges (which interest and charges must be within the maximum statutory rate provided in this section), and secondly, to reduction of the unpaid principal of the loan advanced to the borrower in determining the "unpaid principal balance" as herein above referred to. However, the foregoing limitation shall not deny the right of the industrial loan company to contract for charge and receive in addition thereto all moneys expended by it for necessary notary fees, publication charges, statutory fees to any public officer, for witnessing, acknowledging, publishing, filing, recording or releasing any instrument executed in connection with any loan transaction; the cost of insurance to protect the interest of either the borrower or lender or both, on any real or personal property offered as security for said loan; provided, such insurance is sold at standard rates through a duly licensed insurance agent; court costs and reasonable attorneys' fees where legal action is brought against a defaulting debtor; and the bona fide expenses actually incurred and paid by the industrial loan company, not exceeding 10 per cent of the unpaid principal balance of the loan where no action at law is brought, in the enforcing and collecting of a delinquent loan.

No charge shall be collected unless a loan shall have been made."

Amendment No. 5

On page 5, line 48, of said bill, strike out "amount to 25 per cent", and insert "equal the amount".

Amendment No. 6

On page 5 of said bill, strike out lines 49 to 52, inclusive.

Amendment No. 7

On page 6 of said bill, strike out lines 1 to 23, inclusive.

Amendment No. 8

On page 7, line 5, of said bill, strike out "interest".

Amendment No. 9

On page 7 of said bill, between lines 17 and 18, insert

"The commissioner shall have the power to establish such rules and regulations as may be reasonable or necessary to carry out the purposes and provisions of this act."

Amendment No. 10

On page 8 of said bill, between lines 39 and 40, insert

"Nothing herein contained shall be construed to limit the powers of the commissioner pursuant to this act or any other laws now in effect.

The authority herein contained is in addition to the other powers provided in this act, and in the discretion of the commissioner, may be exercised by him in conjunction therewith or independently thereof."

Amendment No. 11

On page 9, line 5, of said bill, after "power", strike out "of", and insert "or".

Amendment No. 12

On page 9, line 9, of said bill, strike out "except", and insert "including".

Amendment No. 13

On page 10 of said bill, strike out lines 25 to 37, inclusive, and insert "The commissioner shall make such an examination of the affairs, business, office and records of each industrial loan company at least once each year. The actual cost of that examination shall be paid to the commissioner by every industrial loan company so examined, and the commissioner may maintain an action for the recovery of such costs in any court of competent jurisdiction."

Amendment No. 14

On page 10, line 43, of said bill, after "Sec. 16.", insert "Each industrial loan company shall keep and use in its business such books, accounts and records as will enable the commissioner to determine whether such industrial loan company is complying with the provisions of this act and with the rules and regulations lawfully made by the commissioner hereunder. Every industrial loan company shall preserve such books, accounts and records, including cards used in the card system, if any, for at least two years after making the final entry on any loan recorded therein."

Amendment No. 15

On page 11, line 3, of said bill, after "Sec. 17.", insert "No industrial loan company or other person shall advertise, print, display, publish, distribute, or broadcast or cause or permit to be advertised, printed, displayed, published, distributed, or broadcast, in any manner whatsoever any statement or representation with regard to the rates, terms, or conditions for making or negotiating loans, which is false, misleading or deceptive, or which refers to the supervision of such business by the State of California or any department or official thereof. The commissioner may order any industrial loan company to desist from any conduct which he shall find to be a violation of the provisions of this act or of the Corporate Securities Act or of the rules of the commissioner under said act.

The commissioner may require that rate of charge or discount, if stated by an industrial loan company, be stated fully and clearly in such manner as he may deem necessary to prevent misunderstanding thereof by prospective borrowers

If any industrial loan company or other person engaged in the business regulated by this act shall in any advertising refer to rates of interest or discount or charges or costs of loans, the commissioner shall require that such rates or costs be stated fully and clearly in such manner as he may deem necessary in order to give adequate information to prospective borrowers; and if the rates or costs advertised do not apply to loans of all classes made or negotiated by such industrial loan company or other person, this fact shall be clearly indicated therein. No such advertising copy shall be used after the use thereof has been disapproved by the commissioner and the industrial loan company notified in writing of such disapproval. The commissioner may require the industrial loan company to maintain a file of all advertising copy for a period of 90 days from the date of its use, to be available to the commissioner upon request."

Amendment No. 16

On page 11, lines 7 and 8, of said bill, strike out "where the character of such other business is such that it would facilitate evasion of this act.", and insert "except as may be authorized in writing by the commissioner upon his finding that the character of such other business is such that the granting of such authority would not facilitate evasions of this act or of the rules and regulations lawfully made hereunder."

Amendment No. 17

On page 11, line 18, of said act, after the period, insert "No industrial loan company shall transact such business or make any loan provided for by this act under any other name than that set forth in the articles of incorporation or amended articles of incorporation as filed with the Commissioner of Corporations. Nor shall any industrial loan company transact such business or make any loans provided for by this act at any other place of business than that designated in its application filed with the Commissioner of Corporations, without having obtained the prior written approval of the commissioner.

No industrial loan company shall take any confession of judgment or any power of attorney, to collect wages or salary, at the time of making the loan. No industrial loan company shall take any note, promise to pay, or security that does not accurately disclose the actual amount of the loan, the time for which it is made, and the agreed rate of charge nor any instrument in which blanks are left to be filled in after execution."

Amendment No. 18

On page 11, line 22, of said bill, after "of", insert "the rules, orders and regulations, of the commissioner or of".

Amendment No. 19

On page 11 of said bill, between lines 23 and 24, insert

"Sec. 19. Every industrial loan company hereunder shall:

(1) Deliver or cause to be delivered to the borrowers, or any one thereof, at the time the loan is made, a statement in the English language showing in clear and distinct terms the name and address of such industrial loan company and the broker, if any; the date, amount and maturity of the loan contract, how and when repayable, the nature of the security, if any, for the loan, and the agreed rate of charge.

(2) Obtain from the borrower a signed statement as to whether any person has performed any act as a broker in connection with the making of the loan, and if such statement discloses a broker or other person has participated, then a full statement of all sums paid or payable to the broker or other person shall be obtained and kept by the industrial loan company for a period of two years from and after the date the loan has been paid in full or has matured according to the terms thereof or has been charged off.

(3) Permit payment to be made in advance in any amount on any contract of loan at any time, but the industrial loan company must apply such payment first to all interest and charges due at the agreed rate up to the date of such payment, not to exceed the maximum rate herein permitted.

(4) Deliver or cause to be delivered to the person making any payment in person in cash at any office of the industrial loan company, at the time each such payment is made on account of any loan, a plain and complete receipt showing the total amount received and identifying the loan contract upon which such payment is applied, and showing the unpaid principal balance, if any, of such loan.

(5) Upon repayment of any loan in full, cancel or plainly mark "paid" and return to the borrower or person making final payment, the note evidencing such loan; and if such borrower is not otherwise obligated to such industrial loan company, release all security for such loan, endorse and return any certificate of ownership, and return to the borrower any chattel mortgage, assignment or order signed by the borrower, except such as are a part of the court record in any action, or such as have been delivered to a third person for the purpose of carrying out the terms thereof.

Every industrial loan company shall display prominently in each place of business a full and accurate schedule, to be approved by the commissioner, of the maximum charges to be made and the method of computing the same

Sec. 20. The payment of money, credit, goods or things in action as consideration for any sale or assignment of, or order for, the payment of wages, salary, commissions, or other compensation for services, whether earned or to be earned, shall, for the purposes of regulation under this act, be deemed a loan secured by such assignment, and the amount by which such assigned compensation exceeds the amount of such consideration actually paid shall, for the purposes of regulation under this act, be deemed interest and charges upon or for such loan from the date of such payment to the date such compensation is payable. Such transaction shall be governed by and subject to the provisions of this act. Nothing contained in this section shall be construed as modifying or affecting existing statutes governing wage assignments in the State of California, or as authorizing such assignments

Sec. 21. No industrial loan company or any other person in connection with or incidental to the making of any loan, may require the borrower to contract for, purchase, or agree to purchase any other thing in connection with the loan, other than an installment investment certificate of a face value equal to the face amount of the loan, and no industrial loan company or any other person in connection with or incidental to the making of such loan shall require the borrower to enter into any collateral sales agreement or contract, other than a contract of pledge, assignment or mortgage, or a deed of trust or trust receipt relating to real or personal property by the borrower as security for the repayment of the loan and interest and charges thereon. However, reasonable insurance, considering the circumstances of the loan, shall not be deemed such collateral sale, purchase, or agreement when the policy is payable to the borrower or any member of his family, even though the customary mortgage clause is attached or the industrial loan company is made a coassured; provided, that such insurance is sold at standard rates through duly licensed insurance agents

Any profit or advantage of any kind whatsoever that any industrial loan company or broker or any other person may contract for, collect, receive or in anywise obtain by a collateral sale, purchase or agreement, in connection with the negotiating, arranging, making or otherwise in connection with any loan, except commissions received as a licensed insurance agent or broker on insurance sold at standard rates, shall be deemed to be charges for the purpose of regulation under this act. Such transactions shall be governed by and subject to the provisions of this act."

Amendment No. 20

On page 11, line 24, of said bill, strike out "Sec 19.", and insert "Sec 22."

Amendment No. 21

On page 11, line 26, of said bill, strike out "Upon such review, the burden of proof shall lie"; and strike out lines 27 to 30, inclusive.

Amendment No. 22

On page 11, line 31, of said bill, strike out "Sec. 20.", and insert "Sec. 23."

Amendment No. 23

On page 11, line 36, of said bill, strike out "Sec. 21.", and insert "Sec. 24."

Amendment No. 24

On page 11, line 39, of said bill, strike out "Sec. 22.", and insert "Sec. 25."

Amendment No. 25

On page 12, line 4, of said bill, strike out "Sec. 23.", and insert "Sec. 26."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1463 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Call asked for, and was granted, unanimous consent to have Assembly Bill No. 1463 withdrawn from the Committee on Commerce and Navigation for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1463

Assembly Bill No. 1463—An act granting to the City and County of San Francisco certain tide lands and submerged lands belonging to the State of California and situated in the County of San Mateo for development and use in connection with the San Francisco Airport in San Mateo County and as a part of the public airport being used, operated and maintained by the City and County of San Francisco, regulating the management, use and control thereof and authorizing the reclamation and improvement thereof all in conjunction with the use, operation and maintenance of the San Francisco Airport in San Mateo County.

Bill read second time.

Motion to Amend

Mr. Call moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 8, of the printed bill, after "San Mateo.", insert "All of said real property shall be forever held by the City and County of San Francisco for the purpose of a public airport and the City and County of San Francisco shall not at any time grant, convey, lease, give or alien said real property or any part thereof to any individual, firm, or corporation whatever."

Amendment No. 2

On page 2, line 24, of the said bill, after "act", insert "and there is reserved to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from the real property granted and to occupy and use so much of the surface as may be required therefor."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1957 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Ralph C. Dills asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1957 from the Committee on Revenue and Taxation for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1957

Assembly Bill No. 1957—An act to add Chapter 9, consisting of Sections 3900 to 3919, inclusive, to Part 6, Division 1, of the Revenue and Taxation Code, relating to actions by purchasers of tax-deeded property to determine adverse claims to or clouds upon that property.

Bill read second time.

Motion to Amend

Mr. Ralph C. Dills moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3919", and insert "3922".

Amendment No. 2

On page 1, line 5, of said bill, strike out "purchasers" and insert "purchaser".

Amendment No. 3

On page 1, line 16, of said bill, strike out "and", and insert a comma.

Amendment No. 4

On page 1, line 17, of said bill, after "enumerated", insert ", and shall set forth the interest of all persons in the property whether such persons are known or unknown".

Amendment No. 5

On page 1, line 22, of said bill, after the period, insert "The State may be made a party defendant."

Amendment No. 6

On page 2, line 45, of said bill, strike out "unknown", and insert "known".

Amendment No. 7

On page 2 of said bill, strike out lines 47 and 48; and in line 49, strike out "at his place of residence", and insert "shall be served personally".

Amendment No. 8

On page 3, line 4, of said bill, strike out "3909.5", and insert "3910".

Amendment No. 9

On page 3, line 11, of said bill, strike out "3910", and insert "3911".

Amendment No. 10

On page 3, line 28, of said bill, strike out "3911", and insert "3912".

Amendment No. 11

On page 3, line 33, of said bill, strike out "3912", and insert "3913".

Amendment No. 12

On page 3, line 36, of said bill, strike out "3913", and insert "3914".

Amendment No. 13

On page 3, line 39, of said bill, after "rights", insert ", and may order the sale of the property or the partition thereof".

Amendment No. 14

On page 3 of said bill, between lines 39 and 40, insert "3915. If the court orders a sale of the property or a partition thereof, the same shall be made in accordance with the provisions of Chapter 4, Title 10, Part 2 of the Code of Civil Procedure, except that:

(a) The court may appoint one referee instead of three, and

(b) Proceeds of sale belonging to unknown special assessment owners, or persons claiming an interest in said special assessments, shall be paid to the treasurer, to be held by him as in like instances of collections by said treasurer of special assessments.

3916. If the right, title, interest, lien or estate of a known or unknown defendant established by the decree of the court, is based upon a special assessment or arises from a special assessment, the decree establishing such rights shall direct the treasurer to cancel the special assessments on his records."

Amendment No. 15

On page 3, line 41, of said bill, strike out "3914", and insert "3917".

Amendment No. 16

On page 3, line 45, of said bill, after the comma, insert "which special assessment the court determines to be invalid or inferior to plaintiff's title,".

Amendment No. 17

On page 3, line 49, of said bill, strike out "3915", and insert "3918".

Amendment No. 18

On page 4, line 1, of said bill, strike out "3916", and insert "3919".

Amendment No. 19

On page 4, line 9, of said bill, strike out "3917", and insert "3920".

Amendment No. 20

On page 4, line 13, of said bill, strike out "3918", and insert "3921".

Amendment No. 21

On page 4, line 18, of said bill, strike out "3919", and insert "3922".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 58 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Beck asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 58 from the Committee on Rules and House Functions, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 58

Assembly Bill No. 58—An act establishing the "State Commission for Postwar Reconstruction," prescribing its powers and duties, and authorizing it to conduct hearings and make investigations, analyses, reports, recommendations and plans for a program to promote employment and a stable peacetime economy; making an appropriation.

Bill read second time.

Motion to Amend

Mr. Beck moved the adoption of the following amendments:

Amendment No. 1

In line 6 of the title of the printed bill, as amended, strike out the period, and insert " , to take effect immediately, urgency measure."

Amendment No. 2

On page 1 of said bill, strike out lines 7, 8, and 9, and insert "the Rules Committee of the Senate, and two Members of the Assembly, to be appointed by the Speaker of the Assembly, except that such members shall not participate in any matter before the commission when such participation is constitutionally incompatible with their respective positions as Members of the Legislature; and".

Amendment No. 3

On page 1, line 10, of said bill, strike out "(c)", and insert "(b)".

Amendment No. 4

On page 3, line 22, of said bill, after "problems.", insert "Such subcommittees may permit individuals employed or connected with private industry to serve therewith without compensation."

Amendment No. 5

On page 3, line 27, of said bill, strike out "succeeding Legislatures", and insert "Fifty-sixth Legislatures as hereinafter provided".

Amendment No. 6

On page 3, of said bill, strike out lines 46 and 47, and insert "the Governor."

Amendment No. 7

On page 3, line 48, of said bill, strike out "Cooperate", and insert "Coordinate the plans and work of the various planning units in the State and cooperate".

Amendment No. 8

On page 4, line 15, of said bill, strike out "Legislature and the".

Amendment No. 9

On page 4 of said bill, as amended, after line 24, insert a paragraph as follows
"Sec. 16. The provisions of this act shall remain in full force and effect until 91 days following adjournment of the Fifty-sixth Session of the Legislature."

Amendment No. 10

On page 4, line 25, of said bill, strike out "16", and insert "17".

Amendment No. 11

On page 4 of said bill, after line 28, insert

"Sec. 18. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1, Article IV of the Constitution, and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows.

Due to the state of war and period of National emergency, there now exist severe material and manpower shortages and housing and transportation congestion. It is absolutely essential to the defense efforts and to the future economic security of the public that a program be inaugurated at once to prevent and ameliorate social and economic maladjustments and to prevent waste of human, natural, and economic resources.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 526—An act to add Section 1347 to the Fish and Game Code, relating to elk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brady, Brown, Burns, Call, Carey, Carlson, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Pelletier, Potter, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Waters, Weber, Wollenberg, and Mr Speaker—59

NOES—Burkhalter—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 722—An act to amend Section 800 of the Military and Veterans Code, relating to veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr Speaker—59

NOES—Collins, George D—1

Bill ordered transmitted to the Senate

Senate Bill No. 676—An act to amend the title of Chapter 1 of Title 5 of Part 3 of the Penal Code and to add Section 4502 to the Penal Code, relating to possession of deadly weapons by prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Weber, Weybret, Wollenberg, and Mr. Speaker—fil
NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Fourt:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to create a flood control and water conservation and development district, to be called "Ventura County Conservation District"; to provide for the control, conservation and storage of flood and storm waters, the purchase and importation of water, and for the protection of water courses, water sheds, public highways, life and property in said district from damage or destruction from such waters; to provide for the use, sale, leasing and distribution of such waters for irrigation, fire protection and domestic purposes and the development and sale of electric and other mechanical power; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood, and other waters and to save and conserve all or any of such water for beneficial use in said district; to provide for development of oil and hydrocarbon products and to make leases concerning the same; to authorize the incurring of indebtedness and the voting, issuing, and selling of bonds and the levying and collecting of taxes and assessments by said district, and providing certain limitations of taxes, assessments, bonded indebtedness and expenditures with respect to said district; to provide for State approval of such bonds and exempting such bonds from taxation; and to define the powers of said district, including the right of the district to sue and to be sued in all matters pertaining to the powers and duties of said district and any part thereof and the officers thereof, including the right to sue and defend in eminent domain; to provide for the government, management, and control of said district; to provide for the construction of works and the acquisition of property by the district to carry out the purposes of this act; to declare that this is not a case where a general law can be made applicable and to declare this act to be an urgency measure which shall go into effect immediately.

Respectfully submitted,

WALTER J. FOURT

Request referred to Committee on Legislative Procedure.

By Mr. Lowrey:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to provide for the augmentation of the food and fiber supply of this State and Nation by authorizing public officers of this State to acquire by eminent domain and otherwise agricultural machinery and equipment, making an appropriation therefor, and declaring the urgency of said act, to take effect immediately.

Respectfully submitted

LLOYD W. LOWREY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Fourt:

An act to create a flood control and water conservation and development district, to be called "Ventura County Conservation District"; to provide for the control, conservation and storage of flood and storm waters, the purchase and importation of water, and for the protection of water courses, water sheds, public highways, life and property in said district from damage or destruction from such waters; to provide for the use, sale, leasing and distribution of such waters for irrigation, fire protection and domestic purposes and the development and sale of electric and other mechanical power; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood, and other waters and to save and conserve all or any of such water for beneficial use in said district; to provide for development of oil and hydrocarbon products and to make leases concerning the same; to authorize the incurring of indebtedness and the voting, issuing, and selling of bonds and the levying and collecting of taxes and assessments by said district; and providing certain limitations of taxes, assessments, bonded indebtedness and expenditures with respect to said district; to provide for State approval of such bonds and exempting such bonds from taxation; and to define the powers of said district, including the right of the district to sue and to be sued in all matters pertaining to the powers and duties of said district and any part thereof and the officers thereof, including the right to sue and defend in eminent domain; to provide for the government, management, and control of said district; to provide for the construction of works and the acquisition of property by the district to carry out the purposes of this act; to declare that this is not a case where a general law can be made applicable and to declare this act to be an urgency measure which shall go into effect immediately.

By Mr. Lowrey:

An act to provide for the augmentation of the food and fiber supply of this State and Nation by authorizing public officers of this State to acquire by eminent domain and otherwise agricultural machinery and equipment, making an appropriation therefor, and declaring the urgency of said act, to take effect immediately.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burnus, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C. Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1974: By Mr. Fourt—An act to create a flood control and water conservation and development district, to be called "Ventura County Conservation District"; to provide for the control, conservation and storage of flood and storm waters, the purchase and importation of water, and for the protection of water courses, water sheds, public highways, life and property in said district from damage or destruction from such waters; to provide for the use, sale, leasing and distribution of such waters for irrigation, fire protection and domestic purposes and the development and sale of electric and other mechanical power; to prevent the waste of water or the diminution of

the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood, and other waters and to save and conserve all or any of such water for beneficial use in said district; to provide for development of oil and hydrocarbon products and to make leases concerning the same; to authorize the incurring of indebtedness and the voting, issuing, and selling of bonds and the levying and collecting of taxes and assessments by said district; and providing certain limitations on taxes, assessments, bonded indebtedness and expenditures with respect to said district; to provide for State approval of such bonds and exempting such bonds from taxation; and to define the powers of said district, including the right of the district to sue and to be sued in all matters pertaining to the powers and duties of said district and any part thereof and the officers thereof, including the right to sue and defend in eminent domain; to provide for the government, management, and control of said district; to provide for the construction of works and the acquisition of property by the district to carry out the purposes of this act; to declare that this is not a case where a general law can be made applicable; and to declare this act to be an urgency measure which shall go into effect immediately.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1975: By Mr. Lowrey—An act to provide for the augmentation of the food and fiber supply of this State and Nation by authorizing public officers of this State to acquire by eminent domain and otherwise agricultural machinery and equipment, and for the use of such agricultural machinery and equipment, making an appropriation therefor, and declaring the urgency of said act, to take effect immediately.

Referred to Committee on Agriculture.

RESOLUTIONS

The following resolution was offered:

By Messrs. Middough, Evans, Lyon, Sargent, Bashore, and Robertson:

House Resolution No. 173

Relative to memorializing The Golden Rule Foundation Mothers' Committee to select Mrs. Thomas Sullivan as The American Mother of 1943

WHEREAS, The choice of The American Mother is based on the requirements that she must be a successful mother, as evidenced by the character and achievements of her children; that she must embody those traits most highly regarded in mothers—courage, moral strength, patience, affection, kindness, understanding, homemaking ability; that she must have a sense of social and world relationships; and that she must be active in service for public benefit; and

WHEREAS, America is drawing inspiration, strength and confidence from the example of service and sacrifice of the Sullivan family whose five gallant sons made the supreme sacrifice in our struggle to preserve the American way of life and whose courageous daughter, Genevieve, is continuing patriotic service; and

WHEREAS, The homemaking ability, understanding, kindness, affection, patience, moral strength and courage of Mrs. Thomas Sullivan, the mother, made possible her children's accomplishments, and also gave to them their great brotherly and sisterly love—all will remember tenderly that the five Sullivan brothers stood always side by side; and

WHEREAS, Mrs. Sullivan's sense of social and world relationships is giving her the courage to carry on and render further service to humanity; and

WHEREAS, The Members of this Assembly believe that Mrs. Thomas Sullivan perfectly exemplifies the ideal American Mother; now, therefore, be it

Resolved by the Assembly of the State of California, That the Golden Rule Foundation Mothers' Committee of New York City is respectfully memorialized to select Mrs. Thomas Sullivan as The American Mother of 1943; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably engrossed copies of this resolution to The Golden Rule Foundation Mothers' Committee in New York City and to Mrs. Thomas Sullivan.

Request for Unanimous Consent

Mr. Middough asked for, and was granted, unanimous consent to take up House Resolution No. 173, at this time, without reference to committee.

Resolution read and adopted unanimously.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 23

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 23—Relative to memorializing the War Production Board to rescind its revocation of the order to reconstruct the Albion River Bridge.

Request for Unanimous Consent

Mr. Burns asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 23, at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 23

Senate Joint Resolution No. 23—Relative to memorializing the War Production Board to rescind its revocation of the order to reconstruct the Albion River Bridge.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Massion, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sawallsch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Weber, Weybret, and Mr. Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Fourt asked for, and was granted, unanimous consent to use the Assembly Chamber on Tuesday afternoon, April 13th, following adjournment, for the hearing of proposed pension bills.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1613 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Desmond asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1613 from the Committee on Judiciary, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1613

Assembly Bill No. 1613—An act to amend Section 408 Political Code, relating to the Secretary of State.

Bill read second time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 408", and insert "add Section 413 to the".

Amendment No. 2

In line 2 of the title of said bill, after "State", insert "and making an appropriation".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 413 is added to the Political Code, to read:

413. The Secretary of State shall maintain a branch office in the City of Los Angeles for the purpose of transacting any official business in connection with his office.

Sec. 2. The sum of fifteen thousand dollars (\$15,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State treasury not otherwise appropriated to be expended for the purposes of Section 413 of the Political Code."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

RESOLUTIONS

The following resolution was offered:

By Mr. Brown:

House Resolution No. 174

WHEREAS, The National Folk Festival has as its object the bringing together of groups from various sections of the United States, with the characteristic folk expression of each, in faith that National incentive gives encouragement to regional festivals, and that continued participation in such festivals keeps alive the fine traditional customs associated with the founding of this Nation; and

WHEREAS, In addition to serving as a record of the social life of early America, and a later America as well, the festival furnishes a basic, cultural, leisure-time activity program, and presents material which may inspire future artistic creations. Through the interchange of distinctive folk-songs, music, dances, myths and folk stories of different races will come, we hope, a better understanding and more tolerance which should result in stronger National unity; and

WHEREAS, The National Folk Festival has been held yearly since 1943; and

WHEREAS, The 1943 Folk Festival will be held at Philadelphia, Pennsylvania, on May 5th, 6th, 7th, and 8th of this year; and

WHEREAS, Mrs. Hattie C. Scott of Stanislaus County, California, is a native daughter of California at the age of 79 years young and is an old-timer in the history of our great State; and

WHEREAS, Mrs. Scott is a well-known fiddler, having played at the National Festival in the past years as well as the San Francisco Fair and Exposition and the California State Fair at Sacramento; and

WHEREAS, Mrs. Scott is well known for her ability to interpret well-beloved American tunes which are fast becoming folk tunes in the hearts of our citizens; now, therefore, be it

Resolved by the Assembly, That Mrs. Hattie C. Scott be designated by this Legislature as the official representative of California at the National Folk Festival at Philadelphia, Pennsylvania, on May 5th, 6th, 7th, and 8th, and that

a copy of said resolution be forwarded to Mrs. Hattie C. Scott at Turlock, California, and the National Folk Festival at Philadelphia, Pennsylvania.

Resolution read, and referred to Committee on Rules and House Functions.

MESSAGE FROM THE GOVERNOR RECEIVED

A message from Governor Earl Warren transmitting the Report of the Citizens Committee on Old Age Pensions was received, and ordered printed in the Journal for Saturday, April 10th, together with the report of the committee.

REPORT OF JOINT FACT-FINDING COMMITTEE ON UN-AMERICAN ACTIVITIES IN CALIFORNIA RECEIVED

The Report of the Joint Fact-finding Committee on Un-American Activities was received, and, upon motion of Mr. Sam L. Collins, adopted.

The committee was created pursuant to the provisions of Assembly Concurrent Resolution No. 13, filed with the Secretary of State on January 27, 1941, and, pursuant to the provisions of Senate Concurrent Resolution No. 8, adopted by the Senate on January 18, 1943, and by the Assembly on January 27, 1943, and filed with the Secretary of State on January 30, 1943.

Members of the original committee included Senators Jack B. Tenney, Chairman, Hugh M. Burns, and Assemblymen Nelson T. Dilworth, Jesse Randolph Kellems, and James H. Phillips.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, April 7, 1943

*To the Honorable Members of the Assembly
State of California, Sacramento, California*

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 473, entitled: "An act to amend Sections 2708, 2709 and 2877 of the Penal Code, relating to the sale of prison-made goods".

My objections to this bill are as follows:

The result of the bill would be to legalize the purchase by officers and employees of State institutions of articles of handwork produced by prisoners at State prisons. The bill would not only open the way to the victimizing of prisoners by those in whose custody they are, but it is also subversive of good discipline. There can be no sound reason why prison employees and prisoners should have any personal transactions between them, and any authorization for them to have such transactions would inevitably result in the destruction of morale of prisoners who are not on an equal footing with the prison employees. While we expect the latter to be humane and considerate of the welfare of the prisoners who are in their custody, they should at all times remain at arm's length and not indulge in any relationship that might bring about friction, misunderstanding or familiarity. Because of the status of the respective parties it is impossible for the prisoner and the guard to deal at arm's length, and there is no good reason why prison officials should be permitted to deal with the inmate personnel in any business transaction involving sale or barter of goods made by the latter. There is every good reason why they should not be permitted to do so.

The author has assured me that he did not intend by the measure to accomplish any such result as that to which I have above referred and has requested me to withhold my approval of the bill.

Respectfully submitted.

EARL WARREN, Governor

Above bill ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

Mr. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 164

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

Mr. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 537

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

Mr. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 227

Assembly Bill No. 928

Assembly Bill No. 228

Assembly Bill No. 946

Assembly Bill No. 465

Assembly Bill No. 1102

Assembly Bill No. 481

Assembly Bill No. 1139

Assembly Bill No. 869

Assembly Bill No. 1382

Assembly Bill No. 908

Assembly Bill No. 1433

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

Mr. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1612

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 869 re-referred to Committee on Agriculture.

Assembly Bill No. 1139 re-referred to Committee on Ways and Means.

Assembly Bill No. 1382 re-referred to Committee on Social Welfare.

Assembly Bill No. 1612 re-referred to Committee on Agriculture.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 9, 1943

Mr. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 478

Senate Bill No. 845

Senate Bill No. 988

Senate Bill No. 710

Senate Bill No. 846

Senate Bill No. 698

Senate Bill No. 1085

Senate Bill No. 356

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 615
Senate Bill No. 838
Senate Bill No. 136

Senate Bill No. 1067
Senate Bill No. 278
Senate Bill No. 608

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 919
Senate Bill No. 16
Senate Bill No. 672
Senate Bill No. 464
Senate Bill No. 353

Senate Bill No. 463
Senate Bill No. 251
Senate Bill No. 812
Senate Bill No. 804

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 21

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 478—An act to add a new section to the State Civil Service Act, to be numbered 57.1, relating to the officers and employees of the Railroad Commission of the State of California.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 988—An act to provide for the limiting of service areas by the California Districts Securities Commission between public utilities and irrigation districts engaged in the sale of electric power, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Utilities.

Senate Bill No. 846—An act to amend Sections 4356 and 4357 of the Water Code, relating to disbursements from the State Water Master Service Fund.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 1085—An act to amend Section 40 of, and to add Section 19c to, the California Water Storage District Act, relating to water storage districts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 845—An act to add Sections 12.5 and 12.6 to the Reclamation Board Act, relating to the disposal of lands acquired by the Reclamation Board.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 710—An act to amend Sections 13026, 13108 and 13109 of the Health and Safety Code, relating to the authority of the State Fire Marshal.

Referred to Committee on Public Health.

Senate Bill No. 698—An act to add Chapter 4, consisting of Sections 28000 to 28004, inclusive, to Division 21 of the Health and Safety Code, relating to horse meat.

Referred to Committee on Public Health.

Senate Bill No. 356—An act to add Section 4015 to the Public Resources Code, relating to money received by this State pursuant to the Clarke-McNary Act and other cooperative agreements with the Federal Government.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 615—An act to amend Sections 5003.5 and 5014 of the Public Resources Code, relating to the powers of the State Park Commission, and providing the manner in which the moneys in the State Park Maintenance and Acquisition Fund may be expended.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 838—An act to amend Section 511 of the Public Resources Code, relating to the Department of Natural Resources Printing Revolving Fund.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 136—An act to add a new chapter to Title 14 of Part 4 of Division 3 of the Civil Code to be known as Chapter 3b, relating to the assignment of accounts receivable and providing for the giving of notice thereof.

Referred to Committee on Judiciary.

Senate Bill No. 1067—An act to amend Section 1203b of the Penal Code, relating to granting of probation summarily.

Referred to Committee on Judiciary.

Senate Bill No. 278—An act to amend Section 4532 of the Penal Code, relating to escapes.

Referred to Committee on Crime and Correction.

Senate Bill No. 608—An act to amend Section 644 of the Penal Code, relating to habitual criminals and parole.

Referred to Committee on Crime and Correction.

Senate Bill No. 919—An act to amend Sections 3284, 3285 and 3286 of, and to add Sections 3286.1 and 3286.2 to, the Streets and Highways Code, relating to proceedings for the sale and redemption of delinquent property.

Referred to Committee on Roads and Highways.

Senate Bill No. 16—An act to add Section 66a to the Code of Civil Procedure and to amend Section 737vv of the Political Code, relating to the number of superior court judges and providing for the appointment of an additional superior court judge in and for the County of Solano, providing for his compensation, and making an appropriation.

Referred to Committee on Judiciary.

Senate Bill No. 672—An act to add Section 38dd and amend Section 38e of the Alcoholic Beverage Control Act, relating to rules and regulations for the orderly wholesaling of beer, and also relating to price posting.

Referred to Committee on Public Morals.

Senate Bill No. 464—An act to amend Section 675a of the Political Code, relating to approval of contracts by the Department of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 353—An act to amend Section 352 of the Political Code, relating to the traveling expenses of State officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 463—An act to amend Section 692 of the Political Code, relating to the approval of land contracts by the Director of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 251—An act relating to claims against, the liability of public officers and employees, and providing for insurance with respect thereto, amending Sections 1956 and 1981 of the Government Code, and repealing an act entitled "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers and/or liability in damages of such officers in the case of injuries to persons or property resulting from the negligence or carelessness of such officers, prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931.

Referred to Committee on Judiciary.

Senate Bill No. 812—An act to add Section 472.1 to the Political Code, relating to the Attorney General, his assistants and deputies, and counsel employed or appointed by the Superintendent of Banks, Building and Loan Commissioner, or the Insurance Commissioner.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 804—An act to prevent any officer, employees or agencies of the State Government from assuming or performing any functions of counties, cities or other local governmental agencies, or interfering therein without the express approval of the Legislature.

Referred to Committee on Governmental Efficiency and Economy.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California to amend the Constitution of the State, by adding Section 5 of Article XIII thereof, relating to property taxation.

Referred to Committee on Constitutional Amendments.

RECESS

At 4.55 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 83—An act to amend Section 36 of, and to add Sections 8b and 9a to, the California Water District Act, relating to districts organized under said act, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Clarke moved a call of the Assembly.

Motion carried. Time, 8.13 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1534—An act to add Section 1.5 to "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person;

to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved, June 13, 1923, relating to deadly weapons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Collins, George D., Collins, Sam L., Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Field, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Kilpatrick, Kraft, Leonard, Lyons, Maloney, Middough, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Waters, Weber, and Mr. Speaker—41.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1385—An act to amend Section 12 of "An act to establish police courts in cities of the second class, to fix their jurisdiction and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, relating to imprisonment of person convicted in the courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Collins, George D., Collins, Sam L., Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Field, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Kilpatrick, Kraft, Leonard, Lyons, Maloney, McCollister, Middough, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Thomas, Waters, Weber, and Mr. Speaker—41.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 227—An act to amend Sections 1859 and 1860 of the Civil Code, relating to the liability of innkeepers, to include voluntary hospitals, rest homes and sanitariums.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Field, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Middough, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Thomas, Waters, Weber, and Mr. Speaker—42.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1508—An act to amend Section 139 of the Agricultural Code, relating to newly discovered pests.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Debs, Denny, Dickey, Dills, Ralph C., Doyle, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Middough, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Thomas, Waters, and Mr. Speaker—42.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1511—An act to amend Section 1260.15 of the Agricultural Code, relating to time of payment of grain warehouse registration fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Middough, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Thomas, Waters, Weber, and Mr. Speaker—45.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 847—An act to add Section 784.9 to the Agricultural Code, relating to fruits, nuts and vegetables.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Middough, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Thomas, Waters, Weber, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1238—An act to add Section 1069.5 to the Agricultural Code, relating to the coloration of economic poisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Field, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Middough, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Waters, Weber, Wollenberg, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1862—An act to amend Sections 3d and 38d of, and to add Section 28b to, the State Employees' Retirement Act, relating to authorizing the inclusion of any bridge and highway district in such retirement system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Debs, Denny, Dickey, Dilworth, Doyle, Dunn, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lyons, Maloney, McCollister, Middough, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Waters, Weber, Wollenberg, and Mr. Speaker—46

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 696—An act to amend Section 4828 of the Business and Professions Code, relating to emergency veterinarians.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lyons, Maloney, McCollister, Middough, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Waters, Weber, Wollenberg, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 707—An act to amend Section 5a of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," as amended, relating to poison schedules and economic poisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lyons, Maloney, McCollister, Middough, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Waters, Weber, Wollenberg, and Mr. Speaker—50.

NOES—None.

Motion to Amend Title

Mr. Dilworth moved the adoption of the following amendment to the title:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, after "thereof," insert "approved March 6, 1907,".

Amendment read and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Assembly Bill No. 708—An act to amend Section 4045 of the Business and Professions Code, relating to economic poisons.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

In line 2 of the title of the printed bill, after the comma, insert "and to amend Section 1066 of and add Section 1066.5 to the Agricultural Code,".

Amendment No. 2

On page 1 of said bill, after line 17, insert
 "SEC. 2. Section 1066 of the Agricultural Code is amended to read:
 1066. It is unlawful to sell any adulterated or misbranded economic poison. [It shall be unlawful for any person to sell or to possess within this State any thallium salts or preparations thereof, unless same is for sale to and for official use for pest control purposes by Federal, State, or county officers or employees or under their immediate supervision, or for sale to and for use by licensed physicians, surgeons, pharmacists, or veterinarians in connection with their respective professions,

or for sale to and for use by a registrant solely in the manufacture of economic poisons products for export outside of this State and which products are so exported.]

Sec. 3. Section 1066.5 is added to the Agricultural Code, to read:

1066.5. As used in this section "thallium salt" includes any preparation of thallium salt.

It is unlawful for any person to sell or to possess thallium salt except that:

(a) Federal, State, County, or municipal offices or employees, in their official capacities, or persons under the immediate supervision of such officers or employees, may possess thallium for use for pest control purposes.

(b) Licensed physicians, surgeons, pharmacists, or veterinaries may possess thallium for use in their respective professions.

(c) Persons operating research or chemical laboratories may possess thallium for use for the purposes of such laboratories.

(d) Registered manufacturers of ant poison may manufacture and sell, and registered dealers in ant poison may possess for sale and sell, ant poisons containing not more than 1 per cent of thallium, expressed as metallic, prepared, packaged, and sold in accordance with such rules and regulations as the director may deem necessary to protect the public health.

(e) Wholesalers or jobbers of economic poison may possess for sale or sell thallium to any person included within the above classifications, or for export."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

ASSEMBLY BILL NO. 1085 ORDERED PLACED UPON THE INACTIVE FILE

Mr. Sam L. Collins moved that Assembly Bill No. 1085 be withdrawn from the active file, and placed upon the inactive file.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 18—Relative to poll taxes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Field, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, Kraft, Lyons, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Waters, and Mr. Speaker—45.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 514—An act to amend Sections 679, 1400, 2604, 2631, 2700, 5557, 5565, 5809, 7967, and 11581 of the Elections Code, and to repeal Sections 19, 45, 46, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 134, 135, 136, 180, 181, 182, 183, 184, 185, 186, 224, 225, 226, 227, 228, 229, 230, 291, 292, 293, 294, 295, 296, 297, 298, 330, 370, 371, 372, 373, 374, and 9000 of the Elections Code as contained in Chapter 26 of the Statutes of 1939, relating to elections and matters incidental thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Ralph C., Doyle, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, Middough, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Waters, Weber, Wollenberg, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 956—An act to authorize the creation of a branch of the University of California at Santa Barbara, to abolish Santa Barbara State College, to transfer to The Regents of the University of California all properties belonging to or used for the benefit of said college, including moneys appropriated and unexpended, or which may be appropriated, to grant to employees of Santa Barbara State College who may become employees of the University of California, certain privileges with respect to membership in retirement and pension systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brady, Burkhalter, Carey, Collins, George D., Collins, Sam L., Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Waters, Wollenberg, and Mr. Speaker—43.

NOES—Bashore, Burns, Carlson, Desmond, Kraft, Potter, and Stream—7.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 43—Relative to increasing the quota for Portuguese immigration from the Azores as an aid to milk production in California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Johnson, Kilpatrick, Knight, T. Fenton; Lyons, Maloney, McCollister, Middough, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Thomas, Waters, Wollenberg, and Mr. Speaker—46.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 718—An act to add Section 1714.5 to the Civil Code, relating to injuries sustained in air raid shelters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Field, Gaffney, Guthrie, Haggerty, Hawkins, Johnson, Kilpatrick, Knight, T. Fenton; Kraft, Lyons, Maloney, McCollister, Middough, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Thomas, Waters, Wollenberg, and Mr. Speaker—43.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 9.40 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Assembly Bill No. 62—An act to make an appropriation for the cost of auditing and collecting unemployment relief restitutions, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Field, Gaffney, Guthrie, Haggerty, Hawkins, Johnson, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Middough, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Thomas, Waters, Weber, Wollenberg, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 515—An act to provide for the establishment and maintenance of a School of Public Health in the University of California and making an appropriation therefor.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Carlson moved a call of the Assembly.

Motion carried. Time, 9.53 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 800—An act to amend Section 776 of the Vehicle Code, relating to the "Motor Vehicle Support Fund," to take effect July 1, 1943.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Johnson, Kilpatrick, Knight T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Waters, Weber, Wollenberg, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 9.55 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Assembly Bill No. 1590—An act to add Section 2 to an act entitled "An act making an additional appropriation for construction, improvements, and equipment at the University of California," approved July 8, 1941, relative to the period of time during which the moneys thereby appropriated are available for expenditure.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field,

Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Waters, Weber, Wollenberg, and Mr. Speaker—54
 NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1359—An act to add Chapter 3, comprising Section 2650, to Division 4 of the Welfare and Institutions Code, and to repeal certain laws and parts of laws therein specified, relating to relief and public assistance due to and caused by unemployment abolishing the State Relief Administration, the State Relief Commission and the Office of State Relief Administrator, providing for the disposition of the properties thereof, and prohibiting the expenditure of money for certain purposes.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly.

Motion carried. Time, 10.07 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 145—An act to amend Section 337a of the Penal Code, relating to pool-selling, bookmaking, bets and wagers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Debs, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Thomas, Waters, Weber, Wollenberg, and Mr. Speaker—42.

NOES—Bashore, Carlson, Collins, Sam L., Denny, Field, and Potter—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 975—An act to amend Section 67.5 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Doyle, Dunn, Evans, Field, Gaffney, Gannon, Haggerty, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Thomas, Waters, Weber, Wollenberg, and Mr. Speaker—41.

NOES—Brady—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 652—An act to amend Section 404 of the Fish and Game Code, relating to licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Debs, Desmond, Dills, Ralph C., Doyle, Dunn, Evans, Field, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Kilpatrick, Leonard, Lyons, Maloney, Massion, Middough, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Thomas, Waters, Weber, Wollenberg, and Mr. Speaker—42.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 657—An act to add Section 486.5 to the Fish and Game Code, relating to taking of fish for the taking of which a sporting fishing license is required.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, Kraft, Lyons, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Thomas, Waters, Weber, Wollenberg, and Mr. Speaker—50.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1161—An act to add Section 39.6 to the Fish and Game Code, relating to the sale of certain properties, real or personal, no longer necessary, or useful to the Fish and Game Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Thomas, Waters, Weber, Wollenberg, and Mr. Speaker—48.

NOES—Burns—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1430—An act to amend Section 797 of the Fish and Game Code, relating to abalones, and declaring its urgency in order to produce more necessary food at once.

Bill read third time.

Motion to Amend

Mr. Kraft moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "its urgency in order to"; and strike out line 3 of said title, and insert "the urgency of this act, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 3 and 4, and insert "797. Abalone meat may be transported out of the State. Meal".

Amendment No. 3

On page 1 of said bill, after line 7, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The increasing demand for food and fishery products necessary for the successful prosecution of the war makes it essential that restrictions upon the use of the fish resources be lifted whenever doing so is consistent with sound conservation. This bill will make abalones available for shipment out of the State and will tend to increase the food supply available for military and civilian purposes by the Federal Government and will release an equivalent amount of other foods for the people of this State."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 627—An act to add Section 4539 to the Elections Code, relating to campaign statements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 458—An act to amend Section 2720 of the Penal Code, relating to the Jute Mill Revolving Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 472—An act to amend Section 2943 of the Penal Code, relating to the discharge of prisoners and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 211—An act to amend Section Sections 3824 and 3921 of the Elections Code, relating to ballots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1602—An act to add Section 2 to an act entitled "An act to provide for the establishment and maintenance of a College of Veterinary Medicine in the University of California, and to make an appropriation therefor," approved June 9, 1941, relative to the period of time during which the moneys thereby appropriated are available for expenditure.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1380—An act making an appropriation in augmentation of the Emergency Fund specified in Item 216 of the Budget Act of 1941, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1528—An act to amend Sections 150 and 151 of, and to add Section 96.6 to the State Civil Service Act, relating to the State Civil Service, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Allen, Bashore, Collins, George D., Evans, Heisinger, O'Day, and Potter—7.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Allen, Bashore, Collins, George D., Evans, Heisinger, O'Day, and Potter—7.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 515

At 10.55 p.m., on motion of Mr. Carlson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 515 passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 515

Mr. Carlson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 515 was this day passed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1359

At 11 p.m., on motion of Mr. Johnson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1359 passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter,

Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—67.
 NOES—Dills, Ralph C., and Hawkins—2.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 407—An act to amend Sections 427, 428, and 990 of the Fish and Game Code, relating to hunting and fishing, and the issuance of licenses therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Collins, George D.—1.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 83

At 11.05 p.m., on motion of Mr. Burns, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 83 adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Field:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 699.5 to the Military and Veterans Code, relating to assistance to veterans, prescribing the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences, and making an appropriation.

Respectfully submitted.

C. DON FIELD

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Field:

An act to add Section 699.5 to the Military and Veterans Code, relating to assistance to veterans, prescribing the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences, and making an appropriation.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 1976: By Mr. Field—An act to add Section 699.5 to the Military and Veterans Code, relating to assistance to veterans, prescribing the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences, and making an appropriation.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 261	Assembly Bill No. 867
Assembly Bill No. 316	Assembly Bill No. 987
Assembly Bill No. 420	Assembly Bill No. 988
Assembly Bill No. 457	Assembly Bill No. 989
Assembly Bill No. 513	Assembly Bill No. 1203
Assembly Bill No. 698	

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1488
 Assembly Bill No. 1702
 Assembly Bill No. 1849

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 998

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DILWORTH, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1310
 Assembly Bill No. 1445

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DILWORTH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1207
 Assembly Bill No. 1503

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DILWORTH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 491
 Assembly Bill No. 1265

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DILWORTH, Chairman

Above reported bills ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 261 re-referred to Committee on Agriculture.

Assembly Bill No. 867 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 698 re-referred to Committee on Ways and Means.

Assembly Bill No. 1488 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1702 re-referred to Committee on Motor Vehicles.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of the Speaker of the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Coxswain and Mrs. Edward Galvin of Joliet, Illinois.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank Pellett of Los Angeles.

On request of Messrs. Miller and Thompson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Glenn R. Baker of San Bruno.

On request of Messrs. Leonard and Hollibaugh, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Henry L. Boni, Aerographer's Mate, 3d Class, United States Navy, Seattle, Washington, and Herbert Wullum, Big Timber, Montana, Aerographer's Mate, 3d Class, United States Navy.

On request of Messrs. Stream and Kraft, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dave Bird, Chairman Board of Supervisors, San Diego County; Harry Warner, Supervisor, San Diego County; Julius Rainwater, Welfare Director, San Diego; Lester Penry, President Republican League of San Diego.

On request of Messrs. Stream and Kraft, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Lester E. Penry and the Hon. Fred E. Lindley, former Assemblyman, of San Diego.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain Eugene Moury, Chaplain, stationed at Camp Beale.

On request of Mr. Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to M. A. J. Quist of Fresno.

On request of Mr. Kraft and the San Diego County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Walter Cooper and De Graf Austin of San Diego.

On request of Messrs. Watson and Collins, Sam L., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Harry Welch, Secretary, Newport Harbor Chamber of Commerce, Newport Beach; Mr. William Gallienne, Secretary, Huntington Beach Chamber of Commerce, Huntington Beach; and Supervisors Irwin George Gordon and Willis Warren of Orange County.

On request of Messrs. Leonard and Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Dwight Odell, United States Navy; and Chief Petty Officer Tripplett, United States Navy.

On request of Messrs. O'Day, Gaffney, and the San Francisco and Sacramento County Delegations, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain S. I. Harris, United States Army, of Salt Lake City, and Supervisor Frank R. "Bud" Elmer of Sacramento.

On request of Messrs. Johnson, Carlson, Debs, and Carey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Machinist's Mate First Class and Mrs. Stephen Szells of Toledo, Ohio.

ADJOURNMENT

At 11.15 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Saturday, April 10, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTIETH LEGISLATIVE DAY
 NINETY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
 Saturday, April 10, 1943

The Assembly met at 10 a.m.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, and Mr. Speaker—54.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Eternal God, grant us the adequate, inner resource that we may run with patience the race that is set before us. Give us strength by looking always unto Jesus, the Author and Finisher of our faith.

Make us brave in the hour of danger, pure in the face of temptations, true in every obligation to Thee and to our native land.

Teach us, O God
 To serve Thee as Thou deservest—
 To give and not count the cost,
 To fight and not heed the wounds,
 To toil and not ask for rest,
 To labor and not seek for any reward
 Save that of knowing that we have done Thy will

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Thompson.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

MOTION TO SET SPECIAL ORDER

Mr. Lyon moved that Assembly Bill No. 686 be made a special order of business for Monday, April 12, 1943, at 11.30 a.m.

Mr. O'Day seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gafney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 85
FROM INACTIVE FILE**

Mr. Kilpatrick gave notice that on Monday, April 12, 1943, he would move to withdraw Assembly Bill No. 85 from the inactive file, and have it placed upon the third reading file.

**NOTICE OF MOTION TO WITHDRAW SENATE CONSTITUTIONAL
AMENDMENT NO. 10 FROM INACTIVE FILE**

Mr. Clarke gave notice that on Monday, April 12, 1943, he would move to withdraw Senate Constitutional Amendment No. 10 from the inactive file, and have it placed upon file for adoption.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1013—An act to amend Section 108 of the Insurance Code, relating to liability insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1425—An act to add Section 1656.5 to, and to amend Section 1657 of, the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1389—An act to amend Sections 10170 and 10171 of the Insurance Code, relating to life insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 913—An act to add Section 37b to the Reclamation Board Act, relating to flood control and the advancement of the United States of funds to be used therefor, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1097—An act to amend Section 8.1 of the Metropolitan Water District Act, relating to district taxation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1914—An act to repeal Sections 1060 and 1061 of, and to add Sections 1060, 1060.1, 1060.2, 1060.3, 1060.4, 1060.5,

1060.6, 1060.7, 1060.8, 1060.9, 1060.10, 1060.11, 1060.12, 1060.13, 1060.14 and 1062b to, the Code of Civil Procedure, relating to declaratory relief.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1915—An act to add Section 1066 to the Code of Civil Procedure, relating to the judicial review of administrative determinations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1917—An act relating to review of decisions of administrative boards, commissions and officers, providing for a thorough study and report thereon and the formulation of a comprehensive and detailed plan in respect thereto and defining the powers and duties of the Judicial Council in relation thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 255—An act to amend Section 6301 of the Business and Professions Code, relating to boards of trustees of law libraries.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1484—An act to amend Section 575 of the Welfare and Institutions Code of the State of California by providing that in counties of the second class the compensation of the referee of the juvenile court shall be three hundred fifty dollars (\$350) per month.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1047—An act to amend Section 4316 of the Political Code, relating to the privileges of public officers.

Bill read second time, and ordered to third reading.

Assembly Bill No. 439—An act to amend Sections 69, 77 and 79a of the Civil Code, relating to marriage.

Bill read second time, and ordered to third reading.

Assembly Bill No. 434—An act to amend Sections 61, 132 and 133 of the Civil Code, relating to marriages and divorcees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 531—An act to amend Section 108 of the Civil Code, relating to divorce actions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1312—An act to amend Section 702 of the Probate Code, relating to notice in probate proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1313—An act to amend Section 1023 of the Probate Code, relating to final distribution of estates in probate.

Bill read second time, and ordered engrossed.

Assembly Bill No. 247—An act to add Section 1428b to the Penal Code, relating to the destruction of old records in municipal courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 249—An act to amend Section 28a of an act entitled, "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to bail in municipal courts in cities of the first and one-half class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 250—An act to amend Section 4300f of the Political Code, relating to jurors' fees in municipal courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1207—An act to repeal Section 2.2012 of the School Code and to repeal Section 4643 of the Education Code, relating to the annexation of school districts to unified school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1503—An act to amend Section 1 of an act entitled "An act relating to the education of persons in connection with programs of National defense, declaring the urgency thereof, and providing that this act shall take effect immediately," approved June 28, 1941, and to amend Section 9176 of the Education Code, relating to the education of persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 653—An act to amend Section 2351 of the Labor Code, relating to conditions in places of employment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor and Capital:

Amendment No. 1

On page 1, line 11, of the printed bill, after "room", insert "in every moving picture theater hereafter constructed".

Amendment No. 2

On page 1, line 13, of the printed bill, after the period, insert "In every moving picture theater hereafter remodeled, such projection room shall have two such separate doors whenever possible."

Amendment No. 3

On page 1, line 11, of the printed bill, strike out "exist", and insert "exit".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 876—An act to amend The Personal Income Tax Act, relating to personal income taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "The Personal Income Tax Act", and insert "Section 5 of, and to add Section 29.5 to The Personal Income Tax

Act and to amend Section 17052 of, and to add Chapter 13.5, comprising Sections 19200 and 19201, to Part 10 of Division 2 of, the Revenue and Taxation Code".

Amendment No. 2

In line 2 of the title of said bill, after "taxes", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, lines 13 and 14, of said bill, strike out "and not in excess of forty thousand dollars (\$40,000)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments are indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of said bill, strike out lines 16 to 51, inclusive, and insert

"Sec. 2. Section 29.5 is added to said act, to read:

Sec. 29.5. With respect to taxable years beginning after December 31, 1942, and before January 1, 1945, there shall be allowed for the purposes of the tax herein imposed:

(1) In the case of a single person, a personal exemption of one thousand five hundred dollars (\$1,500); or

(2) In the case of the head of a family or a married person living with husband or wife, a personal exemption of three thousand five hundred dollars (\$3,500);

(3) A husband and wife living together shall receive but one personal exemption. The amount of such personal exemption shall be three thousand five hundred dollars (\$3,500). If such husband and wife make separate returns, the personal exemption may be taken by either or divided between them.

The amount of the tax that would have been payable, except for the existence of this section, shall be computed in the manner, at the rates and on the basis specified in this act, as modified by this section, but the amount to be paid to the State under this act for such taxable years shall be seventy-five per cent (75%) of the amount so computed.

SEC. 3. Section 17052 of the Revenue and Taxation Code is amended to read:

17052. There shall be levied, collected, and paid for each taxable year upon the entire net income of every resident of this State and upon the net income of every nonresident which is derived from sources within this State, taxes in the following amounts and at the following rates upon the amount of net income in excess of credits against net income provided in Article 1 of Chapter 7 of this part:

Upon net incomes not in excess of five thousand dollars (\$5,000), 1 per cent of such net incomes.

Fifty dollars (\$50) upon net incomes of five thousand dollars (\$5,000); and upon net incomes in excess of five thousand dollars (\$5,000) and not in excess of ten thousand dollars (\$10,000), 2 per cent in addition of such excess.

One hundred fifty dollars (\$150) upon net incomes of ten thousand dollars (\$10,000); and upon net incomes in excess of ten thousand dollars (\$10,000) and not in excess of fifteen thousand dollars (\$15,000), 3 per cent in addition of such excess.

Three hundred dollars (\$300) upon net incomes of fifteen thousand dollars (\$15,000); and upon net incomes in excess of fifteen thousand dollars (\$15,000) and not in excess of twenty thousand dollars (\$20,000), 4 per cent in addition of such excess.

Five hundred dollars upon net incomes of twenty thousand dollars (\$20,000); and upon net incomes in excess of twenty thousand dollars (\$20,000) and not in excess of twenty-five thousand dollars (\$25,000), 5 per cent in addition of such excess.

Seven hundred fifty dollars (\$750) upon net incomes of twenty-five thousand dollars (\$25,000); and upon net incomes in excess of twenty-five thousand dollars (\$25,000) and not in excess of thirty thousand dollars (\$30,000), 6 per cent in addition of such excess.

One thousand fifty dollars (\$1,050) upon net incomes of thirty thousand dollars (\$30,000); and upon net incomes [in excess of \$30,000 and not in excess of \$40,000, 7 per cent in addition of such excess

\$1,750 upon net incomes of \$40,000, and upon net incomes in excess of \$40,000, 8 per cent in addition of such excess.] in excess of thirty thousand dollars (\$30,000), 7 per cent in addition of such excess.

[Two thousand five hundred fifty dollars (\$2,550) upon net incomes of fifty thousand dollars (\$50,000); and upon net incomes in excess of fifty thousand dollars (\$50,000) and not in excess of sixty thousand dollars (\$60,000), 9 per centum in addition of such excess.

Three thousand four hundred fifty dollars (\$3,450) upon net incomes of sixty thousand dollars (\$60,000); and upon net incomes in excess of sixty thousand dol-

lars (\$60,000) and not in excess of seventy thousand dollars (\$70,000), 10 per centum in addition of such excess.

Four thousand four hundred fifty dollars (\$4,450) upon net incomes of seventy thousand dollars (\$70,000); and upon net incomes in excess of seventy thousand dollars (\$70,000) and not in excess of eighty thousand dollars (\$80,000), 11 per centum in addition of such excess.

Five thousand five hundred fifty dollars (\$5,550) upon net incomes of eighty thousand dollars (\$80,000); and upon net incomes in excess of eighty thousand dollars (\$80,000) and not in excess of one hundred thousand dollars (\$100,000), 12 per centum in addition of such excess.

Seven thousand nine hundred fifty dollars (\$7,950) upon net incomes of one hundred thousand dollars (\$100,000); and upon net incomes in excess of one hundred thousand dollars (\$100,000) and not in excess of one hundred fifty thousand dollars (\$150,000), 13 per centum in addition of such excess.

Fourteen thousand four hundred fifty dollars (\$14,450) upon net incomes of one hundred fifty thousand dollars (\$150,000); and upon net incomes in excess of one hundred fifty thousand dollars (\$150,000) and not in excess of two hundred fifty thousand dollars (\$250,000), 14 per centum in addition of such excess.

Twenty-eight thousand four hundred fifty dollars (\$28,450) upon net incomes of two hundred fifty thousand dollars (\$250,000); and upon net incomes in excess of two hundred fifty thousand dollars (\$250,000), 15 per centum in addition of such excess.]

Sec. 4. Chapter 13 5, comprising Sections 19200 and 19201, is added to Part 10 of Division 2 of said code, to read:

Chapter 13.5. Temporary Tax Basis

19200. With respect to taxable years beginning after December 31, 1942 and before January 1, 1945, there shall be allowed as a credit against net income, in the case of a single individual, a personal exemption of one thousand five hundred dollars (\$1,500), or, in the case of a head of a family or a married individual living with husband or wife, a personal exemption of three thousand five hundred dollars (\$3,500). A husband and wife living together shall receive but one personal exemption of three thousand five hundred dollars (\$3,500). If the husband and wife, living together, make separate returns, the personal exemption may be taken by either or divided between them.

19201. With respect to taxable years beginning after December 31, 1942 and before January 1, 1945, the amount of the tax that would have been payable, except for the existence of this chapter, shall be computed in the manner, at the rates and on the basis specified in this part, as modified by Section 19200, but the amount to be paid to the State under this part for such taxable years shall be seventy-five per cent (75%) of the amount so computed.

Sec. 5 Sections 3 and 4 of this act become operative only if Part 10, Division 2 of the Revenue and Taxation Code is enacted by the Legislature at its Fifty-fifth Session, and in such case, at the same time as said Part 10 takes effect; at which time the sections of The Personal Income Tax Act added and amended by this act are hereby repealed.

Sec. 6. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The necessity of high Federal taxation for war purposes requires that all State taxes be reduced wherever possible. The burden of State taxes must be alleviated if individuals are to meet the higher Federal taxes and the higher costs of living due to the war. It is therefore necessary that the personal income tax rates be reduced and that the personal exemptions be increased and a reduction in the amount of tax be granted for the period fixed by this act."

Amendment No. 5

On page 3 of said bill, strike out lines 1 to 9, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 879—An act to amend Part 1 of Division 2 of the Revenue and Taxation Code, relating to the sales and use taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Part 1 of Division 2 of", and insert "add Section 6363 to and to amend Sections 6051 and 6201 of".

Amendment No. 2

In line 2 of the title of said bill, before the period, insert “, declaring the urgency thereof, to take effect immediately”.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 23, inclusive; and on page 2, strike out lines 1 to 10, inclusive, and insert

“SECTION 1. Section 6051 of the Revenue and Taxation Code is amended to read:

6051. For the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of $2\frac{1}{2}$ per cent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this State on or after August 1, 1933, and to and including June 30, 1935, and at the rate of 3 per cent thereafter[.], and at the rate of $2\frac{1}{2}$ per cent on and after July 1, 1943, and to and including June 30, 1945, and at the rate of 3 per cent thereafter.

SEC. 2. Section 6201 of said code is amended to read:

6201. An excise tax is hereby imposed on the storage, use, or other consumption in this State of tangible personal property purchased from any retailer on or after July 1, 1935, for storage, use, or other consumption in this State at the rate of 3 per cent of the sales price of the property[.], and at the rate of $2\frac{1}{2}$ per cent on and after July 1, 1943, and to and including June 30, 1945, and at the rate of 3 per cent thereafter.

SEC. 3. Section 6363 is added to said code, to read:

6363. On and after July 1, 1943, and to and including June 30, 1945, there are exempted from the taxes imposed by this part the gross receipts from sales of and the storage, use, or other consumption in this State of medicines and drugs. “Medicines” or “drugs” include any substance or mixture of substances intended to be used internally or externally in the diagnosis, cure, treatment, or prevention of diseases of man.

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The necessity of high taxation for war purposes requires that State taxes be reduced wherever possible. In addition with the high cost of living at the present time, it is essential that articles of necessity, including medicines and drugs, be relieved of the burdens of taxation so that people will not be unduly curtailed in securing the necessities of life, by reason of their inability to meet the taxes thereon.”

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 883—An act to amend The Bank and Corporation Franchise Tax Act, relating to a franchise tax imposed on banks and corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out “amend”, and insert “add Section 7.5 to”.

Amendment No. 2

On page 1, lines 1 and 2, of said bill, strike out “Section 1 of the Bank and Corporation Franchise Tax Act is amended”, and insert “Section 7.5 is added to The Bank and Corporation Franchise Tax Act”.

Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert

“Sec. 7.5. With respect to taxable years beginning after December 31, 1943, and before January 1, 1946, the amount of the tax that would have been payable, except for the existence of this section, shall be computed in the manner, at the rates and

on the basis specified in this act, but the amount to be paid to the State under this act for such taxable years shall be seventy-five per cent (75%) of the amount so computed."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 24, inclusive; and strike out pages 2 and 3.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 884—An act to amend The Corporation Income Tax Act of 1937, relating to the income tax imposed on corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend The Corporation Income Tax Act of 1937", and insert "add Section 5.5 to The Corporation Income Tax Act".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 17, inclusive, and insert "SECTION 1. Section 5.5 is added to The Corporation Income Tax Act to read: Sec. 5.5. With respect to taxable years beginning after December 31, 1942, and before January 1, 1945, the amount of the tax that would have been payable, except for the existence of this section, shall be computed in the manner, at the rates and on the basis specified in this act, but the amount to be paid to the State under this act for such taxable years shall be seventy-five per cent (75%) of the amount so computed."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1525—An act to add Section 6364 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "and any products thereof.", and insert "any products thereof, and orthopaedic and surgical appliances"

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1020—An act to amend Section 12003 of the Revenue and Taxation Code; to repeal Article 1 of Chapter 3, Part 7, Division 2 of said code; to add a new article, comprising Sections 12251 to 12264 inclusive, to Chapter 3, Part 7, Division 2 of said code, to be known as Article 1; to amend Sections 12402, 12403, 12404, 12405, 12431, 12434, 12438, 12461, 12462, 12464, 12622, 12623, 12801, 12978, 12996, 12997 and 12999 of said code; and providing that it shall take effect from and after December 31, 1943, all relating to the taxation of insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 7 of the title of the printed bill, after "12623," insert "12626,"

Amendment No. 2

On page 6 of the printed bill, after line 42, insert "Sec. 15 $\frac{1}{2}$. Section 12626 of the Revenue and Taxation Code is hereby amended to read as follows:

12626. On or before the fifteenth day of November, the State Compensation Insurance Fund shall pay into the State treasury to the credit of the General Fund the sum required under the provisions of Section 12264 of this code."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1015—An act to amend Sections 11493, 11502, 11505, 11507, 11510, 11512, 11513 and 11516.5 of, to add Sections 11512.1, 11512.2 and 11512.3 to, and to repeal Section 11497 of, the Insurance Code, all relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "11493"

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 11, inclusive; and in line 12, strike out "Sec. 2", and insert "Sec. 1."

Amendment No. 3

On page 1, line 13, of the printed bill, strike out "Sec. 3.", and insert "Sec. 2."

Amendment No. 3a

On page 2, line 6, of the printed bill, strike out "Sec. 4.", and insert "Sec. 3."

Amendment No. 4

On page 2, line 33, of the printed bill, strike out "Sec. 5.", and insert "Sec. 4."

Amendment No. 5

On page 2, line 39, of the printed bill, strike out "in the State of California".

Amendment No. 6

On page 3, line 11, of the printed bill, strike out "Sec 6", and insert "Sec 5."

Amendment No. 7

On page 3, line 28, of the printed bill, strike out "Sec. 7.", and insert "Sec. 6."

Amendment No. 8

On page 4, line 25, of the printed bill, strike out "Sec. 8.", and insert "Sec. 7."

Amendment No. 9

On page 4, line 36, of the printed bill, strike out "Sec. 9.", and insert "Sec. 8"

Amendment No. 10

On page 5, line 23, of the printed bill, strike out "Sec. 10.", and insert "Sec. 9."

Amendment No. 11

On page 6, line 1, of the printed bill, strike out "Sec. 11.", and insert "Sec. 10."

Amendment No. 12

On page 6, line 15, of the printed bill, strike out "Sec. 12.", and insert "Sec 11."

Amendment No. 13

On page 6, line 33, of the printed bill, strike out "Nothing herein con-"; also strike out lines 34 to 38, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1127—An act to add Section 45.1 to the California Irrigation District Act, and Section 26232 to the Water Code, relating to the assessment and redemption of property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, strike out ", and".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 7 and 8.

Amendment No. 3

On page 1, in line 9, of the printed bill, as amended, strike out "of the assessment or redemption of the property".

Amendment No. 4

On page 1, line 17, of the printed bill, as amended, strike out ", and payment of such incorrect amount, if less".

Amendment No. 5

On page 1 of the printed bill, as amended, strike out lines 18 and 19.

Amendment No. 6

On page 1, line 20, of the printed bill, as amended, strike out "redemption".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1404—An act to amend the Civil Engineers' Act by amending Sections 6730, 6731, 6733, 6737, and 6739, and adding Sections 6752.5 and 6756.5, and repealing Sections 6734, 6735, and 6736, all of the Business and Professions Code, relating to civil engineers

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In the title of the printed bill, strike out lines 2, 3, and 4, inclusive, and insert "tions, 6730, 6731, 6733, 6734, 6735 and 6737, and adding Sections 6752.5 and 6756.5, all of the Business and Professions Code, and relat-".

Amendment No. 2

On page 2 of the printed bill, strike out lines 10 to 20, inclusive, and insert "6731. Civil engineering embraces that branch of professional engineering which deals with any of the following studies or activities in connection with fixed works for irrigation, drainage, water power, water supply, flood control, inland waterways, harbors, municipal improvements, railroads, highways, tunnels, airports and airways, purification of water, sewerage, refuse disposal, foundations, framed and homogeneous structures, buildings or bridges:

(a) The economics of, the use and design of, materials of construction and the determination of their physical qualities.

(b) The supervision of the construction of engineering structures.

(c) The investigation of the laws, phenomena and forces of nature.

(d) Appraisals or valuations.

Civil engineering also includes city and regional planning insofar as any of the above features are concerned therein."

Amendment No. 3

On page 3 of the printed bill, strike out lines 1 to 21, inclusive, and insert "Sec. 4. Section 6734 of the Business and Professions Code is hereby amended to read as follows:

6734. This chapter does not apply to any of the following buildings:

(a) Any wood frame building designed and constructed for use exclusively as a dwelling by not more than two families;

(b) Any wood frame structure not over one story in height where the clear span between walls does not exceed twenty-five (25) feet.

SEC. 5. Section 6735 of the Business and Professions Code is hereby amended to read as follows:

6735. The construction of work designed by a".

Amendment No. 4

On page 3, line 27, of the printed bill, insert

"Sec. 6. Section 6737 of the Business and Professions Code is hereby amended to read as follows:

6737. This chapter does not require registration by an individual, firm, partnership or corporation on property owned or leased by the individual, partnership, firm or corporation, unless the engineering work *to be performed* involves the public health or safety or the health and safety of employees of the individual, firm, partnership or corporation."

Amendment No. 5

On page 3, line 28, of the printed bill, strike out "Sec. 6.", and insert "Sec. 7."

Amendment No. 6

On page 3, line 35, of the printed bill, strike out "Sec. 7.", and insert "Sec. 8"

Amendment No. 7

On page 3, line 37, of the printed bill, after "applicant", insert "for authority to use the title 'structural engineer'".

Amendment No. 8

On page 3 of the printed bill, strike out lines 43 and 44.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1282—An act to amend Section 266 of the Political Code and Section 9300 of the Government Code, relating to compensation for Members of the Legislature.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 1, line 24, of the printed bill, after "allowance of", strike out "six dollars (\$6)", and insert "ten dollars (\$10)".

Amendment No. 2

On page 1, line 26, of the printed bill, after "tutional recess.", strike out the remainder of line 26, and all of lines 27 and 28

Amendment No. 3

On page 2, line 18, of the printed bill, after "allowance of", strike out "six dollars (\$6)", and insert "ten dollars (\$10)"; in line 20, after the period, strike out the balance of the line; and strike out lines 21, 22, and 23.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1712—An act to amend Sections 752, 757, 763 and 771, of the Code of Civil Procedure, relating to partition of real and personal property.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, after "lien", strike out "equal in rank to", and insert "on a parity with".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1916—An act to add Section 1065 to the Code of Civil Procedure, relating to the judicial review of administrative determinations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 3, 4, 5, and 6, and insert "1065. Upon the review of any finding or order of an administrative official or body by a court of competent jurisdiction, the reviewing court or any court to which an appeal is made from the reviewing court or in which the order or decision of the reviewing court is examined or passed upon, may, upon its own motion or motion of any of the parties, strike out from the record of the proceedings or evidence taken by the administrative officer or administrative body, any and all testimony or evidence which in its judgment is incompetent, irrelevant or immaterial or otherwise inadmissible."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 328—An act to add Sections 3066, 3066a, 3066b, 3066c, 3066d and 3066e to Chapter 6 of Title 14 of Part 4 of Division 3 of the Civil Code, to provide for liens in favor of private hospitals in this State upon all causes of action for damages accruing to an injured person therein or to the legal representatives of such person for the reasonable charges for hospital care, treatment and maintenance necessitated by the injuries giving rise to such causes of action.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "and 3066e", and insert ", 3066e, and 3066f".

Amendment No. 2

In line 3 of the title of said bill, strike out "private".

Amendment No. 3

In line 4 of the title of said bill, strike out "all".

Amendment No. 4

In the title of said bill, strike out line 5, and insert "accruing to injured persons therein".

Amendment No. 5

In line 6 of the title of said bill, strike out "sentatives of such person".

Amendment No. 6

In line 7 of the title of said bill, strike out "care, treatment and maintenance", and insert "service".

Amendment No. 7

In line 8 of the title of said bill, strike out the period, and insert “, and providing for the rights and liabilities of interested persons in connection therewith.”

Amendment No. 8

On page 1 of said bill, strike out lines 3 to 20, inclusive; and strike out all of pages 2 and 3 of said bill, and insert

“3066. Every operator of a public or private hospital which furnishes hospital service to an injured person shall be entitled to a lien for the reasonable value of such hospital service upon any cause of action which the injured person may have against any other person arising out of the injury which necessitated such hospital service, to the extent of 50 per cent of any sum recovered upon said cause of action by the injured person, whether by judgment, settlement, or compromise, upon complying with all of the following requirements:

(a) The operator of the hospital shall file in the office of the county recorder of the county in which the injury occurred, not later than five days after the discharge of the injured person from the hospital and prior to the payment of any moneys to the injured person or his authorized representative as compensation for the injury, a written notice setting forth the name and address of the injured person, the date of the injury, the name and location of the hospital, the general nature of the injury, the total amount claimed for hospital service furnished, and the name of every person believed to be liable to the injured person for the injury.

(b) Prior to the payment of any moneys to the injured person or his authorized representative as compensation for the injury, the operator of the hospital shall mail, postage prepaid, a copy of the notice, and a statement of the date it was filed, to every person believed to be liable to the injured person for the injury, and to every insurer believed to have insured any such person against such liability.

SEC. 2. Section 3066a is added to said code, to read:

3066a. The county recorder must upon the payment of the fee therefor record and index the notice as deeds and other conveyances are required by law to be recorded and indexed.

SEC. 3. Section 3066b is added to said code, to read:

3066b. Every person or insurer against whom compensation for the injury is claimed shall have the right to examine such books of account of the hospital as may be necessary to ascertain the items making up the charge for the hospital service furnished to the injured person. The injured person or his authorized representative shall have the right to examine all records of the hospital covering the hospital service furnished to him.

SEC. 4. Section 3066c is added to said code, to read:

3066c. Any person or insurer that makes any payment to the injured person or his authorized representative as compensation for the injury, after the filing and mailing of the notices specified in Section 3066, without paying to the operator of the hospital the amount of his lien or so much thereof as can be satisfied out of 50 per cent of the moneys due to the injured person under any final judgment or compromise or settlement agreement after paying the amount of any prior liens, is liable to the operator of the hospital for the amount of his lien.

SEC. 5. Section 3066d is added to said code, to read:

3066d. The provisions of Sections 3066, 3066a, 3066b and 3066c shall not be applicable to hospital service furnished in respect to accidents or injuries to which Division 4 of the Labor Code applies.

SEC. 6. Section 3066e is added to said code, to read:

3066e. As used in Sections 3066, 3066b, and 3066c, “hospital service” includes medicines, supplies, and roentgenological, laboratory, nursing, and other care and service necessary for the treatment of the injured.

SEC. 7. Section 3066f is added to said code, to read:

3066f. If any provision of Sections 3066 to 3066e, inclusive, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of said sections, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.”

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 537—An act to amend Section 6 of an act entitled “An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax.” approved May 5, 1931, relating to county peace officers’ retirement system.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 17, of the printed bill, after "amended", insert "to the extent of the insurance protection afforded thereby,".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1310—An act to add Sections 2.89, 2.89a, and 2.89b to the School Code and to add Sections 1603, 1604, and 1605 to the Education Code, relating to the transfer of territory from one school district to another school district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2.89, 2.89a, and 2.89b to the School"; and strike out line 2 of said title, and insert "1603, 1604, 1605, 1606, 1607, 1608, and 1609 to the Edu-".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 5, inclusive.

Amendment No. 3

On page 2, line 7, of said bill, strike out "Sec. 4.", and insert "Section 1."

Amendment No. 4

On page 2 of said bill, strike out lines 21 to 27, inclusive, and insert

"SEC. 2 Section 1604 is added to said code, to read:

1604. If the governing board of either school district protests the transfer, the board of supervisors shall notify the Superintendent of Public Instruction of the proposed transfer, and of the protest of the governing board. Upon receipt of the notice the Superintendent of Public Instruction shall create a board of review composed of three county superintendents of schools of counties not contiguous to the county or counties in which is located either of the school districts.

SEC. 3. Section 1605 is added to said code, to read:

1605. The board of review shall, upon a date set by the Superintendent of Public Instruction, survey the situation and conduct a public hearing on the question as to whether or not the proposed transfer shall be made.

SEC. 4. Section 1606 is added to said code, to read:

The Superintendent of Public Instruction shall notify the county superintendents concerned and the county superintendents shall notify the interested school boards of the date of the inspection and the date and place of the public hearing, and shall give publicity to the meeting by posting a notice thereof at three public places in each of the districts.

SEC. 5. Section 1607 is added to said code, to read:

1607. The hearing shall be held at a school building of either school district. The hearing shall be conducted under such rules of procedure as may be prescribed by the board of review, which may require any or all evidence and information to be submitted under oath administered by a member of the board.

SEC. 6. Section 1608 is added to said code, to read:

1608. In arriving at its conclusion, the board of review shall take into consideration the present and future effect on public welfare only. The board shall, before it adjourns, recommend in writing to the board of supervisors either that the transfer be made or denied."

Amendment No. 5

On page 2 of said bill, strike out line 29; and in line 30, strike out "1605.", and insert

"SEC. 7. Section 1609 is added to the Education Code, to read.
1609."

Amendment No. 6

On page 2, lines 31 and 32, of said bill, strike out "State Board of Education", and insert "board of review".

Amendment No. 7

On page 2, lines 34 and 35, of said bill, strike out "State Board of Education", and insert "board of review".

Amendment No. 8

On page 2, line 36, of said bill, strike out "State Board of Education", and insert "board of review".

Amendment No. 9

On page 2 of said bill, strike out lines 38 to 42, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

House Resolution No. 164—Creates Assembly Fact-Finding Committee on Sub-Oil Paving.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

Strike out all of the "Resolved" clauses of House Resolution No. 164, and insert "*Resolved by the Assembly of the State of California*, That the Interim Committee created by House Resolution No. 81 be instructed to consider the following:

The committee shall also consider, study, ascertain and appraise accurately and in detail all facts pertinent to the new method of pavement designated as a sub-oil paving method, and the adaptation of said method in the construction of highways, airports, or for any other purpose in which a permanent inexpensive surface is required; all for the purpose of recommending the use of said sub-oil paving method in proposing such legislation as may be deemed to be necessary in order to permit the use of said method should the same prove practical.

For the purposes of this resolution the committee shall have all the powers and privileges conferred upon an investigating committee by Rule 35 of the Joint Rules of the Senate and Assembly, as the same now exist or hereafter from time to time be amended."

Amendment read and adopted.

Resolution ordered on file for adoption.

Assembly Bill No. 1445—An act to amend Section 3.735-2 of the School Code and to amend Section 10126 of the Education Code, relating to exemption from physical education.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "shall", and insert "may".

Amendment No. 2

On page 2, line 2, of the printed bill, strike out "shall", and insert "may".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1774—An act to amend Sections 3, 4, 12, 15.1, 15.2, 15.3, 15.4, and 15.5 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, to amend and renumber Sections 8, 23, 24, 24.5, and 25 thereof to be Sections 24.4, 23.1, 24.1, 8, and 28 respectively, and to add Sections 2.1, 21.3, 21.6, 23.2, 23.3, 23.4, 23.5, 23.6, 23.7, 24.2, 24.3, 25.1, 25.2, 25.3, 25.4, 25.5, 25.6, 25.7, 25.8,

25.9, 26, 26.1, and 27 thereto, all relating to credit unions, specifying the powers and duties thereof, providing procedures for merger and for dissolution thereof, transferring the supervision thereof and the administration of the act from the Commissioner of Corporations to a new Credit Union Commission established hereby, providing for the appointment, establishment, powers and duties of said commission, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 4 of the printed bill, strike out line 6, and insert "SEC. 24.4. The".

Amendment No. 2

On page 4, line 10, of said bill, after the period, insert "Before adopting any such rule or regulation, however, the commission shall give to each credit union organized pursuant to this act reasonable notice of the content of the proposed rule or regulation and opportunity for hearing."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 221—An act to add Section 484.5 to the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "484.5", and insert "10115".

Amendment No. 2

On page 1, line 1, of said bill, strike out "484.5", and insert "10115".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 6, inclusive, and insert "10115. Whenever, at or about the time of taking an application for life insurance, an agent of a life insurer receives money from an applicant for life insurance for the purpose of applying that money toward the payment of the premium on the life insurance policy for which application is made, there shall be deemed to be in existence an interim contract of life insurance between the applicant and the insurer for the period the money so received would be sufficient to keep the policy in force if it were issued in the form for which applied and subject to the insurer's published rate books applicable to such a policy.

The contract of interim life insurance created pursuant to this section shall be subject to all the terms and conditions of the policy applied for, except that the provisions as to delivery to the insured while in good health shall not be applicable. The insurer shall have the right to reject the application by notice to the applicant at any time before actual issuance of the policy but such election to reject the application shall not relieve the insurer of any liability that may have accrued under the policy prior to the notice of rejection."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 294—An act to amend Section 16c of the Bank Act, relating to the deposit of checks in banks and the return of unpaid items.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 6, of the printed bill, following "on", insert ", through".

Amendment No. 2

On page 1, line 7, of the printed bill, following "on", as it first appears, insert ", by, through".

Amendment No. 3

On page 1, line 7, of the printed bill, following "on" as it appears secondly, insert ", through or at".

Amendment No. 4

On page 1, line 8, of the printed bill, following "on", insert ", by or through".

Amendment No. 5

On page 1 of the printed bill, commencing in line 8, strike out "only provisional", and insert "provisional only".

Amendment No. 6

On page 1, line 10, of the printed bill, strike out "in which it is deposited", and insert "allowing such credit".

Amendment No. 7

On page 1, line 13, of the printed bill, strike out "forwarding", and insert "allowing such credit".

Amendment No. 8

On page 1, line 15, of the printed bill, strike out "in which it is deposited", and insert "allowing such credit".

Amendment No. 9

On page 1, line 20, of the printed bill, strike out "following", and insert "succeeding".

Amendment No. 10

On page 1, line 20, of the printed bill, following "day", insert "when such check, note or other instrument has been received during business hours and at or before the end of the second succeeding business day when such check, note or other instrument has been received after business hours".

Amendment No. 11

On page 1, line 21, of the printed bill, strike out "further provided", and insert "provided further".

Amendment No. 12

On page 1, line 23, of the printed bill, following "on", as it first appears, insert ", by, through".

Amendment No. 13

On page 1, line 23, of the printed bill, following "on", as it appears secondly, insert ", by, or through".

Amendment No. 14

On page 1, line 25, of the printed bill, following "day", insert "when such check, note or other instrument has been received during business hours and at or before the end of the second succeeding business day when such check, note or other instrument has been received after business hours".

Amendment No. 15

On page 1, line 27, of the printed bill, following "at", insert "or through".

Amendment No. 16

On page 2, line 2, of the printed bill, following "at", insert "or through".

Amendment No. 17

On page 2 of the printed bill, commencing in line 6, strike out "forwarding bank.", and insert "bank allowing such credit."

Amendment No. 18

On page 2, line 7, of the printed bill, following "any", insert "such".

Amendment No. 19

On page 2, line 9, of the printed bill, following "bank", insert "allowing such credit".

Amendment No. 20

On page 2, line 13, of the printed bill, strike out "the", and insert "any".

Amendment No. 21

On page 2, line 14, of the printed bill, following "any", insert "such".

Amendment No. 22

On page 2, line 17, of the printed bill, preceding "check", insert "such".

Amendment No. 23

On page 2, line 18, of the printed bill, following "any", insert "such".

Amendment No. 24

On page 2, line 25, of the printed bill, strike out "depositor", and insert "party".

Amendment No. 25

On page 2, line 28, of the printed bill, following "on", insert ", by, through".

Amendment No. 26

On page 2, line 33, of the printed bill, following "on", insert ", by, through".

Amendment No. 27

On page 2, line 35, of the printed bill, strike out "such".

Amendment No. 28

On page 2, line 35, of the printed bill, following "bank", insert "allowing such credit".

Amendment No. 29

On page 2, line 36, of the printed bill, following "any", insert "such".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 962—An act to add Sections 5015, 5016, and 5017 to the Public Resources Code, relating to parks and beaches, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out ", and making"; and strike out all of line 3 of said title.

Amendment No. 2

On page 3 of said bill, as amended, strike out all of lines 34 to 38, both inclusive.

Amendment No. 3

On page 3, line 39, of said bill, as amended, strike out "5", and insert "4".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1954—An act making an appropriation to the State Park Commission, for the acquisition of land in Orange County as part of the State Park System.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, line 11, of the printed bill, after "price," insert "to be determined by appraisal and negotiation or by condemnation proceedings,".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1962—An act making an appropriation for the protection of the ocean beach at the City of Redondo Beach.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "subject to the provisions of Section 2 of Chapter 942, Statutes of 1941."

Amendment No. 2

On page 1, line 22, of the printed bill, after "may", insert "but need not".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 76—An act to repeal Sections 9350, 9351, 9352, 9353, 9354, 9355, 9356, 9357, 9358, 9359, 9360, 9370, 9371, 9372, 9373, 9374, 9375, 9376, and 9377 of the Public Resources Code, relating to the formation, powers, property, and finance of soil conservation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "9350, 9351, 9352, 9353, 9354, 9355," and strike out all of lines 2, 3, and 4 and insert "9202, 9204, 9205, 9206, 9207, 9208, 9209, 9210, 9212, 9213, 9214, 9215, 9217, of, and to amend Sections 9164, 9200, and 9221, of the Public Resources Code, and to add Section 10058 to the Elections Code, relating to the general district elections held in soil con-".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 10058 is added to the Elections Code, to read:

10058. General district elections held in soil conservation districts shall be consolidated with the general election held in November of each even-numbered year, pursuant to the provisions of Article 8 of Chapter 3 of the Public Resources Code.

SEC. 2. Section 9164 of the Public Resources Code is amended to read:

9164. After all have qualified the directors first elected shall meet and classify themselves by lot into two classes as nearly equal in number as possible. The term of office of those in the class having the least number shall expire at noon on the first Tuesday in [March] *December* of the next [odd-numbered] *even-numbered* year after the year in which the meeting is held. The term of office of those in the other class shall expire at noon on the first Tuesday in [March] *December* of the second [odd-numbered] *even-numbered* year after the year in which the meeting is held.

SEC. 3. Section 9200 of said code is amended to read:

9200. An election to be known as the General Soil Conservation District election shall be held in each district on the first Tuesday [in February] *after the first Monday in November* in each [odd-numbered] *even-numbered* year, at which a successor shall be chosen for each director whose term of office expires in [March] *December* next thereafter.

SEC. 4. Sections 9202, 9204, 9205, 9206, 9207, 9208, 9209, 9210, 9212, 9213, 9214, 9215, and 9217 of said code are repealed.

SEC. 5. Section 9204 is added to said code, to read:

9204. The election shall be consolidated with the general election held in November of the even-numbered years. The election precincts, polling places and voting

booths shall be the same and there shall be only one set of election officers in each of the precincts.

SEC. 6. Section 9205 is added to said code, to read:

9205. The board of supervisors shall canvass the returns of the election. The election shall be held in all respects as if there were only one election. Only one form of ballot shall be used, and the returns of the election need not be canvassed by the directors of the district.

SEC. 7. Section 9206 is added to said code, to read:

9206. In the consolidated elections, the board of supervisors shall provide for the appointment of precinct boards and the formation of precincts for such elections, and shall pay the expenses of the election.

SEC. 8. Section 9221 of said code is amended to read:

9221. The directors so elected and qualified shall take office at noon on the first Tuesday in [March] *December* next following their election.

The term of office of the directors elected on the first Tuesday in February of 1941 shall be terminated upon the election and qualification to office of their successors elected on the first Tuesday after the first Monday of November in 1944. The term of office of the directors elected on the first Tuesday in February of 1943 shall be terminated upon the election and qualification to office of their successors elected on the first Tuesday after the first Monday of November in 1946.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1935—An act to amend Section 107 of the Revenue and Taxation Code, relating to the taxation of real and personal property, including the taxing of possessory interests and mining rights.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, strike out "and other rights created by written instrument".

Amendment No. 2

On page 1, line 12, of said bill, after "earth", insert ", and other rights relating to such substances which constitute incorporeal hereditaments or profits a prendre,".

Amendment No. 3

On page 1, line 13, of said bill, after "thereon", insert "such estates and rights shall not be classified as possessory interests, but shall be placed on the secured roll. In the event of delinquency in the payment of any installment of taxes on such leasehold estates or rights, they shall be subject to seizure and sale in the same manner as provided for the seizure and sale of possessory interests at any time within one year after the delinquency."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1014—An act to add Sections 10176, 10206.5 and 10641.5 to, and to amend Sections 10202, 10203, 10206, 10270.5, 10270.55, 10270.9, 10270 93 and 10342 of, the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 3, of the printed bill, after "for", insert "payment of".

Amendment No. 2

On page 1, lines 4 and 5, of the printed bill, strike out "benefits upon a reimbursement basis", and insert "expenses charged to the insured".

Amendment No. 3

On page 1, line 7, of the printed bill, after "them", insert "if the insurer does not require that the services be rendered by a particular person or by particular persons".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1857—An act to amend Section 6 of the Municipal Court Act of 1925, relating to attaches.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "attaches", and insert "municipal courts in cities of the first class".

Amendment No. 2

On page 1, lines 7 and 8, of said bill, strike out "seven thousand five hundred dollars (\$7,500)", and insert "nine thousand dollars (\$9,000)".

Amendment No. 3

On page 1 of said bill, strike out lines 10 to 26, inclusive; and on page 2, strike out lines 1 to 6, inclusive, and insert

"(b) There shall be one clerk to be appointed by the judges of the court, who shall receive a salary of six thousand dollars (\$6,000) per annum, payable in equal monthly installments;

(c) The clerk shall appoint the following:

1. One jury commissioner, with all the powers of jury commissioner of the superior court insofar as the same may be applicable to municipal courts, and who shall receive an annual salary of five thousand four hundred dollars (\$5,400), payable in equal monthly installments.

2. And such other deputies and attaches as may be provided for by the board of supervisors in the Annual Salary Ordinance."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1033—An act to add Section 261b to the Code of Civil Procedure, relating to phonographic reporters for superior courts in counties, or cities and counties, having a population of 900,000 or more, providing for the compensation and fees of such reporters, requiring the payment to the county clerk of such counties, or cities and counties, of certain filing and appearance fees, in addition to any other fees now required by law, requiring that such fees be deposited in the salary fund of such counties, or cities and counties.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 4, line 26, of the printed bill, as amended on April 2, 1943, following the period, insert "Such fee shall not be subject to the provisions of Section 8103 of the Government Code."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 491—An act to amend Section 2.160 of the School Code and Section 2561 of the Education Code, relating to the uniting of districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "10", and insert "5".

Amendment No. 2

On page 1, line 6, of said bill, after "in", insert "each of".

Amendment No. 3

On page 1 of said bill, strike out lines 8 to 10, inclusive, and insert "Upon receipt of the petition, the superintendent of schools shall call an election for determining the question, and proceedings shall be had as in the case of the formation of union school districts, except that the ballot shall contain the words, "Shall _____ School District and _____ School District be united to constitute but one district (Inserting the names of the districts)?"

Amendment No. 4

On page 1, line 15, of said bill, strike out "10", and insert "5".

Amendment No. 5

On page 1, line 16, of said bill, after "in", insert "each of".

Amendment No. 6

On page 1 of said bill, strike out lines 18 to 20, inclusive, and insert "Upon receipt of the petition, the superintendent of schools shall call an election for determining the question, and proceedings shall be had as in the case of the formation of union school districts, except that the ballot shall contain the words, "Shall _____ School District and _____ School District be united to constitute but one district (Inserting the names of the districts)?"

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1265—An act to add Article 9 to Chapter 7 of Part 3 of Division 5 of the School Code and to add Article 8 to Chapter 11 of Division 7 of the Education Code, relating to the placing on emergency leave of absence of permanent employees of school districts serving as teachers in junior colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out line 9, and insert "5.727. Employees shall be placed on emergency leave of absence".

Amendment No. 2

On page 4, line 12, of said bill, strike out "has", and insert "have".

Amendment No. 3

On page 4, line 21, after "1943," insert "have been ordered."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 543—An act to add Sections 8.2 and 13.1 to The Personal Income Tax Act and Sections 17356 and 18434 to the Revenue and Taxation Code, relating to the personal income tax, deductions

therefrom and returns made therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 300—An act to amend Section 2261 of the Civil Code, Section 105 of the Bank Act, and Section 584 of the Probate Code, relating to the investment of funds.

Bill read second time, and ordered to third reading.

Senate Bill No. 666—An act to amend Sections 10490, 10500, 10971, 10972 and 10974 of, and to add Section 10971.4 to the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 149—An act to repeal Sections 7032, 7033, 9032, and 9033 of the Insurance Code, all relating to insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 466—An act to amend Sections 2271, 2274 and 2275 of the Public Resources Code, relating to the Ore Buyer's License Fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 1078—An act to amend Section 1005 of the Water Code and to add Section 41.5 to the Water Commission Act, relating to water rights.

Bill read second time, and ordered to third reading.

Senate Bill No. 134—An act to amend Sections 737yy and 737fff of the Political Code, relating to the annual salaries of the judges of the superior courts of Sutter and Yuba Counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 403—An act to amend Section 444 of the Code of Civil Procedure, relating to grounds of demurrer to the answer.

Bill read second time, and ordered to third reading.

Senate Bill No. 547—An act to add Section 79.03a to, and to amend Sections 79.03, 79.04 and 79.05 of the Civil Code, all relating to pre-marital examinations.

Bill read second time, and ordered to third reading.

Senate Bill No. 404—An act to amend Section 6021 of the Business and Professions Code, relating to election of officers of the Board of Bar Governors.

Bill read second time, and ordered to third reading.

Senate Bill No. 289—An act to amend Sections 5439, 5440 and 5450 of the Public Resources Code, relating to public recreation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "5437,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 38, insert

"SEC. 4. Section 5437 of said code is amended to read:

5437. [Only those persons owning land in the proposed district are entitled to vote at the election, and each owner of land in the proposed district is entitled to cast one vote for each one hundred dollars (\$100) of assessed valuation of land owned by him in the district.] *Every registered voter residing in the district is entitled to cast one vote at the election. If, upon the election, a majority of the votes cast in the district favor its establishment, the district is created.*"

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 140—An act to amend Section 8 and to repeal Section 4 of, and to add Sections 4, 10a, 10b, 10c, and 11a to, an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," approved by the electorate November 2, 1920, relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to contracts for the use, leasehold or other interest in real property less than the fee, including cropping contracts, providing for escheats in certain cases, prescribing the procedure therein, defining the powers and duties of the Attorney General or the district attorney of the proper county in reference thereto, providing as to the duties, powers and authority of any alien appointed by any court as guardian of his native-born minor child or children, or as guardian of any other person, or persons, and prescribing the procedure in such cases, and to provide a penalty

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 4", and insert "Sections 4 and 10".

Amendment No. 2

In line 2 of the title of said bill, strike out "and 11a", and insert "11a, and 12a".

Amendment No. 3

On page 1, line 1, of said bill, strike out "Section 4 of the act cited in the title hereof is", and insert "Sections 4 and 10 of the act cited in the title hereof are".

Amendment No. 4

On page 6 of said bill, after line 36, insert

"SEC. 8. Section 12a is added to said act, to read:

Sec. 12a. In all cases under the provisions of this act, certified copies, authenticated by the legal custodian thereof, of records, documents, or files of any duly constituted public body, authority, department, bureau or agency, or entries in public or other official books, records, or files made in the performance of his duty as a public officer

or employee, or by another person in the performance of a duty enjoined by law, relevant to the question of a person's eligibility to citizenship and birth are admissible in evidence, and shall constitute prima facie evidence of the facts stated therein."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1005—An act to add Section 17a to an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges, and approaches thereto, and for the acquisition of all property necessary therefor, and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts, and for the annexation of additional territory thereto," approved May 25, 1923, authorizing the refunding of existing indebtedness, whether bonded or otherwise, and for the issuance of bonds and other indebtedness in aid of the refunding of existing bonds, or the creation of a new bonded indebtedness.

Bill read third time.

Motion to Amend

Mr. O'Day moved the adoption of the following amendments:

Amendment No. 1

In line 10 of the title of the printed bill, after "1923," insert "and to add Section 27228 to the Streets and Highways Code,".

Amendment No. 2

On page 2 of said bill, after line 18, insert
 "SEC. 2. Section 27228 is added to the Streets and Highways Code, to read:
 27228. Whenever the board of any district in its discretion deems it necessary or advisable to refund any existing indebtedness, whether bonded or otherwise, it may, by appropriate resolution, declare the necessity or advisability of such refunding operation, and provide for the issuance of bonds, the term and rate of interest thereon, and all other requirements necessary to the validity of said bonds. The board shall by resolution provide for the submission to the qualified electors of the district the question of whether such bonds shall issue, and shall provide for the manner of stating the proposition to be submitted to the electors, the purpose for which the proposed debt is to be refunded or incurred, the amount of the debt to be incurred, the maximum term the bonds proposed to be issued shall run before maturity which shall not exceed 40 years, and the maximum rate of interest to be paid, and shall state any other facts essential to the information of the electors as provided by this article.

In all respects any election held with respect to a refunding operation shall be in conformity to the provisions of this article.

Plenary power is conferred upon the board to determine the necessity and advisability of a refunding operation and to provide all of the procedure by appropriate resolutions and ordinances, control the refunding operation, submission of the proposal to the electors, the form and manner of execution of the refunding bonds and the manner of their sale or disposal to the public or their exchange or other disposition.

SEC 3. Section 2 of this act shall take effect only if Part 3 is added to Division 16 of the Streets and Highways Code by the Legislature at its Fifty-fifth Session, and in such case at the same time as Part 3 takes effect, at which time Section 17a as added to the act cited in the title by this act is hereby repealed."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1094 WAIVED

Mr. Bashore waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1094 was passed.

Assembly Bill No. 1094 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 896 WAIVED

Mr. Hollibaugh waived his notice of motion to reconsider the vote whereby Senate Bill No. 896 was passed.

Motion to Continue Notice of Motion to Reconsider

Mr. Ralph C. Dills moved that the notice of motion to reconsider the vote whereby Senate Bill No. 896 was passed be continued until the next legislative day.

Motion carried.

MOTION TO CONTINUE CONSIDERATION OF VETO

Mr. Fourt moved that consideration of the Governor's veto to Assembly Bill No. 473, be continued until April 12, 1943.

Motion carried.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

- Assembly Bill No. 343.
- Assembly Bill No. 50.
- Assembly Bill No. 515.
- Assembly Bill No. 1958.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS**

Assembly Bill No. 229—An act to add Sections 30a to 30r to the Bank Act and to add Section 3081 to the Civil Code, relating to the disposal of unclaimed contents of safe deposit boxes rented by banks or other corporations and relating to unclaimed items of personal property left with a bank for safekeeping or storage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1542—An act making an appropriation to The Regents of the University of California to be expended for an investigation of the control of Pierce's disease of grapevines in California, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt,

Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 898—An act to amend Sections 720, 800, and 870 of the Military and Veterans Code, relating to veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—60

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Fred Weybret Presiding

At 10.55 a.m., Hon. Fred Weybret, Member of the Assembly from the Thirty-third District, presiding.

Assembly Bill No. 487—An act to make an appropriation to pay off the amount of outstanding bonds issued under "An act to provide for the payment of the funded indebtedness of the State of California and to contract a funded debt for that purpose," approved April 2, 1870, and to repeal "An act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to repeal an act of the Legislature of the State of California, approved March 4, 1881, entitled 'An act to appropriate money to reimburse the University of California, for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom and appropriated to other State purposes,' and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893," approved March 3, 1893.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan,

Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 222—An act to add Section 511.4 to the Vehicle Code, relating to reduction of speed on State highways within cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 854—An act to amend Section 500 of the Vehicle Code, relating to the crime of negligent homicide.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 169—An act to add amend Section 515.5 of the Vehicle Code, relating to driving speed of motor vehicles, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Weber, Weybret, and Wollenberg—58.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Weber, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

RECONSIDERATION OF ASSEMBLY BILL NO. 1142

In compliance with a notice given on a previous day, Mr. King moved that the vote whereby Assembly Bill No. 1142 was passed be reconsidered.

Assembly Bill No. 1142 reconsidered by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—64

NOES—None

Motion to Re-refer Assembly Bill No. 1142 to Committee

Mr. King moved that Assembly Bill No. 1142 be re-referred to the Committee on Ways and Means.

Mr. Bashore seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—64.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1104—An act to amend Section 140 of the Vehicle Code, relating to the registration of motor vehicles.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1604—An act to amend Section 258 of the Vehicle Code, relating to chauffeurs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Middough, O'Day, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, and Wollenberg—47.

NOES—Beck, Bennett, Brady, Dills, Ralph C., Dunn, Evans, Haggerty, Hawkins, Kilpatrick, Massion, Miller, Pelletier, Sheridan, and Thomas—14.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO SET SPECIAL ORDER

At 11.32 a.m., on motion of Mr. Bashore, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion that Assembly Bills Nos. 876, 879, 883, and 884 be set as a special order of business carried by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—Hawkins, Heisinger, Pelletier, and Rosenthal—4.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 896—An act to amend Sections 739.1 and 758 of, and to add Section 759 to, the Vehicle Code, relating to waiver of filing of written complaint and presumptions as to the character of residence and business districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—59.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1953—An act to amend Section 672 of the Vehicle Code relating to escorts, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—56.

NOES—Call—1.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—56.

NOES—Call—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1947—An act to add Section 343.5 to the Agricultural Code, relating to inspection of cattle.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 465—An act to amend Section 2049 of the Penal Code, and to add Sections 2090.5, 2714, 3020.5 and 3040.5 to the Penal Code, relating to prisons and prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 457—An act to amend Section 2762 of the Penal Code, relating to employment of prisoners at road camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dills, Ralph C., Doyle, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 513—An act to add Section 604.11 to the Vehicle Code, relating to ambulances.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny,

Dickey, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF ASSEMBLY BILL NO. 1412

Mr. Weber moved that Assembly Bill No. 1412 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 420—An act to amend Sections 736.14 and 737.6 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream and to assessments and refunds thereunder declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. George D. Collins Presiding

At 12.07 p.m., Hon. George D. Collins, Member of the Assembly from the Twenty-second District, presiding.

Assembly Bill No. 1203—An act to amend Sections 736.14 and 737.6 of the Agricultural Code, relating to assessments for administration of stabilization and marketing plans for fluid milk and fluid cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Mid-

dough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1433—An act to add Section 21a to the Corporate Securities Act, relating to the commissioner or his employees accepting employment by corporations, the organization, reorganization, rehabilitation or merger of which they supervised.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 987—An act to amend Section 1043 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 988—An act to add Section 135g to the Bank Act, relating to conservators, Superintendent of Banks or their employees accepting employment by merged, liquidated or reorganized banks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 989—An act to add Section 13.20 to the Building and Loan Association Act, relating to employment of the commissioner or his employees by merged, liquidated or reorganized associations.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton ; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 974—An act to amend Section 494 of the Civil Code, relating to the sale of property and franchises of railroad corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 890—An act to amend Section 4240 of the Political Code, relating to compensation for public services in counties of the eleventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Armstrong, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, O'Day, Potter, Price, Robertson, Rosenthal, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, and Wollenberg—54.

NOES—Bashore—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 901—An act to add Section 22142 to the Streets and Highways Code, relating to the creation of assessment districts and the levy and collection of assessments on property therein to pay the cost and expenses of improvements provided for in the Tree Planting Act of 1931, being Division 15, Part 1 of said code

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—60

NOES—Armstrong—1.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs. Stream, Werdel, Clarke, and Weybret:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, we request permission to introduce a bill, the title of which is as follows:

An act to provide for the acquisition, construction and improvement of highways, including those to be known as freeways, and for the financing thereof.

Respectfully submitted.

CHARLES W. STREAM
THOMAS H. WERDEL

GEORGE A. CLARKE
FRED WEYBRET

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the authors be permitted to introduce it.

By Messrs. Stream, Werdel, Clarke, and Weybret:

An act to provide for the acquisition, construction and improvement of highways, including those to be known as freeways, and for the financing thereof.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

The following bill was introduced, and read the first time:

Assembly Bill No. 1977: By Messrs. Stream, Werdel, Clarke, and Weybret—An act to provide for the acquisition, construction and improvement of highways, including those to be known as freeways, and for the financing thereof.

Referred to Committee on Roads and Highways.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 669—An act to amend Sections 12, 21.30 and 21.90 of, and to add Section 31 to, of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, relating to municipal utility districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs,

Denny, Desmond, Dickey, Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1943

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 85	Assembly Bill No. 1103
Assembly Bill No. 541	Assembly Bill No. 1280
Assembly Bill No. 762	Assembly Bill No. 1849
Assembly Bill No. 1083	

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1849—An act to amend Sections 500, 502, 512, 513, and 515 of the Military and Veterans Code, and to add Section 12011 to the Education Code, relating to high school cadets.

Bill read third time.

Demand for Previous Question

Messrs. Evans, Debs, Middough, Price, and Erwin demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1849.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hollibaugh, Johnson, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Potter, Price, Sargent, Smith, Stream, Thompson, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—Beck, Brady, Heisinger, and Pelletier—4.

Bill ordered transmitted to the Senate.

Explanation of Vote

I am sympathetic with the purposes of organizing High School Cadet Corps. Because no provision was made that the enlistment in the corps was voluntary, I voted "no." The author of the bill declares the measure is not compulsory, but he would not agree to an amendment to clarify the matter

JULIAN BECK

Speaker Pro Tempore Presiding

At 1.05 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1569—An act to amend Sections 40, 47, 85, 112, and 173 of and to add Section 116.5 to the State Civil Service Act, relating to the State civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Maloney, Lyon, Carlson, and Gannon:

House Resolution No. 175

WHEREAS, Noel T. Goursolle, Jr., an assistant sergeant-at-arms of the Assembly, on Monday, April 12, 1943, is leaving to join the Naval Air Corps, as a Cadet; and

WHEREAS, This young man, who possesses a wholesome and friendly personality, has elected to serve in the armed forces of the United States; and

WHEREAS, His activities after his graduation from Sacramento High School in 1940; his attendance at Sacramento Junior College, 1940-1941, winning the welter-weight boxing championship and being on the varsity crew; and his attendance at the University of California, 1942, all indicate that he will serve our Country well and will succeed in his chosen field; now, therefore, be it

Resolved, That the Members of this Assembly extend to Noel T. Goursolle, Jr., their best wishes for his success and many happy landings; and be it further

Resolved, That the Chief Clerk of the Assembly present an engrossed copy of this resolution to Noel T. Goursolle, Jr.

Request for Unanimous Consent

Mr. Carlson asked for, and was granted, unanimous consent to take up House Resolution No. 175, at this time, without reference to committee.

Read and adopted unanimously.

RECESS

At 1.15 p.m., on motion of Mr. Carlson, the Assembly recessed until 1.17 p.m., to hear from Noel T. Goursolle, Jr., Assistant Sergeant-at-Arms, who leaves today for the Naval Air Corps.

REASSEMBLED

At 1.17 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, April 7, 1943

To the Members of the Assembly

GREETINGS: I am transmitting, herewith, copies of the reports received by me from members of the Citizens Committee on Old Age Pensions which I appointed on February 17th to study and report on the pension problem as it now confronts California.

This committee, comprised of 17 men selected by organizations with a known interest in the pension problem, has filed a majority and a minority report. In addition, several members have submitted additional reports in regard to certain aspects of the problem.

All of these I am transmitting with the hope that they will prove helpful in your deliberations. The substantial majority of the committee has agreed that the amount of the pension should be increased to fifty dollars (\$50) per month. This recommendation was made after mature consideration, and it is my belief that it is a recommendation worthy of full consideration by the Legislature.

It was not my expectation in the naming of a committee so pronouncedly representative of the cross-section of the pension viewpoint in the State that they should be unanimous in their agreement on all aspects of the problem. I believe you will be encouraged however to learn the number of points in which there was almost unanimous agreement, and it is my hope that all such nearly unanimous recommendations will be given your careful consideration.

In transmitting these recommendations to you, I do so with the knowledge that they do not contain a final solution of the problem, for the issue of old age security will never be finally solved until there is a National old age pension which disregards State boundaries. It is my hope, however, that from out of your analysis of the recommendations of this committee will come action which will constitute an improvement in the situation which now prevails.

Respectfully,

EARL WARREN, Governor

**REPORT OF CITIZENS' STATE-WIDE COMMITTEE
ON OLD AGE PENSIONS**

Submitted to the Honorable Earl Warren, Governor of California
March 31, 1943

Personnel of Citizens' State-wide Committee on Old Age Pensions

RALPH T. FISHER, *Chairman*

Vice President, American Trust Company
Oakland, California

HARRISON W. CALL
Republican State Assemblyman
Redwood City, California

JOHN C. CUNEO
Townsend National Recovery Plan and
Joint Welfare Committee
Modesto, California

C. O. HOOBER
Vice President, California Farm
Bureau Federation
Calipatria, California

WILLIAM B. HORNBLÖWEE
Fraternal Order of Eagles
San Francisco, California

GEORGE A. JANSSEN
County Supervisors' Association
of California
Oakland, California

RAY JUDAH
Republican State Senator
Santa Cruz, California

THOMAS F. KEATING
Democratic State Senator
San Rafael, California

VERNON KILPATRICK
Democratic State Assemblyman
Los Angeles, California

A. J. MCFADDEN
Past President, State Chamber of
Commerce
Santa Ana, California

GEORGE H. MCLAIN
Citizens' Committee for Old Age
Pensions
Los Angeles, California

ROY G. OWENS
Pay Roll Guarantee Association
Los Angeles, California

LAURENCE PALACIOS
International Representative, Laundry
Workers A. F. L., and Secretary of
San Francisco Laundry Workers
Union
San Francisco, California

NATHAN T. PORTER
Townsend Party Candidate for
Governor, 1942
Los Angeles, California

C. A. RICKS
General Welfare Federation of
America
Martinez, California

GEORGE SEHLMAYER
Master, California State Grange
Sacramento, California

FRANK SLABY

President, Alameda County C. I. O. Council, and
President of United Automotive Workers, Local 76
Oakland, California

SACRAMENTO, CALIFORNIA, MARCH 31, 1943

*The Honorable Earl Warren, Governor of California
Sacramento, California*

DEAR GOVERNOR WARREN: Your Committee on Old Age Pensions, which you appointed in late February, begs leave to submit herewith its report.

Sessions of the committee were held in Sacramento on February 25th; in San Francisco on March 2d and 3d; in Los Angeles on March 11th and 12th; and in Sacramento on March 17 and 18, 1943. A concluding meeting was held in Sacramento on March 30, 1943, to review the findings of the committee and to approve its report.

The data employed by the committee were derived from six principal sources:

First, public hearings were arranged in each one of the cities where our sessions were held. The equivalent of three days' time was devoted to those who wished to present their oral views to the committee.

Second, many scores of letters and pension programs were reviewed by the committee. These were referred to a subcommittee for study in order that the subcommittee might give the benefit of its analysis and conclusions to the parent committee.

Third, the various State departments were of real assistance. The Department of Finance, the Attorney General's Office, and the Department of Social Welfare all made themselves available to your committee and answered innumerable questions at every session.

Fourth, the welfare directors of several of the principal counties of the State attended our meetings and answered inquiries of the committee out of their wide personal experience.

Fifth, the Federal Social Security Board was represented at a number of our meetings to interpret the status of the Federal Act and its relation to the California Old Age Security Law.

Sixth, the research staffs of the California Taxpayers' Association and the State Chamber of Commerce, as well as of the Department of Social Welfare, provided the committee with much indispensable statistical and factual material.

In addition to those State departments and organizations already mentioned, invitations to attend our sessions were extended to such bodies as the California Real Estate Association, State Supervisors Association, Property Owners Association of California, Bureau of Public Administration of University of California, the general managers of our larger Chambers of Commerce, and others.

The personnel of our committee represents widely divergent viewpoints. Many of them have devoted a great deal of time to the general problem of old age assistance and in some instances they represent particular programs of old age pensions. Others of the committee come from the ranks of agriculture, labor, business and the professions. Still another group comes from both houses of our own State Legislature. As a result there is some divergence of views both as to the philosophy behind the idea of old age assistance and as to the best and most practical methods of meeting those needs of our aged citizens. However our committee is unanimous in recognizing the need.

The factual data presented to the committee were comprehensive and were considered to be adequate to arrive at recommendations.

The committee did not consider the study of revenue of the State to be in its purview.

The committee adopted in its parliamentary procedure a rule that a majority of the committee voting at any meeting would be necessary in order to make a recommendation effective with the further proviso that not less than nine members of the committee shall have indicated their concurrence in the final report. A minority report, dissenting as to certain items, is included.

Recommendations approved by a majority of the committee follow.

We trust that this report may prove to be of use to you as Governor and to the Legislature as they seek to solve this most persistent and perplexing problem.

Faithfully yours,

RALPH T. FISHER

Chairman

HARRISON W. CALL

JOHN C. CUNEO

C. O. HOOBER

WILLIAM B. HORNBLOWER

GEORGE A. JANSSEN

H. R. JUDAH

THOMAS F. KEATING

VERNON KILPATRICK

A. J. MCFADDEN

GEORGE H. MCLAIN

ROY G. OWENS

LAURENCE PALACIOS

NATHAN T. PORTER

C. A. RICKS

GEORGE SEHLMAYER

FRANK SLABY

I—INTRODUCTION

A—Creation of Committee and Scope of Work

The Governor indicated the scope of the committee when he publicly announced the appointment of the committee on February 17, 1943. The statement is as follows:

Every thinking person must realize that old age security is our most fundamental social problem and that an industrial system which arbitrarily rules

out productive employment because of age and irrespective of fitness must provide an honorable means of livelihood in lieu thereof.

This principle cuts across local and state lines and recognizes that the problem can only be finally and satisfactorily solved on a national basis and then not on the basis of charity but as a matter of right.

Here in the progressive State of California, which has always been first in such matters, we must remain ever zealous in our search for betterments which point toward ultimate solution. We must permit no circumstances to arise which mar the benefits now afforded. We must realize that with the increased cost of living, people cannot maintain themselves on \$40 per month. Whatever the amount fixed by the Legislature, we must see that it is distributed to those entitled thereto in a manner free from needless red tape and humiliating delay. It must be distributed in a manner reflecting the cheerful willingness and concern of a warm-hearted State.

The committee now being appointed, constituting as it does a cross-section of the pension thought of the State, should be able to eliminate those political considerations which have so often confused discussions of pension matters and not only initiate immediate reforms within our present abilities but also bring us nearer the day of final solution of the problem. It is with hope and expectation that I have called into service the committee which is now launching its study.

The chairman of the committee subsequently received the following letter from the Governor which further commented on the scope of the committee:

FEBRUARY 25, 1943

*Mr. Ralph T. Fisher, Chairman, Citizens Committee on Old Age Pensions
Sacramento, California*

DEAR MR. FISHER: I desire to thank you for your gracious acceptance of the chairmanship of my Citizens Committee on Old Age Pensions. It is both an important and a difficult assignment but I know that your experience and ability to approach involved problems in a fair and judicial manner will make it possible for you to lead the committee in formulating a sound pension program for our State.

It is not necessary, I presume, for me to say to you that the committee, as constituted, represents a wide divergence of opinion concerning both the present needs and the ultimate solution of the old age security question. However I believe that the members, selected as they were by groups interested in the problem, will make an earnest effort to reconcile these differences, at least to a degree that will bring forth a sound program based upon present conditions, including our relationship with the Federal Government. They will do this, I trust, in a sincere effort to improve the present condition of our senior citizens and to pave the way for the ultimate solution of the problem.

It seems to me that there are at least four fields for exploration by the committee.

First: The sufficiency of the present pension

Second: The reasonableness of administrative practices for the present system.

Third: The basic question of qualification for pension.

Fourth: Forward looking legislation expressing California's objectives and committing the State to immediate action if and when the Federal Government will authorize it under its Social Security legislation.

In the consideration of these subjects, it seems to me that, although California has gone as far as any of the States up to the present time, we must give full consideration to the continuing advance in the cost of living and to the fact that people can not now live on \$40 a month.

It also seems to me that, whatever the pension amount may be, in this day when manpower is so badly needed, no one should be opposed to its being augmented with such earnings as might be derived through part-time employment.

There is another opinion which I am prompted to express as a result of my observations and that is that to deny a pension to a thrifty senior citizen who has accumulated a home and a modest amount of other property (insufficient to maintain himself) is not only doing an injustice to that individual but is, generally speaking, putting a penalty on thrift and a premium on improvidence.

I also believe that the ultimate solution of our problem is a National pension system that will cut across state lines and be uniform in its application throughout the country.

Improvement can undoubtedly be made in present administrative practices involving as they do any excessive amount of time in the granting of a pension in the first instance and in re-establishing the right after temporary

surrender, as well as bureaucratic practices humiliating to the recipient. These practices call for a reexamination looking forward to corrections. I realize that some of these defects can not be remedied by the State of California alone but, where such is the case, it would seem to be reasonable that the State should declare its policy and encourage the Federal Government to do likewise. We should, I believe, through legislation, declare our readiness to act if and when the Federal Government, through Act of Congress, authorizes similar action throughout the Nation.

I have expressed my views for the purpose of indicating to you what I had in mind in creating the committee. I do not intend thereby to limit the scope of your inquiry and trust that you will take any further action that, in your opinion, will tend toward a solution of our old age problem, which, in my opinion, is the greatest social problem of the day.

Inasmuch as there are conditions calling for immediate remedy, I trust that the committee will be able to report at a sufficiently early date to assist the present Legislature in the formulation of necessary legislation.

Again assuring you and the members of the committee of my appreciation of the valued public service which I am sure you will all render, I am, with best wishes,

Sincerely,

EARL WARREN, Governor

B—Present Status of Aged Assistance

In its briefest form the present system of old age assistance in California is as follows:

Any qualified citizen 65 years of age with five years' out of nine years' residence in the State, whose personal property does not exceed \$500 in value and whose real property is not assessed at over \$3,000, may receive up to \$40 per month on what is known as the flat-payment plan; or may receive under the so-called "budget plan," income from other sources up to the amount of his actual needs. Under the latter plan the public contribution is limited to a maximum of \$40 per month as in plan number one, but income from other sources may be enjoyed without penalty of deduction up to the amount of the individual budget. Plan one has been in operation for several years past; plan two was made available beginning only last October (1942). Of the amount allowed in each case, the Federal Government contributes 50 per cent up to a maximum of \$20, plus certain administrative expenses. The State and county contribute the balance, share and share alike.

II—SUMMARY OF RECOMMENDATIONS

1. A need exists for an increase in amount of assistance, and it is recommended that the amount of grant should be increased from \$40 to \$50 per month, to take effect as soon as possible, the State to assume the additional cost of this \$10 increase.
2. Outside income should be allowed without deduction up to an amount which, added to the public assistance, does not exceed \$75 per month, and up to this amount budgetary statements should not be required. However, since this recommendation was voted, the Federal Social Security Board through its executive director, Oscar M. Powell, has declared the recommendation to be inconsistent with the Federal Social Security Act.
3. Property eligibility should be amended to allow possession of real property in which the assessed value of the property does not exceed \$3,500 (in place of the present limit of \$3,000), in cases where a man and wife live together. Also, the code should be amended at this point to make allowances for those occasional cases where property is assessed at over \$3,000 (or \$3,500 for man and wife), but where encumbrances on such property operate to reduce the owner's actual equity therein to less than \$3,000 (or \$3,500 for man and wife). Upon the death of either husband or wife where they have jointly possessed real property assessed at between \$3,000 and \$3,500, the survivor should be allowed a period of one year to make the necessary adjustment to conform to the limit permitted for a single recipient of aged assistance. Personal property limit should be increased from \$500 to \$600 per person.
4. A duplicate warrant for a grant should be issued expeditiously when the original has been lost or destroyed.
5. In case of dispute, the confidential file of a person applying for or receiving aid should be open for inspection by either himself or an authorized agent.
6. Responsibility of relatives should be continued with a modification of the scale of contribution to allow for the contributors' increased cost of living and Federal taxes.
7. The present county administration under State supervision should be continued.
8. The statutes should be revised and rules and procedures should be simplified so that applicants for and recipients of aid will not be harassed or humiliated.

9. Medical, dental, and clinical care should be continued as a county expense as provided under existing law.
10. Attorney fees and court costs in case of court decision in favor of a recipient of aid should be borne by the State.
11. No advisory county welfare board should pass upon any application for aid, but it must be passed upon directly by the board of supervisors. Provision should be made to give 30 days' notice to an applicant or recipient to appear and show cause why the board's action is unsatisfactory. The right to appeal to the State Social Welfare Board shall not be impaired.
12. The committee reports the necessity for revision of the Federal Social Security Act as follows: (1) Contributions by the Federal Government to the State, to be on a matching ratio of two to one; (2) Age requirement to be reduced to 60 years; (3) Outside income to be allowed up to \$15 per month without deduction; and recommends that Congress be memorialized to that effect.

III—REPORT ON RECOMMENDATIONS

In one of its early meetings the committee adopted a program of items for consideration in subsequent meetings. All members were privileged to and did participate in the adoption of this agenda. The recommendations which are submitted are in conformity with this adopted program.

1. Need for Increase in Amount of Assistance

The committee considered the increase in cost of living as it related to the amount of assistance. It was pointed out that the cost of living has increased from an index of 102.3 in 1940 to 123.9 in January 1943 (Los Angeles Area). It was unanimously agreed that the amount of assistance should be increased above the present \$40 flat amount. Consideration of the amount of increase included a range in payment from \$45 to \$75.

Many members of the committee were committed by previous actions of the groups which they represented to \$60 per month.

A large amount of data relating to taxes and the taxpayer's ability to pay for increased governmental expenses was placed before the committee. However, the method of financing an increase in the amount of aid was considered, by the majority of its members, to be outside the purview of the committee.

If all other conditions remain the same, so that the case load would continue at approximately the same level, costs for varying amounts of grants would be as follows:

**Biennial Cost of Assistance—State Department of Welfare Estimate
(From Appendix 3)**

Amount of total Grant	Cost	Age 65 and Over	
		Federal	Distribution State and County
\$40	\$129,900,000	\$61,900,000	\$65,000,000
45	150,800,000	67,600,000	83,200,000
50	168,400,000	69,800,000	98,600,000
60	203,600,000	70,200,000	133,400,000

It was noted that the cost of a \$50 grant without any increase in case load would be \$168,400,000. In view of the fact that the Federal Government now contributes on the basis of its limit of one-half of \$40, the increased cost would be placed entirely on the State or the State and counties. The Federal cost would amount to \$69,800,000 as compared with a cost to the State and counties of \$98,600,000. Since the committee recommends that the additional cost be assumed by the State, the counties cost would continue at \$32,500,000 and the State cost would amount to \$66,100 00 or an increase of \$33,600,000 for the biennium.

Opinion was expressed in the committee that the case load for aged assistance is now declining. All statistical evidence indicated, however, that the present reduction is due to increased employment of persons in the aged group who might otherwise apply for assistance. Also many responsible relatives are now receiving greater earnings so that they are in a position to provide for their parents.

Statistical evidence presented to the committee indicates that the number on assistance may increase substantially after the war and thus increase the cost materially.

A majority voted to increase the grant from \$40 to \$50

2. Outside Income (Earnings)

Prior to July, 1941, the law provided that recipients of aged assistance could earn and retain income of several types in the amount of not to exceed \$15 per month. The Legislature repealed this provision in 1941 at the instance of the Federal Social Security Board.

In September, 1942, the State Social Welfare Board with the consent of the Federal Social Security Board issued a directive which permitted persons on aged assistance to earn and retain certain sums of money provided that a need was demonstrated for the additional amounts. It was required that a budget be developed to show the need in each individual case and a supporting affidavit was required to be signed by the recipient. The Federal Social Security Board has given approval to this procedure on an experimental basis.

It may be of interest to state that in the relatively brief period since October, 1942, some 16,500 individuals or about 9 per cent of the total have elected to adopt the budget procedure.

The committee considered that an extensive use of the budget and affidavit procedure was not without its drawbacks because of the necessity of investigation into the individual's living conditions; and agreed that it would be better to allow persons to earn and retain income which together with the public grant would not exceed \$65. It was felt that this latter alternative would encourage industry and thrift on the part of those receiving assistance, would relieve the draft on public funds and would contribute additional manpower in the present emergency. It would likewise improve the living standards of the recipients.

To determine whether such practice would be within the provisions of the Federal Social Security Act, a hypothetical amendment to the California Welfare and Institutions Code was approved by the committee and telegraphed to the Federal Social Security Board in order to get their reaction to the principle involved. The proposed amendment was as follows:

2020. The minimum income per month on the basis of need for the support of any aged person in this State is hereby determined and declared to be sixty-five dollars (\$65) per month

The amount of aid to which any applicant shall be entitled shall be that sum, not to exceed forty dollars (\$40) per month, which when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, equals sixty-five dollars (\$65) per month. If, however, in any case it is found the actual need of an applicant exceeds sixty-five dollars (\$65) per month, such applicant shall be entitled to receive aid in an amount, not to exceed forty dollars (\$40) per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need.

On March 19th the committee received notice of disapproval from the executive director of the Federal Social Security Board. The telegram is as follows:

MARCH 19, 1943

*Ralph T. Fisher, Chairman
Governor Warren's Committee on Old Age Pensions
306 State Capitol, Sacramento, California*

Proposed amendment of Section 2020 of California Welfare and Institutions Code as quoted your telegram of March 17, 1943, in effect provides for flat assistance payment of \$40 per month without regard to individual's income or resources, unless individual's income and resources are in excess of \$25 per month. This is because amendment assumes existence of a universal minimum need of \$65 per month, which is \$25 or approximately 60 per cent higher than maximum grant payable under the law. Any plan developed pursuant to this amendment that would give effect to a universal minimum of need, thus excluding from consideration income and resources up to a specific amount, could not be found by the Social Security Board to be consistent with the act of Congress which requires that all other income and resources of the individual claiming old age assistance be considered in determining his need.

OSCAR M. POWELL

It is assumed that the State can continue (on an experimental basis) the present practice of allowing earnings to be retained when a need is demonstrated. However, the Federal Social Security Board presumably must ultimately approve the procedure or reject it.

The committee went on record as believing the basis of need should be established at \$75. However, in view of the decision of the Federal Social Security Board above quoted, no ceiling of "determined need" can become effective under the present Federal law.

3. Property Eligibility

The Welfare and Institutions Code provides that the ownership of real property shall be limited to \$3,000 of assessed value. This limitation applies both to a single person (Sec. 2164) and to the combined real property of husband and wife (Sec. 2165). It appears to the committee that the \$3,000 limitation for husband and

wife may be too stringent and that the limitation might be increased to \$3,500 in such cases.

In some instances applicants are denied aid because the assessed value of their property exceeds \$3,000 although their *equity* in such property may be less than \$3,000 by reason of the fact that money is owing against it. The committee does not believe that this is the intent of the act.

The Committee Recommends:

(3) The provisions of the code relating to property eligibility should be amended to allow possession of real property in which the assessed value of the property does not exceed \$3,500 (in place of the present limit of \$3,000), in cases where a man and wife live together. Also, the code should be amended at this point to make allowances for those occasional cases where property is assessed at *over* \$3,000 (or \$3,500 for man and wife), but where encumbrances on such property operate to reduce the owner's actual equity therein to *less than* \$3,000 (or \$3,500 for man and wife). Upon the death of either husband or wife where they have jointly possessed real property assessed at between \$3,000 and \$3,500, the survivor should be allowed a period of one year to make the necessary adjustment to conform to the limit permitted for a single recipient of aged assistance. Personal property limit should be increased from \$500 to \$600 per person. The latter recommendation was transmitted by the Governor and originated with Colonel Archibald Young, Chairman of the State Welfare Board.

4. *Issuance of Duplicate Warrants*

It has been brought to the attention of the committee that county warrants which are issued for aged assistance are lost occasionally and that statutes regulating counties in the issuance of warrants have provisions which prevent expeditious issuance of duplicate warrants. A long delay in the receipt of assistance in such cases will, of course, work hardship on individuals.

The Committee Recommends:

(4) That the Welfare and Institutions Code be amended to provide an expeditious procedure for the issuance of duplicate warrants by the county auditor.

5. *Inspection of Confidential File by Applicant*

It was brought to the attention of the committee that the case or confidential file of the applicant or recipient of aid is not always available for his inspection and is not open to the authorized agent of the applicant. The origin of this practice is found in the Federal Social Security Act requiring that all records be kept confidential. The committee believes that it may be essential at times that the individual or his authorized agent examine the files.

The Committee Therefore Recommends:

(5) That the Welfare and Institutions Code be amended to provide that applicant or recipient of aid or his authorized agent be permitted in case of dispute to inspect his case or confidential file.

6. *Responsibility of Relatives*

The committee inquired into the cost of and social factors relating to full or partial support of aged persons by responsible relatives. The cost of collections from responsible relatives was also analyzed.

At the present time there are about 25,000 cases for which contributions are made by relatives. The contributions to this group average over \$9 per case per month and total \$5,500,000 per biennium or \$2,750,000 per year.

It was developed by the committee that if relatives' responsibility were eliminated many persons not now on assistance could legally apply for and receive aid. Estimates from independent sources indicate that the cost of providing aged assistance to this group would increase the cost by over 15 per cent or \$12,000,000 per annum for new cases at the present rate of \$40. The total increase would thus be \$15,000,000 per year for present and new cases due to the abandonment of relatives' responsibility.

The total cost of administering aged assistance (both State and county) is around \$3,000,000 per year. The committee was unable to ascertain what part of this amount was due to the cost of making collections from responsible relatives, but it was agreed by welfare administrators that it was only a fractional part of \$3,000,000. The committee concluded that the cost of collections is insignificant in comparison with the increased cost of relieving relatives from responsibility.

The committee inquired into social factors relating to relatives' responsibility but makes no report thereon.

The committee reviewed the relatives' responsibility scale in the Welfare and Institutions Code in the light of increased cost of living and Federal taxes as affecting the contributing relative.

The Committee Recommends:

(6) That the responsibility of relatives be continued, but that the relatives' responsibility scale be modified according to the following schedule. It is believed this will in considerable measure answer present complaints arising from this provision and remove some of the asserted hardships connected with it.

Relatives' Contribution Scale

A. Monthly income of responsible relatives in one family	B. Number of persons dependent upon income									
	1	2	3	4	5	6	7	8	9	10 and over
	C. Maximum required monthly contribution									
Under 155-----	0	0	0	0	0	0	0	0	0	0
155 to 174-----	5	0	0	0	0	0	0	0	0	0
175 to 194-----	10	0	0	0	0	0	0	0	0	0
195 to 214-----	15	0	0	0	0	0	0	0	0	0
215 to 234-----	20	0	0	0	0	0	0	0	0	0
235 to 254-----	25	5	0	0	0	0	0	0	0	0
255 to 274-----	30	10	0	0	0	0	0	0	0	0
275 to 294-----	35	15	5	0	0	0	0	0	0	0
295 to 314-----	40	20	10	5	0	0	0	0	0	0
315 to 334-----	45	25	15	10	0	0	0	0	0	0
335 to 354-----	50	30	20	15	5	0	0	0	0	0
355 to 374-----	55	35	25	20	10	5	0	0	0	0
375 to 394-----	60	40	30	25	15	10	0	0	0	0
395 to 414-----	65	45	35	30	20	15	5	0	0	0
415 to 434-----	70	50	40	35	25	20	10	0	0	0
435 to 454-----	75	55	45	40	30	25	15	5	0	0
455 to 474-----	80	60	50	45	35	30	20	10	0	0
475 to 494-----	85	65	55	50	40	35	25	15	5	0
495 to 514-----	90	70	60	55	45	40	30	20	10	0
515 to 534-----	95	75	65	60	50	45	35	25	15	5
535 to 554-----	100	80	70	65	55	50	40	30	20	10

7. Present Type of Administration to be Continued

The committee examined into the present form of administration of aged assistance wherein the counties are responsible for the administration of aid and the State supervises the counties. Taking everything into account, representatives of the State Social Welfare Board state that the combination of county administration and State supervision is the best procedure.

No factional material was presented which would warrant the committee recommending a change in the form of administration. It appeared that State law and State Department of Welfare rulings were in some part responsible for criticism of county administration. (See 8 following.)

The Committee Recommends:

(7) That the present county administration of assistance under State supervision of counties be continued, but with some relaxation in administrative requirements.

8. Revision of Statutes, Rules, and Regulations

It was related to the committee that the enforcement of the Welfare and Institutions Code together with rules and regulations of the State Social Welfare Board and the counties sometimes exposes applicants or recipients of aid to humiliation and embarrassment. The committee has no sworn testimony on this matter or knowledge of the number of such instances which may have occurred. However, it was apparent that both the law and rules and regulations should be amended so as to decrease the number of points of friction between social workers and recipients of aid.

The Committee Recommends:

(8) That the Welfare and Institutions Code and rules and regulations of both the State Social Welfare Board and the counties be modified.

A subcommittee was appointed to look into and recommend to the committee as a whole on these matters. While the limitations of time prevented the committee as a whole from discussing them to the point of recommending specific action, nevertheless, the committee recognizes that there are many of these items which are entitled to earnest consideration and with that in view a copy of the subcommittee's report is appended in full to this report.

9. Medical, Dental, and Clinical Aid

Analysis of medical assistance to recipients of aged assistance showed that the statutes now provide and the counties give medical assistance, including hospitaliza-

tion and clinical service. The Welfare and Institutions Code permits individuals to stay in a county hospital two months without deduction from their monthly aid.

The Committee Recommends:

(9) That medical, dental, and clinical assistance should be continued at county expense.

10. Attorney's and Filing Fees

The committee examined into filing fees and attorney costs when a court decision favored the recipient of aid. Testimony indicated that court cases are rare.

The Committee Recommends:

(10) That the law be changed with respect to court costs or attorney's fees in litigation with respect to aged assistance, so that the State pays the costs when the decision is in favor of the recipient.

11. Board of Supervisors' Responsibility for Approval of Aid

It was brought to the attention of the committee that several counties have welfare boards which are established by charter, and that these welfare boards, instead of the board of supervisors, approve or reject applications for aged assistance. However, in the case of rejections, the applicant is informed that the board of supervisors has rejected the application.

The committee concluded that advisory welfare boards do not provide uniform procedure in the administration of aged assistance, and further concluded that it is properly a responsibility of the board of supervisors to pass on applications for aged assistance.

It was also brought to the attention of the committee that in some counties, especially large ones, the board of supervisors passed on recommendations in a perfunctory manner. The committee concluded that a procedure should be established which permits applicants for aged assistance to carry an appeal on decisions directly to the board of supervisors.

The Committee Recommends:

(11) That no advisory county welfare board should pass upon any application for aid, but it must be passed upon directly by the board of supervisors. Provision should be made to give 30 days' notice to an applicant or recipient to appear and show cause why the board's action is unsatisfactory. The right to appeal to the State Social Welfare Board shall not be impaired.

12. Revision of the Federal Social Security Act

The committee gave careful consideration to the Federal Social Security Act. Considerable material was presented on Title II, relating to old age and survivors insurance, and Title I, relating to assistance to the needy aged.

It was pointed out that some 55 per cent of workers in California were under old age and survivors insurance prior to war activity and that in large part those who are under the act will not receive benefits which the committee believes are adequate for a reasonable standard of living. The committee has concluded that Title II, which gives a pension to a person as a right, does not provide an adequate long-term program.

In view of the fact that Title II (Old Age and Survivors Insurance) does not provide an adequate solution for the support of the aged in California, the committee has concluded that Federal participation under Title I (Aid to the Needy Aged) should be liberalized.

The Committee Reports the Necessity For:

Revision of Title I of the Federal Social Security Act as follows: (1) Contributions by the Federal Government to the State to be on a matching ratio of two to one; (2) Age requirement to be reduced to 60 years; and (3) Outside income to be allowed up to \$15 per month without deduction; and recommends that Congress be memorialized to that effect.

Other Points Considered by Committee

A number of other items were discussed extensively. These included lowering of age eligibility, allowances for funeral expenses, and also self-liquidating stabilization credit and gross-transactions tax as a means of pension financing.

Respectfully submitted.

RALPH T. FISHER, Chairman
HARRISON W. CALL
C. O. HOOBER
WILLIAM B. HORNBLOWER
GEORGE A. JANSSEN
H. R. JUDAH

THOMAS F. KEATING
A. J. MCFADDEN
LAURENCE PALACIOS
GEORGE SEHLMAYER
FRANK SLABY

IV—APPENDICES

APPENDIX 1

Report of Subcommittee on Improvement of Administrative Practices

MARCH 30, 1943

*Mr. Ralph T. Fisher, Chairman
Governor's Old Age Pension Committee
State Capitol, Sacramento, California*

DEAR MR. FISHER: Your Subcommittee on Improvement of Administrative Practices would suggest points of correction in the law that the administration of the so-called old age pension in California might be more dignified and humane. In order to accomplish the task we have been given, we have gone into minute detail and considered section by section the Social Welfare Code.

- (1) Inasmuch as the State Social Welfare Board administers a very large department, it is our opinion it should be a full-time board.
- (2) The members of the board should be compensated on a full-time basis and their terms should be staggered so that no one Governor could control the board.
- (3) Much severe criticism was presented to the general committee regarding the activities of social workers and it is our opinion that there is room for much reform in this department in administering old age assistance.
- (4) Every applicant shall be given an itemized report setting forth the amount of deductions, if any, made from his grant.
- (5) Any new rules and regulations shall be filed with the Secretary of State 30 days prior to effective date, and copies shall be available to people upon request.
- (6) The State department should be given authority to try social workers accused of maladministration or order the case to be tried before the State Personnel Board, and if found guilty the State shall have the power to suspend the social worker for a reasonable period of time, and after two such suspensions the employee may be dismissed.
- (7) The unnecessary language in Section 2180 of the Welfare and Institutions Code should be stricken out and the section should be made to read as follows:
 "Application for aid under this chapter shall be made to the board of supervisors of the county in which the applicant resides. An applicant may apply in person or the application may be made by another in his behalf. This application may be made in writing or reduced to writing upon the standard form prescribed by the State Department of Social Welfare, and a copy of his application shall be furnished to each applicant at the time of application. The form shall contain questions, the answers to which will provide the information necessary to establish eligibility for aid under this chapter. All statements in the application shall be verified, under oath, by the applicant."
- (8) The clause pertaining to insurance policies shall be so worded that no insurance policy may be valued at more than its present cash value to the recipient, and premiums on insurance policies may not be deducted from the recipient's award—no matter by whom paid.
- (9) Personal effects include clothing, furniture, household equipment, food-stuffs and fuel, and shall not be considered as personal property, and the assessed value shall be considered in both real and personal property and then only net values after deductions of all encumbrances.
- (10) Trust deeds should be considered as mortgages, and not as personal property, in the matter of determining eligibility bearing on personal property.
- (11) Applicant's affidavit shall be deemed prima facie evidence, and the county given 30 days' time in which to investigate and to affirm or deny the application.
- (12) Payments shall begin as of the first day of the month following date of application.
- (13) The county board of supervisors may reconsider previous denials eliminating necessity in those cases of appeal to the State Board, and must upon written request of the applicant hold a public hearing to determine the sufficiency of the application.
- (14) A transcript of the hearing shall be made and the cost borne by the department.
- (15) The present provision of the law should be amended to provide that the applicant may reapply when the condition which resulted in his application being rejected has been eliminated.

- (16) Add language to Section 2003 to read: "In case of doubt the applicant shall be given the benefit of the doubt."
- (17) In Section 2005 after the words, "other suitable home", add the words: "of his own choosing."
- (18) In Section 2008 add this language: "Any applicant or recipient of aid under this chapter, and any person connected with the administration of such aid, or other person, who knowingly violates any provision of this chapter for which no penalty is specifically provided, is guilty of a misdemeanor."
- (19) In Section 2009 provide "that the public designation of any building or place used for aid under this chapter may not make any reference to charity or indigency."
- (20) Require that the State or County Welfare Department shall mail a copy of any bulletin, policy rule or the law itself to any recipient upon demand.
- (21) In Section 2160 provide under ('F') "that free board and lodging supplied to an applicant, because of his necessity, by a friend or relative who is not responsible for his support, shall not be grounds for refusing aid."
- (22) Any place of abode of recipient or applicant, whether it be a house, boat, trailer, or other habitation, shall be deemed to be real estate for the purposes of this act.
- (23) All means of determining eligibility filed by applicant on affidavit before a judge of the superior court, shall be deemed to be sufficient evidence, in the absence of other factual data.
- (24) Add "that no person connected with the administration shall dictate how the recipient shall spend the aid granted to him."
- (25) Provide that all offices used for administration shall easily be accessible to the aged or maimed, and shall be either on the ground floor or served with an elevator and operator.
- (26) Provide that absence from the State, not in excess of 90 days of any calendar year, shall not be considered evidence to establish residence elsewhere, nor to interrupt receipt of aid.
- (27) Estates shall not be considered until they are available to the client for occupation or use, or until an income is available therefrom to the client.
- (28) Provide an urgency clause for immediate passage of enactment.
- (29) Provision should be made for the simplification of the responsible relatives affidavit form; for instance, a very brief initial form could be sent to the relative for the purpose of determining whether that relative has an income in his or her own right. This relates to the married daughter, primarily. Unless the married daughter has a separate income she shall not be required to make relatives' contributions. If the answer indicates a separate income, then a more elaborate form could follow.
- (30) The committee should recommend that the state department review all present requirements of the State and counties governing the complete operation of the application and renewal process, and that anything of an unnecessary nature be eliminated.

Respectfully submitted.

VERNON KILPATRICK, Chairman
 GEORGE SEHLMETER
 H. R. JUDAH

APPENDIX 2

Old Age Security

COUNTY WELFARE DIRECTORS ASSOCIATION

January 1, 1930

Age—70 years

Citizenship—15 years

Residence—15 years

Property (Real)—Market value \$3,000. Applicant could be required to transfer property to county.

Personal Property—Silent.

Responsible Relatives—No child or person able and responsible under the law to support.

Amount of Aid—Budgeted strictly according to need. All contributions or income deducted. Total aid plus income from all sources not to exceed \$1 per day.

September 1, 1935 (Social Security Act became law August 14.)

Age—65 years. (Social Security Act did not make age of 65 mandatory until January 1, 1940.)

Citizenship—No time requirement. (Security Act.)

Residence—During Federal participation five years out of last nine years and one year immediately preceding application. (Social Security Act.)

Property (Real)—Assessed value \$3,000. Applicant or combined property of applicant or spouse. Transfer of property to county repealed. Provided for placement of liens by county.

Personal Property—\$500.

Responsible Relatives—Amended 1931. Has no husband, wife, parent or child able to support.

Amount of Aid—All income deducted. Minimum income \$20, maximum \$35 from all sources.

Debt—All aid granted constituted a debt of such person.

Institution Inmates—May make application and aid shall commence upon release.

April 1, 1936

Effective date of Federal participation under Social Security Act. \$15 maximum Federal grant per case.

September 1, 1937

Age—No change.

Citizenship—No change.

Residence—No change.

Property (Real)—No change.

Liens—Released by Legislature. Later found unconstitutional (Supreme Court).

Forbid the further placing of liens.

Personal Property—\$500. Insurance policies of \$1,000 face value or less, and more than five years old, exempt when evaluating personal property.

Responsible Relatives—Who is not receiving adequate support from husband, wife or child. If relative was able to support, prosecution mandatory.

Amount of Aid—Provides for \$35 per month from all sources. Certain income exempt deduction, up to \$15 per month, such as services, income from property owned and occupied. *Aid payable in advance.*

Debt—Provision of 1935 repealed.

Hospitalization—Aid paid for 30 days while in hospital.

Chapter 8, Statutes of 1938 effective May 1, 1938, provided for an appropriation of \$6,000,000 to the counties resulting in the counties receiving approximately \$3.96 per case per month for 12 months.

October 1, 1939

Age—60 years when, as and if the Federal Government shall provide funds (Section 2160a).

Property (Real)—Provided certain agreements to be taken on property (Section 2226).

Responsible Relatives—Exempt from prosecution if they did not file a California Income Tax Return.

Debt—Created by Section 2229. Claims filed against estates.

Hospitalization—Aid paid for 60 days while an inmate.

January 1, 1940

Amount of Aid—Automatically increased from \$35 to \$40 maximum. (Amendment to Social Security Act.) California law already provided for Federal increase (Section 2025) \$20 Federal maximum grant per individual

February 23, 1940

Property (Real)—Agreement provision repealed (Section 2226).

Debt Clause—Section 2229 repealed. Claims no longer filed against estates.

Responsible Relatives—Section 2224 amended. Exempted from further investigation or prosecution responsible relatives who did not file a California Income Tax Return.

November 5, 1940

Liens—Liens filed against property of the recipient of aid up to September 1, 1937, released by constitutional amendment. Also included mortgages and debts. Adds Sections 12 and 13 to Article XVI of the Constitution.

February 18, 1941

The Attorney General ruled that inmates of State institutions when released under guardianship of a State official as provided for in Section 6600 of

the Welfare and Institutions Code were eligible for Old Age Security. The Social Security Board advised that Federal funds would not be allowed for this group. (There have been few applications to date under this program.)

July 1, 1941

All income and currently used resources of recipients must be considered. Exempts casual income and inconsequential resources. No limitations on outside income if need for same exists. The amount of such income must be allowed to equal that need. Former maximum grant of aid of \$35 (if Federal funds were withdrawn) raised to \$40.

September 13, 1941

Transfer of property of applicant or recipient allowed if life estate is reserved (2007.5). Degree of responsibility of relative of OAS for support—contributions fixed by graduated scale and enacted into law (21S1).

APPENDIX 3

TABLE 1

**Minimum Biennial Costs¹ of Old Age Security With Age Limit
Reduced to 60 Years²**

Source of funds	Age 60 and Over ³		Age 60-64 ⁴	Age 65 and Over ⁵	
	Amount	Increase over present basis		Amount	Increase over present basis
A. \$40 Maximum Grant					
Federal -----	\$64,900,000			\$64,900,000	-----
State -----	54,300,000	\$21,700,000	\$21,700,000	32,600,000	-----
County -----	54,100,000	21,700,000	21,700,000	32,400,000	-----
Total -----	\$173,300,000	\$43,400,000	\$43,400,000	\$129,900,000	-----
B. \$45 Maximum Grant					
Federal -----	\$67,600,000	\$2,700,000		\$67,600,000	\$2,700,000
State -----	66,200,000	33,600,000	\$24,600,000	41,600,000	9,000,000
County -----	66,200,000	33,500,000	24,600,000	41,600,000	9,200,000
Total -----	\$200,000,000	\$70,100,000	\$49,200,000	\$150,800,000	\$20,900,000
C. \$50 Maximum Grant					
Federal -----	\$69,800,000	\$4,900,000		\$69,800,000	\$4,900,000
State -----	76,800,000	44,200,000	\$27,500,000	49,300,000	16,700,000
County -----	76,800,000	44,400,000	27,500,000	49,300,000	16,900,000
Total -----	\$223,400,000	\$93,500,000	\$55,000,000	\$168,400,000	\$38,500,000
D. \$60 Maximum Grant					
Federal -----	\$70,200,000	\$5,300,000		\$70,200,000	\$5,300,000
State -----	100,000,000	67,400,000	\$33,300,000	66,700,000	34,100,000
County -----	100,000,000	67,600,000	33,300,000	66,700,000	34,300,000
Total -----	\$270,200,000	\$140,300,000	\$66,600,000	\$203,600,000	\$73,700,000

¹ Payments to counties for hospital care cases excluded All OAS administrative costs excluded

² See Table 2 for costs on basis of 15 years State residence requirement for persons under 65.

³ Minimum average caseload estimated at 195,000

⁴ Minimum average caseload estimated at 48,000 (prewar employment conditions assumed).

⁵ Minimum average caseload estimated at 147,000.

NOTE Caseloads substantially higher than those indicated are to be expected as the result of increasing the amount of the maximum grant, or otherwise liberalizing eligibility requirements. However, since no tangible data are available for measuring the extent of the probable increases, these estimates have been limited to minimum caseloads and costs.

For purposes of these estimates it has been assumed that the specified age, residence and grant provisions have been in effect for some time prior to the beginning of the biennium and are in effect during the entire biennium.

TABLE 2

Minimum Biennial Costs¹ of Old Age Security With Age Limit Reduced to
60 Years and 15 Years State Residence² Required
for Recipients Under 65 Years

Source of funds	Age 60 and Over ³		Age 60-64 ⁴	Age 65 and Over ⁵
	Amount	Increase over present basis		
A. \$40 Maximum Grant				
Federal -----	\$64,900,000	-----	-----	\$64,900,000
State -----	47,800,000	\$15,200,000	\$15,200,000	32,600,000
County -----	47,600,000	15,200,000	15,200,000	32,400,000
Total -----	\$160,300,000	\$30,400,000	\$30,400,000	\$129,900,000
B. \$45 Maximum Grant				
Federal -----	\$67,600,000	\$2,700,000	-----	\$67,600,000
State -----	58,800,000	26,200,000	\$17,200,000	41,600,000
County -----	58,800,000	26,400,000	17,200,000	41,600,000
Total -----	\$185,200,000	\$55,300,000	\$34,400,000	\$150,800,000
C. \$50 Maximum Grant				
Federal -----	\$69,800,000	\$4,900,000	-----	\$69,800,000
State -----	68,600,000	36,000,000	\$19,300,000	49,300,000
County -----	68,600,000	36,200,000	19,300,000	49,300,000
Total -----	\$207,000,000	\$77,100,000	\$38,600,000	\$168,400,000
D. \$60 Maximum Grant				
Federal -----	\$70,200,000	\$5,300,000	-----	\$70,200,000
State -----	90,000,000	57,400,000	\$23,300,000	66,700,000
County -----	90,000,000	57,600,000	23,300,000	66,700,000
Total -----	\$250,200,000	\$120,300,000	\$46,600,000	\$203,600,000

¹ Payments to counties for hospital care cases excluded. All OAS administrative costs excluded.

² See Table 1 for costs on five-year residence basis.

³ Minimum average caseload estimated at 180,600.

⁴ Minimum average caseload estimated at 33,600 (prewar employment conditions assumed)

⁵ Minimum average caseload estimated at 147,000. Increased costs for this age group shown on Table 1.

NOTE: Caseloads substantially higher than those indicated are to be expected as the result of increasing the amount of the maximum grant, or otherwise liberalizing eligibility requirements. However, since no tangible data are available for measuring the extent of the probable increases, these estimates have been limited to minimum caseloads and costs.

For purposes of these estimates it has been assumed that the specified age, residence and grant provisions have been in effect for some time prior to the beginning of the biennium and are in effect during the entire biennium.

APPENDIX 4

STATE OF CALIFORNIA
 DEPARTMENT OF SOCIAL WELFARE
 Miss Martha A. Chickering, Director

SACRAMENTO, NOVEMBER 25, 1942

DEPARTMENT BULLETIN No. 143—Revised, D
 To: COUNTY BOARDS OF SUPERVISORS
 COUNTY WELFARE DEPARTMENTS
 COUNTY AUDITORS

SUBJECT: Old Age Security—Budgetary Method of Determining Need
 Food Allowance

On the basis of recent pricing, the Social Welfare Board on November 19, 1942, adopted \$15.97 as the food requirement for an individual living alone. This figure should be substituted for \$12.85 in the budget schedule appearing in Department Bulletin No. 143—Revised, B, page 3. When all meals are purchased in restaurants, \$27.95 is allowed rather than \$22.49 as stated in the budget schedule.

When new applicants or those requesting restoration of aid elect to have need determined on a budget basis, the revised food item shall become effective immediately. Any necessary adjustment in the grant of those currently receiving aid shall be made as soon as administratively possible following the request of the recipient. If no request is made, any necessary change shall then be made when there is occasion to adjust the grant for other reason, but in no event shall the adjustment in the grant be made later than the anniversary month for reinvestigation of eligibility.

Very sincerely yours,

MARTHA A. CHICKERING,
 Director, Department of Social Welfare

SACRAMENTO, SEPTEMBER 26, 1942

DEPARTMENT BULLETIN No. 143—Revised, B
 To: COUNTY BOARDS OF SUPERVISORS
 COUNTY WELFARE DEPARTMENTS
 COUNTY AUDITORS

SUBJECT: Old Age Security—Budgetary Method of Determining Need

I. Statement of Policy

The Social Welfare Board on September 15, 1942, adopted the following policy:

California wishes to provide, on an actual individual measurement of requirements, a type of public assistance to its aged citizens commensurate with the maintenance of the continued well-being of the recipient as well as the provision for the necessities of life.

In order to adjust California's methods of computing aged aid to the general rise in cost of living since July 1, 1941, and provide under the law for facility in computing excess need occasioned by increased cost of items required for the standard of living in California, a schedule will be set up as a guide by which recipients having income or desiring to earn additional income in agriculture or otherwise and desiring further to be of service to their country in the emergency may receive such assistance as is necessary which, together with such income, will meet their needs as determined under such guides.

The object is to secure grants of aged aid in an amount which, when added to their income, will meet the entire need of the recipient of aged aid so determined.

The range of items in the guide shall be adjusted to the quantity and quality required by each individual recipient in determining his continuing need. Consideration of income and resources will be made in the light of the total need so established.

The guide will, of course, be indicative only and will be modified as the operating experience of the agency dictates such modification.

II. Nature of New Rulings

Rulings to implement the above stated policy were adopted on September 23, 1942, and become effective October 1, 1942. The new rulings established under the excess need provision of Section 2020, provide that income (except casual income and inconsequential resources) received may be applied toward total need as measured by a budget which takes into consideration the general rise in the cost of living since July 1, 1941. The difference between total need, as measured by the budgetary method, and the income, represents the amount of aid to which the recipient is entitled except that in no case may the grant of aid exceed \$40 a month, and in no case may the grant of aid plus income be less than \$40.

Bulletins 143 Revised, 143 Revised A, and 170 remain in effect, and the policies and procedures as set forth herein are to be followed in addition to those appearing in the above-mentioned bulletins.

III. Recipients to Be Notified

It is important that each recipient be informed of the new policy and that an explanation be given of the possible advantages accruing to him should he elect to have his total income applied to his total needs as determined by a budget guide. Therefore, a statement shall be mailed to each recipient of aid not later than November 1, 1942, as follows:

Old Age Security Notice to Recipient of Aid

The Social Welfare Board, in view of the increase in the cost of living since July 1, 1941, adopted on September 15, 1942, a policy with the object of securing grants to recipients of old age security in the amount which, when added to their income, will meet their entire needs.

The policy recognizes that under the California Old Age Security statute, all income (except casual income and inconsequential resources) must be considered in determining the grant of aid, and it is necessary that you continue to notify the county welfare department promptly of any changes in your income.

The grant of aid to which you may be entitled has not heretofore been determined on the basis of a budget. With the exception of those recipients having need in excess of \$40 a month, the aid paid has been the difference between the income received and \$40 a month. In accord with the above policy adopted by the Social Welfare Board, if you have income from any source and wish to have the grant of old age security computed on the basis of your total need as determined by a budget, it is your privilege to request the county welfare department to determine your grant of aid in that manner. If you decide to have your old age security so computed, it will be necessary for you to give detailed information to the county welfare department in regard to your expenditures and living plan as otherwise it will not be possible for the county to prepare a budget to establish the amount of your individual needs.

The largest amount of aid that may be granted remains at \$40. Therefore, if your grant of aid is now \$40 for the reason that you have no income, and if you are not in a position to earn additional income in agriculture or otherwise, there could be no advantage to you in requesting that your need be determined on a budgetary basis, and you will wish that no change be made.

If you have income from any source, and are uncertain which is the better method to choose, the county welfare department will tell you the effect, if any, a change to the budget basis will make in your grant of old age security.

IV. Recipients Who May Benefit by New Rulings

Under the provisions of Section 2020 of the Welfare and Institutions Code, the excess need provision of the section is of benefit only to those applicants or recipients who are in receipt of income other than casual income or that resulting from the use of an inconsequential resource. Thus the determination of the grant on a budgetary basis will probably be of immediate benefit only to those recipients who are in receipt of income which is ordinarily considered in determining the grant of aid. However, should recipients at present without income and therefore receiving a \$40 grant, secure employment, or begin to receive income from another source, they may elect to have their grant computed in accord with the budgetary method which takes into account excess need resulting from the general rise in the cost of living.

When a recipient elects to have his total need computed by means of the budgetary method, any necessary adjustment in the grant shall become effective as soon as administratively possible.

V. *Measurement of total need by use of budget schedule.*

A. Budget Schedule

The following schedule has been set up as a guide for measuring the requirements of an individual living alone.

Food -----	\$12 85	(\$22.49, if all meals are purchased in restaurants)
Housing—as paid, for example -----	20 00	
Utilities—as paid with following minima		
Electricity -----	1 72	
Gas -----	2 10	
Water -----	1 50	
Other, for example, heat -----	2 00	
Household operations -----	3 31	
Clothing -----	4 57	
Incidentals and personal needs -----	10 00	
Transportation -----	3 00	
Other needs -----		

\$61 05

B. Explanation of Items of Need in Budget Schedule.

1. Food.

If the recipient prepares his meals at home or eats with a household group, the figure \$12.85 is used. If he takes all his meals out, use \$22.49. If he boards or pays room and board, the amount as paid is used.

2. Housing.

(a) If the recipient pays rent, the amount paid is used. If two or more persons share the same quarters, the recipient's prorated share of the total rental is used.

(b) If the recipient receives free rent, the estimated value of such free housing as determined by the county represents the amount of housing need. While due regard may be given to the actual value of such housing, the evaluation shall take into consideration the worth of the housing to one who has only limited funds available for his needs.

(c) If the recipient lives in a home which he owns or in which he has an interest, the item of "Housing" is the sum of the costs of ownership and the net value of occupancy, if any, as determined under Bulletin No. 143 Revised. The expenses of ownership include taxes, insurance, assessments, required encumbrance payments, and in addition, the average cost of minor repair and upkeep, which shall be allowed at the rate of \$2 a month. (The expense of occasional repair which is not met through the normal upkeep allowance and which is necessary to provide safe, healthful housing or to minimize deterioration, should be included as a separate item of need.)

When the recipient has an interest in the home with other persons, his prorated share of the expenses of ownership shall be added to the value of occupancy, if any, in determining the item of housing, i.e., home owned jointly with wife, one-half of expenses of ownership plus occupancy value, if any; if owned jointly by three persons, one-third of the expenses of ownership plus occupancy value, if any.

3. Utilities.

Those utilities or services actually used by the individual represent his need. The amounts given in the budget schedule are the minima for a person living alone. If there is need for wood, coal, oil, garbage service, etc., the items are specified in the amount of the average cost as reported by the recipient.

When there are two or more members of the household, the recipient's prorated share may be less than the minimum established for those living alone. If he reports that he pays only such prorated share, the amount as paid by him is the item of need. Should he pay in full the utility bills because others in the household, such as an ineligible spouse, are unable to meet their share, the recipient may be allowed the amount as shown in the budget schedule since this amount represents the extent of his need which would have to be met were he living alone.

4. Household Operations.

This includes cleaning supplies, replacement of ordinary household supplies and equipment, etc., and is the minimum for the individual recipient.

5. Clothing.

This covers minimum need for purchase of new clothing and for clothing renovation.

6. Incidentals—Personal Needs.

This item includes a wide variety of expenditures, as determined by the individual's personal habits and needs; for instance, haircuts, toothbrushes and tooth powder, home medicine cabinet supplies, insurance, recreation, newspaper, community activities, etc.

7. Transportation.

This is for ordinary transportation needs. There may be recipients who, because of their physical condition, have little use for transportation as such, but in lieu thereof require extra messenger and delivery service. In the rare case in which there is no need for transportation, this item will be omitted.

8. Other Needs.

In addition to the items specifically set forth in the budget schedule, there may be other requirements in the individual case such as those indicated in Bulletin No. 143 Revised A, under "Excess Need," as medical care, dentures, etc.

C. Examples of Determination of Grant by Means of Budget Schedule.

1. A single recipient lives in his own unencumbered home, assessed value \$300. Taxes average \$3 per month, and payments on a street assessment average \$1.05 per month. Upkeep is \$2 per month. His son contributes \$10 per month.

<i>Total need</i>		<i>Income</i>	
Food -----	\$12 85	Net value of occupancy ---	\$ 4 00
Housing—		Contribution from son ----	10 00
Taxes -----	3 00		
Assessments -----	1 05	Total income -----	\$14 00
Upkeep -----	2 00		
Net value of occupancy--	4 00		
Electricity -----	1 72		
Gas -----	2 10		
Water -----	1 50		
Clothing -----	4 57		
Household operations ---	3 31		
Incidentals -----	10 00		
Transportation -----	3 00		

Total need -----	\$49 10	(The grant may be made in the	
Total income -----	\$14 00	amount of \$36. See page 10.	
Grant -----	\$35 10	Difference between need and	
		income.)	

2. A single recipient lives in his own home, assessed value \$800 on which required monthly payments of \$10 are made on an encumbrance. Taxes average \$3 per month, and payments on a street assessment average \$1.05 per month. Upkeep is \$2 per month. His son contributes \$10 per month.

<i>Total need</i>		<i>Income</i>	
Food -----	\$12 85	Net value of occupancy --	none
Housing—		Contribution from son ----	\$10 00
Encumbrance -----	10 00		
Taxes -----	3 00	Total income -----	\$10 00
Assessments -----	1 05		
Upkeep -----	2 00		
Net value of occupancy --	none		
Electricity -----	1 72		
Gas -----	2 10		
Water -----	1 50		
Household operations ---	3 31		
Clothing -----	4 57		
Incidentals -----	10 00		
Transportation -----	3 00		

Total need -----	\$55 10		
Total income -----	10 00		

\$45 10

The grant shall be \$40

3. A single recipient receives free rent and utilities in a rear cottage owned by a sister. The county has determined the value of free rent and utilities to be \$14.00 per month. There is no other income.

<i>Total need</i>		<i>Income</i>	
Food -----	\$12 85	Value of free rent and	
Rent and utilities -----	14 00	utilities -----	\$14 00
Household operations -----	3 31		
Clothing -----	4 57		
Incidentals -----	10 00		
Transportation -----	3 00		
	<hr/>		
Total need -----	\$47 73		
Total income -----	\$14 00		
Grant -----	\$33 73		

(The grant may be made in the amount of \$34. See page 10 difference between need and income.)

4. a. A recipient lives alone in his unencumbered home, assess value \$2,600. Net value of occupancy is \$8, taxes average \$7 per month, upkeep is \$2. He has earnings of \$5 per month. He has need for dentures and has made arrangements to purchase them, paying \$8 a month for four months.

<i>Total need</i>		<i>Income</i>	
Food -----	\$12 85	Net value of occupancy ----	\$ 8 00
Housing -----		Earnings -----	5 00
Taxes -----	7 00		
Upkeep -----	2 00	Total income -----	\$13 00
Net value of occupancy --	8 00		
Electricity -----	1 72		
Gas -----	2 10		
Water -----	1 50		
Household operations -----	3 31		
Clothing -----	4 57		
Incidentals -----	10 00		
Transportation -----	3 00		
Dentures -----	8 00		
	<hr/>		
Total need -----	\$64 05		
Total income -----	\$13 00		

\$51 05 Grant is \$40.

- b. Should the above recipient, not wishing to give detailed information regarding his expenditures, or for other reasons, wish to have his excess need determined under the method set forth in Bulletin No. 143-Revised, the computation would be as follows:

<i>Outgo</i>		<i>Income</i>	
Basic needs -----	\$40 00	Use of home -----	\$ 8 00
Excess need -----	8 00	Earnings -----	5 00
	<hr/>	Grant -----	35 00
	\$48 00		<hr/>
			\$48 00

5. A recipient in feeble physical condition pays \$40 per month board and room in a rest home, where all services are provided. He is unable to leave the house, and has no need of transportation. He has income of \$21 per month from O. A. S. I. benefits.

<i>Total needs</i>		<i>Income</i>	
Board and room -----	\$40 00	O. A. S. I. -----	\$21 00
Clothing -----	4 57		
Incidentals -----	10 00		
	<hr/>		
Total needs -----	\$54 57		
Total income -----	\$21 00		
	<hr/>		
Grant -----	\$33 57		

(The grant may be made in the amount of \$34. See page 10—Difference between need and income.)

6. A recipient owns an unencumbered home, assessed value \$1,200, value of occupancy \$5, in joint tenancy with his wife and son. The wife is also a recipient. The son pays his share of household expenses, but does not make a contribution. Taxes average \$5.50 per month. The recipient has O. A. S. I. benefits of \$20. His only excess need is that resulting from the increase in the cost of living.

<i>Total needs</i>		<i>Income</i>	
Food -----	\$12 85	Net value of occupancy ----	\$5 00
Housing -----		O. A. S. I. -----	20 00
Net value of occupancy	5 00		<u>25 00</u>
\$5 50 taxes			
\$2 00 upkeep			
One-third of \$7 50 -----	2 50		
Share of utilities -----	2 00		
Household operations -----	3 31		
Clothing -----	4 57		
Incidentals -----	10 00		
Transportation -----	3 00		
	<u>43 23</u>		
Total need -----	\$43 23		
Total income -----	\$25 00		
Grant -----	\$18 23		

(The grant may be made in the amount of \$19. See page 10—Difference between need and income.)

VI. Recording in the County Case Record

A. Budget Work Sheet (Form Ag M518) Required

In all cases in which the amount of the grant is determined on the basis of total need as established by the budgetary method, the case record shall include Form Ag M518, Budget Work Sheet, on which shall be recorded the full detail of the budget, the source and amount of income to be applied toward total need, and the verifications. Casual income or the value of the use of an inconsequential resource is not considered in determining the grant of aid and shall not be entered on Form Ag M518.

B. Instructions for Use of Budget Work Sheet, Form Ag M518

The Budget Work Sheet, Form Ag M518, a copy of which is appended, will ordinarily be completed in longhand and shall be retained in the county record. Complete the identifying data in the upper right hand corner, and indicate if the recipient is living as a member of a household group. If so, enter the number of individuals in the household.

Need

1. Food (Leave blank if board and room is paid)

Enter the amount for food in accord with the recipient's living plan, i.e., \$12.85 if living alone or as a member of a household group, and \$22.49 if he eats all meals in restaurants. No verification of the amount is required and no entry is necessary in the "How verified" column.

If the recipient takes his meals on a board basis, enter the amount paid for board. Verification shall be made, either through receipts in the recipient's possession, by his personal affidavit, or otherwise, and the method used is indicated in the "How verified" column.

If the recipient pays board and room, leave the "Food" item blank, and also leave blank all other items above Item 5, "Board and room." (See instructions for Item 5)

2. Housing (Leave blank if board and room is paid)

If the recipient lives in other than his own property, enter the rental paid or his prorated share if two or more persons share the same quarters. If free rent is contributed by another, enter the estimated value as determined by the county.

When rent is paid, the amount shall be verified, either through receipts or the recipient's personal affidavit or otherwise, and the method of verification entered in the "How verified" column. In the case of free rent contributed by another, enter "worker's evaluation" or some other appropriate statement in this column.

If the recipient lives in his own home, complete the appropriate items for costs of ownership, including a \$2 allowance for upkeep. If there is a net value of occupancy under the provisions of Bulletin 143-Revised, enter this amount also. If there is no net value of occupancy, enter "none" for

this item. Record the total expenses of ownership and net occupancy value, if any. (See page 4 (c) regarding expenses of ownership when the recipient owns an interest in the property with one or more persons.)

In the "How verified" column, indicate the method by which taxes, encumbrances, etc. were verified, i.e., tax receipts, mortgage book, etc.

3. Utilities (Leave blank if board and room is paid)

Enter the average cost for the particular utility in the appropriate space. When there is no need for the particular utility enter "none." If an amount is allowed for a utility or service other than as listed, specify opposite "other." (See page 4, Item 3)

4 Household Operations (Leave blank if board and room is paid).

Enter the amount shown in the budget schedule. No entry is required in the "How verified" column. (When household furniture or equipment is inadequate or substandard to a point where the expense of securing necessary items is in excess of the cost of ordinary household operations, the cost of necessary replacement or of augmenting the present supply should be included under item 9 of Form Ag M518. Refer to Bulletin 143 Revised A, page 2, Item 6.)

5. Board and Room

Enter the amount as paid. Verification is necessary, either through receipts in possession of the recipient or by his personal affidavit, or otherwise. In the "How verified" column state how the amount was verified.

(Items of need above Item 5 do not apply to persons living on a board and room basis)

6. Clothing

Enter the amount shown in the budget schedule. No entry is required in the "How verified" column. (See Bulletin 143 Revised A, page 2, Item 6, if additional need for clothing exists, and enter under Item 9 of Form Ag M518)

7. Incidentals

Enter the amount shown in the budget schedule. No statement is required in the "How verified" column.

8. Transportation

Enter the amount as shown in the budget schedule unless the facts definitely establish that the recipient has no need for transportation and does not have other expenses in lieu of it, such as expense for delivery or messenger service, etc. No entry is necessary in the "How verified" column unless the transportation item is omitted, in which case give the reason either in that column or under "Remarks."

9. Other Needs

Specify the particular need and show the amount for each need. In this space is entered only those needs which are in addition to the need items specifically set forth in the budget schedule. Verification must be made in accord with the provisions of Bulletin 143 Revised A for the particular item of need, and be recorded in the "How verified" column, together with a statement of the probable period over which the need will continue.

10. Total Need

Enter the sum of the individual items of need.

Income

Include only that income which is other than casual income or results from the use of an inconsequential resource. (The necessary detail regarding casual income and inconsequential resources must, however, be recorded elsewhere in the case record. See Bulletin 143 Revised A, page 10, item 4.)

Specify each source from which income is received, including the net value of occupancy, if any, and the amount received from each source, together with the method of verification. Record the total amount of income received from all sources.

Summary

Total Need. Enter the total need which is the amount recorded opposite Item 10 in the "Need" section of the form.

Total Income. Enter the total income received from all sources as recorded in the section immediately above the "Summary" section of the form.

Difference between Need and Income. Enter that amount which is the result of subtracting the total income from the total need. If the difference between total need and total income is in odd cents, the grant may be computed in that figure which represents the next highest whole dollar.

Amount of Aid Recommended. Enter the amount of aid recommended.

Remarks. For comment as the worker may desire.

Budget Computed By. The signature of the work computing the budget, and the date, are to be shown here.

Affidavit of Recipient

When the amount of need for board and/or board and room, rent, or utilities, is verified by the recipient's statement of his expenditures for one or more of these items, his affidavit is required and may be secured in this space (This space is otherwise left blank.)

C. Recording of Grant Adjustment Under Budgetary Method

A copy of the notice of change (Form Ag 232) making any necessary adjustment in the grant records the adjustment amount and date on which the adjustment became effective.

VII. Reporting to State Department of Social Welfare

A. Current Cases

When a recipient elects to have his grant determined by the budgetary method and adjustment in the grant is necessary that fact shall be reported in the usual manner by submission of a Notice of Change, Form Ag 232, to the SDSW. The amount of total need is entered in Column 6 and in Column 7 the notation "Form Ag M518 on file" is made.

It is no longer necessary to report on the Notice of Change the particular items of need which resulted in total need exceeding \$40 or the method of verification which established the need to be in excess of \$40. The verification of those items of need for which verification is required shall be included in the case record, usually on Form Ag M518, Budget Work Sheet.

B. Applications

When the grant of aid is computed by applying income to total need of an applicant as determined by the budgetary method, that fact shall be reported on the Certificate of Eligibility, Form Ag 201, under "Conditions of Eligibility." Complete Item 11 of Form Ag 201 by entering the amount of total need in the "yes" space. Under "How verified" enter "Form Ag M518 in file."

The verification of those items of need for which verification is required shall be included in the case record, usually on Form Ag M518, but the method of verification of any particular item of need shall no longer be reported to the State Department of Social Welfare.

C. Restorations

When the grant of aid is computed by applying income to total need as determined by the budgetary method, that fact shall be reported on the Notice of Change, Form Ag 232, by inserting on that form in Column 6 the amount of total need. In Column 7 of Form Ag 232 insert "Form Ag M518 in file."

It is no longer necessary to report on the Notice of Change the particular items of need which resulted in total need exceeding \$40, nor the method of verification which established the need to be in excess of \$40. The verification of those items of need for which verification is required shall be included in the case record, usually on Form Ag M518, Budget Work Sheet.

A supply of the Budget Work Sheet, Form Ag M518 is forwarded to each County Welfare Department under separate cover. Additional forms may be obtained upon request to the Department of Social Welfare, 616 K Street, Sacramento. A supply of the Notice to Recipient of Old Age Security is also forwarded to each county welfare department.

Very sincerely yours,

MARTHA A. CHICKERING
Director, Department of Social Welfare

FORM AG M518, September, 1942
 STATE OF CALIFORNIA
 DEPARTMENT OF SOCIAL WELFARE

Old Age Security
 BUDGET WORK SHEET

Case Name _____
 State No. _____ Co. No. _____
 Living as a member of household group Yes No
 If yes, number in household _____

Complete only those items which represent need of the individual recipient. If the recipient pays board and room leave blank all items above number 5 on this form.

NEED		INCOME (Do not include casual income or value of inconsequential resources.)			
Item of need	Amount	How verified	Source	Amount	How verified
1. Food _____			Net Value of Occupancy,	If Any	
2. Housing					
(A) Rent _____					
(B) Own Home					
Taxes _____					
Assessments _____					
Encumbrance _____					
Upkeep _____					
Net value of occupancy* _____					
(If any)					
TOTAL _____			TOTAL INCOME _____		
3. Utilities			SUMMARY		
Gas _____			Total Need		
Electricity _____			Total Income		
Water _____			Difference Between Need and Income		
Other _____			Amount of Aid Recommended		
TOTAL _____			REMARKS :		
4. Household Operations _____					
5. Board and Room _____					
6. Clothing _____					
7. Incidentals _____					
8. Transportation _____					
9. Other Needs (Specify) _____					
10. TOTAL NEED _____			Budget Computed by _____, Date _____		

* If there is a net value of occupancy, always enter the identical amount shown here in the income section.

AFFIDAVIT OF RECIPIENT OF OLD AGE SECURITY

THIS IS TO CERTIFY, That I, _____, Pay \$_____ per month for rent; \$_____ per month for board or \$_____ per month for board and room; and that the average monthly cost of my utilities is \$_____.

Subscribed and sworn to before me this _____ day of _____, 19____.

Name _____ Title _____
 Signature of County Clerk or person qualified to acknowledge affidavit

 Signature of affiant

April 10, 1943]

ASSEMBLY JOURNAL

1975

APPENDIX 5

Summary of Governor's Budget

The Budget was employed by the committee in its deliberations and is made a part of the appendix to this report, but is transmitted herewith under its separate cover as a matter of convenience.

APPENDIX 6

Excerpt from Assembly Journal of January 8, 1943, pages 174-176

COMMUNICATIONS

The following communication was received, and on motion of Mr. Kilpatrick, ordered printed in the Journal:

DEPARTMENT OF SOCIAL WELFARE
SACRAMENTO, January 6, 1943

*Mr. Vernon Kilpatrick, Member of the Assembly
State Capitol, Sacramento, California*

MY DEAR MR. KILPATRICK: The following information is being sent to you in response to your verbal request of December 28, 1942. I am writing to Mrs. Buhler of the Office of Legislative Counsel, as per your instructions, to say that we are sending the information directly to you.

Present Basis

If the law remains unchanged, we estimate that the total cost of Old Age Security for the 1943-1945 Biennium would approximate \$130,000,000 shared as follows:

Federal	\$65,000,000
State	32,600,000
County	32,400,000

This estimate is based upon the assumptions of an average case load of 147,000, and an average monthly grant of \$36.75. It may be that the case load will run somewhat lower, and that the average grant may run somewhat higher, but this is our "best guess" at this time.

\$60 at Age 60

The total cost for Old Age Security for the 1943-1945 Biennium, if the maximum grant were increased to \$60 and the minimum age decreased to 60 years, is estimated at \$233,000,000 shared as follows:

Federal	\$70,400,000
State	81,800,000
County	81,100,000

Here we have assumed an average grant of \$56.75 and have assumed that approximately 36,900 persons aged 60-64 years would be added to the case load over a period of 18 months beginning July 1, 1943. If this group were on aid for the entire biennium, the total cost would be more than \$250,000,000. Under peace time conditions the number aged 60-64 would probably exceed 48,000 persons. Assuming that many additional recipients aged 60-64 were on aid for an entire biennium, the total cost of the program would exceed \$265,000,000.

As you are aware, of course, the Federal Government does not participate in aid to aged persons under 65 years.

The above estimates are based upon our case load estimate for recipients aged 65 and over, shown under "Present Basis" above.

We have no tangible evidence upon which to estimate the probable increase in case load which might result from the increase of the maximum grant to \$60. It is very likely that intake would increase substantially, and that discontinuances would decline somewhat under these circumstances.

\$60 at Age 65

If the maximum grant were increased to \$60 without changing the minimum age, we estimate the total cost of Old Age Security for the 1943-1945 Biennium at approximately \$200,700,000 shared as follows:

Federal	\$70,400,000
State	65,400,000
County	64,900,000

The case load and average grant assumptions are the same as above. Here again we are unable to predict the effects of such a change upon the size of the case load.

\$50 at Age 65

If the maximum grant were increased to \$50 without changing the minimum age, the total cost of Old Age Security for the 1943-1945 Biennium would probably approximate \$165,300,000 shared as follows:

Federal -----	\$69,000,000
State -----	48,300,000
County -----	48,000,000

If the county share were limited to \$10 per case, the Federal share would be unchanged, the State share would approximate \$60,900,000 and the county share \$35,400,000. If the county share were set at one-third of the total grant, less the Federal share, the State share would approximate \$64,200,000 and the county share \$32,100,000.

It is likely that such an increase in maximum grant likewise would have the effect of increasing intake and decreasing discontinuances, just how much we are unable to say.

\$50 at Age 60

If the maximum grant were increased to \$50 and the minimum age decreased to 60, the total cost of Old Age Security for the 1943-1945 Biennium would approximate \$192,000,000 shared as follows:

Federal -----	\$69,000,000
State -----	61,700,000
County -----	61,300,000

This estimate assumes an average grant of \$46.75, and approximately 36,900 persons aged 60-64 added to the case load in 18 months beginning July 1, 1943. If this group were on aid for the entire biennium, the total cost would approximate \$206,000,000. Moreover, if one assumes that 48,000 persons aged 60-64 (our estimate of the probable addition under peacetime conditions) were on aid for the entire biennium, the total cost of old age security would approximate \$230,000,000. As you know the amount of the Federal share would not be affected by the addition of persons under age 65, hence, the increased cost due to such an addition would have to be met by the State and counties.

Support from Responsible Relatives

You asked what would be the probable cost of changing the minimum income, below which no support from responsible relatives is required under the Relatives Contribution Scale (Section 218I of the Welfare and Institutions Code) from \$95 to \$195. The only information we can give you on this question is as follows:

Such a change might very well result in discontinuance of relatives' contributions to 90 per cent or more of old age security recipients now receiving such contributions. We estimate the total value of such contributions would approximate \$5,400,000 per biennium. (We expect to have a revised estimate based upon more recent information some time during the next three or four weeks.)

How many persons now fully supported by responsible relatives would cease to receive such support and successfully apply for old age security if the proposed change were made effective is anybody's guess. The number might be very substantial, but we have no tangible basis for an estimate.

State Support and Administration of General Relief

In November, 1942, there were approximately 31,300 persons who received a total of \$411,411 in aid payments. General relief at this rate would cost approximately \$9,900,000 per biennium. At \$20 per person the cost would approximate \$14,800,000 per biennium.

It is probably not very realistic, however, to assume the present wartime situation as typical. During the fiscal year ending June 30, 1940, the average monthly case load for county indigent aid included approximately 72,000. Such a case load at \$20 per person would cost approximately \$34,600,000 per biennium.

The administrative cost for county indigent aid as reported to this department for September, 1942, (latest month available) amounted to \$128,315. (This includes \$11,700 reported as the administrative cost of "other welfare programs.") If the administrative cost continued at this level for a biennium, the total biennial administrative cost would approximate \$3,100,000.

In addition to the above questions which you discussed with me personally, the letter from Mrs. Buhler raises this question:

What is the estimated increase of cost under the present law which the department believes will be incurred due to the liberalization in granting aged aid which the department has recently put into effect?

It is practically impossible for us to give any sort of definitive reply to this question at the moment. According to the best evidence at hand, there were, at the end of December, approximately 8,500 old age security recipients receiving aid on the budget basis. The average grant in October, 1942, was \$36.52. This increased to \$36.75 in November, and we tentatively estimate a further increase to about \$36.92 for December. This would amount to an increase in the average grant of

40 cents since October. The average grant had remained relatively static at about \$36.50 since October, 1941.

We expect to have more information on this subject very soon and will communicate with you when it becomes available.

You will appreciate that the above estimates are "best guesses" from the information at hand, and that the dynamic character of economic developments might make them "bad guesses" six months hence. Should more recent information relevant to these problems become available to us, we will call any major revisions in the estimates to your attention.

We hope this information will be helpful to you, and we shall be glad to give you any further information we can.

. Very sincerely yours,

MARTHA A. CHICKERING, Director
By PHILIP E. KELLER, Division of Research and Statistics

APPENDIX 7

Notes for Governor's Pension Committee

California Taxpayers' Association has been working in the field of governmental finance since 1926. Its staff works constantly with public officials and civic groups to furnish information on expenditures, revenues, tax burdens, and governmental efficiency. It is the purpose of the association to assist State and local officials to keep tax burdens at a minimum consistent with adequate public service. We are submitting for your consideration these notes on taxes and expenditures, with especial reference to public assistance. We hope they will be helpful to you in your study and recommendations, regarding the establishment of an amount of assistance which is within the taxpayers' ability to pay.

Population

The population of California and its distribution in age groups is of primary importance in considering the cost of aged assistance. The population for the State has grown consistently. The census for each decade is as follows:

California Population		
1900	-----	1,485,053 census
1910	-----	2,377,549 census
1920	-----	3,426,861 census
1930	-----	5,677,251 census
1940	-----	6,907,387 census
1943	-----	7,660,000 estimated

California Taxpayers' Association's estimate of population for California for January, 1943, is 7,660,000. The distribution of this estimated population by counties is shown in Appendix Table 1 (January, 1943, Tax Digest).

The growth of the total population, however, does not show the growth by age groups. The aged portion of California's population is increasing constantly both in number and in relation to total population, as shown in the following table:

Persons in California Over 60 and 65

	60 and over	65 and over
1920 Census	321,819	200,301
1930 Census	573,687	366,125
1940 Census	854,966	555,247
1943 Estimate	930,000	610,000
1945 Estimate	980,000	640,000
1950 Estimate	1,120,000	730,000
1960 Estimate	1,390,000	910,000

The influx of war workers in the State is composed mainly of younger persons. The estimates included in the above distribution are for aged persons, based on a projection which is independent from the total population. This has been agreed by statistical authorities to be a reasonable procedure in forecasting for the purpose of estimating old age assistance.

It is evident from the increase in the aged group that it is not safe to make estimates of cost at the present level. The trend in the aged group of 65 and over has been so definite for 30 years that an estimate can reliably be made for 1945 and perhaps for 1950. The estimate for 1960, being based on a past trend which may be upset, may not be fully accurate but is of sufficient value to be indicative.

California Governmental Expenditures

Public expenditures for all governmental purposes by all jurisdictions in California, including Federal payments for welfare, have increased from \$497,725,000 in 1931-32 to \$765,391,000 in 1941-42. ("Income and Expenditures of Government in California," Table 6, page 60.) This is an increase of \$267,666,000, or 54 per cent.

The largest increase in expenditures is for welfare which increased from \$28,127,000 in 1931-32 to \$122,876,000 in 1941-42 (Appendix Table 6) ; this is an increase of \$94,749,000. This increase was for all forms of public assistance. However, the largest increase was in aged assistance which cost \$2,991,000 in 1931-32, and had increased to \$69,182,000 in 1941-42.

Tax Burden Increase

The tax burden for State and local government increased from \$43.83 per capita in 1920 to \$78.74 in 1930, \$91.86 in 1940, and \$100.51 in 1942. ("Income and Expenditures of Government in California," Table 3, page 54.)

The Federal tax burden in California has also increased markedly. In 1931-32, Federal tax collections were \$19.82 per capita ; this was a decrease from the range of \$30.44 to \$33.42 from 1925 through 1929. In 1941 the burden increased to \$73.13 and the 1943-44 Federal Budget calls for taxes which will average \$310 per capita in California, without additional taxes which apparently will be imposed.

The combined Federal, State and local tax burden in California was \$117.13 in 1930 and dropped to \$81.76 in 1933. The 1944 burden is estimated to be at least \$410 per capita.

CALIFORNIA PER CAPITA TAX COLLECTIONS

<i>Year ending June 30</i>	<i>State and local</i>	<i>Federal collections in California</i>	<i>Total</i>
1930 -----	\$78 74	\$38 39	\$117 13
1931 -----	77 84	28 56	106 40
1932 -----	70 84	19 82	90 66
1933 -----	60 10	21 66	81 76
1934 -----	59 80	30 59	90 39
1935 -----	63 05	35 27	98 92
1936 -----	71 59	38 51	110 10
1937 -----	78 85	50 56	129 41
1938 -----	88 78	56 73	145 51
1939 -----	90 14	53 27	143 41
1940 -----	91 86	54 27	146 13
1941 -----	94 79	73 13	167 92
1942 -----	100 51	128 05	228 56
1943* -----	100 00	220 00	320 00
1944* -----	100 00	310 00	410 00

* Estimate based on budget.

State General Fund Income

Any increased expenditure for aged assistance by the State of California would have to be paid from State General Fund revenues, as other fund revenues are earmarked for specific purposes. The tax structure of the State of California was greatly changed in 1933. The biennial revenues for the General Fund since that time are as follows :

General Fund Revenues

1933-35 -----	\$192,100,000
1935-37 -----	287,497,000
1937-39 -----	347,071,000
1939-41 -----	378,093,000
1941-43 Estimate -----	497,473,000
1943-45 Estimate -----	468,044,000

It is evident from these figures that the revenues for the General Fund, prior to the war expenditures in California, were considerably less than \$400,000,000 per biennium. The present large revenues due to war expenditures cannot be expected to continue in the postwar period. Revenues in the postwar period will probably fall well under \$400,000,000 per biennium. The sources of revenue for the General Fund are numerous but the major portion of the income is received from a few taxes, as shown in the following tabulation estimating General Fund revenues for 1943-45 and taken from the Governor's Budget

Estimated General Fund Revenues 1943-45

	<i>Amount</i>	<i>Per cent</i>
Retail sales and use tax -----	\$201,000,000	42.9
Bank and corporation franchise taxes -----	103,000,000	22.0
Personal income tax -----	71,400,000	15.3
Alcoholic beverage taxes and licenses -----	25,300,000	5.4
Insurance tax -----	19,350,000	4.1
Inheritance tax -----	15,000,000	3.2
All other income -----	32,990,000	7.1
Total -----	\$468,040,000	100.0

General Fund Expenditures and Deficits

During the 1930 decade, expenditures of the General Fund generally exceeded the revenues, indicating that expenditures were too great for the revenue structure to support, thus causing a deficit. The General Fund deficit for the decade is as follows.

General Fund Deficit	
1931-33	\$42,413,000 Deficit
1933-35	26,108,000 Deficit
1935-37	745,000 Surplus
1937-39	23,652,000 Deficit
1939-41	8,127,000 Deficit

In addition to this deficit, the State of California went into long-term debt by issuing bonds for \$44,000,000 for unemployment relief, and redemption requirements are being paid over a period of years. One of the bond issues was for \$20,000,000, and this is being paid by the counties in the form of deductions from gas tax subventions.

Most of the more important State taxes are definitely related to business activity. When the volume of business increases, the tax yields increase. An extreme accentuation of this condition is being experienced as a result of wartime expenditures in California. In the postwar period and in later periods of economic depression, the present State taxes will probably decrease very substantially in yield and deficits will probably occur unless expenditures are reduced.

The present basic tax structure was developed, as previously stated, after 1933 and did not experience the full impact of the depression. What the yields of the several taxes would be in the event of a depression as serious as the last is difficult to estimate, but the several indexes, which are useful in forecasting, indicate that the loss of revenue would be quite serious. Therefore, the State would either have to levy new taxes, increase tax rates, or reduce present forms of expenditures drastically. The setting up of new expenditures or new expenditure levels must, therefore, be seriously studied.

An inspection of the General Fund revenues as shown above indicates that increases in rates of taxes, other than retail sales and income, would not produce large returns in revenues.

California has utilized practically all forms of taxation. The few remaining types would be unlikely to yield large amounts of revenue. Other forms of taxes would be borne by approximately the same taxpayers.

Property Taxes

Ad valorem taxes on property have been used exclusively to meet local expenditures since 1911, when the State discontinued this tax for general purposes. Property taxes have proved in the past to be the most stable type of revenue producer. During the depression, however, tax delinquency was very serious and many local governments experienced difficulty in obtaining enough revenue to meet expenditures. It was necessary to curtail expenditures as much as possible. Salaries were reduced in some instances and capital outlay was greatly curtailed. Some jurisdictions issued long-term bonds to meet relief costs (in addition to the State's issues).

Property taxes are believed by many to be so burdensome at the present time that many plans have been proposed to decrease them.

Taxpayer Ability to Pay

In considering tax burdens, it is necessary, of course, to consider Federal taxation. All Federal tax rates are now very large; corporation and personal income taxes take up to 80 per cent of net income. Federal taxes will very likely be increased further before the war is over and must bear more heavily on the smaller income groups. While burdensome taxes have been imposed to pay a substantial part of war expenditures out of current income, it is inevitable that heavy taxes will be required in the postwar period to pay war obligations.

The Federal income tax exemptions at the present time are \$500 for a single person, \$1,200 for married persons or heads of households, and \$350 per dependent. The exemption for a family without dependent children is \$1,200, which is well above the subsistence level, but the single person and children exemptions may be considered to be near subsistence. From the table of income distribution in California (page 6), it is evident that a large part of the burden of increased taxes will have to be borne by persons making between \$500 and \$1,800 per year. Any additional taxes which are imposed on this group will reduce the standard of living of individuals correspondingly, and in the lower range will bring additional persons closer to subsistence levels. This will, in turn, engender new social problems. Whether these taxes are direct, indirect, or multiplying (such as a transactions tax), makes little difference in the purchasing power of the individual.

Old-Age and Survivors Insurance

Congress passed a Social Security Act in 1935, which includes a plan for annuities (Title II) in which the employer and the employee match in contributions into a fund. This plan gives to each person included under the act a pension as a right.

The plan is intended to eliminate public assistance to aged persons. It also provides insurance to the dependents of persons in the system. The act, however, does not include all workers. In 1940 (prior to war expansion of industry) it was estimated that there were two and one half million workers in California. Of this number, an average of 1,384,000, or 55 per cent, were under old-age and survivors insurance and were making contributions into the system. (Average income \$1,620 per year.) Domestic and agricultural employees are not included in the system, employees in agricultural packing or processing plants are, however. Many governmental employees in California are under an actuarial pension system, adding 4 per cent to the 55 per cent under old-age and survivors insurance.

Average individual contributions into, and benefits from, the system will differ between States, as the average income in the several States is extremely varied, and the contribution is based on a percentage of earnings. Correspondingly, the annuity which employees will receive in lower income States will be substantially less than that in the higher income States. California had one of the highest average individual incomes in the United States in 1939; this information, secured in the 1940 census, does not show the effect of war expenditures. States with over \$900 of average income were as follows:

States With Median Income Over \$900—1939

Nevada -----	\$1,061	Ohio -----	\$964
Michigan -----	1,058	New York -----	962
California -----	1,020	Washington -----	959
New Jersey -----	998	Illinois -----	954
Connecticut -----	975	Massachusetts -----	937
Utah -----	969		

Only three States had a median which exceeded \$1,000, and eight States ranged between \$900 and \$1,000. The number of States arranged in \$100 brackets is as follows:

Median Income of States, Arranged in \$100 Brackets

Income Range	Number of States	Income Range	Number of States
\$372 to \$400 -----	2	\$700 to \$799 -----	5
400 to 499 -----	5	800 to 899 -----	11
500 to 599 -----	6	900 to 999 -----	8
600 to 699 -----	8	1,000 to 1,061 -----	3

Old-Age and Survivors Insurance Benefits

Persons under old-age and survivors insurance contribute 1 per cent of their earnings into the system up to \$3,000 per year; the employer matches the contribution, making a total of 2 per cent.

According to the United States census, the income in the various income brackets in California for the 1939 period was as follows:

Income Distribution in California—1939

	Per cent distribution		Per cent distribution
Less than None -----	6.3	Less than \$1,600 -----	73.8
100 -----	8.3	1,800 -----	78.3
200 -----	11.8	2,000 -----	84.1
400 -----	20.9	2,500 -----	92.1
600 -----	29.6	3,000 -----	94.8
800 -----	39.0	4,000 -----	97.1
1,000 -----	48.7	5,000 -----	97.8
1,200 -----	56.8	5,000 and over ---	98.8
1,400 -----	66.1	Not reporting income -----	1.2

It is evident that slightly over one-half of the persons in California earned less than \$1,200 per year, or \$100 per month during 1939. A person in the Federal Social Security Insurance System, after working 40 years at an average salary of \$100 per month, would receive a benefit of \$35 per month if he were living alone, and \$52.50 per month if he had a wife (over 65) or one dependent. Additional dependents would result in larger annuities.

Contributions into and benefits from old-age and survivors insurance are limited to an income of \$3,000 per year. According to the above income distribution only

4 per cent of the people in California earned more than \$3,000 a year in 1939. In peace time, it is unlikely that there would be many persons who would earn at least \$3,000 a year at age 25 and thereafter for 40 years so as to produce a maximum benefit which would amount to \$56 monthly for an individual, and for an individual with a wife and one dependent \$84.

Under the Federal Social Security System, the combined contributions of the employee and employer are placed in a trust fund where they accumulate, together with interest earnings, to meet the annuity payments. The old-age and survivors insurance is not on a full actuarial basis; the system was established that way at the beginning but it appeared that the fund would become so huge that contributions were modified. It will be necessary, as the benefits paid out become greater, to increase the amount of tax on the employee and employer.

The important consideration is that the payments into the fund at the present time by the employee and employer are actuarially insufficient to meet future payments from the fund. In order to build up actuarial benefits which would afford anything more than subsistence living, it would be necessary to require average contributions amounting to about 8 per cent of an individual's pay. These would be met by the employee and the employer, and should be considered as a part of salaries and wages.

Benefits for persons who are in income brackets materially less than \$100 a month, under any acceptable system, will be small and it is likely that they will be near subsistence levels.

Governmental Employee Pensions

Federal, State, and local government employees are not included under old-age and survivors insurance. Several governmental jurisdictions in California (including the State) have retirement systems wherein the employee and the unit of government match contributions paid into actuarially sound systems. Pensions to governmental employees are considered to be deferred compensation; thus they are a part of the salary plan. For governmental employees, as for example the State of California, the average contribution is around 4 per cent for the State and 4 per cent for the employee. The contribution is dependent upon the age at which the employee entered the system. If an employee were to enter at age 45, the percentage of contribution would necessarily be higher in order to build an annuity than if he entered at age 21.

An employee in the service of the City of Los Angeles, for example, for 40 years at an average pay of \$100 per month, would receive somewhat less than \$60 per month benefit, as compared with \$35 for the single person under old-age and survivors insurance and \$52.50 if he has a wife or one dependent.

History of Amount of Aged Aid

Needy aged assistance was approved by the electorate of California in a constitutional amendment which was ratified in 1928. The Legislature established this form of assistance by statute in 1929 and authorized assistance up to \$1 per day; the amounts of assistance were based on budgetary needs. In 1935 the Legislature amended the act to provide aid of \$35 per month to needy persons not living with relatives or in a private home. When the Federal Government began to participate in aged aid, the maximum participation was one-half of \$30 per month. When the Federal amount was increased to half of \$40, the Legislature passed the \$5 difference to the recipients of aid and not to the taxpayer. The amount of aged aid in California, as shown above, has been established by arbitrary procedures.

Prior to the time the Federal Government entered the aged aid program, the eligible age in California was 70 and the residence requirement was 15 years immediately preceding the application, or 40 years with five years immediately before application. With the entry of the Federal Government into the program, the State was required to decrease its residence requirement from 15 years to five years and its age requirement from 70 to 65 years.

Aged Aid in Other States

Colorado is the only State which has authorized aid in excess of \$40 per month. While \$45 has been authorized, the State has generally been unable to pay the amount; the average aid in December, 1942, was \$41.06.

There are only 13 States which allow as much as \$40 per month. The maximum amounts of assistance permitted by law in each State are shown in Appendix Table 5. The average monthly amount of assistance paid is shown in Appendix Table 2.

The number of persons receiving aged assistance varies among the 48 States; some States have a larger percentage of population over 65 than others. The number per 1,000 persons over 65 receiving aged aid and the percentage of population 65 years and over (according to the 1940 U. S. census) are shown in Appendix Table 3.

Ability to Bear Increased Welfare Costs

As previously stated, there is considerable doubt that the revenue structure of California in peace time could bear increased governmental expenditures other than

those which have already been established. This is also evidenced by the fact that, whenever a cost becomes burdensome and difficult to pay, attempts are made to transfer it to some other government where the effect is less visible. For example, it is commonly believed that property cannot bear so much of the aged aid cost as is now being levied upon it and there are many persons who believe that all or part of the burden should be transferred to the State. If the amount of aid were to be increased to some very large amount, let us say \$60, it would become evident to many people that the State could not bear the burden, and an attempt would be made to transfer the burden to the Federal Government. In the whole process, it is forgotten that a taxpayer is a taxpayer no matter to which layer of government he is paying taxes. During the 1930 decade the State had to go deeply into debt to finance its welfare costs. The increased cost of welfare and other expenditures of the Federal Government during the 1930 decade (expenditures so great that Federal taxes to pay them were politically inexpedient) showed up in the Federal debt which on June 30, 1941, totaled \$48,961,000,000.

When property taxes are deemed too high to continue carrying or to meet a burden of expenditures in a community, it should be considered an indication of lack of ability to pay; and so, instead of attempting to transfer the cost to invisible sources, it may be better to investigate the public expenditure program to determine where curtailments can be made.

Postwar Effect on Employment

Analysis of acceptances and severances from the old age rolls indicates that the rolls are declining mainly because there have been fewer applications and, therefore, fewer additions. This is, in large part, due to the increased war activity and demand for manpower. In December, 1940, 27.5 per cent of the persons aged 65 and over in California were receiving aged aid; in January, 1943, the percentage had dropped to 25 per cent.

The elderly person is generally in the marginal group so far as employment is concerned. It may be presumed that in the postwar period many such persons will be released from war industry and other employment, and will apply for aged assistance. It is conceivable that 35 per cent of the persons 65 and over will be eligible for and receive aid without any relaxation in the present laws.

California's Economic Future

In order to pay taxes, it is necessary to have pay rolls, and payrolls come from agriculture, industry, and commerce. If the tax burden in California becomes excessive in comparison with other States, it will have the inevitable effect of strangling agriculture and driving industry out and thereby decreasing pay rolls. Taxes are a part of business overhead and must be met in the price structure.

Migration to California Because of Increased Benefits

It is the belief of many persons that there has been migration of aged persons to California, not only due to the climate but also because the amount of aged assistance is larger than that of most States. It may be considered that the amount of benefit paid in California is already so out of line with that of the Nation (see Appendix Table 2) that additional amounts will be further inducement to migration to this State. The tax burden in California is already great and it is doubtful that the California tax system could care for the aged from other States.

Cost of Living in Relation to Recipients of Aged Assistance

The cost of living for an individual is dependent to a large extent on whether a person is living alone or with his family, whether he owns his own home or rents, whether he lives in a metropolitan or rural area, his health condition, and other factors.

Complete statistics are not available as to the number of recipients of aged assistance who are living alone. In 1940-41 they numbered 31 per cent of acceptances. In 1940-41, 24 per cent of acceptances were home owners.

The cost of living index as reported by the United States Bureau of Labor is based on the average of persons renting their homes. The 24 per cent of persons on aged assistance who own their own homes are not affected by the increased cost of rentals, as reported by the United States Bureau of Labor for the two metropolitan areas in California. It may be presumed that the fixed charges which they may have in carrying the debt on the home would remain the same.

The rents which are reported in the United States index are for the two metropolitan areas: Los Angeles and San Francisco. There are many places in the State where rents have not increased at all. Also there are areas where rent ceilings have been fixed. These considerations, together with the fact that nearly 24 per cent of aged aid acceptances in 1940-41 owned their own homes, indicate that the United States cost of living index, as relating to rents, is not valid either for general usage or in the problem this committee is considering in California.

The cost of living index includes many items. Among them is the operation of automobiles, which has been distinctly curtailed by gas rationing. Many items of merchandise which are included can no longer be purchased. The items which are

needed by all individuals are clothing and food. Food is being rationed and it will be necessary for every person in the United States to adjust himself to restricted menus. While the price of meat is very high at the present time, in many areas it is impossible to purchase it. In future rationing, it has been announced that each person will receive 1½ pounds of meat per week.

The cost of food index, as developed by the United States Bureau of Labor, is based on a peacetime condition and has not been corrected for a wartime economy wherein shortages have developed and rationing is in effect. While the cost of food has unquestionably risen, the extent will not be known until the effect of rationing is known. The index, as reported by the United States Bureau of Labor, is not valid under present conditions and should not be used to evaluate current living problems.

Many persons on old age assistance are living in households wherein other members of the family are receiving public assistance. The report for 1940-41 shows that out of a total of 28,300 acceptances, 8,391 lived in households with other forms of public assistance; this is close to 30 per cent.

Estimates of Cost

The number of persons who are receiving old age assistance in California reached a maximum of 158,723 in December, 1941. Since that time the roll has decreased and, in December, 1942, numbered 153,896. The number receiving assistance is approximately 25 per cent of the total number of people in California who are 65 and over.

The saturation point in aid to the aged has been discussed and attempts to determine it have been frequently made. Some persons may believe that, in view of the fact that old age assistance has leveled off at approximately 25 per cent of the number 65 and over, the saturation point has been reached. There appears to be no saturation point with respect to aged assistance. The number who apply for and receive aid is dependent on the generosity of the people as expressed in statutory eligibility requirements. A liberalization of any feature of eligibility in the past has brought a greater number on the roll.

If the present legal provision for the responsibility of relatives for support of needy members of their families is eliminated and assistance is regarded as a right, rather than based on need, the cost will become huge. It is estimated that to give \$60 per month per person over 60 years as a right would cost nearly \$700,000,000 per year in California in 1943 and would increase. The cost under similar conditions for persons over 65 would be over \$400,000,000. The total expenditures for all forms of government in California, exclusive of direct Federal expenditures, totaled \$765,000,000 in 1941-42. Thus a liberalized program of aid to the aged could nearly double expenditures.

If relative responsibility were eliminated in determining eligibility, the costs of aged assistance would increase. There are around 25,000 cases at the present time in which relatives contribute \$5,750,000 each biennium, or \$2,875,000 per year. This cost would be transferred from the relatives to the public.

Statements have been made that the cost of administering relative responsibility is greater than the amount offset. The entire cost of administering old age assistance is around \$3,300,000 per year; so it is obvious that, aside from other factors, the return of \$5,750,000 would warrant the expense.

Eliminating relative responsibility would result in additional persons applying for aid and qualifying for it. It is not unlikely that a number would thus qualify which would be more than equal to the number on the roll with relatives at the present time, thus causing an increase in cost of at least \$12,000,000 per year which, together with the \$2,875,000, would amount to \$14,875,000. If all persons were to shift the responsibility of relatives to the public, the cost would be very much more.

The cost can increase substantially even though assistance is given as a matter of need instead of right. Calculating on a need basis, the following estimates of cost have been made for varying amounts of assistance in the postwar period:

Estimated Annual Cost at Age 65

Full rate	Amount of Aid		Per cent to receive assistance —Total 65 and over = 6½,000	Annual cost
	because of deductions	Average		
\$40		\$38	35	\$102,000,000
50		46	45	159,000,000
60		54	55	228,000,000

Annual Cost Distribution

Federal	State and County	Total
\$51,000,000	\$51,000,000	\$102,000,000
69,000,000	90,000,000	159,000,000
84,000,000	144,000,000	228,000,000

When it is considered that earnings in California have been less than \$100 per month for half the population, it can readily be conceived that the number qualify-

ing for large amounts of assistance would become large and would approach the number who are 65 and over. In estimating costs, it may be well to remember this and consider every bar in eligibility that is let down brings the number closer to the entire group over the age limitation.

CALIFORNIA TAXPAYERS ASSOCIATION, March 12, 1943

TABLE I
Population Estimates
California Counties

	Census		Estimate for January		
	April 1930	April, 1940	1941	Revised, 1942	Preliminary, 1943
Alameda	474,883	513,011	523,500	553,300	581,000
Alpine	241	323	370	360	350
Amador	8,494	8,973	8,800	9,000	8,600
Butte	34,093	42,840	43,700	44,500	44,200
Calaveras	6,008	8,221	8,400	8,400	7,500
Colusa	10,258	9,788	9,840	9,500	9,500
Contra Costa	78,603	100,450	107,400	126,000	176,000
Del Norte	4,739	4,745	4,360	3,600	3,900
El Dorado	8,325	13,229	13,500	13,200	12,200
Fresno	144,379	178,565	181,000	185,700	180,000
Glenn	10,935	12,195	12,000	11,900	11,400
Humboldt	43,233	45,812	44,800	45,000	47,700
Imperial	60,903	59,740	60,300	58,400	60,300
Inyo	6,555	7,625	8,470	9,500	10,100
Kern	82,570	135,124	139,400	140,100	135,000
Kings	25,385	35,168	37,300	37,100	35,000
Lake	7,166	8,069	8,430	8,000	7,600
Lassen	12,589	14,479	14,800	15,200	16,100
Los Angeles	2,208,492	2,785,643	2,830,000	2,975,000	3,000,000
Madera	17,164	23,314	24,500	24,900	23,900
Marin	41,648	52,907	54,800	57,600	64,800
Mariposa	3,233	5,605	5,200	5,100	4,600
Mendocino	23,505	27,864	27,600	27,100	26,600
Merced	36,748	46,988	48,300	49,400	46,700
Modoc	8,038	8,713	8,900	9,100	9,300
Mono	1,360	2,299	2,030	2,040	1,950
Monterey	53,705	73,032	79,800	84,800	83,500
Napa	22,897	28,503	32,100	36,300	42,000
Nevada	10,596	19,283	19,000	17,800	17,000
Orange	118,674	130,760	130,900	137,900	145,000
Placer	24,468	28,108	27,700	27,700	25,000
Plumas	7,913	11,548	12,750	13,500	13,800
Riverside	81,024	105,524	106,200	110,900	115,000
Sacramento	141,999	170,333	177,400	186,900	195,000
San Benito	11,311	11,392	11,100	11,700	11,400
San Bernardino	133,900	161,108	163,700	168,100	178,000
San Diego	209,659	289,348	323,500	367,200	400,000
San Francisco	634,394	634,536	640,900	651,000	681,000
San Joaquin	102,940	134,207	134,500	136,400	144,300
San Luis Obispo	29,613	33,246	37,700	44,300	43,000
San Mateo	77,405	111,782	117,100	126,400	133,000
Santa Barbara	65,167	70,555	69,500	75,100	71,000
Santa Clara	145,118	174,949	176,300	184,500	193,000
Santa Cruz	37,433	45,057	45,100	43,000	41,000
Shasta	13,927	28,800	31,600	34,900	36,800
Sierra	2,422	3,025	3,100	3,000	3,100
Siskiyou	25,480	28,598	29,600	29,700	28,400
Solano	40,834	49,118	54,600	77,800	104,000
Sonoma	62,222	69,052	67,800	70,600	74,000
Stanislaus	56,641	74,866	75,300	78,000	81,000
Sutter	14,618	18,680	18,700	19,600	21,000
Tehama	13,866	14,316	14,600	14,400	14,000
Trinity	2,809	3,970	3,850	3,600	2,700
Tulare	77,442	107,152	111,400	113,400	110,000
Tuolumne	9,271	10,887	11,500	10,300	9,000
Ventura	54,976	69,685	70,000	70,700	70,700
Yolo	23,644	27,243	27,200	28,400	30,000
Yuba	11,331	17,034	17,800	18,100	19,000
State totals	5,877,251	6,907,387	7,070,000	7,425,000	7,660,000

TABLE 2

Average Old Age Assistance Payments by States
December, 1942

State	Old age assistance	State	Old age assistance
Alabama	\$9 84	Montana	\$23 56
Alaska	29 81	Nebraska	20 85
Arizona	37 22	Nevada	31 49
Arkansas	14 71	New Hampshire	24 07
CALIFORNIA	36 91	New Jersey	23 43
Colorado	41 06	New Mexico	19 08
Connecticut	29 88	New York	28 95
Delaware	13 07	North Carolina	10 40
District of Columbia	27 62	North Dakota	19 13
Florida	14 40	Ohio	26 97
Georgia	9 29	Oklahoma	21 92
Hawaii	16 51	Oregon	24 71
Idaho	26 80	Pennsylvania	25 87
Illinois	27 57	Rhode Island	24 93
Indiana	20 90	South Carolina	10 15
Iowa	22 06	South Dakota	19 56
Kansas	24 27	Tennessee	12 36
Kentucky	10 20	Texas	20 05
Louisiana	14 40	Utah	27 08
Maine	21 70	Vermont	17 97
Maryland	20 12	Virginia	10 62
Massachusetts	34 23	Washington	33 74
Michigan	22 01	West Virginia	17 17
Minnesota	22 88	Wisconsin	24 16
Mississippi	9 05	Wyoming	26 78
Missouri	19 67		
		Average	\$23 43

TABLE 3

Old Age Assistance
December, 1940

State	Number per 1,000 Per- sons Over 65 receiving aged aid	Per cent of population 65 Years and over 1940 census	State	Number per 1,000 Per- sons Over 65 receiving aged aid	Per cent of population 65 Years and over 1940 census
Alabama	149	4.8	Nevada	346	6.1
Arizona	353	4.8	New Hampshire	138	9.7
Arkansas	241	5.4	New Jersey	113	6.7
CALIFORNIA	275	7.9	New Mexico	216	4.3
Colorado*	460	7.4	New York	132	6.8
Connecticut	138	7.4	North Carolina	234	4.4
Delaware	121	7.8	North Dakota	233	6.0
District of Columbia	85	6.1	Ohio	251	7.7
Florida	290	6.8	Oklahoma	520	6.2
Georgia	243	5.1	Oregon	212	8.5
Idaho	287	6.0	Pennsylvania	148	6.8
Illinois	251	7.2	Rhode Island	128	7.6
Indiana	235	8.3	South Carolina	217	4.2
Iowa	249	8.9	South Dakota	344	6.8
Kansas	183	8.5	Tennessee	235	5.9
Kentucky	288	6.6	Texas	349	5.4
Louisiana	296	4.9	Utah	453	5.5
Maine	165	9.4	Vermont	154	9.5
Maryland	149	6.7	Virginia	129	5.7
Massachusetts	237	8.5	Washington	283	8.2
Michigan	237	6.3	West Virginia	181	5.4
Minnesota	297	7.6	Wisconsin	220	7.7
Mississippi	221	5.2	Wyoming	297	4.7
Missouri	333	8.6			
Montana	349	6.3	Total United States	231	6.8
Nebraska	269	8.1			

* Colorado pays old age aid to persons 60 and over. In computing the number of persons 1,000 over 65 receiving aid, 3,608 persons less than 65 have been excluded.

TABLE 4
Persons Receiving Assistance in California

Year	Month	Aged	Blind	Children	County Indigents
1931	January	6,307	1,076	13,047	*
1932	January	9,887	1,472	14,340	*
1933	January	12,659	1,996	16,988	*
1934	January	15,141	2,296	18,851	*
1935	January	19,805	3,216	20,112	*
1936	January	24,463	3,936	22,298	*
1937	January	65,755	4,542	24,331	*
1938	January	100,834	5,324	30,757	86,759
1939	January	125,846	6,190	36,204	78,623
1940	January	134,740	6,933	39,963	74,729
1941	January	151,740	7,285	42,230	72,653
1941	February	152,614	7,286	42,221	69,981
1941	March	153,594	7,291	42,396	69,592
1941	April	154,527	7,295	42,485	67,694
1941	May	155,503	7,292	42,402	66,349
1941	June**	156,320	7,290	42,431	64,508**
1941	July	156,943	7,268	42,028	98,843
1941	August	157,723	7,281	41,377	88,932
1941	September	158,463	7,309	41,009	70,780
1941	October	158,326	7,306	40,263	66,197
1941	November	158,402	7,279	39,759	63,986
1941	December	158,723	7,287	39,899	67,098
1942	January	158,478	7,268	39,665	69,243
1942	February	158,590	7,294	39,325	68,260
1942	March	158,550	7,265	38,742	66,121
1942	April	158,312	7,237	38,203	62,298
1942	May	158,032	7,202	37,515	56,034
1942	June	157,597	7,217	36,685	53,785
1942	July	156,968	7,149	35,000	49,093
1942	August	156,602	7,111	33,497	43,946
1942	September	155,937	7,091	32,136	39,136

* Not reported

** The SRA was discontinued June 30, 1941.

TABLE 5
Maximum Amounts of Old Age Assistance

State	Per month	State	Per month
Alabama	\$30	Missouri	*
Alaska	45	Montana	no limit
Arizona	40	Nebraska	\$30
Arkansas	15	Nevada	40
CALIFORNIA	40	New Hampshire	30
Colorado	45	New Jersey	40
Connecticut	per week 9	New Mexico	no limit
Delaware	25	New York	no limit
District of Columbia	30	North Carolina	30
Florida	30	North Dakota	30
Georgia	30	Ohio	40
Hawaii	30	Oklahoma	30
Idaho	40	Oregon	30
Illinois	40	Pennsylvania	*
Indiana	40	Rhode Island	40
Iowa	*	South Carolina	no limit
Kansas	no limit	South Dakota	30
Kentucky	30	Tennessee	25
Louisiana	no limit	Texas	30
Maine	30	Utah	30
Maryland	*	Vermont	*
Massachusetts	*	Virginia	20
Michigan	40	Washington	30
Minnesota	30	West Virginia	30
Mississippi	30	Wisconsin	40
		Wyoming	40

*Note—Iowa \$25 per month maximum plus \$5 per month additional when necessary for care of physical or mental condition.

Maryland \$30 per month, person requiring medical care \$40 per month.

Massachusetts \$30 per month single person; \$50 for married couple.

Missouri \$30 per month single person; \$50 for married couple.

Pennsylvania \$30 per month single person; \$25 per month for each of two or more eligible persons in the same family.

Vermont \$30 per month single person; \$45 per month married couple

TABLE 6

Expenditures for Welfare in California by State, County, and Federal Agencies

	1931-32	1932-33	1933-34	1934-35	1935-36
Grand Total Welfare -----	\$28,126,694	\$48,509,092	\$62,824,543	\$146,049,578	\$139,779,368
State participation -----	\$4,452,353	\$6,138,239	\$5,632,709	\$31,647,597	\$34,048,423
County participation -----	23,674,341	42,370,853	38,801,821	31,974,590	33,635,421
Federal participation -----			17,890,013	82,427,391	72,095,519
State Department Social Welfare...-	167,309	177,286	108,737	116,975	140,305
County Welfare Departments-----				2,436,802	3,442,493
WELFARE AID					
Indigent Aid -----	\$7,716,148	\$26,544,525	\$39,426,185	\$118,613,519	\$105,314,886
State SRA (Inc. Admin.)-----			\$194,796	\$24,596,951	\$28,195,194
County indigent -----	\$7,716,148		21,341,376	11,589,177	8,425,458
Federal--WPA and FERA-----		\$26,544,525	17,890,013	82,427,391	70,694,284
Aged Aid -----	\$2,990,686	\$3,624,124	\$4,138,820	\$4,964,880	\$8,635,227
State share -----	\$1,495,343	\$1,812,062	\$2,069,410	\$2,482,440	\$3,616,996
County share -----	1,495,343	1,812,062	2,069,410	2,482,440	3,616,996
Federal share -----					1,401,235
Blind Aid -----	\$701,080	\$910,736	\$1,091,092	\$1,323,850	\$1,592,304
State share -----	\$350,540	\$455,368	\$545,546	\$661,925	\$798,152
County share -----	350,540	455,368	545,546	661,925	798,152
Federal share -----					
Children's Aid -----	\$2,558,246	\$2,531,636	\$2,621,094	\$2,549,572	\$3,315,879
State share -----	\$1,784,466	\$2,043,262	\$2,297,249	\$2,549,572	\$2,708,435
County share -----	773,780	488,374	323,845		609,444
Federal share -----					
HOMES AND HOSPITALS					
State -----	\$654,695	\$1,650,261	\$416,971	\$1,239,734	\$598,341
Veterans' Home--Men -----	\$459,502	\$728,942	\$289,822	\$203,965	\$269,922
Veterans' Home--Women -----	22,015	21,848	20,072	23,113	33,281
T.B. subsidy to counties-----	173,178	899,471	107,077	1,012,656	290,138
Counties -----	\$13,338,530	\$13,070,524	\$14,521,644	\$14,804,246	\$16,744,878
Homes for aged -----	\$13,338,530	\$13,070,524	\$14,521,644	\$2,263,917	\$2,394,711
Hospitals (excluding T.B. subsidy)				12,535,329	14,350,167

TABLE 6—Continued
Expenditures for Welfare in California by State, County, and
Federal Agencies—Continued

	1936-37	1937-38	1938-39	1939-40	1940-41	1941-42
Grand Total Welfare	\$198,797,161	\$198,035,777	\$232,178,081	\$227,083,148	\$148,913,791	\$122,876,775
State participation	\$31,993,441	\$48,238,785	\$72,018,046	\$71,735,943	\$51,082,796	\$25,259,942
County participation	40,870,356	50,482,324	49,907,659	57,600,707	58,808,067	58,496,756
Federal participation	125,833,364	99,314,668	110,252,376	97,696,498	39,022,928	39,120,077
State Department of Social Welfare	155,225	157,873	238,493	441,816	633,640	1,856,372**
County Welfare Departments	4,091,503	5,004,630	5,415,858	5,318,886*	5,671,005	5,600,000*
WELFARE AID						
Indigent Aid	\$145,236,351	\$124,459,877	\$143,909,787	\$128,571,163	\$38,172,330	\$10,929,000
State SRA (Inc. Adm.)	\$21,265,701	\$32,796,714	\$45,444,591	\$50,090,730	\$26,485,314	-----
Counties Indigent	10,524,887	11,663,163	12,301,196	11,822,433	11,687,016	\$10,929,000*
Federal—WPA and FERA	113,445,763	80,000,000	86,074,000	66,658,000	-----	-----
Aged Aid	\$23,469,163	\$38,758,845	\$49,017,825	\$57,685,814	\$68,478,527	\$69,181,797
State share	\$6,432,485	\$10,826,475	\$19,718,521	\$15,241,494	\$17,158,108	\$17,332,688
County share	6,432,485	10,826,475	7,665,799	15,163,156	17,081,154	17,259,651
Federal share	10,604,193	17,105,895	21,633,505	27,281,164	34,239,265	34,589,458
Blind Aid	\$1,898,372	\$2,900,791	\$3,531,182	\$3,968,083	\$4,204,767	\$4,075,576
State share	\$568,165	\$985,045	\$1,217,290	\$1,269,134	\$1,242,975	\$1,233,419
County share	568,165	985,045	1,215,219	1,266,211	1,239,864	1,219,987
Federal share	762,042	930,701	1,098,673	1,432,738	1,721,928	1,632,160
Children's Aid	\$4,084,149	\$5,533,344	\$7,334,625	\$8,760,467	\$10,001,883	\$9,922,486
State share	\$2,099,185	\$2,780,649	\$3,400,770	\$3,745,742	\$4,017,235	\$4,035,919
County share	863,598	1,474,623	2,487,657	2,690,129	2,922,913	2,988,108
Federal share	1,031,366	1,278,072	1,446,198	2,324,596	3,061,735	2,898,459
HOMES AND HOSPITALS						
State	\$1,472,680	\$692,029	\$1,998,381	\$997,027	\$1,545,524	\$811,544
Veterans' Home—Men	\$532,502	\$349,696	\$956,822	\$603,898	\$432,090	\$398,847
Veterans' Home—Women	22,680	24,998	43,228	41,042	39,167	45,387
T.B. subsidy to counties	917,498	317,335	998,531	352,087	1,074,267	367,310
Counties	\$18,389,712	\$20,528,388	\$20,731,930	\$21,339,892*	\$20,206,115	\$20,500,000
Homes for aged	\$2,550,679	\$2,510,488	\$2,983,158	\$2,923,329*	\$2,715,861	\$2,800,000*
Hospitals (excluding T.B. subsidy)	15,839,033	18,017,900	17,748,772	18,416,563*	17,490,254	17,700,000*

Derived from: Controller's "Biennial Report" and "Financial Statistics of Cities and Counties"; State Relief Administration, "Review of Activities"; State Department of Finance, "Expenditures for Social Welfare and Relief"; San Francisco Controller's Annual Report; and State Department of Social Welfare, "Public Assistance" Reports. The continuity of reporting as between these several agencies is limited; the data will therefore be affected by accrual periods. The SRA expenditure for 1934-35 is in most part from the \$24,000,000 bond issue. Data designated with (*) is partly estimated. State Department of Social Welfare also administers probation. Data designated with (**) includes surplus commodity and WPA cooperation administrative expense.

TABLE 7

Estimated Effect of Relieving Counties of One-half of Their
Present Share of Old Age Aid

	<i>County share for Jan., 1943</i>	<i>Amount of relief</i>	<i>County valua- tion—1942</i>	<i>Tax rate per \$100</i>
Alameda -----	\$67,952.39	\$407,714.34	\$479,148,322	\$0.085
Alpine -----	141.75	850.50	1,437,338	.059
Amador -----	2,119.00	12,714.00	16,871,005	.075
Butte -----	17,605.72	105,634.32	46,163,045	.229
Calaveras -----	2,475.87	14,855.22	11,577,950	.128
Colusa -----	3,137.66	18,825.96	20,997,490	.090
Contra Costa -----	8,709.25	52,255.50	151,623,375	.034
Del Norte -----	2,249.96	13,499.76	4,853,710	.278
El Dorado -----	4,015.50	24,093.00	16,115,183	.150
Fresno -----	34,181.06	205,086.36	297,877,470	.069
Glenn -----	4,106.62	24,639.72	21,270,570	.116
Humboldt -----	13,861.72	83,170.32	47,146,175	.176
Imperial -----	5,167.10	31,002.60	38,184,371	.081
Inyo -----	2,233.12	13,398.72	16,070,657	.083
Kern -----	19,276.07	115,656.42	298,449,800	.039
Kings -----	5,334.37	32,006.22	92,921,385	.034
Lake -----	3,883.19	23,299.14	9,517,914	.245
Lassen -----	2,307.99	13,847.94	16,243,818	.085
Los Angeles -----	612,057.69	3,672,346.14	2,748,439,351	.134
Madera -----	5,960.39	35,762.34	31,294,959	.114
Marin -----	6,405.20	38,431.20	51,730,138	.074
Mariposa -----	1,985.01	11,910.06	5,146,626	.231
Mendocino -----	8,272.12	49,632.72	25,183,178	.197
Merced -----	7,427.63	44,565.78	54,675,690	.082
Modoc -----	2,207.83	13,246.98	12,840,115	.103
Mono -----	583.86	3,503.16	5,859,420	.060
Monterey -----	9,449.39	56,696.34	101,475,801	.056
Napa -----	5,896.60	35,379.60	25,982,225	.136
Nevada -----	4,603.30	27,619.80	18,362,255	.150
Orange -----	28,852.35	173,114.10	195,677,345	.088
Placer -----	6,076.35	36,458.10	37,607,416	.097
Plumas -----	2,165.72	12,994.32	23,944,675	.054
Riverside -----	30,839.05	185,034.30	94,033,530	.197
Sacramento -----	34,958.56	209,751.36	166,970,085	.126
San Benito -----	2,106.36	12,638.16	15,685,710	.081
San Bernardino -----	44,529.02	267,174.12	152,035,650	.176
San Diego -----	69,914.41	419,486.46	265,760,793	.158
San Francisco -----	105,335.98	632,015.88	831,544,267	.076
San Joaquin -----	23,931.87	143,591.22	137,404,905	.105
San Luis Obispo -----	9,953.60	59,721.60	43,669,432	.137
San Mateo -----	10,822.51	64,935.06	132,353,035	.049
Santa Barbara -----	13,439.29	80,635.74	116,531,160	.069
Santa Clara -----	33,938.89	203,633.34	174,177,270	.117
Santa Cruz -----	18,704.18	112,225.08	38,791,083	.289
Shasta -----	5,931.54	35,589.24	38,193,657	.093
Sierra -----	766.25	4,597.50	3,024,525	.152
Siskiyou -----	6,966.84	41,801.04	28,027,170	.149
Solano -----	4,411.51	26,469.06	48,653,979	.054
Sonoma -----	21,376.36	128,258.16	68,967,337	.186
Stanislaus -----	16,505.33	99,031.98	70,768,345	.140
Sutter -----	4,555.02	27,330.12	25,591,769	.107
Tehama -----	5,015.00	30,090.00	20,692,155	.145
Trinity -----	2,205.77	13,234.62	3,540,690	.374
Tulare -----	19,814.73	118,888.38	98,910,245	.120
Tuolumne -----	4,094.09	24,564.54	15,538,785	.153
Ventura -----	12,614.96	75,689.76	104,977,411	.072
Yolo -----	7,401.06	44,406.36	39,183,324	.113
Yuba -----	5,440.06	32,640.36	19,965,295	.163

APPENDIX 7(a)

Notes for Governor's Tax Committee

California Taxpayers' Association has been working in the field of governmental expenditures and revenues since 1926. Its staff works constantly with governmental officials and civic groups to furnish information on expenditures, revenues and tax burdens. It is the purpose of the Association to keep tax burdens at a minimum consistent with adequate public service. The work includes State and local governments.

In local government the amount of expenditure determines the property tax levy, as, in most part, expenditures are paid from this form of revenue. In local government, tax levies are determined each year and tax rates are fixed accordingly.

In State government the expenditure budget is adopted biennially, but State taxes are fixed only periodically by the Legislature and are not systematically regulated with the adoption of each budget. The result has been that at times tax yields have been inadequate to pay for expenditures and the State has incurred a deficit, and at other times taxes are in excess of expenditure needs and a surplus has accumulated.

California Taxpayers' Association, in its work with reference to State taxes, would not take a stand on the reduction of any particular State tax. Its Board of Directors, however, has resolved that the association recommend that the Legislature reduce the flow of revenue into the State General Fund during the 1943-45 biennium, so that the General Fund shall be more nearly in balance by June 30, 1945.

We are submitting for your consideration, in an appendix, tables relating to both taxes and expenditures. In part, these tables are published regularly as an integral part of our work. Other tables are being supplied which have been especially prepared for your committee.

The association has periodically published a series of data called "Income and Expenditures of Government in California." This series is now complete from 1900 through 1942. In 1940 the material was published as a supplement to the January number of the Tax Digest and includes a description of California taxes and expenditures. In the official reports of State and local governments, expenditures relating to subventions are generally duplicated; we have eliminated such duplications and show the expenditures in the final agency. The data are brought up to date in the February, 1943, Tax Digest, but the descriptive matter has not been repeated.

Included in the February issue are also other data relating to the work of your committee. The expenditures of State government are included in summary, and in departmental detail, for the period 1937-38 through 1941-42. Also included are tax levies by the counties, schools, and special districts for each of the 58 counties for the period 1939 through 1943.

The population for the State and for each county is shown in Tables 16 and 17. The intercensal population estimates for the period 1930 to 1940 are shown in Table 16, page 79. Estimates for 1941, 1942, and 1943 are shown in Table 17, page 80. The estimated annual population of the State from 1900 through 1942 is shown in Table 7, page 61.

A summary of population estimates with percentage of change since 1940 is shown in Table 18, page 81. The counties are segregated into significant groups, which include the bay area, southern California, Sacramento area, counties which are gaining, and those which are static or losing. Of the total estimated increase for the State since the last census amounting to 752,000, 330,000 is shown in the bay area and 366,000 in southern California.

California Taxpayers' Association has estimated population by counties since the 1930 census. These population estimates have been used in deriving per capita expenditures and revenues and are also used in dealing with administrative problems in government.

Income in California

In the period prior to the tremendous war expenditure in California, nearly half of the wage or salary workers received from salaries, wages, and income from other sources less than \$1,000 per year; and nearly three-quarters received less than

\$1,600 per year. According to the United States census, the income in various income brackets was as follows:

Income Distribution—1939

	<i>Per cent distribution</i>		<i>Per cent distribution</i>
None -----	6.3	Less than 1,800 -----	78.3
Less than \$100 -----	8.3	Less than 2,000 -----	84.1
Less than 200 -----	11.8	Less than 2,500 -----	92.1
Less than 400 -----	20.9	Less than 3,000 -----	94.8
Less than 600 -----	29.6	Less than 4,000 -----	97.1
Less than 800 -----	39.0	Less than 5,000 -----	97.8
Less than 1,000 -----	48.7	Less than 5,000 and over --	1.0
Less than 1,200 -----	56.8	Not reporting income -----	1.2
Less than 1,400 -----	66.1		
Less than 1,600 -----	73.8	Total -----	100.0

These data show income far less than those which are commonly supposed. It has been observed that there is a tendency on the part of the public to believe that the earnings of most individuals are materially larger than actual.

The census income data, being prewar, do not show the effect of war expenditures. In 1939 California had one of the highest average individual incomes in the United States. In that year the median income for California salaries, wages, and other sources was \$1,020, which was exceeded only by Nevada with \$1,061 and Michigan with \$1,058. States over \$900 are as follows:

States With Median Income Over \$900—1939

Nevada -----	\$1,061	Ohio -----	\$ 964
Michigan -----	1,058	New York -----	962
California -----	1,020	Washington -----	959
New Jersey -----	998	Illinois -----	954
Connecticut -----	975	Massachusetts -----	937
Utah -----	969		

Only three States had a median which exceeded \$1,000, and eight States ranged between \$900 and \$1,000. The States are arranged in \$100 brackets as follows.

<i>Income Range</i>	<i>No. of States</i>	<i>Income Range</i>	<i>No. of States</i>
\$ 372 to \$ 400 -----	2	\$ 700 to \$ 799 -----	5
400 to 499 -----	5	800 to 899 -----	11
500 to 599 -----	6	900 to 999 -----	8
600 to 699 -----	8	1,000 to 1,061 -----	3

The National income of the United States was estimated by the United States Department of Commerce to be \$70,674,000,000 in 1939. Current estimates of the National income for 1943 vary from \$110,000,000,000 to \$125,000,000,000. This tremendous increase in the National income is caused by war activity; it has been reported that California is receiving 10 per cent of war contracts. The effect of this, together with increased agricultural activity, will be increased individual incomes in California.

Manpower

The manpower problem as it relates to the war effort has two effects on government in California—in the first place, government has in some instances been required to increase some services because of the increased population around the war industry centers and Army camps; in other instances, the need for governmental service has decreased. In the second place, government has a manpower problem of its own. Many employees have felt it their patriotic duty to become more closely allied with the war effort by going to the armed forces or war industries; many have been inducted into the Army.

Some governmental jurisdictions have attempted to maintain the same amount of service as previously rendered, in spite of the fact that most civilian services have seriously declined. In most instances, governmental employees are working a short week and certain jurisdictions are attempting to recruit new employees in a war labor market. Many jurisdictions have tried to retain their employees through increased salaries and raises, which has caused a substantial increase in governmental expenditures. There are few instances where increased working hours have been required to offset increased pay.

The recent order of War Manpower Commission requiring a 48-hour week for both essential and nonessential workers includes State and local governmental employees according to statements publicized on February 11. The order is now effective in limited areas, but must be extended to cover most of California in order to be fully useful.

Government Should Show Decreased Expenditures

With the exception of the Federal Government in its relation to the war effort, all units of government should show both decreased spending and tax requirements. Capital outlays in the form of equipment and buildings are no longer purchasable because of priorities. Materials and supplies containing critical materials are closely rationed. This reduction should more than offset the increase in commodity prices of other items. Personnel has decreased and will continue to do so, as nonessentials are curtailed by the War Manpower Commission. As previously stated, decreases in employment have been offset by increased salaries and wages.

Governmental Units in California Counties

Governmental units in California are shown by counties for 1940-41 in Table 10, page 82, of the appendix. The total is 4,287 and the distribution between the several units is as follows:

Incorporated cities	284*	Junior college districts.....	14
Elementary school districts.....	2,533	County special districts.....	1,094**
High school districts.....	266	Number of counties.....	58*
Unified school districts.....	39		
		Total	4,287

* San Francisco City and County included

** Figure not complete

Each one of these units has the power to levy a tax. In the case of school districts, the board of supervisors fixes the tax rate, but has no authority to reduce the tax requirement established by a school district, so long as statutory limits are not exceeded.

State and Local Expenditures

During the first three years of the 1930 decade, expenditures for the State, counties, cities, schools and districts totaled close to \$500,000,000, as shown in Table 6, page 60, which gives the amount for each type of government and the total. With an increasing population, the per capita expenditure decreased from \$87.16 in 1930 to \$83.71 in 1932 (Table 7, page 61). In 1934 the expenditure turned upward, but the per capita was still decreasing.

In 1942 expenditures swelled to \$765,391,000, an increase of \$302,733,000 in a decade. The per capita jumped from \$83.71 to \$103.08, an increase of \$19.37 or 23 per cent. Of the \$19.37, the State increased \$10.43 and the counties \$8.75. The State increase does not include aid to the needy aged, blind, and dependent children which is shown in county costs, nor does it include State apportionments for public schools, shown as a part of public school costs under the school heading. State expenditure increases are discussed later.

Expenditures for cities have fluctuated, dropping from \$21.01 in 1932 to \$18.41 in 1934, they climbed to a peak of \$24.85 in 1939, and in 1942 dropped to \$23.13. Per capita expenditures for schools followed a somewhat similar fluctuation; they were \$25.89 in 1932 and \$26.86 in 1942 for each man, woman, and child in the population.

State and Local Income

Income for State and local governments totaled \$520,728,000 or \$91.72 per capita in 1930 (Table 2, page 53). In 1933 per capita income dropped to \$71.49 and in 1942 it increased to \$118.29, with a total income of \$878,237,000. State revenue is in part diverted to local governments.

Subventions to Local Government

The major purpose in giving subventions to local governments is to transfer a part of the burden from property taxes to other forms of taxation. In the State of California this process has occurred repeatedly.

In several of these subventions to local governments, larger subsidies proportionately are given to smaller units of government than to the larger ones: For example, each county receives \$30,000 of gasoline tax subventions from the one-cent gasoline tax receipts allocated to counties, and the balance is divided in proportion to motor vehicle registrations. Smaller elementary, high school, and junior college districts, because of the formula of apportionment, receive proportionately more State aid than do the larger districts. The effect of these larger subventions to the smaller units is shown in Table 37, page 124, which shows a larger per capita subvention to such counties and school districts.

As local expenditures and property tax levies get larger because of increased governmental activities, pressure develops to shift the burden from the property tax base by transferring it to State taxes. This form of diversion of State revenue has been accomplished by two methods: (1) Part of the tax receipts are apportioned to local governments; and (2) the State assumes an expenditure from its treasury and taxes for such purpose.

The taxes which the State collects and shares locally are: gasoline, motor vehicle "in lieu," motor vehicle and liquor licenses, and horse racing fees and licenses. In apportioning these moneys to the counties, the State has imposed rather rigid restrictions on their expenditure. The local expenditures which the State shares and pays for from State taxes deposited in the General Fund are: needy aged, dependent children, and needy blind assistance; apportionments to elementary, high and junior college districts, vocational education, contributions to the teachers' retirement benefits, free textbooks, aid to tubercular patients in county institutions, and salaries of superior court judges.

The taxes which the State levies and apportions directly to local government are shown in Table 20, pages 83 and 84, for the period 1933 through 1942. In 1942 the amounts totaled \$94,212,000, of which the State retained \$46,359,000, the counties received \$29,642,000, the cities \$16,147,000, and the agricultural districts \$2,064,000. The taxes levied by the State and apportioned from its treasury in 1942 for local expenditures totaled \$231,215,000, of which the State retained \$127,819,000; \$24,896,000 was apportioned to counties and \$78,500,000 for ADA apportionments to school districts.

The totals of these two categories are as follows:

State	\$174,178,000	Schools	\$78,500,000
Counties	54,538,000	Other districts	2,064,000
Cities	16,147,000		
		Total	\$325,427,000

The total State and local tax collections in California and the amount of taxes collected by these governments per capita are shown in Table 3, page 54. Starting in 1900, the per capita tax burden was \$19.42. By 1929-30 the amount had increased to \$78.74. In 1933-34, with the change in taxation and depression-forced economies, the per capita burden dropped \$59.80. The amount collected has increased each year since that time, and in 1941-42 amounted to \$100.51 per capita.

State Tax Revenues

A history of tax collections for the State government since 1900 is contained in Table 5, pages 57 to 59. The period covered is from the fiscal year 1899-1900 through 1941-42, and the fundamental changes in the State tax structure are clearly evident. Through 1911 the property tax was the main source of revenue for the State; it yielded \$7,891,000 in that year out of a total tax revenue of \$11,651,000. It was succeeded in the following year by the utility gross receipts tax, which brought in substantial revenues through 1935 and was discontinued with the return of utility property to local rolls for taxation. The utility gross receipts tax increased from \$6,617,000 in 1912 to \$27,913,000 in 1935. This then was a minor revenue compared with tax revenue amounting to \$154,177,000. With the repeal of the utility gross receipts tax, the corporation tax was modified to include utilities with other corporations.

The retail sales tax came into effect in 1933-34 with a yield of \$33,244,000; in 1941-42 the receipts had swelled to \$132,576,000.

The personal income tax became effective in 1935-36 and brought in \$6,526,000; in 1941-42 the yield was \$29,039,000.

The unemployment insurance tax was started in 1936-37 and jumped from \$63,502,000 for the fiscal 1938, the first full year of collections, to \$102,676,000 in 1941-42. These tax receipts are held in trust in the Federal Treasury for the specific purpose of providing benefits for unemployment, and they are not available for general State expenditures. It is, however, a tax upon all persons affected by the act and must be considered in determining the individual's total tax burden.

The General Fund of the State of California is dependent at present on a few taxes for its major income. These, for the biennium 1943-45, unless taxes are reduced by the Legislature, are estimated in the State Budget to be as follows:

	Amount	Per cent
Retail sales and use tax.....	\$201,000,000	42.9
Bank and corporation franchise taxes.....	103,000,000	22.0
Personal income tax.....	71,400,000	15.3
Alcoholic beverage taxes and licenses.....	25,300,000	5.4
Insurance tax	19,350,000	4.1
Inheritance tax	15,000,000	3.2
All other income.....	32,994,000	7.1
Total.....	\$468,044,000	100.0

The General Fund receives revenue other than taxes: the amount, however, is relatively small in relation to the total. The period 1932-33 through 1939-40 is shown in Table 21, pages 85 to 90. Similar data for 1940-41 and 1941-42 are shown in Table 22, pages 91 and 92.

State Expenditures

Expenditures for State purposes have increased markedly in a decade, as previously indicated in citing the rise from \$14.63 in 1932 to \$25.06 in 1942. Expenditures are shown in summary for the five-year period 1937-38 through 1941-42 on page 43, and by department and function on page 44. Similar data for the decade 1929-30 to 1939-40 are shown in Table 23, pages 93 to 98. Significant trends in State expenditure will be discussed in the section relating to the State Budget.

State Postwar I Expenditures

The expenditures for the State of California for 1915-16 (exclusive of the San Francisco Harbor) are shown to be \$33,317,000 in Table 24, page 99. In 1919-20 the expenditures had increased to \$50,348,000 and in 1923-24 to \$85,633,000. These increases were largely found in expenditures of the Industrial Accident Commission, State Highway Commission, University of California, Department of Agriculture, Reclamations Commission, mental hospitals, bond requirements, and payments to local governments in the form of motor vehicle licenses, gas tax, and support for elementary and high schools.

Comparison of Prewar I Expenditures With Prewar II—State

Prewar I expenditures for the State of California (1915-16) compared with Prewar II (1940-41) are shown in Table 25, pages 104 and 105. In this period, State expenditures increased from \$35,274,000 to \$277,244,000.

The major expenditures or functions which contributed to this large increase were: The State Board of Equalization (with its Liquor Control Division), Department of Industrial Relations, Department of Motor Vehicles, Division of Highways, University of California and State colleges, Department of Agriculture, Department of Natural Resources, unemployment relief, mental hospitals, bond interest and redemption, State employees' retirement, and subventions to local governments.

Subventions to local governments increased from \$9,067,000 to \$138,535,000. These were for elementary and high schools, junior colleges, categorical aids, gasoline and other taxes.

State Bonded Debt

State bonds outstanding totaled \$140,804,000 in July, 1942. The detail of the several issues is shown in Table 26, page 106. Totals by general and special funds are summarized in Table 27, page 107.

Local Government

Counties, cities, schools, and other districts receive most of their revenue from property taxes (Table 1, page 52, lines 11 and 12). The expenditures for these jurisdictions (excepting special districts) are detailed in succeeding sections but are summarized by counties in Table 33, page 118. This table shows the 1941 expenditures for each type of government, the total for each county, and the per capita expenditure. The average per capita expenditure for all jurisdictions within the counties was \$80.15; Napa was lowest with \$52.32; and Alpine highest with \$174.83.

Also marked in variation are per capita property tax levies which for 1941-42 ranged from \$21.46 in Solano County to \$62.60 in Kern. Both total levy and per capita levy are shown for each county for 1938-39 and for 1941-42 in Table 34, page 119.

Property Valuations

Per capita assessed valuations vary materially among counties, ranging in 1941 from \$739 for San Diego to \$3,853 for Alpine (Table 32, page 113). The total valuation for each county for the period 1938 through 1942 inclusive is shown in Table 28, page 109. The succeeding tables show for each county for 1942 the operative and nonoperative values (Table 29); land improvements, personal property, and exemptions (Table 30).

County Tax Rates and Levies

County tax rates are widely variable, both among the 58 counties and from year to year in the same county, as illustrated in Table 35, page 120. This table shows for the three years, 1941 through 1943, not only the total rate for each county, but also the respective rates for general county purposes, county bonds, county library, junior college tuition, and road districts. (Cities and special districts are not included.) The lowest rate for countywide purposes in 1942-43 was in Kings County.

County Expenditures

County expenditures per capita are summarized by major classification in Table 36, page 124, for the period 1935-36 through 1941-42. Some classifications show increases and others show decreases. Protection to person and property has increased in cost from \$1.77 to \$2.22 in the period. Interest on debt has decreased from \$0.36 to \$0.16, and redemption of debt has decreased from \$0.56 to \$0.46.

The cost of charities and corrections has more than doubled in the last six years, going from \$7.82 to \$16.94 for 1941-42. This is a slight drop from the \$17.56 high for 1940-41.

Per capita payments in each county for 10 types of county activities for 1940-41 are shown in Table 37, page 124. Per capita county payments for general government averaged \$3.74 throughout the State, and ranged from a high of \$34.40 for Alpine County to \$2.52 for Tulare County. Payments for charities and corrections averaged \$17.56 per capita, and ranged from \$41.45 in Trinity County to \$7.42 in Solano County. Detail for each county for per capita payments for protection to persons and property, health and sanitation, highways and bridges, recreation, education which includes county payments only for education, interest on debt, redemption of debt, and miscellaneous are also shown.

Per capita costs have increased yearly in almost every county during the period 1935-36 through 1940-41 (Table 38, page 125).

County Subventions

Up to 1937 common property taxes were the main source of revenue for county expenditures other than highways, which have benefited from large subventions in the form of shared State taxes for many years. Following the adoption of the Federal Social Security Act in 1938, subventions particularly for social welfare, play a much greater part in county finance. The first subvention to counties was for children's aid and started before 1900. The second was the apportionment from motor vehicle license fees in 1915. In 1924 the gas tax was put into effect and apportionments started. Blind aid was started in fiscal 1930 and aid to the needy aged started in fiscal 1931. In 1935 the Legislature transferred automobiles from property taxation by the counties to the State, and the first apportionment of the motor vehicle "in lieu" tax to the counties and the cities was made in fiscal 1936. Liquor licenses were first apportioned in 1933-34. Data shown in Tables 8, 9, 10, 11, 12, pages 62 to 66, inclusive, are Federal and State subventions.

Tax Burdens in Counties

Expenditures, assessed valuations, population, and geographical and economic factors enter into property tax burdens. The population at January 1, 1941, of the 58 counties, county expenditures per capita, valuations per capita, and population in unincorporated areas, and the subventions per capita are shown in Table 39, page 126. The counties are listed in the order from the lowest rank in expenditures, and are grouped and averaged in series of 10. The results of such averages are extremely interesting and are as follows:

County Government

1940-41

Rank for lowest expenditure	Expenditure per capita	Valuation per capita	Population in unincorporated area	Subvention per capita	Property tax burden per capita
1 - 10	\$23.93	\$ 595	38%	\$10.03	\$13.90
11 - 20	29.55	1,080	50	13.98	15.57
21 - 30	35.24	1,364	60	15.27	19.97
31 - 40	41.28	1,322	65	17.15	24.13
41 - 50	49.52	1,308	73	22.29	27.23
51 - 57	77.35	1,894	84	40.94	36.41

The subventions are largely for welfare and highway purposes. Expenditures per capita vary from an average of \$23.93 for the least expensive group of counties to an average of \$77.35 in the highest—this is more than triple the lowest average. Assessed valuations vary from an average of \$959 per capita to \$1,894, which is nearly double. The population in unincorporated areas varied from 38 per cent to 84 per cent, which is more than double. The average subventions per capita vary startlingly, ranging from an average of \$10.03 in the first group to \$40.94 in the last, leaving for local revenue payments \$13.90 in the first group to \$36.41 in the last group.

From this table and summary it is apparent that the State and Federal Governments already give large subventions to the counties with higher per capita expenditures.

Local Bond Requirements

Bonded debt for counties, cities, schools, and special assessment districts, together with the total, is shown for each county in Table 40, page 127, for June 30, 1941. The per capita total debt in each county is also shown; the variations are extreme, ranging from an average of \$3.70 in Plumas County to \$143.42 for Los Angeles, with no debt in Alpine and Mono counties.

The interest and redemption requirements for the corresponding debt are shown for 1940-41 in Table 41, page 128, in both total amount and per capita. The per capita payments range from \$0.11 in Plumas County to \$14.80 in Los Angeles, with no payments in Alpine and Mono.

Tax Rates of Cities

Tax rates in at least 78 California cities dropped for 1942-43, the current fiscal year, when compared with rates for 1941-42. In 109 cities the rate showed no change, and in 54 of the cities reporting the city tax rate went up. Table 42, pages 129 and 130, shows tax rates for 283 California cities for 1941-42 and rates for 241 cities reporting for 1942-43.

Property Tax Levies of Cities

Total and per capita tax levies for each of the California cities for 1939-40, 1940-41, and 1941-42 are shown in Table 43, pages 131 to 134. The per capitass for cities are based on 1940 census data and, where population has changed considerably, levies will be either higher or lower than that shown. It should be noted that the levies shown are for cities only; counties, schools, and frequently special districts also have property tax levies. Cities receive revenues from State and Federal subventions and, in a great many cases, from licenses and other fees.

Bonded Debt of Cities

Thirty-nine California cities had no bonded debt outstanding at June 30, 1941. Per capita debt outstanding for cities ranged from a high of \$4.110 per capita in Vernon, a next to the highest of \$263 05 in San Clemente, to a low of \$0 43 in Gridley followed by 39 cities with no bonded debt owing. Vernon, an industrial area, had a population of \$50 in 1940, and a bonded debt outstanding of \$3,493,200 at June 30, 1941. Table 44, pages 135 to 138, shows total and per capita bonded debt outstanding at June 30, 1941, population according to the 1940 census, and debt payments of each California city for fiscal 1941.

Due to the \$1 tax limitation for sixth class cities, and limitation of charters in others, tax levies have not increased in cities as they have in other units of government.

School Enrollment

The number of children enrolled in the public schools does not follow population trends. To study school cost trends it is necessary to examine school enrollments. Elementary school unit costs are lower than those of the high school; so it is desirable to summarize trends in the respective grades. It is also useful to segregate kindergarten enrollments from the elementary grades. Day school enrollments since 1928 are detailed in Table 45, page 139, and are summarized for selected years as follows:

	Kindergarten	1-8	Grades 9-12	13-14	Total
1931-32	78,573	770,436	258,315	22,006	1,129,330
1934-35	63,925	755,446	284,211	26,835	1,130,417
1937-38	65,110	782,529	331,542	31,870	1,211,051
1940-41	70,596	767,957	362,534	44,059	1,245,146

It may be observed that kindergarten enrollment was less in 1940-41 than in 1931-32. This is also true of the elementary school (grades 1-8). High school enrollment (grades 9-12), however, increased by 104,219 to 362,534 or 40 per cent. Junior colleges, with a total enrollment of 44,059 in 1940-41, almost exactly doubled in the period. High school and junior college enrollments today are down in most places, due to the demands of the armed services and war industries.

While enrollments determine, in a large degree, the number of teachers required, costs are measured by attendance, the unit being average daily attendance (hereafter referred to as A.D.A.) Costs vary widely between grades, schools, and districts.

Elementary School Costs

Average elementary school costs per A.D.A. have increased yearly from 1933-34 as follows:

School year	Average cost per A.D.A.	School year	Average cost per A.D.A.
1932-33	\$86 67	1937-38	\$98.13
1933-34	85.17	1938-39	102 36
1934-35	88 74	1939-40	105.17
1935-36	92 60	1940-41	105.99
1936-37	93 68		

The total expenditure for current purposes by elementary school districts in California during 1940-41 was the greatest on record, despite the fact that the average

daily attendance was 24,807 less than it was nine years before. The all-time high record of A.D.A. in elementary schools, including kindergarten but excluding grades 7 and 8 in junior high school, was 655,455 in 1931-32. Only 630,648 A.D.A. were reported for 1940-41, yet the current expenditure by elementary school districts was several millions of dollars greater.

Each year since 1933-34 there has been an increase in the total current expenditure of elementary schools exclusive of capital outlay and bond interest and redemption. In 1933-34 the total current expenditure was \$55,099,193; for 1940-41 it was \$66,839,494.

The state-wide averages indicate that the general trend of school expenditures has been sharply upward. The range of current expenditure per A.D.A. is wide, certainly far greater than the difference in the quality or quantity of education offered to the pupils.

The expenditures of the 209 elementary districts in California with more than 450 A.D.A. have been broken down into their major elements of teachers' salaries, auxiliary expense, and other current expense, and the results are shown in Table 47, pages 140 to 143. The 209 districts account for about 75 per cent of the total attendance and 80 per cent of total elementary expenditures.

Table 46, page 140, shows averages for groups of districts within certain limits of size as measured by A.D.A. For example, one group contains all districts having attendance of more than 4,000, the next takes in those districts with attendance between 2,000 and 4,000.

The reason for tabulating the data in Table 46 in several small groups, rather than in one large group, is to illustrate the effect of the size of the district upon the unit costs. Groups IV and V, which include districts ranging from 676 A.D.A. to 1,250 A.D.A., have unit costs which "on the average" are noticeably lower than the median or average unit costs in groups above or below that range in size. Districts with over 4,000 A.D.A. average \$20 to \$25 higher total current expenditure per A.D.A. than the middle-size districts. Spot checks of districts with less than 450 A.D.A. indicate that their unit costs are frequently somewhat higher than in the larger districts.

The expenditure for teachers' salaries is and should be the largest single item in the cost of schools. However, the fact that it varies from a low of \$36.76 to a high of \$122.40 per pupil in the 209 elementary school districts indicates that many districts might make substantial economies and still maintain a high standard. In particular, the number of pupils per teacher and the trend of enrollment should be studied to see if positions that fall vacant need be refilled.

School accounts carry a classification called auxiliary agencies and coordinate activities, in which are recorded the expenditures for a number of services, such as pupil transportation, civic center activities, cafeteria expense, and nursing services, all adjuncts of the regular school program, but not a part of it. The cost per pupil for these auxiliary items varies from a low of \$0.02 to a high of \$25.87. The smaller rural schools which have a pupil transportation problem usually spend more per pupil for auxiliary agencies than the larger urban districts.

Current expense other than for teachers' salaries and for auxiliary agencies includes administration, schoolroom and library supplies, maintenance of school plant, operation of school plant, and certain fixed charges, such as rent and insurance. Among the 209 elementary districts studied, the extreme variation for the "Other Current Expense" per pupil was from a low of \$10.72 to a high of \$77.39 per A.D.A. The group medians range from a low of \$21.01 in the districts with 451 to 550 A.D.A. to a high of \$28.07 in those with over 4,000 A.D.A.

Secondary School Costs

The unit costs of secondary schools, which include high schools and junior colleges, are materially higher than those for elementary grades. Secondary school costs per A.D.A. from 1932-33 through 1940-41 average as follows:

<i>School Year</i>	<i>High Schools</i>	<i>Junior Colleges</i>
1932-33 -----	\$143.21	\$171.87
1933-34 -----	140.70	187.06
1934-35 -----	143.34	176.94
1935-36 -----	151.24	190.18
1936-37 -----	153.54	199.68
1937-38 -----	157.78	199.68
1938-39 -----	160.59	183.33
1939-40 -----	166.48	182.78
1940-41 -----	170.90	201.49

During the eight years from 1931-32 to 1939-40 A.D.A. in the high schools of California increased about 33 per cent and in the district junior colleges by about 100 per cent. During 1940-41 high school A.D.A. increased only a little more than 2 per cent, and preliminary checks indicate that for this current 1942-43 school year there will be a substantial decrease. The shortages of children observed for eight years in our elementary schools have carried through to the upper school

grades In addition, young people are going into the armed services, war industries, or less essential employment. Careful studies made in the past indicated that if school enrollments and attendance followed their normal prewar trends, declines might be expected in junior high schools (grades 7 to 9 inclusive) until 1946 and in the senior high school level (grades 10 to 12 inclusive) until 1949. In former years, high school and junior college budgets were often increased year after year in anticipation of larger attendance.

On the junior college level (grades 13 and 14), the wartime economy has introduced a new factor not previously anticipated. Many of our young people, who in normal times might have remained in junior college, are now being drawn into the armed forces of the Nation and into both war and civilian industry. Junior college A.D.A., which in eight years grew 100 per cent, decreased 14 per cent in 1940-41, the school year immediately preceding Pearl Harbor. While this was a small loss, it marked a turning point in the trend which is now obvious.

The amount of the loss in A.D.A. in each high school and junior college will vary according to the circumstances within the district, and some may even increase, contrary to the general trend.

Per Pupil Costs Rising

The average current expenditure per A.D.A. in California high schools and junior colleges was higher in 1940-41 than for any year since 1932-33. While the average was higher, there are many districts which were below the average and others which exceeded the average. Table 49, page 145, shows the unit costs for 1939-40 and 1940-41 of the 176 California high school districts which had more than 300 A.D.A. in 1940-41 and of the 17 junior college districts in the State. The statewide averages show a sharp upward trend in the cost per pupil during recent years. Each district, of course, has its own peculiar problems, which are reflected in its expenditures, however, the range of current expenditure per A.D.A. is so wide that the costs of many districts appear to be distinctly out of line with the averages.

In Tables 48 and 49, pages 144 to 148, the total unit costs have been broken down into three major elements: Teachers' salaries, auxiliary agencies, and other current expense. Each of these three major classifications of costs is governed by a different set of circumstances. Frequently districts are quite similar in one of these three major classes of expenditure and differ widely in another.

Comparisons

High school and junior college costs are directly affected by the number and level of grades maintained. The cost of instruction in grades 7 and 8 in junior high schools is usually less than in the regular four-year high schools, and in grades 13 and 14 of the junior college level it is frequently greater; therefore the districts in Table 49, pages 145 to 148, have been grouped by levels of instruction offered. In order to furnish a ready measure for comparison, Table 48, Part 2, shows median or midpoint averages for groups of districts within certain limits of size measured by A.D.A. For example, one group contains all districts having an attendance of more than 5,000; the next group takes in those with an A.D.A. between 1,000 and 5,000.

In addition, size appears to have a decided effect upon the unit costs of high schools in this State. Lower median costs have a tendency to appear in the group between 1,000 and 5,000 A.D.A. The median average unit cost of districts with more than 5,000 A.D.A. is substantially higher than for other groups in the same type of school. Below 1,000 A.D.A. there is a definite trend toward high unit costs in the smaller schools.

Because teaching is the basic function of schools, the expenditure for teachers' salaries should be a more equitable basis of comparison among the several districts than the other classifications of expenditure. In the regular four-year high schools (grades 9 to 12 inclusive) the cost per A.D.A. for teachers' salaries varies from a low of \$60.04 to a high of \$161.38. The median average per pupil cost of teachers' salaries for the group of high school districts with more than 5,000 A.D.A. is from \$14 to \$32 higher than the median average for the groups below 5,000 A.D.A.

The cost per pupil for auxiliary items in the high schools and junior colleges varies from a low of less than one-half cent to a high of \$43.45. There is a very definite tendency for the per pupil cost of auxiliary agencies to be low in the larger districts and high in the smaller districts. Here, again, the principal factor in this trend is pupil transportation, which is a relatively unimportant factor in the thickly populated urban areas but becomes an item of major importance in the rural districts.

Among the 176 high school districts and 17 junior college districts studied, the extreme variation for "Other current expense" per pupil was from a low of \$27.65 to a high of \$121.75.

Elementary School District Tax Rates

Property tax rates in the numerous elementary school districts in California show wide variations (Table 48, page 144). No tax was levied in 299 districts in 1941-42. The distribution of tax rates in 10-cent brackets is as follows:

	<i>No. of districts</i>
No tax -----	299
Less than \$0.10 per \$100 -----	362
Over \$0.10 and including .20 -----	375
Over .20 and including .30 -----	311
Over .30 and including .40 -----	254
Over .40 and including .50 -----	225
Over .50 and including .60 -----	196
Over .60 and including .70 -----	128
Over .70 and including .80 -----	257
Over .80 and including .90 -----	80
Over .90 and over -----	17
Total -----	2,504

Many of the very small school districts receive enough money from the school apportionments to pay for all teacher and current expense cost. Occasionally a tax is levied for extraordinary building maintenance. The higher rates are caused in some part by bond interest and redemption requirements.

California's School Costs Compared With Nation

California's average school cost per pupil in A.D.A., amounting to \$148.43 in 1940-41, was exceeded only by costs in the State of New York, according to data published by the United States Office of Education. Only 16 States had costs which exceeded \$100 per A.D.A. Only eight States exceeded \$120 per A.D.A. These are as follows:

1. New York -----	\$160.24	5. District of Columbia -----	\$136.71
2. California -----	148.43	6. Illinois -----	125.89
3. New Jersey -----	147.05	7. Connecticut -----	123.14
4. Nevada -----	138.07	8. Massachusetts -----	120.86

The average cost for the continental United States in 1940-41 was \$92.38 per A.D.A.; the annual costs for the period 1879-1880 through 1940-41 are shown in Table 51, page 150, together with the data by states for 1940-41 showing average daily attendance, instructional staff, expenditures and average salaries, current expenditures, and the average per pupil in A.D.A. cost.

The average salaries paid teachers show California to be the third from the highest, with \$2,373. New York was highest, with \$2,591, and District of Columbia second, with \$2,456.

Federal Income and Expenditures

Federal income and expenditures, other than Federal subventions to the State and local governments, are not included in "Income and Expenditures of Government in California." Both Federal Government receipts and expenditures for 1941 and 1942, shown in Tables 52 and 53, page 162, are taken from a statement by Henry Morgenthau, Jr., Secretary of the Treasury. In this statement expenditures are classified as general, war activities, revolving funds, and transfers to certain administrative funds. General expenditures are shown to drop from \$6,221,000,000 in 1941 to \$6,050,000,000 in 1942. War activities have, of course, increased tremendously in this period and continue to increase.

Federal aid to States, Territories, and local governments, by purpose, is shown in Table 54, page 163, for the year 1941; and Federal aids to States by purpose are shown in Table 55, page 163, for selected years from 1925 to 1941. These show an increase from \$113,600,000 in 1925 to \$744,200,000 in 1941. Federal subventions to California governments for the years 1929 to 1942 are shown in Table 14, page 67.

Federal aid in each of the 48 States, including both grants and shared revenues for State and for local government, are shown for 1941 in Table 56, page 164.

A description of the Federal Tax System starts on page 165. The description relates to the Federal Tax System as a whole, describing the several sources of revenue and detailing some of the larger taxes. Customs revenue made up a substantial part of the Federal total prior to World War I, as shown in Table 57, page 172. Total revenue has varied materially up to 1939-40. In 1919-20 the total revenue amounted to \$5,738,000,000. The amount declined to reach a low of \$1,878,000,000 in 1932-33, and then went to \$5,679,000,000 in 1939-40, which may be considered to be the last of the Prewar II expenditures. The Federal Budget estimate of revenue under existing taxes for 1943-44 is \$34,767,000,000

Federal taxes related to the population of the United States are shown in Table 58, page 173. In 1919-20 the per capita tax amounted to \$54.28. The drop during the depression brought the burden to an even \$15 in 1932-33. By 1940-41 the burden was again above the 1919-20 level, amounting to \$58.45. The budget for 1943-44 calls for \$255 per capita, based on existing tax laws.

Details of receipts from the personal income, pay roll, and corporation income taxes are shown in Tables 59 and 60, pages 174 and 175. Taxes on commodities, services, and occupations are contained in Table 61, page 176. The detail of motor vehicle taxes is shown in Table 62, page 177, and that for inheritance, gift, and other taxes on transactions in Table 63, page 178.

Federal Tax Burden in California

As previously shown, income in California is high compared with that of the Nation. For that reason people in California pay a larger part of Federal taxes than taxpayers in most other States. The average of the Federal burden for the Nation as a whole is \$255 as previously stated. Figuring the portion of the burden which will fall on California (Table 64, page 181), it becomes evident that the California burden will be about \$310 per capita in 1943-44 (based on existing laws). This is an increase from \$30.59 in 1933-34. Increases in Federal taxation will increase this burden.

California's Ability to Bear Tax Burden

A Federal tax burden in California of \$310, plus an estimated State and local tax burden of about \$100, gives a total of \$410 per capita. This is a terrific burden of taxation. Under normal conditions a tax as severe as this would curtail the standard of living of most persons. However, the stopping of production of many items which go into a normal standard of living, together with the rationing of many essential items, is going to reduce the standard of living of almost every person in California.

It has been pointed out by authorities in State Departments that the reduction of several of the State taxes, including corporation and income taxes, will not be a complete reduction to the California taxpayer. It is estimated that a large part of such reduction would flow into the Federal treasury because such items would not be deductible in making out the Federal tax statements. Thus, the taxpayers in California would still have a very heavy tax burden in spite of any State tax reduction that the Legislature in its wisdom may make.

Salaries and Wages

Salaries and wages have been increased by a large number of governmental jurisdictions in the State of California, including the State Government, to offset increases in the cost of living. While these increased costs have been in some degree offset by vacancies in positions, with the corresponding savings in pay rolls, the cost of service has frequently increased to the taxpayer.

In 1942 the State placed in effect a salary increase of \$15 for each employee. This \$15 increase was included in the Governor's Budget for the Fiscal Biennium 1943-45 and was stated to amount to some \$10,000,000.

The Legislature recently passed an act providing, for the balance of the current biennium, salary increases of \$25 per month for employees receiving under \$300 a month, and \$20 for those over \$300. The increased salary cost by the recent action is roughly estimated to amount to \$6,000,000, and would give salary increases totaling \$16,000,000. In considering the total revenues of the State and the surplus, this amount is apt to appear small. However, it exceeds the estimated yield of inheritance taxes, which are expected to yield \$15,000,000 for the biennium.

The cost of living index, as reported by the United States Bureau of Labor, is based on the purchase of commodities, many of which are no longer being manufactured, services which have been reduced, and food items, some of which are no longer available or are being rationed. There is considerable question as to whether the index ever was thoroughly sound for salary purposes. At the present time its use is thoroughly discredited.

Aid to the Needy Aged

The number of persons who are receiving old age assistance in California reached a maximum of 158,723 in December, 1941. Since that time the roll has decreased and, in December, 1942, numbered 153,896. The number receiving assistance is approximately 25 per cent of the total number of people in California who are 65 and over.

The saturation point in aid to the aged has been discussed and attempts to determine it have been frequently made. Some persons may believe that, in view of the fact that old age assistance has leveled off at approximately 25 per cent of the num-

ber 65 and over, the saturation point has been reached. There appears to be no saturation point with respect to aged assistance. The number who apply for and receive aid is dependent on the generosity of the people as expressed in the eligibility requirements. A liberalization of any feature of eligibility in the past has brought a greater number on the roll.

If the present legal provision for the responsibility of relatives for support of needy members of their families, is eliminated and assistance is regarded as a right, rather than based on need, the cost will become huge. It is estimated that to give \$60 per month per person over 60 years as a right would cost nearly \$700,000,000 per year in California in 1943 and would increase. The cost under similar conditions for persons over 65 would be over \$400,000,000. The total expenditures for all forms of government in California, exclusive of direct Federal expenditures, totaled \$765,000,000 in 1941-42. Thus a liberalized program of aid to the aged could nearly double expenditures.

Conclusion

The data presented show that governmental costs and taxes in California have increased materially in the last decade, despite the depression. Total State and local expenditures in California in fiscal 1932 were \$498,000,000; in fiscal 1942 they amounted to \$765,000,000. Per capita State and local expenditures in fiscal 1932 were \$83.71; in fiscal 1942 they were \$103.08. State expenditures per capita accounted for \$10.43 of the increase; expenditures of the counties, cities, schools, and other districts for the remainder.

In considering the State surplus, taxes, and expenditures, it must be remembered that California, in its future growth, is in business competition with all the other States. And, for the duration of the war, it must not interfere with the war effort in its demands for men, materials, or tax money.

While the desire for expanded government services may be great, we must respect the limits of our ability to pay—not only State and local taxes, but the Federal tax bill for the war. We must take the long view and build soundly for a better postwar future, which to the taxpayer—in fact everyone—means the best government service necessary at the least possible cost.

APPENDIX 8

Statement to Governor's Pension Committee

Presented by A. J. MCFADDEN

Past President, California State Chamber of Commerce

LOS ANGELES, MARCH 12, 1943

In his letter of February 25, 1943, to the chairman of this committee, the Governor set forth four fields which he thinks warrant the attention of this group, and in addition made certain statements with respect to his own opinions or conclusions as to certain changes in the old age security laws or administration which should be made. By formal action, we have indicated our approval of the objectives stated by the Governor, and have thereby established a basis for our own consideration of the many grave problems connected with old age security in California.

The California State Chamber of Commerce has long been concerned with the matter of old age security, not only from the standpoint of the taxpayer, but equally from that of maintaining as adequate a program as is consistent with the welfare of all the other groups which together make up our State's economy. As early as 1935, even before the public assistance provisions of the Federal Social Security Act went into effect, the chamber established a special committee on old age aid to investigate the possible effect of anticipated Federal legislation, and to report its findings thereon. The interest thus expressed has not waned, and the chamber's tax, research and social security committees have continued to follow both legislative and financial developments closely.

It is with the feeling that perhaps something of the experience gained during the past eight years may be helpful to us in our deliberations that this statement is presented. Neither the factual material, nor the financial estimates by way of illustration, should be regarded as indicative of the position of the State Chamber of Commerce with respect to any of the proposals before this committee or introduced as bills in the present Legislature. The position of the chamber can be determined only by action of its appropriate committees and the board of directors.

History of Old Age Security

Before entering into a discussion of the fields of exploration enumerated in the Governor's communication, it might be well to review briefly the chronology of old age security in California, both before and after the advent of Federal assistance.

California was probably the first State in the Union to extend assistance from State resources to her aged citizens, as a class distinct from the general body of indigent. Section 22 of Article IV of the Constitution of 1879 empowered the State to grant aid to private institutions for orphans, or aged persons in indigent circumstances, provided such aid was granted by uniform rule, and further empowered similar grants to local subdivisions on the same basis. Beginning in 1883, grants were made to the counties at the rate of \$180 per year per case. Costs were entirely controlled by the counties, and rose so rapidly that the law providing the grants was entirely repealed in 1895, when the expenditure was 7 per cent of total State revenues.

After this experience, it was 30 years before our Legislature again seriously considered the problem of the needy aged. In 1925, an aged assistance law passed the Legislature, but was vetoed. It was not until 1929, after an intensive investigation, that the present Old Age Security Act, in its original form, was enacted. This act was not the first State aged assistance law to go into actual operation, but it did establish the present pattern in several important respects: It was the first truly state-wide law, being mandatory on the counties; and it was the first to bring in the broader tax base of a State Government to help carry the financial burden.

Major provisions of this original law were relatively few and simple:

1. County administration, with county and State dividing the cost of aid equally;
2. Seventy-year age limit;
3. Fifteen-year residence requirement;
4. Fifteen-year citizenship requirement;
5. Aid plus income from all sources could not exceed \$1 per day; and
6. The applicant could not own property of more than \$3,000 actual value.

Experience during the first four or five years under this act demonstrated that an adequate amount of aid could be granted without unduly burdening either counties or the State, though both caseload and cost rose rapidly. From approximately 6,000 cases in June, 1930, the number increased to 22,300 by June, 1935; from \$2,213,000 in 1930-31, total aid cost multiplied to \$4,965,000 for Fiscal Year 1934-35.

Congressional consideration of National legislation for the aged again brought the terms of California law under review in 1935. Anticipating the terms of the Social Security Act as it was finally enacted, the Legislature rewrote our law in order to qualify for Federal grants to meet specific National requirements. It:

1. Lowered the residence requirement to five within nine years;
2. Lowered the citizenship requirement to simple citizenship;

Over and above these requirements, however, the Legislature made further liberalizing changes not required by the Social Security Act.

1. It lowered the age limit to 65, effective September, 1935, when Federal law did not require it until 1940;
2. It changed the valuation of permitted property from actual to assessed basis, thus practically doubling the effective amount;
3. It increased the maximum grant to \$35 per month, and set a minimum of \$20.

The California Act was approved by the Social Security Board, and Federal grants became available in April, 1936.

The effect of these major amendments to our law were startling, even to those who had anticipated their results. By June, 1936—only 12 months after the last figure mentioned above—caseload was more than 42,000—almost double in one year; at the peak in 1940, 158,000 aged received assistance. Costs skyrocketed—from \$8,000,000 in 1935-36 to \$23,000,000 in 1936-37, and to a peak of \$68,478,000 in 1940-41.

In 1937, the Legislature made the flat \$35 grant fully effective by exempting \$15 of earnings, and certain other income. The next major change was enabled by our Legislature in 1939 but made effective by the 1939 amendments to the Social Security Act. Effective January, 1940, Congress raised the maximum Federal share to \$20 per case month, and it was ruled that this automatically raised the California maximum to \$40 per case.

Viewed in the light of the flat-grant basis established in our California law, an equally significant 1939 change in the Social Security Act was the requirement that, beginning July 1, 1941, the States should, "in determining need, take into consideration any other income and resources of an individual claiming old-age assistance." The results of this latter requirement have been discussed at length by this group, and need not be touched upon here.

This chronology of old age assistance demonstrates two things: First, California has been neither slow nor niggardly in providing for her aged indigent citizens. Generally, we have preceded other States and the Federal government in our

enactments, and the average monthly grant we pay—Colorado with its generosity and its difficulties notwithstanding—has consistently provided a mark for other jurisdictions.

Second, we have not always paid sufficient attention to the obvious limitations on our own ability, within our law, to pay the assistance we grant. As witness, early in 1937, Del Norte County found it impossible to pay its aged recipients on a cash basis, and consequently for a time the Federal grant was threatened; in that same year, Los Angeles County was obliged to ask for help in meeting its administrative cost; and in 1938-39, the Legislature felt obligated to relieve the counties of \$6,000,000 in aged aid costs they would otherwise have had to bear.

Reflected in terms of tax rates, the average burden on real property rose from one cent per \$100 in 1930-31 to three cents in 1934-35, and 24 cents in 1940-41. Stated differently, while the total assessed valuation fell 30 per cent (10 billion dollars to 7 billion dollars), the county cost of old-age aid multiplied 1600 per cent (1 million dollars to 17 million dollars).

This chronology also would seem to demonstrate that we must approach the task before us with due regard for all of the factors involved in order to arrive at recommendations which will be equitable both to the aged and to the whole population of California, and which our economy will support under conditions far different from the present. If we fail in this, it is entirely conceivable that what happened in 1895 may repeat itself.

Suggestions of Governor Warren

The first of the fields of exploration suggested in the Governor's letter of February 25 is the sufficiency of the present pension. In connection with this matter, the Governor indicated that "we must give full consideration to the continuing advance in the cost of living and to the fact that people can not now live on \$40 a month."

It would seem that no reasonable person could deny the validity of the first factor in this statement of the Governor's—that with respect to the continuing advance in the cost of living. It might well be borne in mind, however, that this advance affects not only the aged, but every citizen in California and the Nation. Despite recent sizeable increases in California and National income, most citizens and taxpayers are confronted by a two-edged attack on their finances—a ceiling on income, and enormous increases in Federal taxation necessary to win the war. This is in addition to the attack on their standard of living caused by rationing and shortages of civilian supplies.

As for the second factor, that relating to the inadequacy of \$40 a month, there are a number of important considerations which might properly be borne in mind. To enumerate, these are:

1. The effect of present law upon total income available to old-age assistance recipients;
2. The outlook with respect to employment for aged persons both at present, and in the future;
3. The ability of the State and counties to pay a larger grant, during and after the war, regardless of Federal participation in the addition; and
4. The possible effect of proposals for increased payments upon State and county finances.

The discussion of these matters at this point will be without consideration of Federal legislation or administration, which will be referred to later. Nor will comparisons with other States be mentioned.

1. Effect of Present Law. We have been informed that under present law, and with the consent of the Social Security Board, all recipients are now being offered, on an experimental basis, the option of having their needs budgeted, and that many of them are accepting the option. For those who accept the option, and whose grants are still less than \$40, there is the possibility of increasing the budget allocation for certain items, as has been done recently in the case of food, and thus provide a larger grant. For those now receiving the full \$40, apparently only legislation could enable any increase. The payment of \$40 under the budget plan would seem to leave room for a considerable amount of part-time earnings from essential work.

It would seem obvious that the value of the present \$40 varies wildly as between individuals, and generally, between counties. Cost indices vary even between the two metropolitan centers, and it would appear that there can be no equity, either between aged or taxpayers, in granting a disproportionate excess over a decent amount.

2. Employment Outlook for the Aged. The continued stringent lack of manpower for both agriculture and industry has greatly improved the demand for services of the aged. A recent report of the State Department of Social Welfare reveals that case closings because of earnings were five times higher for the period July-December, 1941, than they were during July-December, 1940, and we are informed that the trend

is still upward. Employment Service placements of aged persons reveal the same strong trend. A question which the committee might wish to consider is, "Would an increase in the benefit amount now deter the aged from seeking employment during the National emergency?"

What employment conditions will be after the war is anybody's guess. It seems logical to presume that many aged now working will require this form of assistance, so it would seem advisable to maintain it on a basis we can afford after the war.

3. Ability to Pay a Larger Grant. This matter divides itself into two closely inter-related parts, first, the ability of the State to increase its contribution, and second, that of the counties.

With respect to State finances, much is being made of the present and prospective surplus in the General Fund. Admittedly this surplus is accumulating because of war activity. It would therefore appear exceedingly unwise to regard it as anything more than a windfall which, in the Governor's words, "constitutes a sacred trust * * * collected from all the people and should be expended or preserved only for uses which will redound to the benefit of all."

Certain plain facts concerning State finance are: (1) The Governor has appointed another committee, whose assigned task it is to recommend appropriate reductions in State taxes, and thus decrease the prospective surplus; (2) there are other functions of government upon which war is making great demands, and those of necessity will compete with the aged for whatever additional funds are available; and (3) our postwar financial situation is still a matter of conjecture, and it would therefore seem downright unfair to the aged as well as to our whole body politic to enact a program we could not support after the emergency.

Concerning the ability of California counties to participate in financing payment of larger grants, there also appears abundant evidence of need for extreme caution. The proposal of the Supervisors' Association that county participation in the present program be limited to a maximum of \$5 per case month has been put before this committee. The fact that taxes on real and personal property are the only source of county revenue has been mentioned, and the substantial decrease in total assessments since 1930 has already been cited. We have also been informed that the removal of taxable property from the rolls by Federal acquisition for war purpose has created a problem of great magnitude.

Converting the admittedly conservative estimates of cost in the Governor's Budget to tax rates per \$100 value gives another indication of the difficulties with the present program, which confront most counties. Necessary rates range from a minimum of 7 cents in King and Kern counties, through 15 cents for Marin and San Francisco, 25 cents for Los Angeles, to 55 cents for Santa Cruz and to a maximum of 74 cents for Trinity.

When we view this situation in connection with the probability that county revenues will also undergo major readjustment after the war, we can really begin to appreciate the significance of the question, "Can the counties participate in larger grants?"

4. Proposals for Expansion and Increased Payments. Members of the committee are acquainted with the various proposals submitted to it for increased grants, for expansion to cover the age 60-64 group, or for both, so there is no necessity to enumerate them here. From the foregoing, the importance of weighing these proposals in accordance with their effect on State and county costs should be apparent.

At the request of a member of the Legislature who is also a member of this committee, estimates of cost covering the Biennium 1943-45 for these proposals in their varying combinations have been prepared by the State Department of Social Welfare, and have been published in the Assembly Journal. Subject to later slight changes, these estimates reveal that, for instance, the State's share of paying \$60 per month only to the group 65 and over would exceed \$65 million per biennium (\$32.5 million per year) as compared to approximately \$33 million per biennium (\$16.5 million a year) for the present program. Bringing in the 60-64 group, for which the Federal Government would not contribute, and paying only \$50 per month, would increase State costs to approximately \$75 million a biennium, \$37.5 million per year. Similar sizeable increases in cost would be created by any other such proposals.

Using these same department estimates as a basis for considering county costs, and converting them to tax rates per \$100 assessed value to make readily apparent their effect, we find that the additional burden would vary widely as between counties, and generally speaking, would strike hardest at those counties least able to pay. For example, using the cost forecast with a 60-year age limit, a \$50 grant, cost divided as under present law, we find that for 1943-44 under present law Trinity County's rate would jump to \$1.41 as compared to 74 cents; Santa Cruz would go to \$1.04 as compared to 55 cents; Los Angeles, 48 cents as against 25; and Alameda, 34 cents as compared to 18. It might perhaps be well to give a thought to what this doubling of costs would mean to the security of the small homeowner.

With reference to the estimates of the Social Welfare Department, some doubt has been expressed on the grounds that they are too conservative, do not reflect to any extent the additional increment of cases which might be expected from certain changes, and relate principally to the next biennium, which is obscured by the war. On the thought that it might be helpful to the committee to prepare estimates taking into account these factors as far as possible, certain forecasts have been made independently. However, it is acknowledged that there is no actuarial basis upon which estimates of old-age assistance costs can be made; the best that can be prepared are only "informed guesses." Therefore, assumptions based on these estimates are merely presented by way of illustration of what might happen.

Assuming that present provisions of law were to continue, on the basis of these estimates total California old-age costs during postwar 1945-46 would total \$67,000,000. State and county shares would each be slightly more than \$16,000,000. Assuming, however, a \$60 per month grant, the 60-year age limit, and no relatives responsibility, the total cost would approach \$177,500,000, and the total State and county contribution would be \$133,000,000. With the further assumption that this amount would be divided two-thirds State, one-third county, the county share would total \$44,000,000. On this basis, tax rates for selected counties would be: Trinity, \$2; Santa Cruz, \$1.47; Alameda, 49 cents; San Francisco, 41 cents; and Los Angeles, 68 cents.

Administrative Practices

The second suggested point for investigation mentioned in the Governor's letter is the reasonableness of present administrative practices.

In connection with this matter, there are only two points which it seems advisable to raise for committee consideration. First, it is apparent that many recipients confuse the aid granted by the present program with an outright pension, and resent the investigation necessary to establish their need. Second, other States, such as Oklahoma, Texas and Ohio have had Federal old age subventions withdrawn for various periods because of maladministration; such action with respect to California for the same reason has apparently never been considered.

Eligibility—Conformity with Federal Legislation

The third point—eligibility for pension, and the fourth—"Forward Looking Legislation" committing California to immediate action if and when the Federal Government will authorize it under its social security legislation—are so closely inter-related that they will be reviewed together at this point.

In passing, however, it might be appropriate to indicate that within the fourth point, it is conceivable that this committee might be precluded from considering any proposed programs which can not be "authorized" under existing Federal social security legislation. Separately, the Governor has stated his belief that we might adopt legislation declaring our readiness to act when Congress authorizes similar action throughout the Nation, but there is no indication that our recommendations should encompass programs or provisions which might threaten stoppage of Federal aid.

The principal points concerning eligibility to which the attention of the committee has been directed are:

1. The income of an applicant from earnings;
2. The imputed value of real and personal property; and
3. The responsibility of relatives.

Each of these factors affects not only the rights of present recipients to larger grants, but also the rights of otherwise eligible nonrecipients to qualify for any grant.

From material already presented to the committee, and from our discussions, it would appear that no satisfactory solutions to these problems can be developed until we succeed in framing such questions to the Social Security Board as will elicit some understandable and firm statement as to the limits beyond which the Federal Government considers it can not go under present Federal law. It would appear useless for us to recommend legislation exempting any type of income, or repealing any requirement that certain resources be applied against the grant, as long as the Social Security Board insists that "any other income or resources" means any income or resources, regardless of derivation.

This conclusion leads to a consideration of the somewhat embarrassing plight in which the Social Security Board finds itself—a plight which probably reflects itself into our California situation. The Federal Old Age Insurance and Survivors System has not previously been referred to herein, but its existence should not be overlooked. Old age insurance is the nation-wide, permanent pension system; old age assistance is merely, and designedly so, the stop-gap program established to care for the group already aged when social security went into effect and for those not covered under the contributing program. Throughout the Nation, some 50,000,000 workers, including perhaps 3,000,000 in California, are through their own contribu-

tions slowly acquiring rights to a pension which may not average \$25 for the worker, \$13 for his wife. Yet, under an aged-aid system as liberal as our present California program, an aged couple without resources can qualify for \$80 per month. It would take a worker earning \$250 per month 35 years to qualify himself and wife to receive \$80 per month under old age insurance.

The Social Security Board has a responsibility to those 50,000,000 workers to see that the insurance for which they pay and which is their right is available when due, and that the amounts they receive are not overshadowed by those paid to another class of the aged. With these facts in mind, perhaps we can appreciate as very pertinent the concern of the Social Security Board that the declared intent of Title 1 of the Social Security Act be preserved; namely, to provide assistance to the needy aged in accordance with their resources and needs, on as liberal a basis as possible.

Expenditures for Old Age Assistance in California

<i>Year</i>	<i>Federal contributions</i>	<i>State contributions</i>	<i>County contributions</i>	<i>Total aid granted</i>
1929-30-----		\$320,551	\$320,551	\$641,102
1930-31-----		1,106,754	1,106,754	2,213,508
1931-32-----		1,495,343	1,495,343	2,990,686
1932-33-----		1,812,062	1,812,062	3,624,124
1933-34-----		2,069,410	2,069,410	4,138,820
1934-35-----		2,482,440	2,482,440	4,964,880
1935-36-----	\$1,401,235	3,616,996	3,616,996	8,635,227
1936-37-----	10,604,193	6,432,485	6,432,485	23,469,167
1937-38-----	16,991,076	10,783,525	10,783,525	38,558,128
1938-39-----	21,506,808	19,620,332*	7,620,332*	48,747,472
1939-40-----	27,004,715	15,053,725	15,053,725	57,112,165
1940-41-----	34,239,265	17,158,108	17,081,154	68,478,527
1941-42-----	34,209,166	17,158,287	17,072,509	68,439,962
1942-43†-----	34,093,760	17,132,586	17,015,315	68,241,661
1943-44‡-----	33,216,225	16,761,329	16,574,896	66,552,450
1944-45‡-----	31,640,163	15,971,721	15,788,441	63,400,325

* Counties were granted \$6,000,000 extra State aid for the year 1938-39 but this grant was not subsequently reenacted

† Expenditures for current fiscal year partly estimated

‡ Estimates contained in Governor's Budget as submitted to the Legislature on January 30, 1943.

NOTE—Downtrend in expenditures starting in 1941-42 is due to effect of war employment and it is expected that the uptrend will be resumed when war activity draws to a close.

**California State Chamber of Commerce Tax Department
February 23, 1943**

OLD AGE SECURITY

**Total Taxable Property Compared With County Aged Aid Costs
and Average Tax Rate, 1930-1940**

<i>Year</i>	<i>Total taxable property assessed (thousands)</i>	<i>County share, aged aid</i>	<i>Estimated average tax rate per \$100</i>
1930-----	\$10,203,866	\$1,106,754	\$0.01
1934-----	7,807,488	2,482,440	.03
1940-----	7,138,621	17,081,154	.24

Decrease 1930-40, 30 per cent
Increase 1930-41, 1600 per cent

**Social Security Department, California State Chamber of Commerce
March, 1943**

OLD AGE SECURITY

Estimated Tax Rates Under Various Proposed Changes in Law,
County Shares Only, Fiscal Year 1943-44

Tax Rates per \$100 Assessed Value

County	Budget estimate 1943-44, present law	65-yr. limit, \$50 grant—present cost, division	65-yr limit, \$50 grant— $\frac{2}{3}$ State, $\frac{1}{3}$ co, cost division	60-yr limit, \$50 grant— $\frac{2}{3}$ present cost, division	60-yr. limit, \$50 grant— $\frac{2}{3}$ State, $\frac{1}{3}$ co, cost division	60-yr. limit, 15-yr res. co cost \$10 max per case	60-yr limit, 5-yr res. co cost \$10 max per case
Alameda	\$0 18	\$0 27	\$0 18	\$0 34	\$0 23	\$0 23	\$0 25
Alpine	.12	.17	.11	.22	.14	.14	.16
Amador	.15	.22	.15	.28	.18	.18	.20
Butte	.44	.66	.44	.84	.56	.55	.60
Calaveras	.24	.36	.24	.46	.30	.30	.33
Colusa	.18	.26	.17	.33	.22	.22	.23
Contra Costa	.08	.11	.07	.14	.09	.09	.10
Del Norte	.51	.76	.51	.96	.64	.64	.69
El Dorado	.30	.44	.30	.56	.37	.37	.40
Fresno	.13	.20	.13	.25	.17	.16	.18
Glenn	.22	.34	.22	.43	.28	.28	.30
Humboldt	.35	.51	.34	.64	.43	.42	.46
Imperial	.16	.25	.16	.31	.21	.21	.22
Inyo	.15	.23	.15	.29	.19	.19	.21
Kern	.07	.11	.07	.14	.09	.09	.10
Kings	.07	.10	.07	.13	.08	.08	.09
Lake	.47	.70	.47	.88	.59	.59	.63
Lassen	.16	.24	.16	.31	.20	.20	.22
Los Angeles	.25	.38	.25	.46	.32	.32	.34
Madera	.22	.33	.22	.42	.28	.28	.30
Marin	.15	.22	.15	.28	.18	.18	.20
Mariposa	.51	.77	.51	.97	.65	.64	.69
Mendocino	.39	.59	.39	.74	.49	.49	.53
Merced	.16	.23	.16	.30	.20	.20	.21
Modoc	.20	.31	.20	.39	.26	.26	.28
Mono	.11	.17	.11	.21	.14	.14	.15
Monterey	.12	.17	.11	.21	.14	.14	.15
Napa	.27	.41	.27	.52	.34	.34	.37
Nevada	.29	.43	.29	.54	.36	.36	.39
Orange	.18	.26	.18	.33	.22	.22	.24
Placer	.19	.29	.19	.36	.24	.24	.26
Plumas	.10	.15	.10	.20	.13	.13	.14
Riverside	.38	.57	.38	.72	.48	.48	.51
Sacramento	.25	.37	.25	.46	.31	.31	.33
San Benito	.16	.24	.16	.30	.20	.20	.21
San Bernardino	.34	.52	.34	.65	.43	.43	.47
San Diego	.32	.47	.32	.60	.40	.40	.43
San Francisco	.15	.23	.15	.29	.19	.19	.20
San Joaquin	.22	.32	.22	.41	.27	.27	.29
San Luis Obispo	.26	.40	.26	.50	.33	.33	.36
San Mateo	.09	.14	.09	.18	.12	.12	.13
Santa Barbara	.13	.19	.13	.24	.16	.16	.17
Santa Clara	.23	.34	.23	.43	.29	.29	.31
Santa Cruz	.55	.82	.55	1 04	.69	.69	.74
Shasta	.19	.29	.19	.37	.24	.24	.26
Sierra	.34	.49	.33	.62	.41	.41	.44
Siskiyou	.30	.43	.29	.54	.36	.36	.39
Solano	.11	.17	.11	.21	.14	.14	.15
Sonoma	.36	.54	.36	.68	.45	.45	.49
Stanislaus	.27	.41	.27	.52	.35	.34	.37
Sutter	.21	.32	.21	.40	.27	.27	.29
Tehama	.30	.44	.29	.56	.37	.37	.40
Trinity	.74	1 11	.74	1 41	.91	.93	1 01
Tulare	.24	.35	.24	.45	.30	.30	.32
Tuolumne	.32	.48	.32	.60	.40	.40	.43
Ventura	.14	.21	.14	.26	.18	.18	.19
Yolo	.22	.33	.22	.41	.28	.27	.30
Yuba	.32	.47	.31	.59	.40	.39	.42

Tax rates based on cost estimates prepared by State Department of Social Welfare

Research and Social Security Departments
California State Chamber of Commerce
March, 1943

OLD AGE SECURITY
Comparisons Between California and Selected States

State	Population over 65 as per cent of National total over 65	Old age aid		Old age and survivors insurance		Railroad retirement	
		Number of recipients as per cent of National total	Amount of payments as per cent of National total	Number of recipients as per cent of National total	Amount of payments as per cent of National total	Number of recipients as per cent of National total	Amount of payments as per cent of National total
California.....	6 19	7 06	12 05	5 99	6 47	5 17	5 39
Illinois.....	6 34	6 67	7 78	6 94	7 39	7 53	7 40
New York.....	10 29	5 42	6 77	13 38	14 34	7 84	7 92
Ohio.....	6 02	6 23	6 89	6 42	6 69	6 83	6 99
Pennsylvania.....	7 55	4 52	4 57	10 45	10 61	13 67	14 48
Texas.....	3 87	7 27	6 53	2 79	2 44	2 86	2 91

	Total population	Number over 65	Percentage
The Nation.....	131,669,275	3,956,206	6 80
California.....	6,907,387	555,247	8 04
Illinois.....	7,897,241	567,963	7 19
New York.....	13,479,142	922,356	6 84
Ohio.....	6,907,612	539,729	7 81
Pennsylvania.....	9,920,180	677,468	6 84
Texas.....	6,414,874	347,495	5 42

Research Department
 California State Chamber of Commerce
 March, 1943

Estimated Cost of Old Age Assistance in California—Fiscal Year 1945-46

I. On basis of continuation of present law			
Estimated average caseload.....	149,450		
Gross cost at average monthly payment per case of \$37.75		\$67,700,850	
Total Federal cost.....		35,466,114	
Balance, divided on present 50-50 basis between State and counties			
State cost		16,117,368	
County cost		16,117,368	
Balance, divided on two-thirds State, one-third county basis			
State cost		21,490,000	
County cost		10,745,000	
II. If act is liberalized for full calendar year, assuming:			
1—60 year age limit			
2—\$60 monthly maximum grant			
3—Deletion of relatives' contribution scale			
Estimated average caseload.....	255,800		
Gross cost at average monthly payment per case of \$57.75		177,523,000	
Total Federal cost.....		44,331,000	
Balance, divided on present 50-50 basis between State and counties			
State cost		66,596,000	
County cost		66,596,000	
Balance, divided on two-thirds State, one-third county basis			
State cost		88,955,000	
County cost		44,237,000	
III. Difference in cost to counties between I and II			
Divided on 50-50 basis.....		50,479,000	
Divided on two-thirds State, one-third county basis.....		33,492,000	
IV. Estimated cost and corresponding tax rates, selected counties, I and II: (Two-thirds State, one-third county division of cost)			

<i>County</i>	<i>Cost</i>	<i>Tax rate</i>	<i>Cost</i>	<i>Tax rate</i>
Alameda	\$568,410	.12	\$2,340,137	.49
Butte	133,238	.29	548,539	1.19
Fresno	255,731	.09	1,052,841	.35
Lake	29,011	.30	119,440	1.25
Los Angeles	4,518,273	.16	18,601,659	.68
Marin	49,427	.10	203,490	.39
Mariposa	17,192	.33	70,779	1.38
Riverside	233,166	.25	959,943	1.02
San Bernardino	341,691	.22	1,046,737	.69
San Diego	546,921	.21	2,251,663	.85
San Francisco	819,844	.10	3,375,233	.41
San Mateo	80,588	.06	331,778	.25
Santa Cruz	138,611	.36	570,657	1.47
Trinity	17,192	.33	70,779	2.00

Research and Social Security Departments
California State Chamber of Commerce

March, 1943

APPENDIX 9(a)

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following bill is indicated by being enclosed within brackets.

ASSEMBLY BILL**No. 660**

INTRODUCED BY MESSRS. KILPATRICK, MASSION, DEBS, CROWLEY, GAFFNEY, BURKHALTER, BENNETT, BRADY, HOLLIBAUGH, McMILLAN, ANDERSON, THOMAS, ALLEN, HEISINGER, CRICHTON, ROSENTHAL, DOYLE, BROWN, DUNN, LOWREY, PELLETIER, MIDDOUGH, EVANS, BECK, DILLS, CLAYTON A., COLLINS, GEORGE D., HAWKINS, LYONS, JOHN C, HAGGERTY, GANNON, KING, O'DAY, AND BERRY

JANUARY 22, 1943

REFERRED TO COMMITTEE ON SOCIAL WELFARE

An act to amend Sections 2000, 2020, 2021, 2140, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2186, 2187, and 2222 of the Welfare and Institutions Code, to amend the chapter heading of Chapter 1 of Division 3 thereof, to add Sections 2000.1, 2000.2, 2014, 2015, 2016, 2020.1, 2020.2, 2141.5, 2143, 2162.5, 2163.3, 2163.4, 2166, 2182.1, 2187.5, and 2224.5 thereto, and to repeal Section 2224 thereof, relating to aid to the aged, designating such aid as senior citizens grants, providing for the amount thereof, the age, residence, and property qualifications therefor, and for the administration thereof, releasing State and county claims for reimbursement therefor, and making an appropriation.

The people of the State of California do enact as follows:

SECTION 1. The chapter heading of Chapter 1 of Division 3 of the Welfare and Institutions Code is amended to read

CHAPTER 1. [OLD AGE SECURITY LAW] SENIOR CITIZENS GRANTS LAW

SEC 2. Section 2000 of said code is amended to read:

2000. This chapter may be cited as the [Old Age Security Law] *Senior Citizens Grants Law*.

SEC. 3 Section 2000 1 is added to said code, to read:

2000.1. As used in this chapter, the following terms have the meanings set forth in this section.

(a) "Applicant" means any person applying for a senior citizens grant under this chapter.

(b) "Recipient" means any person receiving a senior citizen grant.

(c) "Grant" or "senior citizen grant" means the funds, Federal, State, and county, made available to recipients under this chapter.

(d) "Senior citizen" means a person eligible for a grant under this chapter.

(e) "Department" means the State Department of Social Welfare or any other agency or department which may hereafter be designated to administer the provisions of this chapter

(f) "County welfare director" means director for a county.

(g) "State Welfare Director" means the administrative head of the State Department of Social Welfare.

(h) "Aid" or "aid under this chapter" means a senior citizen grant.

(i) "Division of State Aid to the Aged" means the Division of Senior Citizens Grants in the State Department of Social Welfare. Wherever in any provision of law reference is made to the Division of State Aid to the Aged, such reference shall be construed to refer to the Division of Senior Citizens Grants

SEC 4. Section 2000 2 is added to said code, to read:

2000 2. As used in this chapter, "income" means regular or recurrent gains in cash or kind, excepting therefrom all of the following:

(a) The value of the use or occupancy of the premises in which the applicant resides.

(b) Foodstuffs, livestock, fuel, light or water produced by or donated to the applicant or the applicant's family exclusively for the use of the applicant or the applicant's family.

(c) Casual gifts in cash which do not exceed one hundred dollars (\$100) in any one year.

(d) Casual gifts in kind which do not exceed one hundred dollars (\$100) in any one year.

(e) The proceeds from the sale of property the possession of which does not render the applicant ineligible under Section 2163 or Section 2164 of this chapter, if such proceeds are used for the purchase of property the possession of which does not render the applicant ineligible under Section 2163 or Section 2164.

SEC. 5. Section 2014 is added to Article 1 of Chapter 1 of Division 3 of said code, to read:

2014. All papers and records pertaining to his case on file in the Department of Social Welfare or on file in any county office or elsewhere shall be open to inspection at any time during business hours by the applicant or recipient, or by his designated attorney or agent upon proof of his designation as such attorney or agent.

SEC. 6. Section 2015 is added to Article 1 of Chapter 1 of Division 3 of said code, to read:

2015. A copy of all laws relating to the application and granting of aid under this chapter shall be given to each applicant therefor upon request. Copies of the rules and regulations of the State Department of Social Welfare shall be made available to the public in each county office and in each local or regional office of the department administering aid under this chapter.

SEC. 7. Section 2016 is added to Article 1 of Chapter 1 of Division 3 of said code, to read:

2016. Every applicant shall be given an itemized report setting forth the amount of aid granted, the deductions, if any, made, and the specific provision of law or rule which is the reason for each deduction.

SEC. 8. Section 2020 of said code is amended to read:

2020. The amount of aid to which any applicant shall be entitled shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, [forty dollars (\$40)] *sixty dollars (\$60)* per month. If, however, in any case it is found the actual need of an applicant exceeds [forty dollars (\$40)] *sixty dollars (\$60)* per month, such applicant shall be entitled to receive aid in an amount, not to exceed [forty dollars (\$40)] *sixty dollars (\$60)* per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need.

SEC. 9. Section 2020.1 is added to said code, to read:

2020.1 Upon the death of a recipient of aid under this chapter, funeral expenses in a sum not over one hundred dollars (\$100) shall be allowed and paid by the county administering the aid, as a part of the aid to which the person is entitled. For the purpose of paying such expenses, the recipient of aid shall be considered to be a living person under Section 2021 until money for the payment of the claim for funeral expenses is available.

SEC. 10. Section 2020 2 is added to said code, to read

2020 2 In addition to the aid provided for in Sections 2020 and 2020 1 of this code, every person eligible for aid under this chapter who is in need of such services shall be provided with medical, dental, optical, surgical, and nursing care by a doctor, dentist, oculist, optician, surgeon or nurse selected by him, and shall also be provided with needed artificial limbs, artificial eyes, hearing aids, and other needed appliances, but the maximum amount of such services to be provided to any recipient shall not exceed the rate of eight dollars (\$8) per month.

SEC. 11. Section 2021 of said code is amended to read:

2021 There is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated to every county within this State for maintaining or supporting aged persons who come within the provisions of this chapter aid not in excess of [two hundred forty dollars (\$240)] *six hundred dollars (\$600)* per annum for each such aged person maintained or supported by such county.

There is hereby further appropriated to every county within this State for the purpose of maintaining or supporting aged persons who come within the provisions of this chapter and who have no county residence as provided in this chapter, aid not in excess of [four hundred eighty dollars (\$480)] *seven hundred twenty dollars (\$720)* per annum for each such aged person.

Payments of aid shall be made in the manner provided in Sections 2187 to 2189, inclusive, of this code.

SEC. 11.5 Section 2140 of said code is amended to read:

2140. The State Department of Social Welfare shall have the power to and shall prescribe the form of application, the manner and form of all reports and such additional rules and regulations as are necessary for the carrying out of the provi-

sions of this chapter, and not inconsistent therewith [.] , to the end that senior citizen grants may be administered uniformly throughout the State and that the spirit and purpose of this chapter may be complied with. Such rules and regulations shall be filed with the Secretary of State thirty (30) days before their effective date, and copies shall be made available to the public upon request. Such rules and regulations shall be binding upon the boards of supervisors of the various counties. The State Department of Social Welfare shall make such reports in such form and containing such information as the Social Security Board may from time to time require, and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports.

SEC. 12. Section 2141.5 is added to said code, to read:

2141.5. The State Department of Social Welfare, and each county administering the provisions of this chapter, shall employ sufficient administrative staff to carry out in an efficient manner the provisions of this chapter.

SEC. 13. Section 2143 is added to Article 3 of Chapter 1 of Division 3 of said code, to read:

2143. Whenever complaint is made to the State Department of Social Welfare that an employee of the department has violated, or has attempted to violate, any provision of Division 3 of this code, the State Department of Social Welfare shall set the complaint for hearing before the State Social Welfare Board, and shall give all parties concerned written notice of the time and place of the hearing. At such hearing the complainant and the employee complained against may each appear in person with counsel of his own choosing, or in person and without such counsel.

The State Social Welfare Board shall consider the complaint, and, if it finds that the employee has violated, or has attempted to violate, any provision of Division 3 of this code, shall, pursuant to Section 171 of the State Civil Service Act, suspend the employee for such period as it deems just, not exceeding the maximum period specified in said Section 171.

Whenever any employee has been so suspended twice, the State Department of Social Welfare shall file charges for dismissal against such employee with the State Personnel Board under the provisions of Section 173 of the State Civil Service Act, and shall take all action permitted by the State Civil Service Act to procure the dismissal of the employee from the State service.

SEC. 14. Section 2160 of said code is amended to read:

2160. Aid shall be granted under this chapter to any person who comes within all of the following descriptions:

(a) Who has attained the age of [65] 60 years; [provided, that if, when and during such time as the Federal Government shall provide or make available to this State grants in aid to persons who have attained the age of 60 years, the age contained in this subdivision shall be reduced to 60 years and persons who have attained the age of 60 years and who come within all of the descriptions hereinafter contained shall be eligible for aid under this chapter,]

(b) Who is a citizen of the United States;

(c) [Who possesses either of the following residence qualifications:]

(1) [Who resides in the State and has so resided continuously for at least 15 years immediately preceding the date of application, but continuous residence in the State shall not be deemed to have been interrupted by any period of absence therefrom if the total of such periods does not exceed three years; or who has so resided for a period of 40 years at least five of which have immediately preceded this application;

(2) During such time as grants in aid are provided by the United States Government for such aid in this State and accepted by this State, however, aid may be granted under this chapter to any person] Who resides in the State and has so resided continuously for at least one year immediately preceding the date of application and for at least five years within the [nine] ten years immediately preceding the date of application.

(d) Who resides in the county in which the application is made and has so resided continuously for at least one year immediately preceding the date of application; any person otherwise qualified who has resided in the State for the required period and who has no county residence may file his application in the county in which he resides, and the aid, if granted to him, shall be paid entirely by the State until the first day of the first month beginning after the date upon which he gains such county residence, unless the day upon which he gains county residence is the first day of the month in which event the county shall assume its share of the costs thereon;

(e) Who is not, at the time of receiving such aid an inmate of any public home for the aged, or any public home, or any public institution of a custodial, correctional, or curative character, except in the case of temporary medical or surgical care in a public hospital not exceeding 60 days in duration. Any such inmate, however, may make an application for aid under this chapter and have his application investigated and acted upon without delay, in the same manner as applications of other persons are acted upon, while he is such an inmate, and, if he is otherwise

qualified under the terms of this chapter, such application shall be approved. Payment of the aid granted shall commence within one month following such approval and the applicant may remain an inmate until he receives his first monthly payment, whereupon he shall cease to be such inmate. Persons who are inmates of a boarding home or other institution not supported in whole or in part by public funds shall be granted aid but no such aid shall be granted if such persons are cared for under a contract for a period of time exceeding one month;

(f) Who is not receiving adequate support from a husband or wife, or child able [and responsible under the laws of this State] to furnish such support;

(g) Who has not made any voluntary assignment or transfer of property for the purpose of qualifying for such aid.

SEC. 15. Section 2162 5 is added to said code, to read:

2162.5. If an applicant is unable to prove his age or length of residence in the State by any other method, he may make a statement under oath of his age on the date of application or of the length of his residence in the State on that date before any judge of the superior court or any justice of the Supreme Court of the State, and such statement shall constitute sufficient proof of the age of the applicant, or of the length of his residence in the State.

Any applicant who wilfully makes a false statement under oath as to his age or length of residence in the State before a judge of the superior court or justice of the Supreme Court, as provided in this section, is guilty of a felony.

SEC. 16. Section 2163 of said code is amended to read:

2163. No aid under this chapter shall be granted or paid to any person who owns personal property the net value of which exceeds five hundred dollars (\$500).

The term personal property shall not include a policy or policies of insurance which has or have been in effect at least five years prior to the date of application, if the value of the policy or policies at maturity is [in an amount not exceeding] *a sum which when added to the assessed or appraised value of the personal property does not amount to more than one thousand dollars (\$1,000) [.] or the applicant or recipient can not surrender the policy or policies and receive the surrender value thereof, or otherwise derive any money in excess of five hundred dollars (\$500) from the policy or policies during his life.*

SEC. 17. Section 2163 3 is added to said code, to read:

2163.3. Where a policy of life insurance has been issued on the life of an applicant for or recipient of aid under this chapter, the premiums on which are paid by a person other than the applicant or recipient, whether or not the person paying the premiums is a relative of the applicant or recipient, and the applicant or recipient is not entitled to surrender the policy and obtain the surrender value thereof, or otherwise derive any money from the policy during his life, for the purposes of this chapter the policy shall not be deemed to be personal property or a resource of the applicant or recipient, nor shall the payment of premiums thereon be deemed to be a resource of or income to the applicant or recipient.

SEC. 18. Section 2163.4 is added to said code, to read:

2163.4. The term personal property also shall not include any of the following, nor shall any of the following be considered resources of the applicant or recipient:

- (a) Personal effects, including clothing, furniture, household equipment.
- (b) Foodstuff, live stock, fuel, light or water produced by the applicant, or by his spouse or family, exclusively for the use of the applicant or of his family.
- (c) The ability of relatives or friends of the applicant to contribute to the support of the applicant.

SEC. 19. Section 2164 of said code is amended to read:

2164. No aid under this chapter shall be granted or paid to any person who owns real property the assessed value of which, as assessed by the county assessor, *less all encumbrances thereon of record*, exceeds three thousand dollars (\$3,000) at the time such person makes application for aid.

SEC. 20. Section 2165 of said code is amended to read:

2165. No aid under this chapter shall be granted or paid to any married person, if the assessed value of the combined real property of the husband and wife, as assessed by the county assessor, *less all encumbrances thereon of record*, exceeds [three thousand dollars (\$3,000)] *six thousand dollars (\$6,000)* at the time such person makes application for aid.

SEC. 21. Section 2166 is added to Article 4 of Chapter 1 of Division 3 of said code, to read:

2166. For the purposes of this chapter a trust deed shall be deemed to be a mortgage, and the interest of a mortgagee in the real property subject to mortgage shall be deemed to be real property.

SEC. 22. Section 2180 of said code is amended to read:

2180. [Every applicant] *Application* for aid under this chapter shall [file written application therefor with] *be made* to the board of supervisors of the county in which [he] *the applicant* resides. *An applicant may apply in person or the application may be made by another in his behalf.* This application [shall be in the] *may be made*

SEC. 24. Section 2182 of said code is amended to read:

2182. If any applicant or recipient is dissatisfied with the action of the board of supervisors, he shall, upon filing a petition with the State Department of Social Welfare, have the right of appeal and shall be accorded an opportunity for a fair hearing. The Social Welfare Department shall set such appeal for hearing before the State Social Welfare Board and shall give all parties concerned written notice of the time and place of such hearing. *For the purpose of holding such hearings, the State Department of Social Welfare shall divide the State into not less than two districts, and each hearing shall be held in the district in which the applicant resides.* At such hearing the applicant or recipient may appear in person with counsel of his own choosing or in person and without such counsel.

A transcript of the testimony at the hearing shall be made and included in the records, the costs of which shall be borne by the department. A copy of this transcript shall be given to the appellant.

The State Social Welfare Board shall consider the appeal, and shall dismiss the appeal or award aid as prescribed in this chapter. The county board of supervisors shall then pay to such aged person the sum awarded, if any, by the State Social Welfare Board, the payments, if awarded, to commence from the date [the applicant was first entitled thereto] of application.

[Payments of aid shall be commenced as of the first day of the month in which the application is granted, unless otherwise directed by the State Social Welfare Board in cases in which an appeal is taken; but in no event shall the aid commence prior to the date of application.]

An applicant whose application for aid under this chapter has been rejected may not again apply for such aid until the expiration of one year from the date of the previous application, except with the consent of the county or an order of the State Department of Social Welfare [.] , or until the condition because of which his application was rejected has been eliminated.

If the applicant or recipient feels himself aggrieved by any decision of the State Welfare Board, he may file with the superior court of the county in which he resides, a petition, praying for a review of the entire proceedings in the matter, upon questions of law involved in the case.

SEC. 25. Section 2182.1 is added to said code, to read:

2182.1. No filing fee shall be required from an applicant for or recipient of aid under this chapter for the filing of a petition in the superior court for a review of the proceedings in his case.

Within ten (10) days after being served with notice of the filing of the petition, the State Department of Social Welfare shall file with the clerk of the court the record of the proceedings in the case, and no further pleadings shall be required to bring the matter to issue.

No bond shall be required in the case of any petition for review, nor in any appeal therefrom.

If the decision of the court is in favor of the applicant for or recipient of aid, aid shall be paid from the date of application therefor, and the applicant or recipient shall be entitled to reasonable attorney's fees and costs.

Src 26 Section 2183 of said code is amended to read:

2183. If the application for aid is granted, the clerk of the board of supervisors shall report the fact to the auditor of the county. All payments of aid under this chapter shall be made monthly in advance by the treasurer of the county.

A county shall have a period of [90] 30 days after the date of application within which to determine whether or not the applicant is eligible for assistance, and if it is determined that he is eligible the aid shall be granted to him from [the first day of the month in which the determination is made that he is eligible but in no event shall the aid commence prior to] the date of application. If the investigation is not completed at the end of the [90 day] 30-day period, the investigation shall continue until completed and if eligibility is established, aid shall begin as of the [first day of the month following the end of the 90-day period.] date of application.

Such payment shall be paid by warrant and shall be delivered to the applicant at his residence if he so requests. If the recipient of old age assistance is, on the testimony of reputable witnesses, found incapable of taking care of himself or his money, upon recommendation of the board of supervisors and with the approval of the Department of Social Welfare the aid authorized in this chapter may be paid to any responsible person acceptable to the recipient for the benefit of the recipient of this aid, but it shall be unlawful for the board of supervisors to order any part of the aid granted under this chapter to be paid in the form of merchandise orders for food, rent or otherwise.

SEC. 27. Section 2186 of said code is amended to read

2186 During such time as grants in aid are provided or made available by the United States Government for old age assistance in this State, the State Treasurer shall pay to each county from the sums so granted (1) an amount which shall be used exclusively as old age assistance equal to one-half of the total of the sums expended therefor under this chapter, not counting so much of such expenditure with respect to any individual for any month as exceeds the maximum fixed by the

United States Government in granting or making such sums available, and not counting so much of such expenditure as represents aid granted to any individual who has not attained the minimum age specified by the United States Government in granting or making such aid available; and (2) an additional amount equal to such county's proportionate share of any amount so granted or made available to this State by the United States Government for the costs of administering such aid, which additional amount shall be used exclusively for paying such administration costs. The State Department of Social Welfare shall determine the portion of the amount so granted or made available for administration costs to be paid to the counties, which portion shall be not less than one-half of the amount so granted or made available. The State Department of Social Welfare shall adopt rules and regulations which shall be of uniform application for determining the proportionate shares of the respective counties of the portion so determined to be paid to such counties.

Sec. 28. Section 2187 of said code is amended to read:

2187. From the sums appropriated therefor by the State of California in Section 2021 of this chapter, the State Treasurer shall pay to each county an additional amount which shall be used exclusively for aid to needy aged equal to [one-half] the full amount of the remainder of the sums expended by the county as aid to the needy aged under this chapter, after deducting from the sums so expended:

(a) The amount paid to the county under subdivision (1) of Section 2186 of this code [.] ; and

(b) The sum of ten dollars (\$10) for each resident of the county granted the maximum amount of aid, and such lesser sum for each resident of the county granted less than the maximum amount of aid as bears that proportion to the sum of ten dollars (\$10) which the amount of aid granted to the individual bears to the maximum amount of aid which may be granted to any individual [except that the State shall pay the county the full amount of aid granted any person otherwise qualified who has resided in the State for the required period and who has no county residence, after deducting the amount paid with respect to such person under subdivision (1) of Section 2186 of this code.]

Sec. 29. Section 2187 5 is added to said code, to read:

2187.5. The sums deducted under subdivision (b) of Section 2187 from the moneys paid under that section to each county constitute the county's share of the cost of aid to the needy aged in the county, and each county shall pay such share from the funds of the county.

Sec. 30. Section 2222 of said code is amended to read:

2222. If, at any time during the continuance of aid, the recipient thereof or the husband or wife of the recipient becomes possessed of any property or income in excess of the amount allowed under the provisions of this chapter, the recipient shall immediately notify the board of supervisors of the receipt and possession of such property or income. The board may, on inquiry and with the approval of the State Department of Social Welfare, either cancel the aid or vary the amount thereof in accordance with circumstances. Any excess aid theretofore paid shall be returned [in equal proportions] to the United States Government, the State, and the county participating in the granting of such aid, in accordance with the provisions of Section 2024, and shall be recoverable as a debt due proportionately to the State and such county.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

ASSEMBLY BILL

No. 1382

INTRODUCED BY MESSRS. EVANS, ALLEN, ANDERSON, DEBS, PRICE,
LYONS, JOHN C., MASSION, AND DOYLE

January 29, 1943

REFERRED TO COMMITTEE ON SOCIAL WELFARE

An act to amend Sections 2005, 2007, 2011, 2020, 2021, 2140, 2141, 2160, 2160.5, 2160.6, 2180, 2181, 2182, 2183, 2186, 2187, 2188, 2200, 2220, 2221, 2222, and 2223 of the Welfare and Institutions Code, to repeal Sections 2012, 2022,

2023, 2160.7, 2184, 2185, 2189, and 2224 thereof, and to add Sections 2012, 2020.5, 2184, and 2187.5 thereto, relating to aid to the aged, providing for the administration thereof, determining the amount of aid to be granted, the eligibility qualifications therefor, and the respective participation of the State and the counties in the cost thereof, eliminating the liability of relatives of recipients to make reimbursement for aid granted, granting burial and funeral expenses to recipients of such aid, and making an appropriation, to become operative as therein provided.

The people of the State of California do enact as follows:

SECTION 1. Sections 2012, 2022, 2023, 2160.7, 2184, 2185, 2189, and 2224 of the Welfare and Institutions Code are repealed.

SEC. 2. Section 2005 of said code is amended to read:

2005. The State Department of Social Welfare, through the Division of State Aid to the Aged, [and the board of supervisors of every county] shall follow the policy of giving the aid provided for in this chapter to every applicant in his own or in some other suitable home, in preference to placing him in an institution.

SEC. 3. Section 2007 of said code is amended to read:

2007. Any person who, knowing he is not entitled thereto, obtains or attempts to obtain aid to which he is not entitled, or a larger amount than that to which he is legally entitled, or the payment of any forfeited installment grant, is guilty of a misdemeanor, and any person who, knowing that the owner of the property is an applicant, aids or abets in buying or in any way disposing of the property of an applicant shall give 15 days' notice of the intention to make the transfer, [to the board of supervisors] to the Department of Social Welfare by serving upon [the chairman of the board] either the head office of the department at Sacramento or that office of the department administering the case a declaration in writing setting forth the name of the owner of the property, the fact that he is an applicant, a description of the property sufficient to enable it to be identified with reasonable certainty, and the time and place where the contemplated transaction will be completed, and failure to give such notice shall constitute a misdemeanor.

Whenever any person has illegally obtained aid under this chapter, he shall make restitution, and all actions necessary to secure restitution may be brought against him.

SEC. 4. Section 2011 of said code is amended to read:

2011. No officer or employee of [any county] the State shall make any demand upon any person [, other than a legally responsible relative, or any applicant for or recipient of aid under this chapter,] to contribute [a stated amount] to the support of the applicant for or recipient of aid under this chapter [each month] , or to agree so to contribute, or shall threaten any [such relative] person with any legal action against him [by or on behalf of the county] , or with any penalty whatsoever, unless he agrees so to contribute.

SEC. 5. Section 2012 is added to said code, to read:

2012. All papers and records pertaining to his case on file in any office of the Department of Social Welfare shall be open to inspection at any time during business hours by the applicant or recipient, or by his designated attorney or agent upon proof of his designation as such attorney or agent. Upon request of the applicant or recipient, or of his duly authorized attorney or agent (upon proof of his designation as such attorney or agent), for information as to the grounds or reasons for action on his case taken or refused to be taken, the department shall furnish the information requested to the person requesting it.

SEC. 6. Section 2020 of said code is amended to read:

2020. (a) To and including December 31, 1943, the amount of aid to which any applicant shall be entitled shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, [forty dollars (\$40)] fifty dollars (\$50) per month. If, however, in any case it is found the actual need of an applicant exceeds [forty dollars (\$40)] fifty dollars (\$50) per month, such applicant shall be entitled to receive aid in an amount, not to exceed [forty dollars (\$40)] fifty dollars (\$50) per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need.

(b) On and after January 1, 1944, the amount of aid to which any applicant shall be entitled shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, sixty dollars (\$60) per month. If, however, in any case it is found the actual need of an applicant exceeds sixty dollars (\$60) per month, such applicant shall be entitled to receive aid in an amount, not to exceed sixty dollars (\$60) per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need.

SEC. 7. Section 2020.5 is added to said code, to read:

2020.5. From the sum appropriated by Section 2021, actual and necessary expenses, not to exceed one hundred dollars (\$100), shall be allowed by the State Department of Social Welfare for the burial and funeral expenses incurred upon the death of a person who at the time of his death was a recipient of aid under this chapter. For this purpose, the recipient shall be considered a living person under Section 2021 until money for the claim for burial and funeral expenses is available.

SEC. 8. Section 2021 of said code is amended to read:

2021. (a) *To and including December 31, 1943*, there is hereby appropriated out of any moneys in the State treasury not otherwise appropriated to [every county within this State] *the State Department of Social Welfare* for maintaining or supporting aged persons who come within the provisions of this chapter and *who have county residence as provided in this chapter* aid not in excess of [two hundred forty dollars (\$240)] *four hundred eighty dollars (\$480)* per annum for each such aged person maintained or supported by [such county.] *the Department, and there is further appropriated to the department for the same purpose, any sums paid to the State by the counties pursuant to Section 2187.5 for aid to aged persons having county residence.*

To and including December 31, 1943, there is hereby further appropriated to [every county within this State] *the State Department of Social Welfare* for the purpose of maintaining or supporting aged persons who come within the provisions of this chapter and who have no county residence as provided in this chapter, aid not in excess of [four hundred eighty dollars (\$480)] *six hundred dollars (\$600)* per annum for each such aged person.

(b) *On and after January 1, 1944*, there is hereby appropriated out of any moneys in the State treasury not otherwise appropriated to the State Department of Social Welfare for maintaining or supporting aged persons who come within the provisions of this chapter and who have county residence as provided in this chapter aid not in excess of six hundred dollars (\$600) per annum for each such aged person maintained or supported by the department, and there is further appropriated to the department for the same purpose any sums paid to the State by the counties pursuant to Section 2187.5 for aid to aged persons having county residence.

On and after January 1, 1944, there is hereby further appropriated to the State Department of Social Welfare for the purpose of maintaining or supporting aged persons who come within the provisions of this chapter and who have no county residence as provided in this chapter, aid not in excess of seven hundred twenty dollars (\$720) per annum for each such aged person.

[Payments of aid shall be made in the manner provided in Sections 2187 to 2189, inclusive, of this code.]

SEC. 9. Section 2140 of said code is amended to read:

2140. The State Department of Social Welfare shall have the power to and shall prescribe the form of application, the manner and form of all reports and such additional rules and regulations as are necessary for the carrying out of the provisions of this chapter, and not inconsistent therewith. [Such rules and regulations shall be binding upon the boards of supervisors of the various counties.] The State Department of Social Welfare shall make such reports in such form and containing such information as the Social Security Board may from time to time require, and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports.

SEC. 10. Section 2141 of said code is amended to read:

2141. There is in the State Department of Social Welfare a division known as the Division of State Aid to the Aged. The division shall [supervise and pass upon the measures taken by the county boards of supervisors] *administer the provisions of this chapter and provide for the care of needy aged citizens to the end that they shall receive suitable care and that there shall be throughout the State a uniform standard of records and method of treatment of aged persons based upon their individual needs and circumstances.*

SEC. 11. Section 2160 of said code is amended to read:

2160. Aid shall be granted under this chapter to any person who comes within all of the following descriptions:

(a) *To and including December 31, 1943*, a person who has attained the age of 65 years; *on and after January 1, 1944*, a person who has attained the age of 60 years [provided, that if, when and] During such time *prior to January 1, 1944*, as the Federal Government shall provide or make available to this State grants in aid to persons who have attained the age of 60 years, the age contained in this subdivision shall be reduced to 60 years and persons who have attained the age of

60 years and who come within all of the descriptions hereinafter contained shall be eligible for aid under this chapter[;].

(b) Who is a citizen of the United States[;].

(c) Who possesses either of the following residence qualifications:

(1) Who resides in the State and has so resided continuously for at least 15 years immediately preceding the date of application, but continuous residence in the State shall not be deemed to have been interrupted by any period of absence therefrom if the total of such periods does not exceed three years; or who has resided for a period of 40 years at least five of which have immediately preceded this application[;].

(2) During such time as grants in aid are provided by the United States Government for such aid in this State and accepted by this State, however, aid may be granted under this chapter to any person who resides in the State and has so resided continuously for at least one year immediately preceding the date of application and for at least five years within the nine years immediately preceding the date of application.

(d) Who resides in the county in which the application is made and has so resided continuously for at least one year immediately preceding the date of application; any person otherwise qualified who has resided in the State for the required period and who has no county residence may file his application in the county in which he resides, and the aid, if granted to him, shall be paid entirely by the State until the first day of the first month beginning after the date upon which he gains such county residence, unless the day upon which he gains county residence is the first day of the month in which event the county shall assume its share of the costs thereon [;].

(e) Who is not, at the time of receiving such aid an inmate of any public home for the aged, or any public home, or any public institution of a custodial, correctional, or curative character, except in the case of temporary medical or surgical care in a public hospital not exceeding 60 days in duration. Any such inmate, however, may make an application for aid under this chapter and have his application investigated and acted upon without delay, in the same manner as applications of other persons are acted upon, while he is such an inmate, and, if he is otherwise qualified under the terms of this chapter, such application shall be approved. Payment of the aid granted shall commence within one month following such approval and the applicant may remain an inmate until he receives his first monthly payment, whereupon he shall cease to be such inmate. Persons who are inmates of a boarding home or other institution not supported in whole or in part by public funds shall be granted aid but no such aid shall be granted if such persons are cared for under a contract for a period of time exceeding one month[;].

(f) Who is not receiving adequate support from a husband or wife, or child able [and responsible under the laws of this State] to furnish such support[;].

(g) Who has not made any voluntary assignment or transfer of property for the purpose of qualifying for such aid.

SEC. 12. Section 2160.5 of said code is amended to read:

2160.5. Notwithstanding any provision of subdivision (e) of Section 2160 to the contrary, aid shall be granted to any person who is an inmate of a home or institution maintained by any fraternal, benevolent, or other nonprofit organization: (a) if the organization has not been paid for the life care and maintenance of the person through assessment of or dues of said inmate or otherwise, whether or not the person has agreed or promised to pay for his maintenance in the event that he receives any pension, bequest, devise, or other inheritance. (b) and if the per capita cost of maintenance in the organization of the applicant for aid does not exceed the sum of fifty dollars (\$50) per month.

[The county from which such inmate came to such home shall, for the purposes of this section, be considered the residence of such inmate to grant such aid.]

SEC. 13. Section 2160.6 of said code is amended to read:

2160.6. If on the first day of the month a recipient of aid is eligible for aid through an inmate of an institution or hospital, he is entitled to receive aid for the month.

[If a recipient of aid becomes ineligible for aid due to confinement in an institution or hospital, the order of the board of supervisors suspending his aid may provide that aid shall be restored to him by the county auditor when the recipient ceases to be an inmate, without further order from the board of supervisors.]

SEC. 14. Section 2180 of said code is amended to read:

2180. Every applicant for aid under this chapter shall file written application therefor [with the board of supervisors of] *in the office of the State Department of Social Welfare in or nearest to the county in which he resides.* This application shall be in the form prescribed by the State Department of Social Welfare, and shall be filed in the manner so prescribed. All statements in the application shall

be verified, under oath, by the applicant. *Employees of the State Department of Social Welfare, when authorized by the director, may administer such oaths.*

SEC. 15. Section 2181 of said code is amended to read:

2181. The [board of supervisors, directly or through an authorized investigator.] *Division of State Aid to the Aged* shall upon receipt of an application for aid, promptly, without any unnecessary delay, and with all diligence, make the necessary investigation. Such investigation shall be completed within 90 days after receipt of the application.

[The board shall upon receipt of the report of the investigation determine the ability of responsible relatives to contribute to the support of applicant and designate the amount of aid, if any, to be granted. The maximum degree of liability of the responsible relative shall be determined by "Relatives' Contribution Scale". In determining ability to contribute, the financial circumstances of responsible relatives shall be given due consideration and, in unusual cases, contributions at less than the amount fixed by "Relatives' Contribution Scale" may be made as the board of supervisors may deem justifiable.]

A. Net monthly income of responsible relatives in one family

B. Number of persons dependent upon income 10
 C. Maximum required monthly contributions over

	1	2	3	4	5	6	7	8	9	and 10
Under \$75	0	0	0	0	0	0	0	0	0	0
\$75- 84	0	0	0	0	0	0	0	0	0	0
85- 94	0	0	0	0	0	0	0	0	0	0
95- 104	5	0	0	0	0	0	0	0	0	0
105- 114	8	0	0	0	0	0	0	0	0	0
115- 124	12	0	0	0	0	0	0	0	0	0
125- 134	17	0	0	0	0	0	0	0	0	0
135- 144	23	0	0	0	0	0	0	0	0	0
145- 154	30	5	0	0	0	0	0	0	0	0
155- 164	35	10	0	0	0	0	0	0	0	0
165- 174	40	15	0	0	0	0	0	0	0	0
175- 184	45	20	5	0	0	0	0	0	0	0
185- 194	50	25	10	0	0	0	0	0	0	0
195- 204	55	30	15	5	0	0	0	0	0	0
205- 214	60	35	20	10	0	0	0	0	0	0
215- 224	65	40	25	15	5	0	0	0	0	0
225- 234	70	45	30	20	10	0	0	0	0	0
235- 244	75	50	35	25	15	5	0	0	0	0
245- 254	80	55	40	30	20	10	0	0	0	0
255- 264	80	60	45	35	25	15	0	0	0	0
265- 274	80	65	50	40	30	20	5	0	0	0
275- 284	80	70	55	45	35	25	10	0	0	0
285- 294	80	75	60	50	40	30	15	5	0	0
295- 304	80	80	65	55	45	35	20	10	0	0
305- 314	80	80	70	60	50	40	25	15	5	0
315- 324	80	80	75	65	55	45	30	20	10	5
325- 334	80	80	80	70	60	50	35	25	15	10
335- 344	80	80	80	75	65	55	40	30	20	15
345- 354	80	80	80	80	70	60	45	35	25	20
355- 364	80	80	80	80	75	65	50	40	30	25
365- 374	80	80	80	80	80	70	55	45	35	30
375- 384	80	80	80	80	80	75	60	50	40	35
385- 394	80	80	80	80	80	80	65	55	45	40
395- 404	80	80	80	80	80	80	70	60	50	45
405- 414	80	80	80	80	80	80	75	65	55	50
415- 424	80	80	80	80	80	80	80	70	60	55
425- 434	80	80	80	80	80	80	80	75	65	60
435- 444	80	80	80	80	80	80	80	80	70	65
445- 454	80	80	80	80	80	80	80	80	75	70
455- 464	80	80	80	80	80	80	80	80	80	75
465 or over	80	80	80	80	80	80	80	80	80	80

SEC. 16. Section 2182 of said code is amended to read:

2182. If any applicant or recipient is dissatisfied with the action of the [board of supervisors] *Division of State Aid to the Aged*, he shall upon filing a petition with the State [Department of] *Social Welfare Board*, have the right of appeal and shall be accorded an opportunity for a fair hearing. The [Social Welfare Department shall set such] appeal *shall be set* for hearing before the *State Social Welfare Board*

and [shall give] all parties concerned *shall be given* written notice of the time and place of such hearing. At such hearing the applicant or recipient may appear in person with counsel of his own choosing or in person and without such counsel.

The State Social Welfare Board shall consider the appeal, and shall dismiss the appeal or award aid as prescribed in this chapter. The [county board of supervisors] *Division of State Aid to the Aged* shall then pay to such aged person the sum awarded, if any, by the State Social Welfare Board, the payments, if awarded, to commence from the date the applicant was first entitled thereto.

Payments of aid shall be commenced as of the first day of the month in which the application is granted, unless otherwise directed by the State Social Welfare Board in cases in which an appeal is taken; but in no event shall the aid commence prior to the date of application.

An applicant whose application for aid under this chapter has been rejected may not again apply for such aid until the expiration of one year from the date of the previous application, except with the consent of [the county or an order of] the State Department of Social Welfare.

If the applicant or recipient feels himself aggrieved by any decision of the State Welfare Board, he may file with the superior court of the county in which he resides, a petition, praying for a review of the entire proceedings in the matter, upon questions of law involved in the case.

SEC. 17. Section 2183 of said code is amended to read:

2183. [If the application for aid is granted, the clerk of the board of supervisors shall report the fact to the auditor of the county.] All payments of aid under this chapter shall be made monthly in advance by the [treasurer of the county] *department*.

[A county] *The Division of State Aid to the Aged* shall have a period of 90 days after the date of application within which to determine whether or not the applicant is eligible for assistance, and the aid shall be granted to him from the first day of the month in which the determination is made that he is eligible but in no event shall the aid commence prior to the date of application. If the investigation is not completed at the end of the 90-day period, the investigation shall continue until completed and if eligibility is established, aid shall begin as of the first day of the month following the end of the 90-day period.

Such payment shall be paid by warrant and shall be delivered to the applicant at his residence if he so requests. If the recipient of old age assistance is, on the testimony of reputable witnesses, found incapable of taking care of himself or his money, [upon recommendation of the board of supervisors and with the approval of the Department of Social Welfare] the aid authorized in this chapter may be paid to any responsible person acceptable to the recipient for the benefit of the recipient of this aid, but it shall be unlawful for the [board of supervisors] *Division of State Aid to the Aged* to order any part of the aid granted under this chapter to be paid in the form of merchandise orders for food, rent or otherwise.

SEC. 18. Section 2184 is added to said code, to read:

2184. Whenever a warrant for aid under this chapter has been lost or destroyed before it has been paid, the amount due thereon may be recovered by the payee by filing with the State Controller an affidavit setting forth the fact of the loss or destruction of the warrant, together with all material facts relative thereto known to the affiant, the amount, the name of the payee, and the date and number of the warrant if the same are known to the affiant. Upon receipt of the affidavit, and without the filing of any bond by the payee, the State Controller shall issue and deliver to the payee of the original warrant a duplicate warrant for the full amount of the original warrant, and the State Treasurer shall pay the duplicate warrant in lieu of the original warrant.

A warrant shall be considered to have been lost if it has been mailed, and has not been received by the addressee within 20 days after the date of mailing.

SEC. 19. Section 2186 of said code is amended to read:

2186. During such time as grants in aid are provided or made available by the United States Government for old age assistance in this State, the State Treasurer shall pay to [each county] *the State Department of Social Welfare* from the sums so granted (1) an amount which shall be used exclusively as old age assistance equal to one-half of the total of the sums expended therefor under this chapter, not counting so much of such expenditure with respect to any individual for any month as exceeds the maximum fixed by the United States Government in granting or making such sums available, *and not counting so much of such expenditure as represents aid granted to any individual who has not attained the minimum age specified by the United States Government in granting or making such aid available*; and (2) an additional amount equal to [such county's proportionate share of] any amount so granted or made available to this State by the United States Government for the costs of administering such aid, which additional amount shall be used exclusively for paying such administration costs. [The State Department of Social shall

determine the portion of the amount so granted or made available for administration costs to be paid to the counties, which portion shall be not less than one-half of the amount so granted or made available. The State Department of Social Welfare shall adopt rules and regulations which shall be of uniform application for determining the proportionate shares of the respective counties of the portion so determined to be paid to such counties.]

SEC. 20. Section 2187 of said code is amended to read:

2187. From the sum appropriated therefor by the State of California in Section 2021 of this chapter, the State Treasurer shall pay to [each county] *the State Department of Social Welfare* an additional amount which shall be used exclusively for aid to needy aged equal to [one-half of] the remainder of the sums expended by the [county] *department* as aid to the needy aged under this chapter, after deducting from the sums so expended the amount paid to the [county] *department* under subdivision (1) of Section 2186 of this code [,] except that the State shall pay the county the full amount of aid granted any person otherwise qualified who has resided in the State for the required period and who has no county residence, after deducting the amount paid with respect to such person under subdivision (1) of Section 2186 of this code.]

SEC. 21. Section 2187.5 is added to said code, to read:

2187.5. (a) For each aged person having county residence as provided in this chapter who receives aid from the State the county shall reimburse the State at the following monthly rates:

(1) For each such person receiving the maximum amount of aid, at the monthly rate of ten dollars (\$10).

(2) For each such person receiving less than the maximum amount of aid, at that monthly rate which bears such proportion to ten dollars (\$10) as the amount of aid received by the person bears to the maximum amount of aid.

(b) The State Department of Social Welfare shall report monthly to the board of supervisors of each county, relative to aid to residents of the county during the preceding month, the number of applications granted, and the grants of aid changed, revoked, or suspended under this chapter by the department, together with copies of all applications received and a statement of the action of the department thereon.

(c) Each county auditor shall include in his semiannual State settlement report to the State Controller the amount due from the county to the State under the provisions of subdivision (a) of this section, and the county treasurer, at the time of the semiannual settlement with the State, shall pay to the State Treasurer, upon the order of the Controller, the amounts so due.

SEC. 22. Section 2188 of said code is amended to read:

2188. The method of computing and paying the amounts provided for in Sections 2186 and 2187 for each quarter shall be as follows:

(a) The State Department of Social Welfare shall, prior to the beginning of each quarter, estimate the amount [to be paid for such quarter to each county, under the provisions of Sections 2186 and 2187, such estimate to be based on a report filed by each county containing (1) its estimate of the total sum] to be expended in such quarter in accordance with the provisions of this chapter [, and stating the amount appropriated or made available by the county for such expenditures in such quarter, and if such amount is less than that portion of the total sum of such estimated expenditures which is required under this chapter to be paid by each such county, the source or sources from which the difference is expected to be derived; (2) records showing the number of aged individuals receiving and under the authority of this chapter in the county; and (3) such other information and investigation as the State Department of Social Welfare may find necessary.

[(b) The State Department of Social Welfare shall then certify to the State Controller the amounts so estimated by it for each county], reduced or increased as the case may be, by any sums by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the [county] *department* under this chapter for such quarter, except to the extent that such sum has been applied to make the amount estimated by the State Department of Social Welfare for such prior quarter.

(c) The State Controller shall thereupon draw the necessary warrants, and prior to audit or settlement by [the State Department of Social Welfare and] the State Controller, the State Treasurer shall pay to the [treasurer of each county] *State Department of Social Welfare* the amount so certified.

Upon the order of the Department of Social Welfare, the amount approved for the quarter may be paid in monthly installments, and, if paid in monthly installments all necessary adjustments for the prior quarters shall be made by additions or deductions from the allowance for the first month of each new quarter or in the manner prescribed by the State Department of Social Welfare.

SEC. 23. Section 2200 of said code is amended to read:

2200. Any recipient of aid under this chapter who removes from one county to another county in this State shall be entitled to [aid, upon the first day of the first month beginning after the date upon which he attained residence of one year in the county to which he has so removed, unless the day upon which he attains one year of residence is the first day of the month, in which event the transfer of costs shall take place upon this day; the removal of any person receiving aid hereunder from one county to another within this State shall not work a forfeiture during such one year period of the] *continue to receive the aid previously awarded under this chapter.*

For the purposes of [this section] *determining the county residence of any such person, and the county liability to repay the State a share of the aid granted to him,* it is presumed that the period of time for the acquisition of one year's residence in the county to which the person has removed shall start to run upon the date of removal from the county in which he has previously acquired a residence. Any residence once acquired is presumed to continue unless terminated by a subsequent act of the recipient. The county to which such person has removed shall provide the necessary medical or hospital [, or both,] care, *or both,* if needed during the one-year period of establishment of residence under this section. The county providing such medical or hospital [, or both,] care, *or both,* may demand payment of the county [granting the aid] *from which the recipient has removed* in an amount not in excess of the cost thereof and it shall be a proper charge and the duty of the county [granting the aid under the provisions of this section] *from which the recipient has removed* to pay such medical or hospital charges, or both.

If a recipient returns to the county [granting him aid] *from which he removed,* after an absence of less than one year, he shall not be deemed to have lost his residence therein.

SEC. 24. Section 2220 of said code is amended to read:

2220. The [board of supervisors] *State Department of Social Welfare* may for cause [, and upon instructions so to do by the State Department of Social Welfare, shall,] cancel, suspend, or revoke aid. [Upon the suspension of aid by the board of supervisors an immediate report of every suspension shall be made to the State Department of Social Welfare stating the reason for the suspension and showing the action of the board of supervisors in approving the suspension.]

SEC. 25. Section 2221 of said code is amended to read:

2221. If at any time, the State department has reason to believe that aid to the aged has been obtained improperly, it [shall cause] *may make special inquiry* [to be made] and may suspend payment of any installment pending the inquiry. [It shall notify the board of supervisors of such suspension.] If it appears upon inquiry that the aid was obtained improperly, it shall be canceled by the State department, but if it appears that aid was obtained properly, the suspended payments shall be payable.

SEC. 26. Section 2222 of said code is amended to read:

2222. If, at any time during the continuance of aid, the recipient thereof or the husband or wife of the recipient becomes possessed of any property or income in excess of the amount allowed under the provisions of this chapter, the recipient shall immediately notify the [board of supervisors] *State Department of Social Welfare* of the receipt and possession of such property or income. The [board] *State Department of Social Welfare* may [, on inquiry and with the approval of the State Department of Social Welfare,] either cancel the aid or vary the amount thereof in accordance with circumstances. Any excess aid theretofore paid shall be returned [, in equal proportions] to the State *and the Federal Government* and the county [participating in the granting of such aid and shall be recoverable], *if the county participated, in the proportion that each contributed to the support of the case. The amount due may be recovered as a debt due* [proportionately] to the State [and such county] *of California.*

SEC. 27. Section 2223 of said code is amended to read:

2223. If, on the death of a recipient of aid under this chapter, it is found that he was possessed of property or income in excess of the amount allowed under the provisions of this chapter and that he has not disclosed the same to the [board of supervisors] *State Department of Social Welfare,* double the amount of the aid paid him in excess of that to which he was legally entitled may be recovered by the Department of Social Welfare as a preferred claim from his estate and upon recovery shall be repaid to the county, to the State, and to the United States Government in accordance with the provisions of Section 2024.

SEC. 28. (a) After this act becomes operative, no applications for aid under the Old Age Security Law shall be received by any county with respect to any person who is not upon the operative date receiving assistance under the Old Age Security Law, but all such applications shall be received and administered by the Division of State Aid to the Aged in the State Department of Social Welfare.

(b) With respect to every person who is receiving aid under the Old Age Security Law on the operative date or who has applied for such aid prior to the operative date and whose application is pending on the operative date, the county administer-

ing the case or in which the application was filed, as the case may be, shall administer the case, in accordance with the provisions of the Old Age Security Law as amended by this act, as the agent of the State Department of Social Welfare and subject to the supervision and control of the State department, until the case is transferred to the Division of State Aid to the Aged. The transfer of cases shall be immediately undertaken by the Division of State Aid to the Aged upon the operative date of this act, and the transfer of all cases within this subdivision shall be completed not later than the first day of the third month following the operative date. Until the case is transferred to the Division of State Aid to the Aged, the county administering the case shall be reimbursed by the State Department of Social Welfare for all moneys advanced or expended by the county as agent for the Department of Social Welfare, including both the direct and the administrative costs incurred by the county in administering the case. Such reimbursement shall be made from the moneys appropriated to the Department of Social Welfare by Section 2021 of the Welfare and Institutions Code, as amended by this act, and from any other moneys available to the department for administration of aid to the aged or for the support of the department. The Department of Social Welfare shall by rule and regulation establish a procedure for such reimbursement.

(c) Upon the operative date the Division of State Aid to the Aged in the State Department of Social Welfare shall succeed to and be entitled to the possession and control of all county records, books, papers, equipment, and other personal property used in connection with the administration of the Old Age Security Law, and the counties shall give the Division of State Aid to the Aged possession of such records, books, papers, equipment, and other personal property at the same time that the cases administered by the counties to which such records, books, papers, equipment, and personal property relate are transferred to the Division of State Aid to the Aged.

SEC. 29. This act shall become operative on the first day of the month next succeeding the ninetieth day after the final adjournment of the Fifty-fifth Legislature of California.

APPENDIX 9(b)

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

SENATE BILL

No. 399

INTRODUCED BY SENATOR TENNEY

JANUARY 25, 1943

REFERRED TO COMMITTEE ON WELFARE AND INSTITUTIONS

An act to amend Sections 2005, 2007, 2011, 2020, 2021, 2140, 2141, 2160, 2160.5, 2160.6, 2180, 2181, 2182, 2183, 2186, 2187, 2188, 2200, 2220, 2221, 2222, and 2223 of the Welfare and Institutions Code, to repeal Sections 2012, 2022, 2023, 2160.7, 2184, 2185, 2189, and 2224 thereof, and to add Sections 2012, 2020.5, 2184, and 2187.5 thereto, relating to aid to the aged, providing for the administration thereof, determining the amount of aid to be granted, the eligibility qualifications therefor, and the respective participation of the State and the counties in the cost thereof, eliminating the liability of relatives of recipients to make reimbursement for aid granted, granting burial and funeral expenses to recipients of such aid, and making an appropriation, to become operative as therein provided.

The people of the State of California do enact as follows:

SECTION 1. Sections 2012, 2022, 2023, 2160.7, 2184, 2185, 2189, and 2224 of the Welfare and Institutions Code are repealed.

SEC. 2. Section 2005 of said code is amended to read:

2005. The State Department of Social Welfare, through the Division of State Aid to the Aged, [and the board of supervisors of every county] shall follow the

policy of giving the aid provided for in this chapter to every applicant in his own or in some other suitable home, in preference to placing him in an institution.

SEC. 3. Section 2007 of said code is amended to read:

2007. Any person who, knowing he is not entitled thereto, obtains or attempts to obtain aid to which he is not entitled, or a larger amount than that to which he is legally entitled, or the payment of any forfeited installment grant, is guilty of a misdemeanor, and any person who, knowing that the owner of the property is an applicant, aids or abets in buying or in any way disposing of the property of an applicant shall give 15 days' notice of the intention to make the transfer, [to the board of supervisors] to the Department of Social Welfare by serving upon [the chairman of the board] either the head office of the department at Sacramento or that office of the department administering the case a declaration in writing setting forth the name of the owner of the property, the fact that he is an applicant, a description of the property sufficient to enable it to be identified with reasonable certainty, and the time and place where the contemplated transaction will be completed, and failure to give such notice shall constitute a misdemeanor.

Whenever any person has illegally obtained aid under this chapter, he shall make restitution, and all actions necessary to secure restitution may be brought against him.

SEC. 4. Section 2011 of said code is amended to read:

2011. No officer or employee of [any county] the State shall make any demand upon any person [other than a legally responsible relative, of any applicant for or recipient of aid under this chapter.] to contribute [a stated amount] to the support of the applicant for or recipient [each month] of aid under this chapter, or to agree so to contribute, or shall threaten any [such relative] person with any legal action against him [by or on behalf of the county], or with any penalty whatsoever, unless he agrees so to contribute.

SEC. 5. Section 2012 is added to said code, to read:

2012. All papers and records pertaining to his case on file in any office of the Department of Social Welfare shall be open to inspection at any time during business hours by the applicant or recipient, or by his designated attorney or agent upon proof of his designation as such attorney or agent. Upon request of the applicant or recipient, or of his duly authorized attorney or agent (upon proof of his designation as such attorney or agent), for information as to the grounds or reasons for action on his case taken or refused to be taken, the department shall furnish the information requested to the person requesting it.

SEC. 6. Section 2020 of said code is amended to read:

2020. (a) To and including December 31, 1943, the amount of aid to which any applicant shall be entitled shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, [forty dollars (\$40)] fifty dollars (\$50) per month. If, however, in any case it is found the actual need of an applicant exceeds [forty dollars (\$40)] fifty dollars (\$50) per month, such applicant shall be entitled to receive aid in an amount, not to exceed [forty dollars (\$40)] fifty dollars (\$50) per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need.

(b) On and after January 1, 1944, the amount of aid to which any applicant shall be entitled shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, sixty dollars (\$60) per month. If, however, in any case it is found the actual need of an applicant exceeds sixty dollars (\$60) per month, such applicant shall be entitled to receive aid in an amount, not to exceed sixty dollars (\$60) per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need.

SEC. 7. Section 2020.5 is added to said code, to read:

2020.5. From the sum appropriated by Section 2021, actual and necessary expenses, not to exceed one hundred dollars (\$100), shall be allowed by the State Department of Social Welfare for the burial and funeral expenses incurred upon the death of a person who at the time of his death was a recipient of aid under this chapter. For this purpose, the recipient shall be considered a living person under Section 2021 until money for the claim for burial and funeral expenses is available.

SEC. 8. Section 2021 of said code is amended to read:

2021. (a) To and including December 31, 1943, there is hereby appropriated out of any moneys in the State treasury not otherwise appropriated to [every county within this State] the State Department of Social Welfare for maintaining or supporting aged persons who come within the provisions of this chapter and who have county residence as provided in this chapter aid not in excess of [two

hundred forty dollars (\$240)] *four hundred eighty dollars (\$480)* per annum for each such aged person maintained or supported by [such county] *the department, and there is further appropriated to the department for the same purpose, any sums paid to the State by the counties pursuant to Section 2187.5 for aid to aged persons having county residence.*

To and including December 31, 1943, there is hereby further appropriated to [every county within this State] *the State Department of Social Welfare* for the purpose of maintaining or supporting aged persons who come within the provisions of this chapter and who have no county residence as provided in this chapter, aid not in excess of [four hundred eighty dollars (\$480)] *six hundred dollars (\$600)* per annum for each such aged person.

(b) *On and after January 1, 1944, there is hereby appropriated out of any moneys in the State treasury not otherwise appropriated to the State Department of Social Welfare for maintaining or supporting aged persons who come within the provisions of this chapter and who have county residence as provided in this chapter aid not in excess of six hundred dollars (\$600) per annum for each such aged person maintained or supported by the department, and there is further appropriated to the department for the same purpose any sums paid to the State by the counties pursuant to Section 2187.5 for aid to aged persons having county residence.*

On and after January 1, 1944, there is hereby further appropriated to the State Department of Social Welfare for the purpose of maintaining or supporting aged persons who come within the provisions of this chapter and who have no county residence as provided in this chapter, aid not in excess of seven hundred twenty dollars (\$720) per annum for each such aged person.

[Payments of aid shall be made in the manner provided in Sections 2187 to 2189, inclusive, of this code.]

SEC. 9. Section 2140 of said code is amended to read:

2140. The State Department of Social Welfare shall have the power to and shall prescribe the form of application, the manner and form of all reports and such additional rules and regulations as are necessary for the carrying out of the provisions of this chapter, and not inconsistent therewith. [Such rules and regulations shall be binding upon the boards of supervisors of the various counties.] The State Department of Social Welfare shall make such reports in such form and containing such information as the Social Security Board may from time to time require, and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports.

SEC. 10. Section 2141 of said code is amended to read:

2141. There is in the State Department of Social Welfare a division known as the Division of State Aid to the Aged. The division shall [supervise and pass upon the measures taken by the county boards of supervisors] *administer the provisions of this chapter and provide for the care of needy aged citizens, to the end that they shall receive suitable care and that there shall be throughout the State a uniform standard of records and method of treatment of aged persons based upon their individual needs and circumstances.*

SEC. 11. Section 2160 of said code is amended to read:

2160. Aid shall be granted under this chapter to any person who comes within all of the following descriptions:

(a) *To and including December 31, 1943, a person who has attained the age of 65 years; [provided, that if, when and] on and after January 1, 1944, a person who has attained the age of 60 years.* During such time prior to January 1, 1944, as the Federal Government shall provide or make available to this State grants in aid to persons who have attained the age of 60 years, the age contained in this subdivision shall be reduced to 60 years and persons who have attained the age of 60 years and who come within all of the descriptions hereinafter contained shall be eligible for aid under this chapter [;].

(b) Who is a citizen of the United States [;].

(c) Who possesses either of the following residence qualifications:

(1) Who resides in the State and has so resided continuously for at least 15 years immediately preceding the date of application, but continuous residence in the State shall not be deemed to have been interrupted by any period of absence therefrom if the total of such periods does not exceed three years; or who has so resided for a period of 40 years at least five of which have immediately preceded this application [;].

(2) *During such time as grants in aid are provided by the United States Government for such aid in this State and accepted by this State, however, aid may be granted under this chapter to any person who resides in the State and has so resided continuously for at least one year immediately preceding the date of application and for at least five years within the nine years immediately preceding the date of application.*

(d) Who resides in the county in which the application is made and has so resided continuously for at least one year immediately preceding the date of application; any person otherwise qualified who has resided in the State for the required period and who has no county residence may file his application in the county in which he resides, and the aid, if granted to him, shall be paid entirely by the State until the first day of the first month beginning after the date upon which he gains such county residence, unless the day upon which he gains county residence is the first day of the month in which event the county shall assume its share of the costs thereon [;].

(e) Who is not, at the time of receiving such aid an inmate of any public home for the aged; or any public home, or any public institution of a custodial, correctional, or curative character, except in the case of temporary medical or surgical care in a public hospital not exceeding 60 days in duration. Any such inmate, however, may make an application for aid under this chapter and have his application investigated and acted upon without delay, in the same manner as applications of other persons are acted upon, while he is such an inmate, and, if he is otherwise qualified under the terms of this chapter, such application shall be approved. Payment of the aid granted shall commence within one month following such approval and the applicant may remain an inmate until he receives his first monthly payment, whereupon he shall cease to be such inmate. Persons who are inmates of a boarding home or other institution not supported in whole or in part by public funds shall be granted aid but no such aid shall be granted if such persons are cared for under a contract for a period of time exceeding one month [;].

(f) Who is not receiving adequate support from a husband or wife, or child able [and responsible under the laws of this State] to furnish such support [;].

(g) Who has not made any voluntary assignment or transfer of property for the purpose of qualifying for such aid.

SEC. 12. Section 2160.5 of said code is amended to read:

2160.5. Notwithstanding any provision of subdivision (e) of Section 2160 to the contrary, aid shall be granted to any person who is an inmate of a home or institution maintained by any fraternal, benevolent, or other nonprofit organization: (a) if the organization has not been paid for the life care and maintenance of the person through assessment of or dues of said inmate or otherwise, whether or not the person has agreed or promised to pay for his maintenance in the event that he receives any pension, bequest, devise, or other inheritance, (b) and if the per capita cost of maintenance in the organization of the applicant for aid does not exceed the sum of fifty dollars (\$50) per month.

[The county from which such inmate came to such home shall, for the purposes of this section, be considered the residence of such inmate to grant such aid.]

SLC. 13. Section 2160.6 of said code is amended to read:

2160.6. If on the first day of the month a recipient of aid is eligible for aid though an inmate of an institution or hospital, he is entitled to receive aid for the month.

[If a recipient of aid becomes ineligible for aid due to confinement in an institution or hospital, the order of the board of supervisors suspending his aid may provide that aid shall be restored to him by the county auditor when the recipient ceases to be an inmate, without further order from the board of supervisors.]

SEC. 14. Section 2180 of said code is amended to read:

2180. Every applicant for aid under this chapter shall file written application therefor [with the board of supervisors of] *in the office of the State Department of Social Welfare in or nearest to the county in which he resides.* This application shall be in the form prescribed by the State Department of Social Welfare, and shall be filed in the manner so prescribed. All statements in the application shall be verified, under oath, by the applicant. *Employees of the State Department of Social Welfare, when authorized by the director, may administer such oaths.*

SEC. 15. Section 2181 of said code is amended to read:

2181. The [board of supervisors, directly or through an authorized investigator,] *Division of State Aid to the Aged* shall upon receipt of an application for aid, promptly, without any unnecessary delay, and with all diligence, make the necessary investigation. Such investigation shall be completed within 90 days after receipt of the application.

[The board shall upon receipt of the report of the investigation determine the ability of responsible relatives to contribute to the support of applicant and designate the amount of aid, if any, to be granted. The maximum degree of liability of the responsible relative shall be determined by "Relatives' Contribution Scale." In determining ability to contribute, the financial circumstances of responsible relatives shall be given due consideration and, in unusual cases, contributions at less than the

amount fixed by "Relatives' Contribution Scale" may be made as the board of supervisors may deem justifiable.

RELATIVES' CONTRIBUTION SCALE

A. Net monthly income of responsible relatives in one family	B. Number of persons dependent upon income									10 and over	
	1	2	3	4	5	6	7	8	9		
Under \$75-----	0	0	0	0	0	0	0	0	0	0	0
\$75- 84-----	0	0	0	0	0	0	0	0	0	0	0
85- 94-----	0	0	0	0	0	0	0	0	0	0	0
95- 104-----	5	0	0	0	0	0	0	0	0	0	0
105- 114-----	8	0	0	0	0	0	0	0	0	0	0
115- 124-----	12	0	0	0	0	0	0	0	0	0	0
125- 134-----	17	0	0	0	0	0	0	0	0	0	0
135- 144-----	23	0	0	0	0	0	0	0	0	0	0
145- 154-----	30	5	0	0	0	0	0	0	0	0	0
155- 164-----	35	10	0	0	0	0	0	0	0	0	0
165- 174-----	40	15	0	0	0	0	0	0	0	0	0
175- 184-----	45	20	5	0	0	0	0	0	0	0	0
185- 194-----	50	25	10	0	0	0	0	0	0	0	0
195- 204-----	55	30	15	5	0	0	0	0	0	0	0
205- 214-----	60	35	20	10	0	0	0	0	0	0	0
215- 224-----	65	40	25	15	5	0	0	0	0	0	0
225- 234-----	70	45	30	20	10	0	0	0	0	0	0
235- 244-----	75	50	35	25	15	5	0	0	0	0	0
245- 254-----	80	55	40	30	20	10	0	0	0	0	0
255- 264-----	80	60	45	35	25	15	0	0	0	0	0
265- 274-----	80	65	50	40	30	20	5	0	0	0	0
275- 284-----	80	70	55	45	35	25	10	0	0	0	0
285- 294-----	80	75	60	50	40	30	15	5	0	0	0
295- 304-----	80	80	65	55	45	35	20	10	0	0	0
305- 314-----	80	80	70	60	50	40	25	15	5	0	0
315- 324-----	80	80	75	65	55	45	30	20	10	5	0
325- 334-----	80	80	80	70	60	50	35	25	15	10	0
335- 344-----	80	80	80	75	65	55	40	30	20	15	0
345- 354-----	80	80	80	80	70	60	45	35	25	20	0
355- 364-----	80	80	80	80	75	65	50	40	30	25	0
365- 374-----	80	80	80	80	80	70	55	45	35	30	0
375- 384-----	80	80	80	80	80	75	60	50	40	35	0
385- 394-----	80	80	80	80	80	80	65	55	45	40	0
395- 404-----	80	80	80	80	80	80	70	60	50	45	0
405- 414-----	80	80	80	80	80	80	75	65	55	50	0
415- 424-----	80	80	80	80	80	80	80	70	60	55	0
425- 434-----	80	80	80	80	80	80	80	75	65	60	0
435- 444-----	80	80	80	80	80	80	80	80	70	65	0
445- 454-----	80	80	80	80	80	80	80	80	75	70	0
455- 464-----	80	80	80	80	80	80	80	80	80	75	0
465 or over-----	80	80	80	80	80	80	80	80	80	80	80

SEC. 16. Section 2182 of said code is amended to read:

2182. If any applicant or recipient is dissatisfied with the action of the [board of supervisors] *Division of State Aid to the Aged*, he shall, upon filing a petition with the State [Department of] *Social Welfare Board*, have the right of appeal and shall be accorded an opportunity for a fair hearing. The [Social Welfare Department shall set such] appeal *shall be set* for hearing before the State *Social Welfare Board* and [shall give] all parties concerned *shall be given* written notice of the time and place of such hearing. At such hearing the applicant or recipient may appear in person with counsel of his own choosing or in person and without such counsel.

The State *Social Welfare Board* shall consider the appeal, and shall dismiss the appeal or award aid as prescribed in this chapter. The [county board of supervisors] *Division of State Aid to the Aged* shall then pay to such aged person the sum awarded, if any, by the State *Social Welfare Board*, the payments, if awarded, to commence from the date the applicant was first entitled thereto.

Payments of aid shall be commenced as of the first day of the month in which the application is granted, unless otherwise directed by the State *Social Welfare Board* in cases in which an appeal is taken; but in no event shall the aid commence prior to the date of application.

An applicant whose application for aid under this chapter has been rejected may not again apply for such aid until the expiration of one year from the date of the previous application, except with the consent of [the county or an order of] the State Department of *Social Welfare*.

If the applicant or recipient feels himself aggrieved by any decision of the State *Welfare Board*, he may file with the superior court of the county in which he resides,

a petition, praying for a review of the entire proceedings in the matter, upon questions of law involved in the case.

SEC. 17. Section 2183 of said code is amended to read:

2183. [If the application for aid is granted, the clerk of the board of supervisors shall report the fact to the auditor of the county.] All payments of aid under this chapter shall be made monthly in advance by the [treasurer of the county] department. [A county] *The Division of State Aid to the Aged* shall have a period of 90 days after the date of application within which to determine whether or not the applicant is eligible for assistance, and the aid shall be granted to him from the first day of the month in which the determination is made that he is eligible but in no event shall the aid commence prior to the date of application. If the investigation is not completed at the end of the 90-day period, the investigation shall continue until completed and if eligibility is established, aid shall begin as of the first day of the month following the end of the 90-day period.

Such payment shall be paid by warrant and shall be delivered to the applicant at his residence if he so requests. If the recipient of old age assistance is, on the testimony of reputable witnesses, found incapable of taking care of himself or his money. [upon recommendation of the board of supervisors and with the approval of the Department of Social Welfare] the aid authorized in this chapter may be paid to any responsible person acceptable to the recipient for the benefit of the recipient of this aid, but it shall be unlawful for the [board of supervisors] *Division of State Aid to the Aged* to order any part of the aid granted under this chapter to be paid in the form of merchandise orders for food, rent or otherwise.

SEC. 18. Section 2184 is added to said code, to read:

2184. Whenever a warrant for aid under this chapter has been lost or destroyed before it has been paid, the amount due thereon may be recovered by the payee by filing with the State Controller an affidavit setting forth the fact of the loss or destruction of the warrant, together with all material facts relative thereto known to the affiant, the amount, the name of the payee, and the date and number of the warrant if the same are known to the affiant. Upon receipt of the affidavit, and without the filing of any bond by the payee, the State Controller shall issue and deliver to the payee of the original warrant a duplicate warrant for the full amount of the original warrant, and the State Treasurer shall pay the duplicate warrant in lieu of the original warrant.

A warrant shall be considered to have been lost if it has been mailed, and has not been received by the addressee within 20 days after the date of mailing.

SEC. 19. Section 2186 of said code is amended to read:

2186. During such time as grants in aid are provided or made available by the United States Government for old age assistance in this State, the State Treasurer shall pay to [each county] *the State Department of Social Welfare* from the sums so granted (1) an amount which shall be used exclusively as old age assistance equal to one-half of the total of the sums expended therefor under this chapter, not counting so much of such expenditure with respect to any individual for any month as exceeds the maximum fixed by the United States Government in granting or making such sums available, and not counting so much of such expenditure as represents aid granted to any individual who has not attained the minimum age specified by the United States Government in granting or making such aid available; and (2) an additional amount equal to [such county's proportionate share of] any amount so granted or made available to this State by the United States Government for the costs of administering such aid, which additional amount shall be used exclusively for paying such administration costs. [The State Department of Social shall determine the portion of the amount so granted or made available for administration costs to be paid to the counties, which portion shall be not less than one-half of the amount so granted or made available. The State Department of Social Welfare shall adopt rules and regulations which shall be of uniform application for determining the proportionate shares of the respective counties of the portion so determined to be paid to such counties.]

SEC. 20. Section 2187 of said code is amended to read:

2187. From the sums appropriated therefor by the State of California in Section 2021 of this chapter, the State Treasurer shall pay to [each county] *the State Department of Social Welfare* an additional amount which shall be used exclusively for aid to needy aged equal to [one-half of] the remainder of the sums expended by the [county] department as aid to the needy aged under this chapter, after deducting from the sums so expended the amount paid to the [county] department under subdivision (1) of Section 2186 of this code [, except that the State shall pay the county the full amount of aid granted any person otherwise qualified who has resided in the State for the required period and who has no county residence, after deducting the amount paid with respect to such person under subdivision (1) of Section 2186 of this code.]

SEC. 21. Section 2187.5 is added to said code, to read:

2187.5. (a) For each aged person having county residence as provided in this chapter who receives aid from the State the county shall reimburse the State at the following monthly rates:

(1) For each such person receiving the maximum amount of aid, at the monthly rate of ten dollars (\$10).

(2) For each such person receiving less than the maximum amount of aid, at that monthly rate which bears such proportion to ten dollars (\$10) as the amount of aid received by the person bears to the maximum amount of aid.

(b) The State Department of Social Welfare shall report monthly to the board of supervisors of each county, relative to aid to residents of the county during the preceding month, the number of applications granted, and the grants of aid changed, revoked, or suspended under this chapter by the department, together with copies of all applications received and a statement of the action of the department thereon.

(c) Each county auditor shall include in his semiannual State settlement report to the State Controller the amount due from the county to the State under the provisions of subdivision (a) of this section, and the county treasurer, at the time of the semiannual settlement with the State, shall pay to the State Treasurer, upon the order of the Controller, the amounts so due.

SEC. 22. Section 2188 of said code is amended to read:

2188. The method of computing and paying the amounts provided for in Sections 2186 and 2187 for each quarter shall be as follows:

(a) The State Department of Social Welfare shall, prior to the beginning of each quarter, estimate the amount [to be paid for such quarter to each county under the provisions of Sections 2186 and 2187, such estimate to be based on a report filed by each county containing (1) its estimate of the total sum] to be expended in such quarter in accordance with the provisions of this chapter [, and stating the amount appropriated or made available by the county for such expenditures in such quarter, and if such amount is less than that portion of the total sum of such estimated expenditures which is required under this chapter to be paid by each such county, the source or sources from which the difference is expected to be derived; (2) records showing the number of aged individuals receiving aid under the authority of this chapter in the county; and (3) such other information and investigation as the State Department of Social Welfare may find necessary.

(b) The State Department of Social Welfare shall then certify to the State Controller the amounts so estimated by it for each county], reduced or increased as the case may be, by any sums by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the [county] *department* under this chapter for such quarter, except to the extent that such sum has been applied to make the amount estimated by the State Department of Social Welfare for such prior quarter.

(c) The State Controller shall thereupon draw the necessary warrants, and prior to audit or settlement by [the State Department of Social Welfare and] the State Controller, the State Treasurer shall pay to the [treasurer of each county] *State Department of Social Welfare* the amount so certified.

Upon the order of the Department of Social Welfare, the amount approved for the quarter may be paid in monthly installments, and, if paid in monthly installments, all necessary adjustments for the prior quarters shall be made by additions or deductions from the allowance for the first month of each new quarter or in the manner prescribed by the State Department of Social Welfare.

SEC. 23. Section 2200 of said code is amended to read:

2200. Any recipient of aid under this chapter who removes from one county to another county in this State shall be entitled to [aid, upon the first day of the first month beginning after the date upon which he attained residence of one year in the county to which he has so removed, unless the day upon which he attains one year of residence is the first day of the month, in which event the transfer of costs shall take place upon this day; the removal of any person receiving aid hereunder from one county to another within this State shall not work a forfeiture during such one year period of the] *continue to receive the aid previously awarded under this chapter.*

For the purposes of [this section] *determining the county residence of any such person, and the county liability to repay the State a share of the aid granted to him,* it is presumed that the period of time for the acquisition of one year's residence in the county to which the person has removed shall start to run upon the date of removal from the county in which he has previously acquired a residence. Any residence once acquired is presumed to continue unless terminated by a subsequent act of the recipient. The county to which such person has removed shall provide the necessary medical or hospital [, or both,] care, *or both,* if needed during the one-year period of establishment of residence under this section. The county providing such medical or hospital [, or both,] care, *or both,* may demand payment of the county [granting the aid] *from which the recipient has removed* in an amount not in excess of the cost thereof and it shall be a proper charge and the duty of the county [granting the aid under the provisions of this section] *from which the recipient has removed* to pay such medical or hospital charges, or both.

If a recipient returns to the county [granting him aid] *from which he removed*, after an absence of less than one year, he shall not be deemed to have lost his residence therein.

SEC. 24. Section 2220 of said code is amended to read:

2220. The [board of supervisors] *State Department of Social Welfare* may for cause [, and upon instructions so to do by the State Department of Social Welfare, shall,] cancel, suspend, or revoke aid. [Upon the suspension of aid by the board of supervisors, an immediate report of every suspension shall be made to the State Department of Social Welfare stating the reason for the suspension and showing the action of the board of supervisors in approving the suspension.]

SEC. 25. Section 2221 of said code is amended to read:

2221. If at any time, the State department has reason to believe that aid to the aged has been obtained improperly, it [shall cause] *may make* special inquiry [to be made] and may suspend payment of any installment pending the inquiry. [It shall notify the board of supervisors of such suspension.] If it appears upon inquiry that the aid was obtained improperly, it shall be canceled by the State department, but if it appears that aid was obtained properly, the suspended payments shall be payable.

SEC. 26. Section 2222 of said code is amended to read:

2222. If, at any time during the continuance of aid, the recipient thereof or the husband or wife of the recipient becomes possessed of any property or income in excess of the amount allowed under the provisions of this chapter, the recipient shall immediately notify the [board of supervisors] *State Department of Social Welfare* of the receipt and possession of such property or income. The [board] *State Department of Social Welfare may* [, on inquiry and with the approval of the State Department of Social Welfare,] either cancel the aid or vary the amount thereof in accordance with circumstances. Any excess aid theretofore paid shall be returned [, in equal proportions] to the State *and the Federal Government* and the county [participating in the granting of such aid and shall be recoverable] , *if the county participated, in the proportion that each contributed to the support of the case. The amount due may be recovered* as a debt due [proportionately] to the State [and such county] *of California*.

SEC. 27. Section 2223 of said code is amended to read:

2223. If, on the death of a recipient of aid under this chapter, it is found that he was possessed of property or income in excess of the amount allowed under the provisions of this chapter and that he has not disclosed the same to the [board of supervisors] *State Department of Social Welfare*, double the amount of the aid paid him in excess of that to which he was legally entitled may be recovered by the Department of Social Welfare as a preferred claim from his estate and upon recovery shall be repaid to the county, to the State, and to the United States Government in accordance with the provisions of Section 2024.

SEC. 28. (a) After this act becomes operative, no applications for aid under the Old Age Security Law shall be received by any county with respect to any person who is not upon the operative date receiving assistance under the Old Age Security Law, but all such applications shall be received and administered by the Division of State Aid to the Aged in the State Department of Social Welfare.

(b) With respect to every person who is receiving aid under the Old Age Security Law on the operative date or who has applied for such aid prior to the operative date and whose application is pending on the operative date, the county administering the case or in which the application was filed, as the case may be, shall administer the case, in accordance with the provisions of the Old Age Security Law as amended by this act, as the agent of the State Department of Social Welfare and subject to the supervision and control of the State Department, until the case is transferred to the Division of State Aid to the Aged. The transfer of cases shall be immediately undertaken by the Division of State Aid to the Aged upon the operative date of this act, and the transfer of all cases within this subdivision shall be completed not later than the first day of the third month following the operative date. Until the case is transferred to the Division of State Aid to the Aged, the county administering the case shall be reimbursed by the State Department of Social Welfare for all moneys advanced or expended by the county as agent for the Department of Social Welfare, including both the direct and the administrative costs incurred by the county in administering the case. Such reimbursement shall be made from the moneys appropriated to the Department of Social Welfare by Section 2021 of the Welfare and Institutions Code, as amended by this act, and from any other moneys available to the department for administration of aid to the aged or for the support of the department. The Department of Social Welfare shall by rule and regulation establish a procedure for such reimbursement.

(c) Upon the operative date the Division of State Aid to the Aged in the State Department of Social Welfare shall succeed to and be entitled to the possession and control of all county records, books, papers, equipment, and other personal property used in connection with the administration of the Old Age Security Law, and the counties shall give the Division of State Aid to the Aged possession of such records, books,

papers, equipment, and other personal property at the same time that the cases administered by the counties to which such records, books, papers, equipment and personal property relate are transferred to the Division of State Aid to the Aged.

SEC. 29. This act shall become operative on the first day of the month next succeeding the ninetieth day after the final adjournment of the Fifty-fifth Legislature of California.

SENATE BILL

No. 974

INTRODUCED BY SENATOR DONNELLY

January 30, 1943

REFERRED TO COMMITTEE ON REVENUE AND TAXATION

An act to raise revenue and to provide for the payment of annuities therefrom.

The people of the State of California do enact as follows:

SECTION 1. The term "gross income" means the gross receipts of the taxpayer received as compensation for personal services and the gross receipts of the taxpayer derived from trade, business, commerce, or the sale of tangible or intangible property and including interest, dividends, discounts, rentals, royalties, fees, commissions, bonuses, or prizes or any other emoluments however designated and without any deductions on account of the cost of property sold, the cost of materials used, labor employed, taxes, royalties, interest or discount paid, or any other expenses whatsoever.

SEC. 2. When used in this act the term "wages" means all remuneration for employment, including the cash value of all remuneration paid in any medium other than cash.

SEC. 3. The term "State Welfare Board" means the present State Welfare Board of the State of California.

SEC. 4. The term "property" means real and/or personal property and includes stocks, bonds, and choses in action: It includes also any right, interest, or estate whatsoever in such property.

SEC. 5. The term "persons" or "companies" shall include every individual, partnership, society, unincorporated association, joint venture, group, joint-stock company, corporation, trustee, executor, administrator, trust estate, decedent's estate, trust or other entity, whether doing business for itself or in a fiduciary capacity, and whether the individuals composing it are residents or nonresidents of the United States and whether the corporation or other association is created or organized under the laws of the United States or of another jurisdiction.

SEC. 6. The term "California," when used in a geographical sense, means all areas in the State of California; and the term "employee" includes an officer of a corporation.

SEC. 7. In addition to all other excises, duties or taxes, there shall be levied, collected, and paid a premium of 2 per cent of the gross income of all persons or companies derived from any and all sources, over and above one hundred dollars (\$100) for each calendar month. Such one hundred dollars (\$100) shall be deducted monthly if received as wages or salary, and may be deducted on quarterly, semiannual or annual basis if derived on any other basis.

SEC. 8. The premiums imposed by this act shall be collected by the State Welfare Board and shall be paid into the treasury of the State of California and allocated to a special fund solely for the purpose of this act.

SEC. 9. The State Welfare Board may distrain any goods, chattels, or intangibles, represented by negotiable evidences of indebtedness, of any premium payer who is delinquent under this act, for the amount of all premiums, penalties and interest accrued and unpaid hereunder.

SEC. 10. The State Welfare Board shall be empowered to designate the manner and place for filing returns and payment of premiums, and shall provide such forms and instructions as may be necessary for the proper administration of this act.

SEC. 11. The premiums shall be computed on the total gross income of all persons and companies at the end of each calendar month, and a complete return must be filed with the State Welfare Board before the twentieth day of the calendar month following the month in which the premium accrues, unless no premium is due under the exemptions as provided in Section 7.

SEC. 12. All remittances of premiums imposed by this act shall be made to the place designated by the State Welfare Board on or before the twentieth day of the second month after they accrue; such returns shall be verified by the oath of the premium payer if an individual, or by oath of an officer or director, if made in behalf of a company. If made in behalf of a partnership, firm, society, unincorporated association or group, joint venture, joint-stock company, corporation, trust estate, decedent's estate, trust, or other entity, any individual delegated by such partnership, firm, society, unincorporated association or group, joint venture, joint-stock company, corporation, trust estate, decedent's estate, trust or other entity shall make the oath in behalf of the premium payer. If for any reason it is not practical for the individual premium payer to make the oath, it may be made by any duly authorized agent, who shall then be held entirely responsible for the correctness of such return.

SEC. 13. If the premium payer shall make any error in computing the premium assessable against him the State Welfare Board shall correct such error, reassess the proper amount of premium and notify the premium payer of its action by mailing to him promptly, by registered mail, return receipt requested, a copy of the corrected assessment, and any additional premium for which such premium payer may be liable shall be paid within 10 days after the receipt of such notice.

SEC. 14. If the amount already paid exceeds that which should have been paid on the basis of the premium so recomputed, the excess so paid shall be immediately refunded to the premium payer by the State Welfare Board out of the funds collected under this act. The premium payer may, at his election, apply an overpayment credit to premiums subsequently accruing hereunder.

SEC. 15. If any person having made the return and paid the premium as provided by this act feels aggrieved by any assessment so made upon him for any specified period by the State Welfare Board, he may appeal from said assessment by filing a petition in the manner provided by law.

SEC. 16. The State Welfare Board shall enforce the payment of the premiums required by this act to be paid, and shall promptly deposit in the State treasury all moneys received by it through or from the collection of such premiums.

SEC. 17. The provisions of this act shall not apply to the following persons: (1) Fraternal benefit societies, orders, or associations, or for the exclusive benefit of the members of the fraternity itself, operating under the lodge system, and providing for the payment of death, sick, accident, or other benefits to the members of such societies, orders, or associations, and to their dependents or beneficiaries; (2) corporations, associations, or societies organized and operated exclusively for nonprofit, religious, charitable, scientific, or educational purposes; (3) business leagues, chambers of commerce, labor organizations, boards of trade, civic leagues, and other similar organizations operated exclusively for the benefit of the community and for the promotion of social welfare, and not for commercial trading in any form, and from which no profit inures to the benefit of any private stockholder or individual; (4) hospitals, infirmaries, and sanatoria, from which no profit inures to the benefit of any private stockholder or individual; (5) amounts received under life-insurance policies and contracts paid by reason of death of the insured; (6) amounts received under property-insurance policies; (7) amounts received by any person under any accident-insurance or health-insurance policy or contract or under workmen's compensation acts or employer's liability acts, as compensation for personal injuries, death, or sickness, including also the amount of any damages or other compensation received, whether as a result of action or by private agreement between the parties on account of such personal injuries, death, or sickness; (8) amounts received by any person as compensatory damages for any tort injury to him, or his character or reputation, or received by any person as compensatory damages for any tort injury or destruction to property, whether as the result of action or by private agreement between the parties; except amounts received by any person as punitive damages for tort injury or breach-of-contract injury; (9) amounts received by any person as a benefit payment so-called or like payments by virtue of acts passed by the Congress of the United States relating thereto and disbursed to others as such benefit payment; but the State Welfare Board may by regulation require any such deductions to be set forth specifically by the taxpayer in his return: Provided, however, that exceptions, (1) to (9) inclusive, shall apply only to the gross income received from nonprofit activities.

SEC. 18. It shall be unlawful for any person to refuse to make any returns provided for in this act; or to make any false or fraudulent return, or false statements in any return with intent to defraud the State of California, or to evade the payment of the premium imposed by this act or any part thereof; or for any person to aid or abet another in any attempt to evade the payment of the premium imposed by this act or any part thereof; or for any officer or director of any company to make, or permit to be made, or any company, corporation, association, or other legal entity to make any false return, or any false statement in any return required by this act, with the intent to evade the payment of any premium hereunder. Any person violating any of the provisions of this act shall be guilty of a felony, and, upon conviction, shall be fined not more than ten thousand dollars (\$10,000) or by imprisonment not exceeding 10 years,

or both. In addition to the foregoing penalties, any person who shall knowingly swear to or verify any false or fraudulent return, or any return containing any false or fraudulent statement, shall be guilty of the offense of perjury, and, on conviction thereof, shall be punished in the manner provided by law. Any corporation for which a false return, or a return containing a false statement, shall be made, shall be guilty of a felony and shall be punished by a fine of not more than ten thousand dollars (\$10,000). If the premium imposed under this act is not paid when due, there shall be added as part of the premium, interest at the rate of one-half of 1 per cent per month, from the date the premium became due until it is paid.

SEC. 19. There is hereby created an account of the treasury of the State of California to be known as the General Welfare Account, hereinafter referred to as the "account." There are hereby authorized to be appropriated annually amounts equal to the estimated revenue derived under this act. On the twentieth day of the month succeeding the month in which this act is enacted, and on the twentieth day of each calendar month thereafter, there shall be credited to the account a sum equal to the amount of revenue to be collected under the provisions of this act, as indicated by the returns filed during the preceding calendar month. Such sums shall be available for making the payments as hereinafter provided. The State Treasurer shall submit annually to the State Welfare Board an estimate of the appropriations to be credited to the account.

SEC. 20. Amounts estimated by the State Treasurer to be necessary for monthly expenditures in the administration of this act shall be deducted from amounts credited to the account each month. The remaining amount credited to the account for each month shall be prorated and paid monthly to each qualified annuitant for the first month after the amounts are credited to the account except that no payment shall exceed one hundred dollars (\$100) for any one month. Any surplus remaining in the account after the maximum monthly payments are made to each such annuitant shall be applied toward the liquidation of the State debt, if any exists, until the State debt is paid, after which it shall go into the General Fund of the State.

SEC. 21. Every citizen who is 60 years of age or over, and every physically incapacitated person unable to sustain himself, shall, upon filing an application under oath as hereinafter provided, be entitled to receive an annuity payable in monthly installments during the remainder of his life, or until he is physically able to sustain himself.

SEC. 22. (a) The annuity shall be spent within California for goods or services (except gambling), giving preference to commodities grown, produced, or manufactured within California and for services rendered by citizens of the United States in the State of California.

(b) Each installment of the annuity shall be spent by the annuitant within 30 days of the time of its receipt.

(c) An annuitant shall not engage in any occupation, business, or other activity from which a profit, wage, or other compensation is realized or attempted, except that nothing in this act shall be construed to prohibit an annuitant from collecting interest, rents, or other revenues from his own investments. No annuitant shall support an able-bodied person in idleness except a spouse. No annuity shall be paid to any person for any period that such person is forcibly confined in a penal institution or an institution for mental incompetents, and no person shall be entitled to an annuity when released, until a new application is approved for him.

(d) Any annuitant may waive all or any part of his right to an annuity under this act by filing a notice thereof with the State Welfare Board in such manner as it shall prescribe. Any such waiver shall not affect the right of any person to apply for an annuity at any time thereafter.

(e) Any sum received by an annuitant which represents the proceeds of a sale of any real property acquired through the use of money received as an annuity under this act shall be expended by the annuitant within six months after the receipt of such proceeds of such a sale.

(f) An annuitant shall not pay to any person any salary, wages, or other compensation in disproportion to the services rendered.

(g) It shall be the duty of each annuitant while receiving an annuity to pay his just obligations for purchases, rents, or services rendered, and to pay at least 10 per centum of any monthly installment on just obligations incurred before such annuitant received any money under this act.

(h) Each annuitant shall covenant and agree in his application for an annuity to comply with all the provisions of this act and all rules and regulations prescribed by the State Welfare Board to carry out the provisions of this act.

SEC. 23. (a) Payments of the amounts due to each annuitant under this act shall be made at regular monthly intervals so that the payments will be in possession of each annuitant as near the first day of each month as possible.

(b) The State Welfare Board shall furnish application blanks and other necessary forms to their branch offices, for distribution to persons who wish to apply for benefits under this act.

(c) Applications for annuities and any returns required to be made by an annuitant may be filed in local State Welfare Board offices and forwarded by them to the State Welfare Board. Welfare Board employees designated by them and notaries public

shall have power to administer oaths where required under this act and may collect a fee of twenty-five cents (\$0.25).

SEC. 24. (a) State Welfare Board is authorized and directed to prescribe such rules and regulations as may be necessary to carry out the provisions of this act.

(b) The State Welfare Board is hereby empowered to call upon other departments or agencies of the State to aid in the administration of this act.

(c) The State Treasurer is also empowered to make adjustments with respect to the time in which installments shall be expended in case payments to any person may have been delayed and there is an accumulation of two or more installments.

SEC. 25. The right to receive any payment under this act shall not be transferable or assignable, at law or in equity, and none of the moneys paid or payable or rights existing under this title shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law.

SEC. 26. Whenever any person, in an application or when making a payment under this act knowingly or wilfully makes a false statement of a material fact, or fails or refuses to obey any rule, or regulation, issued by the State Welfare Board under this act, or violates any provision of this act, shall be prosecuted by the Attorney General in the court in the county in which the offense occurred, and upon conviction the annuitant shall forfeit for the remainder of his life one-fourth of the annuity to which he would otherwise be entitled each month, but shall suffer no other penalty, regardless of the number of counts on which he was convicted. Upon a subsequent commission and conviction for such misdemeanor he shall forfeit an additional one-fourth of the annuity to which he would otherwise have been entitled, for a third conviction, another one-fourth, and for a fourth conviction he shall forfeit entirely his right to any annuity under the terms of this act.

SEC. 27. All acts or parts of acts in conflict with the provisions of the act are hereby repealed to the extent of such conflict.

SEC. 28. Any person who accepts an annuity under this act shall not be entitled, for any period that such annuity is received, to any pension, unemployment insurance, or other benefit to which he would otherwise be entitled under State law.

SEC. 29. If any part of this act is held to be unconstitutional, it shall not affect the validity of any other part of this act.

APPENDIX 9(c)

SENATE CONSTITUTIONAL AMENDMENT

No. 12

INTRODUCED BY SENATORS TENNEY AND SHELLEY

January 26, 1943

REFERRED TO COMMITTEE ON WELFARE AND INSTITUTIONS

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Article XVIa thereto, relating to pensions.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California, at its Fifty-fifth Regular Session commencing on the fourth day of January, 1943, two-thirds of all the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Article XVIa thereto, to read:

Article XVIa

Pensions

Section 1. The Legislature shall have power to provide for the payment of pensions to disabled or aged citizens of the United States who reside in this State, and who have such qualifications in respect to age, length and place of residence, property holdings, and income, as the Legislature may prescribe. The Legislature shall have power to provide by taxation the necessary funds for the payment of such pensions, whether such pensions are paid by the State, or by the Federal Government and the State jointly.

Sec. 2. If the Federal Government establishes a uniform Nation-wide retirement system of old-age pensions for citizens of the United States not less in amount than

the pensions provided by the State of California, such National pensions shall be in lieu of the State pension provided pursuant to this article; but if a National pension is provided in an amount less than the amount of the pension provided by the laws of the State of California, the Legislature shall provide for the payment of the difference between the amount of the National pension and the amount of the pension provided by State law, such payments to be administered and the conditions of eligibility therefor to be as provided in this article.

Sec. 3. No applicant for or recipient of a pension shall be denied a pension because of the property holdings or income of any other person, whether child, spouse, or other relative, of the applicant or recipient, or because of any provision of law requiring any such relative to support the applicant or recipient, or because of the financial ability of any such relative to support the applicant or recipient.

Sec. 4. Any recipient of a pension provided pursuant to this article shall be permitted to own, hold, or convey to others real estate, cash, or other personal property in such amount as the Legislature shall provide, without thereby becoming ineligible to receive the pension.

Sec. 5. Any recipient of a pension provided pursuant to this article may receive remuneration for his labor or services, or rentals of property owned by him, in any amount provided by the Legislature, without thereby becoming ineligible to receive the pension.

Sec. 6. Any legislation providing pensions pursuant to this article shall be administered by a department established for that purpose, which shall be separate and distinct from any agency or organization engaged in the administration of laws governing the distribution of public or private charity. Any citizens' pension provided pursuant to this article shall be deemed a right accorded to citizens by virtue of their status as citizens, and the receipt thereof shall never be considered as an act of indigency or pauperism, nor shall any legislation granting such a pension be deemed to be nor administered as legislation providing aid to indigents or paupers.

Sec. 7. No pension granted to a citizen under legislation pursuant to this article shall be terminated except by the death of the pensioner, nor shall the amount of any such pension be reduced, until the pensioner has been granted a hearing before a court of record in the county in which he resides, and accorded full opportunity to defend his right to continue to receive the pension in the amount which has been granted.

Sec. 7.5. Any applicant for or recipient of a pension provided pursuant to this article who feels that he has been discriminated against by reason of any ruling by any administrative officer or body empowered by law to administer laws enacted pursuant to this article shall have the right, upon cause shown, to obtain a writ of review from any court of record in the county in which he resided at the time the action complained of occurred, and to have the question or questions judicially determined and proper relief granted.

Sec. 8. No grant of a pension to an aged person, or the enjoyment of a pension, shall create the relationship of debtor and creditor between a pensioner and the State of California, or any political subdivision of the State, save where the pension has been obtained by fraud. When a pension has been obtained by fraud, action may be maintained against the recipient, in such manner, and the person who obtained the pension fraudulently shall be subject to such penalties, as the Legislature may provide.

Sec. 9. No action shall be hereafter maintained in any court of the State of California against any person for the recovery of any sums heretofore or hereafter paid as a pension pursuant to this article, or as old-age assistance, except to recover such pensions or such assistance obtained by fraud.

APPENDIX 9(d)

PAY CHECKS OR PENSIONS FOR ALL

PAYROLL GUARANTEE ASSOCIATION

1095 Market Street, Room 418
SAN FRANCISCO, CALIFORNIA

1731 N. HIGHLAND AVE., HOLLYWOOD

Age Pension Stabilization Proposal Submitted to Governor Warren's Committee on Age Pensions

We quote Governor Warren from his statement of October 4, 1942:

The senior citizens of California have been deceived and misled long enough. They are entitled to pensions, not as a charity or a dole, but as a matter of right—as something they have earned in their productive years by their contributions to the upbuilding of the community. I do not believe a senior citizen should have to be in need in order to secure a pension. I do not believe he

should be forced to relinquish any outside income he may have or any property he may have acquired. I don't believe he should be forced first to look to his children for support. I do not believe that a pension should be longer considered or called "Old Age Charitable Relief."

It is not just the number of years people have lived that should determine their right to a pension, because many people are efficient and able to work to very advanced ages, but rather the limit beyond which they are not permitted to obtain productive employment because of the stern dictates of a machine age. In order to be both realistic and humane, therefore, we must proceed upon the theory that a system which arbitrarily freezes people out of industry and declares them to be obsolete, merely because they have lived a fixed number of years, must make honorable provision for their support during the years of their enforced idleness.

The State of California must proceed upon this principle, and in doing so adopt a new policy of promptness, courtesy and cooperation in dealing with its citizens who are entitled to pensions.

We quote from Governor Warren's address to the Associated General Contractors, Palace Hotel, San Francisco, December 11, 1942:

We must provide a job with good living wages for every person wanting work; and from the abundance these enthusiastic workers produce provide adequate pensions for those unable to work.

* * * I am creating in California a scientifically planned model State, after which the Nation and the world may pattern.

and again from the Governor's statement of February 17, 1943, given at the time of the naming of this committee:

Every thinking person must realize that old age security is our most fundamental social problem and that an industrial system which arbitrarily rules out productive employment because of age and irrespective of fitness must provide an honorable means of livelihood in lieu thereof.

GENTLEMEN: We are face to face with an economic, social, financial situation that is without parallel or precedent. It was born years ago. It grows apace. The business sag of the thirties which generated the acuteness of our social problems of unemployment and old age, has been temporarily offset in the forties by a stupendous pouring out of Federal Government tax-financed war material and supply orders which are now supporting the California economy to the extent of around \$10,000,000,000, so far.

Many of our younger people are out of private life now and in the services. We have less unemployment and more people on pay rolls than in any previous period. Less employable people but more people employed. For the first time women are being employed extensively in all crafts; they will not return to the kitchen voluntarily.

The 45-year hiring age limit which previously prevailed has been pigeonholed for the duration so that any man or woman who can walk without crutches may now find a place on the production line. Employment is still increasing. Unemployment is at low tide. The needy unemployment and old age case load is at a bottom below which it probably can not further recede, but prices and the cost of living are increasing despite all efforts at stabilization.

Every citizen of every age and of every employment or unemployment classification now carries a ration book in one pocket and a purse, we hope, in the other. Such goods as are available for civilian use are thus universally advertised as available to every person regardless of his or her financial status. Each has his basic ration, theoretically.

If we deal with old age aid as aid and not as pensions as a matter of right, we do so without reckoning the political and economic implications and the consequences which will follow almost before tomorrow's sunrise.

We have only about 150,000 persons in and above the 65-year age bracket reduced to pauperism, for whatever reasons, who are now being supplied out of tax moneys at an official rate of \$40 per month per person. This involves total tax money in the estimated amount of \$65,000,000 per 12 months, \$32,500,000 of which is Federal, \$16,300,000 State and \$16,200,000 county.

The cost of decent mere-existence for these people—even without anticipating further price increases—demands 50 or 100 per cent increase—all or nearly all of which would have to be raised out of State and county taxes because of the Federal aid contribution limit of \$20 per person per month—a total of not less than \$200,000,000 for the 1943-45 biennium—and that at the lowest case load point which may be by any means anticipated. What then of those under 65; what of those frozen out of their jobs in their late forties? What of those between 45 and 65 who, at the moment, find a few short months of temporary employment in war or allied work?

What of those younger men and women whom we hope will soon be returning from the services in high hopes for their peacetime future? Shall we, by the recommendations of this committee, deal with upper-age abject poverty and again postpone the

inevitable day of financial and political reckoning with the basic realities of the problem?

We submit that the solution either to the immediate present or to the immediate future problem is not to be found in any further raids upon the taxpayers. That cow is well nigh dry.

With the present demonstration of full employment resulting almost exclusively from Federal war orders, we ask also from the standpoint of industry, agriculture and business—where are the orders for produce and product to come from to replace the inevitable recession of war-generated orders which at the moment reduce our unemployment and our social case load to the present lows?

Far from any hope for reductions in the tax burden which social displacements have engendered the present burden must shortly become not only intolerable to the average taxpayer, but an insuperable impediment to private enterprise and to competitive trade intercourse with low standard areas in America or abroad.

Cost of production efficiencies brought forth by the remarkable intelligence of the workman, the engineer, the scientist and of management must not and need not be canceled out by a system of taxes, tax assessments and tax accounting constantly aggravated by old age unemployed people who are the end product of those very efficiencies.

The way is simple enough. It leads to placing age pensions on the assets side of the taxpayers' ledger instead of on the liabilities side. The Payroll Guarantee Association, whom I represent, proposes:

1. That private enterprise, public works and government shall employ as many people as in their judgment may be required for the efficient conduct of such undertaking; that employment preference be given to younger men and women.

2. That those remaining after manpower demands have been satisfied will be men and women who temporarily or permanently have been functionally disqualified and arbitrarily frozen out as unemployable for reasons of age or disability.

3. That all unemployed who have resided in California for some prescribed duration shall be granted pensions.

4. That since responsibility for disemployment does not necessarily rest with the applicant no burden of proof of his right to a pension shall exceed his or her affidavit as to residence requirements and that weekly application to the nearest employment office for employment suitable to his or her qualifications has resulted in no employment during the four weeks immediately preceding his or her original application for pension.

5. We propose that pensions should be of two classes—temporary and permanent.

6. That pension payments must at all times represent purchasing power equivalent to \$20 a week at the price level which prevailed in January, 1942, as determined by Heller Reports, University of California, United States Department of Labor and other recognized statistical authority.

7. That "permanent" irrevocable pensions shall begin at an arbitrary age which is five years above the prevailing employment age level established by industrial practice.

8. That "temporary" pensions shall begin at the arbitrary permanent age and be reduced automatically by units of six months each as, for example, from age 50 to age 49 years and six months—then to age 49 years and so on down until the number of applicants for pensions whose age is below the current temporary pension age bottom exceeds the total number of men and women in the next succeeding lower six months age group.

9. That as and when demands for manpower exceed the supply of available workers then those temporary pension recipients in the lowest six months age group whose qualifications for work are in demand shall be obligated to accept such employment and be stricken from the pension rolls with the privilege of being returned to the pension rolls immediately upon further cessation of their work assignment.

10. That all paid employment shall be reserved as opportunities for younger people. That pensions must be really adequate and that pension recipients be required to abstain from odd-job extra income except in periods officially declared to be of public emergency.

11. We strongly emphasize that California should not be made a mecca for the elders of other areas but that it should be operated as a safe haven for those whose extended years of residence and service in this State yet finds them without further opportunity for productive earnings.

12.—We submit that such a program by stabilizing basic income will at once stabilize not only the social but more particularly the economic environment so necessary to the health of sound industrial, agricultural and business development.

13.—We propose that such a stabilization program be financed by a line of credit which the State of California will establish with the banks of California and that this Stabilization Exchange Fund shall be used exclusively for the payment of pensions.

14.—We propose that an account shall be opened in the nearest bank for each pension recipient and that the State shall "deposit" to the account of each pension recipient each week, the amount of the pension due for that week.

15—We propose that each pension recipient shall draw "Stabilization exchange checks" on his account in bank in payment for his supplies and that his stabilization account will then be debited to the account of the pension recipient and credited to the merchant, the landlord or the supplier in whose favor the pensioner's check is drawn.

16—We propose that the merchant will then draw "Stabilization checks" against his "Stabilization exchange account" in settlement of his bills payable and so on.

17—We propose that receipts of "Stabilization exchange" shall not be regarded as income and not subject to income taxes and that merchandise distributed by means of stabilization exchange shall not be subject to sales or use or excise taxes.

18—We propose that the bank shall debit each private "Stabilization exchange" account 2 per cent and credit the State stabilization exchange account 2 per cent at the close of business on some prescribed day each week to the end that all drafts by the State on its line of "Stabilization credit" at bank shall be liquidated and canceled out 50 weeks after the drafts are made.

19—We propose that by this method all financial costs of pensions are in effect paid out of the business generated by pensions and not out of taxes assessed against real or personal property and not out of taxes assessed against sales or ordinary income.

20—We propose the example of a grocer who takes \$100 worth of stabilization exchange checks. Assuming that he does not immediately transfer this credit to his wholesaler or other supplier, the grocer's account at bank would be debited 2 per cent at the fiscal week end. The grocer has transferred \$100 of merchandise at an expense of \$2. If the grocer does transfer the \$100 credit to his wholesaler within the week then the 2 per cent debit would be charged to the account of the wholesaler and \$100 at retail and another \$100 at wholesale of business will have been done for a total cost of \$2 or an average of 1 per cent on the turnover. Let this occur once each week for the ensuing year and the total debits at 2 per cent weekly will cancel out the credit while in that same period that \$100 worth of stabilization credit, passing from merchant to wholesaler to farmer to merchant, will account for the transfer to 50,000 worth of goods and services and each merchant or farmer has enjoyed whatever his profit markup is, minus 2 per cent.

21—We propose that this method will take care of the immediate need on a matter of right basis and thus meet Governor Warren's objective and not on a dole or charity basis, which must be abhorrent to every American. We propose further that this method holds the answer to where are the orders to come from to take the place of the soon-to-end government war orders which now sustain our economy.

22—We ask bold foresight in the matter of a million or more people who will be looking for nonexistent jobs in California at war's end—people with ration books but little or no money left over.

PAYROLL GUARANTEE ASSOCIATION

By ROY G. OWENS, Engineer Economist

APPENDIX 9(e)

CITIZENS' COMMITTEE FOR OLD AGE PENSIONS

527 West Eighth Street
Los Angeles, California

MARCH 18TH, 1943

*To the Members of the Fifty-fifth Legislature
of the State of California*

Statement

For the past two years the members of the board of trustees of the Citizens' Committee on Old Age Pensions have been engaged in an active exploration of conditions surrounding the lives of old age pensioners of California. By word of mouth and by thousands of letters the senior citizens have told us of the way of their lives, not in the spirit of complaint but with the seasoned courage to meet every condition which may confront them. They have even smiled at the telling of their efforts to stretch their small incomes to win the comforts of life.

We have discussed with these senior citizens the difficulties they have met as old age pensioners and we are in possession of the facts. These difficulties do not all arise from the limited amount of pension payments. They must also carry the mental burden of worry over trying provisions of existing law. They have been harassed and even persecuted by unfeeling social welfare visitors whose sole qualifications are political pull for county appointments. The cause of old age pensions has too long been a football in the political arena of local governments. Anyone who has been in personal touch with these old age pensioners must realize the demand for a change in the administration of the law.

A Prayer

In the name of thousands of old age pensioners throughout the State we beg consideration for their present condition and action looking to their immediate relief.

We respectfully represent that 50 per cent or more of the \$40 monthly income of the old age pensioners of California goes to the purchase of foodstuffs. We represent, and challenge successful contradiction, that a dollar today in California will buy not more than half as much human food as it would two years ago.

We represent that the Federal Government surplus commodity food stamps, which enabled the old age pensioners of California to purchase half as much food again with their dollar, have been withdrawn.

We represent that the ever increasing cost of living and the withdrawal of the surplus commodity food stamps, has reduced these old age pensioners of California to a starvation diet which they can not long survive.

Responsibility for their immediate relief rests with the State. This can be accomplished through urgency legislation increasing the amount of pension payments, and to take effect not later than April 1, 1943.

We pray that in the name of the people of the State of California, you share in the enactment of such legislation as a temporary measure of relief. We feel that you will do your part.

Permanent Legislation

The old age pension system of California can be put upon a humane and adequate basis through simple amendments to existing law. There is no present need to resort to any scheme for raising additional money. It is well within the ability of the State to meet larger payments for old age pensions. Governor Warren has stated that in these days people can not live on \$40 a month. Then there is nothing left to do except for the State to increase its contribution to the payment of old age pensions. There is no alternative in the liberal State of California.

Sixty Dollars a Month

"We must give full consideration to the continuing advance in the cost of living and to the fact that people can not now live on \$40 a month."—Governor Earl Warren.

Our study of conditions has convinced us that an old age pension payment of \$60 a month should be provided. It is true that in these days of higher costs this sum will afford only a skimpy living for the modest demands of these older people, but it is to be hoped that conditions will change with the coming of peace. It is also to be considered that under changes in existing laws the old age pensioners of California who still possess the physical strength, will be permitted to augment their income by casual employment. In normal times a total payment of \$60 a month is the lowest possible sum to maintain an old age pensioner in reasonable comfort and investigations that might last over years would prove nothing to the contrary.

Sixty Years of Age

"An industrial system which arbitrarily rules out productive employment because of age and irrespective of fitness must provide an honorable means of livelihood in lieu thereof."—Governor Earl Warren.

Private industry, as though by stated agreement, has adopted a rule that it will give employment to no person who is 40 years old or more. In some respects this rule has been relaxed in the quest for manpower for wartime activity, but in many of the war industries it is still strictly enforced. The same rule is frequently invoked in civil service and other governmental agencies. If it runs against a man or woman 40 years old, how much stronger must it run against a person 60 years old?

Making persons 60 years old and upward eligible for old age pensions does not necessarily mean crowding of the pension rolls. It has been proved that men and women who can obtain employment carry on as long as they are physically and mentally capable of holding their jobs. Reducing the age eligibility to 60 years merely provides for those who would otherwise be subjects of public charity and therefore adds no great burden to the taxpayers of the State.

Responsible Relatives

"Whatever the amount fixed by the Legislature, we must see that it is distributed to those entitled thereto in a manner free from red tape and humiliating delay."—Governor Earl Warren.

There is a provision in existing law in California that the sons and daughters of recipients of old age pensions can be held legally responsible for contributions toward the payment of these pensions in accordance with their ability to pay. Our research reveals that in most cases where children are able to pay they willingly support their parents and will not permit them to apply for old age pensions. In any event, this provision of law yields but an insignificant sum toward the payment of old age pensions and with the high cost of snooping by an army of welfare workers, is an

added expense to the taxpayers. It has been a source of harassment and persecution both to old age pensioners and their children. It is a noxious provision of the law and should be repealed.

Administration of Counties

"It (the old age pension) must be distributed in a manner reflecting the cheerful willingness and concern of a warm hearted State."—Governor Earl Warren.

Administration of the Old Age Security Law by the county governments of the State has proved a costly mistake. It should be returned to the State, where it rightfully belongs, in order to give an even administration of the law.

Administration of the Social Security Laws by the counties has injected local politics into the situation and has built up an army of tax-eating so-called welfare visitors whose competency is measured solely by their political influence. The consequence has been petty and despotic practices on the part of many of these political favorites and has brought downright misery to thousands of old age pensioners. An even administration of the law can only be conducted through a State agency. This reform is strongly recommended.

Conclusion

Provision that the State shall grant \$100 for funeral and burial expenses of old age pensioners whose estate will not take care of such expense, is simply a humane provision of law. Reissue of lost checks will prevent unnecessary hardships. Opening of records to old age pensioners or their authorized agents merely gives them the opportunity to correct faulty records.

We have outlined for the members of your honorable body the major reforms which we believe to be necessary to the establishment in California of a humane and adequate form of old age pension relief. We have made to you our prayer for immediate relief of thousands of the aged, infirm and helpless who find themselves face to face to starvation and with the fear of the morrow ever present in their hearts. We ask you to accept our testimony as the truth, and the whole truth, and to use your best judgment in the ameliorating of a condition affecting our aged citizens which can not be permitted to persist in our great and liberal State.

We beg leave to subscribe ourselves

Respectfully,

BOARD OF TRUSTEES
CITIZENS' COMMITTEE FOR OLD AGE PENSIONS
By George H. McLain, Chairman

APPENDIX 9(f)

"The Only Way to Prosperity"

California Prosperity Plan

AN AMERICAN PLAN FOR AMERICAN PEOPLE

No Obligation on the Part of the State

Self Liquidating—Self Redeeming

Prosperity for All—Poverty for None!

SECURITY A BIRTHRIGHT

Sponsored by

PROSPERITY LEAGUE OF AMERICA

307 S. Hill Street, Los Angeles, California

California Prosperity Plan Fully Explained

Self-Liquidating Credits Offer Easy Solution

THE PREMISE

The Prosperity League of America recognizes the principle that the American Nation is not only virtually self-sustaining, but in a position to produce the necessities and luxuries of life in abundant degree for all its citizens, provided a method of enabling their distribution could be developed.

It further accepts the principle that the distribution of goods, merchandise and services has been obstructed by a slowing up of the circulation of money, and the restriction of credits, thus reducing the Nation's purchasing power.

THE PROSPERITY PLAN

It is proposed that the State, by an act of Legislature, put into immediate effect the California Prosperity Plan whereby every (American citizen) man or woman, 21 years or over, shall receive a credit in the bank of \$100 each month. Such credit

shall be authorized by the State of California, and shall be liquidated by a self-redeeming method described herein.

That the Governor shall appoint commissioners in the respective communities throughout the State for the purpose of registering every man and woman eligible for such credit. That upon the qualification of the applicant, the local commissioner shall issue a signed order authorizing a bank, selected by the applicant, to credit to the account of the applicant, the sum of \$100 per month for a period of 48 months. The applicant may then draw upon said account by check, in any denominations up to the amount of \$100, monthly.

When each prosperity credit is granted, the bank shall open up a "special prosperity account" for this purpose, in a separate ledger or set of ledgers, so that all transactions in prosperity credits can be kept separate from all ordinary cash and credit transactions. The bank will also open similar accounts for each individual, merchant, manufacturer, corporation, or any other body of men or organizations or associations, on request, so that prosperity checks accepted by them may and shall be deposited in such separate accounts.

For the purpose of writing checks, or drawing upon such prosperity bank credits or accounts, the State shall cause to be printed and issued a special red, white and blue prosperity check, form or blank. Each time a citizen shall draw upon his account, he shall be obliged to use such red, white and blue checks for that purpose, and the same applies to merchants, business firms, individuals, etc., who receive same in exchange for merchandise, services, etc.

LIQUIDATION OF ACCOUNTS

At the end of each calendar month—the bank—which is to say all the banks of the State considered jointly—shall charge each depositor 2 per cent of the total deposits or credits made during the month in his prosperity account.

But, however, this charge must be paid in ordinary credits or cash, and shall not be considered interest, commission or otherwise, but a return of principal to the State for the purpose of creating a redemption or liquidating fund.

Since ordinary credits turn over at the rate of five times per month, it can be expected that prosperity credits shall turn over at least five times monthly if not faster, since these credits will be used for spending purposes, in the purchase and turnover of consumption goods.

The banks will, therefore, collect for the account of the State each month, through this turn-over, 10 per cent of all outstanding credits, or \$10 for each \$100 of credit money in circulation. In 12 months, if all credits were allowed to circulate, the State would have received 120 per cent of the amount of each individual month's credit issue.

In round figures, there being approximately 4,000,000 adult citizens of 21 years and over, the State would have put into circulation \$400,000,000 in prosperity credits each month.

However, to permit the assimilation of the credits by business and industry and to further permit the absorption of unemployed workers, the State would probably decide to apply its accrued collections for the liquidation of the prosperity credit accounts two or three months after the first month's issue. Millions of dollars would have been received, and these could be applied on a sliding scale to wipe out the credits.

There would be a sufficient surplus or revenue to operate the State without it being necessary to derive a single dollar through taxation of any kind, or from any other source whatever. This would eliminate all State taxes.

It would permit the State to go on a cash basis and stay there. There would be a substantial amount to apply on the State deficit. The repayment of the loans or credits would have been accomplished through a small, painless 2 per cent on transactions.

At the end of the four-year period, the State can stop issuing prosperity credits, and allow a 12 months redemption period for the credits outstanding, paying back to the last holders the full amount in ordinary cash or credit. It could then determine by a vote of the people or their representatives, whether or not it wishes to continue the plan.

During the operation of the plan, the banks would be paid as compensation for acting as depositories, a fair and equitable service charge, to be mutually agreed upon between the banks and the State.

The advantage of this plan is that it is self-liquidating. It permits the restoration of purchasing power without the necessity of the State going farther into debt in order to catch up with unemployment, and it is the only way the State can work its way out of its deficit.

Under this plan, every man or woman may earn all that he or she can in addition to his or her \$100 monthly prosperity credits, for in no way will it interfere with their present or future income. The plan is not designed to supplant or disturb our ordinary credit currency system. It will not set aside or interfere with the profit system.

To be eligible for the credit, each applicant must be regularly employed, unless he or she be at least 50 years of age, an invalid, or a housewife. If the applicant is

not employed, he or she shall be obliged to work for the State, at such type of employment the State shall designate. Such work will be furnished by the State, but at lesser wages than those paid by industry.

It shall be specifically understood that no one shall be compelled to work who can furnish satisfactory evidence of their incapacity or physical deformity, or anyone over the age of 50, or any married woman who has a husband or children.

But it shall be specifically understood that every able-bodied man under the age of 50 shall be expected to work, and a regular certificate of employment shall be required of the borrower each month, which shall be inspected by the commissioners in each district.

If the applicant refuses to work, he or she shall be denied the prosperity credit, which shall be a most effective penalty for preventing idleness. Those who are habitual drunkards or users of narcotics shall not be eligible for the credit until they have been cured of their habit, and their cure certified to by a city or State physician.

The plan will also be an inducement to criminals to "go straight" since they would forfeit their right to the credit through habitual criminality. Those discharged from our penitentiaries and other institutions would have a place in the scheme of things, and would not be obliged to return to their criminal pursuits in order to exist, through inability to obtain employment.

It will be impossible to hoard any of the prosperity credits, as they will incur a levy or deduction of 2 per cent each month. If, for example, your monthly credit is not spent immediately, there will be no penalty apart from this 2 per cent charge. But in this way the State is assured of always receiving a sufficient return to liquidate every dollar put into circulation. However, where the credit is put into circulation, the State receives its redemption fund much faster due to the "turnover."

The only benefit the State receives is the surplus left over, at the end of each year, which shall be used for operating the State and wiping out any existing indebtedness.

While this idea may seem almost unbelievable at first thought and too good to be true, it merely puts into application some simple, fundamental and well-known principles of arithmetic and finance, but employs to the advantage of the State and the whole people, instead of a chosen few.

Obviously the plan will make business better almost immediately, and should create sufficient jobs in ordinary business and industry for every man or woman capable or desirous of working. The State will allow each person a reasonable period of time (not exceeding 45 days) in which to find regular employment before obliging them to accept work furnished by the State, in order to promote the greatest degree of satisfaction and fitness.

This program is not merely one of "goals desired," but a specific provision of the ways and means to place into immediate operation a plan which has been analyzed and should be endorsed and approved by bankers, business men, credit houses, expert accountants, economists, advertising and merchandising experts, as it is "foolproof" in every particular.

SUMMATION OF BENEFITS

By increasing the State's purchasing power, through the medium of the self-liquidating prosperity plan, the following summation of benefits to be derived is respectfully offered as being possible of fulfillment:

A—The prosperity plan will prevent criminality, as all habitual criminals will lose their rights to receive prosperity credits.

B—It will eliminate poorhouses, as each person will receive a definite income and there will be no need for poorhouses.

C—It will eliminate charitable institutions of every kind, including welfare organizations, county hospitals, and all relief organizations.

D—It will protect thousands of girls now out of a job and in desperate need, thereby raising the moral standards of the State.

E—It will relieve all present burdens of the cities and municipalities to carry the tremendous load of taking care of those in need.

F—It will make it possible for parents now depending on their children to be self-supporting.

G—It will make it possible for children now depending on their parents to be self-supporting.

H—It will raise the present standard of living and treat all alike.

I—It will eliminate the various taxes from the shoulders of the manufacturers and producers, so they in turn can put more money into circulation and increase labor.

J—It will put the State on a cash basis and will make it possible for every man and woman to purchase the things that he or she wanted and could not have.

K—It will make it possible for anyone with a family desiring to acquire a little ranch or to build a home, to pay for it out of these monthly credits, without affecting their regular income.

L—It will increase life insurance as it will give each one the assurance that they can pay the premiums when due.

M—It will eliminate taxation, stimulate business, stabilize the State, normalize the people, and make all happy and contented, without them being obliged to "beg" for their very existence, from a State which has more wealth and natural resources than any other State in the Union.

N—It will make it possible for the farmers who have been paid to "under plow" their farms, to go back into production so that every man, woman, and child can have all they want to eat and to wear, instead of denying it to them and putting a premium on the curtailment of production.

O—It will put a premium on honesty, and a penalty on crime. It will put a premium on morality and a penalty on vice. It will start turning the wheels of industry to produce the additional items necessary to absorb the \$400,000,000 placed into circulation each month.

P—It will increase marriages and encourage larger families, as everyone desiring larger families will be assured of a definite income to care for and educate these children.

Q—It will protect widows and orphans so that they will not become a charge on the State.

R—It will stabilize real estate, and fill up vacant houses, factories and office buildings. It will give a prisoner leaving the penitentiary an opportunity to start life all over again, and it will provide for his family while he is serving his sentence and paying his debt to society.

S—It will not inflate prices. On the contrary, it will stabilize them. It will save the State millions of dollars annually now paid out in interest on the outstanding obligation. It will not interfere with industry, it should increase profits of industry by removing the present tax and by increasing the volume of business at the rate of \$400,000,000 per month.

T—It does not soak the rich nor the poor, but divides the burden equally and equitably. It is self-liquidating and self-redeemable through the income of 2 per cent per month from four million people revolving at the rate of five turnovers per month.

U—It will help finance wars, if necessary to protect our country, and will prevent wars by eliminating the need for them. It does not in any way interfere with the present currency, or cause any change in the present monetary system.

V—It will not affect the outstanding bonds or obligations of the State. On the contrary, it will strengthen the value of such bonds and securities.

W—It will have a tendency to eliminate radicalism, of which we hear so much lately, as radicalism is caused mainly by economic conditions that deny a man the opportunity of earning a livelihood to sustain himself and family, through no fault of his own.

X—It will protect the crippled and the homeless, help the church and the minister, support institutions, lodges, fraternities, and other organizations.

Y—It is not confined to old age or middle age. It is a plan for all of the people of this State, designed to prevent suffering and poverty in a State of plenty.

Z—Prosperity credits will not be subject to attachment or liens, judgments or any debts created prior to the issuance of the prosperity credits

What this State is in need of is a better understanding of arithmetic.

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DISTRIBUTION OF INCOME AND PRODUCTION

Intelligent people who advocate "spreading" or "sharing the wealth" really mean increasing and sharing the production and income of the Nation.

By production is meant the goods, merchandise and services created by the farms, factories, mines, mills, and fisheries of the country. It also means the entertainment provided by the theatres, the services of the doctor, dentist, nurse, attorney, accountant, advertising man, etc.

A man on a desert island with a barrel of gold would be in a sad fix indeed, and would soon be willing to trade his whole barrel for a good cow, or a laying hen. If he were marooned on an ice floe, he would probably favor a fur coat, or a good boat.

These are simple, fundamental facts which we sometimes forget in our eagerness to remedy conditions as we see them about us. We forget the simple rules and tables of our arithmetic and algebra, if we do not have occasion to use them, often.

Therefore any plan to divide up existing wealth accomplishes no worthwhile purpose or permanent results, and—

We could even go so far as to say that the man who promises you to divide up the wealth of the country would also promise you a cow, if you were on the island, or the coat if you were on an ice floe. For either he is not sincere, or he is not sound. Either he seeks to win your vote, or your barrel of gold, or he has not investigated to find out if there are any cows, coats or boats in the vicinity.

If, for example, the \$5,000,000,000 in money which exists in the United States were divided up, each person would receive something like \$41.66. One payment on his back rent, and it would be gone. He would be as bad off as he was before.

If we decided to divide up all the property, stocks, bonds, factories, locomotives, automobiles, farms, mines, etc., while we would have a total of \$300,000,000,000, thus giving each person a bookkeeping interest of around \$2,400, nevertheless, to actually utilize such wealth, it would be necessary to group several families together in some of our larger residences. Others would wind up with an interest in a locomotive, or a balloon. Still others would find they had been allotted a lighthouse, or fish hatchery, or a motion picture set.

In any event, the confusion and dissatisfaction would soon offset the prospective pleasure involved, besides which it would be obviously unfair to any man or family who had worked honestly and saved thriftily.

On the other hand, to make it possible to increase our production and share it, so that every family would have an automobile, a radio, a home or farm, good food and nice clothes, entertainment, medical care and the other things people really want, is an entirely different matter.

America is capable of producing plenty for all. That fact has been expounded and explained so often and so thoroughly that there are few who even question it. We have only to recall, how, during war times, we not only produced some \$10,000,000,000 worth of commodities which we presented to Europe, but we produced silk shirts for ourselves which even laboring men found it possible to possess. Economists assert that even then we were only producing at 20 per cent to 25 per cent of our capacity. Surely we remember that millions of our young men were either under arms or in the training camps, and had been withdrawn from industry.

But with all this production ability, we have been unable or unwilling to devise or adopt a method of "bridging the gap," between the manufacturer or producer, and the consumer. Through the blindness, stubbornness or unwillingness of those who have gravitated to the head of affairs in business, industry, finance and government, no specific remedy has been advanced, or if it has, it has been lost in the shuffle, side-tracked, derided, condemned, or ignored.

The California Prosperity Plan appears to be a permanent cure for all depressions. It puts purchasing power into the hands of the public at large. It will start the wheels of industry turning. It will make business good. It will make it possible for any man to patronize the doctor, practitioner, attorney, or other man or woman who has services to sell. It will bring about the exchange of merchandise, goods and services, permitting the man to exchange what he has to offer with what the other man has.

But through this plan, the result will be to distribute income—and not wealth. Production, as it is made * * * not the property that belongs to someone else.

The Depression—a Rank Failure

"The American public has been lulled into a state of insecurity. They have been slowly becoming 'depression conscious,' in a Nation of workers, and a land of plenty. Americans now realize that the depression has failed!"

The American mind is no longer willing to listen to excuses. There is a solution to every problem; beyond each dark cloud there is a silver lining; out of each abyss there is an entrance to pure sunlight. Americans have unwittingly let themselves become the slaves of the machinery they created until, like a Frankenstein monster, it has all but engulfed them. No longer are we willing to sit by and let the other fellow show us the way out. The depression is an enemy, a hideous monster that we must fight with every fiber of our being. The Prosperity League of America, has declared ruthless warfare on this arch enemy of society.

We have the most modern equipment yet devised, (in the California Prosperity Plan) with which to fight it, and with the wholehearted support of our people, we can and will "hew a path" to a land of happiness and plenty!

Pension Feature in Plan Attracts "Old Age" Workers

For those who have been working for, and advocating an old age pension plan, attention is called to the fact that the retirement of men and women over 50 at their option is an outstanding feature of the California Prosperity Plan.

Moreover, for those who feel that the injection of a new idea into the economic uproar in which the Nation is engaged at this time, will "muddy the water," it may be pointed out that if the Prosperity Plan were adopted for the sole purpose of paying an old age pension to start with, in order to acquaint the Nation with its workability, it still would have accomplished a worthwhile purpose.

It is recognized by the Prosperity League of America that many well-meaning people who do not understand the principles involved in money and credit turnover can not understand "how and where the money is coming from" to put any such plan in operation.

The California Prosperity Plan outlines the ways and means of financing any and all such constructive proposals in a manner which can be understood by all, if they will take the time to study the facts and analyze the features with an open mind.

A Dreamer's Vision

I see a Nation that is freed from slavery—a Nation where people are helpful, a country of peace—endowed with every form of contentment. Where people will live with words of love and truth. A Nation where labor reaps its full reward. Where work and worth go hand in hand. I see a country without the beggar's outstretched palm; the miser's heartless, stony stare; the piteous wail of want; the vivid lips of lies, the cruel eyes of unemployment, and the awful fear of penniless old age. I see a people without disease or pain, shapely and fair with married harmony of form and function; and as I look, life lingers, fear vanishes, joy deepens, and over all in the great dome above shines the eternal star of human hope.

THE PROVEN FIGURES

No. of months	Outstanding credits 400 millions	5 turnovers will collect a 2% tax of	Amount liquidated monthly	Monthly surplus	Accrued surplus	Total applied to redemption
1	400 millions	40 millions	None	40 millions	40 millions	None
2	800 "	80 "	None	None	40 "	80 millions
3	1200 "	120 "	200 millions	None	40 "	200 "
4	1400 "	140 "	133 3 "	66 6 millions	46 6 "	333 3 "
5	1666 "	166 6 "	133 3 "	33 3 "	80 "	466 6 "
6	1933 "	193 3 "	133 3 "	60 "	140 "	600 "
7	2200 "	220 "	200 "	20 "	160 "	800 "
8	2400 "	240 "	200 "	40 "	200 "	1000 "
9	2600 "	260 "	200 "	60 "	260 "	1200 "
10	2800 "	280 "	266 6 "	13 3 "	273 3 "	1466 6 "
11	2933 "	293 3 "	266 6 "	26 6 "	300 "	1733 3 "
12	3066 "	306 6 "	266 6 "	40 "	340 "	2000 "
13	3200 "	320 "	266 6 "	53 3 "	53 3 "	266 6 "
14	3333 3 "	333 3 "	266 6 "	66 6 "	120 "	533 3 "
15	3466 6 "	346 6 "	333 3 "	13 3 "	133 3 "	866 6 "
16	3533 3 "	353 3 "	333 3 "	20 "	156 6 "	1200 "
17	3600 "	360 "	333 3 "	33 3 "	180 "	1533 3 "
18	3666 6 "	366 6 "	333 3 "	33 3 "	213 3 "	1866 6 "
19	3733 3 "	373 3 "	333 3 "	40 "	253 3 "	2200 "
20	3800 "	380 "	333 3 "	46 6 "	300 "	2533 3 "
21	3866 6 "	386 6 "	333 3 "	53 3 "	353 3 "	2866 6 "
22	3933 3 "	393 3 "	333 3 "	60 "	413 3 "	3200 "
23	4000 "	400 "	333 3 "	66 6 "	480 "	3533 3 "
24	4066 6 "	406 6 "	333 3 "	73 3 "	553 3 "	3866 6 "
25	4133 3 "	413 3 "	333 3 "	80 "	633 3 "	4200 "
26	4200 "	420 "	400 "	20 "	633 3 "	4600 "
27 to 48	4200 "	420 "	400 "	20 millions or 240 millions annually	20 millions per month	400 millions per month

Note that after 27 months, the figures become constant. There are four millions being redeemed each month—the same amount issued. There are 4,200 million dollars in circulation. The State is receiving an annual revenue of \$240,000,000

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WHAT OTHERS SAY ABOUT THE PROSPERITY PLAN

GENTLEMEN: At last! A workable, practical Plan and you are to be congratulated in the business-like manner in which you have gone about putting your plan before the general public.

It is so simple * * * a child could understand it.

I intend to interest my friends in your wonderful "Prosperity" ideas and I feel they will be forever grateful.

Sincerely,

MRS. W. C. JACKSON

GENTLEMEN: I have read a copy of the plan put out by the Prosperity League of America and I can not refrain from voicing a loud and lusty hurrah for the author of this amazing plan.

The Prosperity Plan is particularly interesting because it makes no discrimination because of age, sex, creed or color. Can you picture those who will stand in line for their prosperity checks?

To my mind the most notable feature of this unique idea is the fact that while theoretically a loan, it is, in the final analysis, more of a gift. After all, the countless plans and arguments that have been offered in the recent past have evidently served a good purpose. More power to the Prosperity League, who has taken up the cudgels in behalf of this worthy program.

Yours very truly,

JENNIE LINDSTROM

GENTLEMEN: I am taking it upon myself to write in and tell you how wonderful I think your plan is for it is something everyone needs and everyone can understand. If there is any way I can be of actual assistance to you in your work, please know you can count on me. I also want to subscribe to your book "The Only Way to Prosperity."

Cordially,

N. S. DAVIS

GENTLEMEN: I have read with interest a copy of the California Prosperity Plan, and have just about come to the conclusion that it is the most reasonable plan that has, as yet, been offered. Most of the plans, thus, far, have done little else but arouse my curiosity, since all meant but one thing—additional tax burdens. If the public will get behind this plan, I predict it will surely be adopted since aside from antagonizing no group or class, its greatest value is in the fact that it does not impose an objectionable and additional tax feature in order to execute it.

Yours very truly,

C. M. SMYTHE

GENTLEMEN: Congratulations! I have just read the California Prosperity Plan and wish to compliment the "Prosperity League" for taking up the cudgels in its behalf. I have had the pleasure of meeting the author, and should anyone doubt the feasibility of this "gold nugget," my advice is to meet him personally and in fifteen minutes they will be completely satisfied that he "knows his subject."

Very truly yours,

A BOOSTER

GENTLEMEN: I have read every word of your Prosperity Plan and I think it is the very thing all of us have been looking for. It is foolproof and I see no flaws in it. It is true there should be a balance and a more equal distribution of money * * * and there is certainly one way to bring this about and it is via the Prosperity Plan.

I carry several extra copies in my pocket and pass them out to friends I meet on the street. Many have phoned me to thank me. I most certainly want the book "The Only Way to Prosperity."

Very truly,

MRS. VERNE WILLIAMS

DEAR SIR: Never thought I would see the day when I actually hastened to endorse any new "idea" along a prosperity plan. I was the kind of person who sits back and says "Well, we have been running things rather well all these years; let's leave well enough alone * * *" but I am head and heels enthused over your plan!

I want to be an early subscriber to the book "The Only Way to Prosperity" and please put me at the head of the list * * * I want one as soon as possible.

Very sincerely,

MRS. NAN OGDEN

GENTLEMEN: As a staid professional man may I thank you from the bottom of my heart for the inspiration your Prosperity Plan has brought me.

I seldom enthuse. Your Plan has jogged me loose and I want to support your League a hundred per cent. I have never seen a "remedy" like yours! I prescribe it to all patients suffering from the malady known as the "poor house blues" and I want a volume of the book as well as two extra copies for two of my friends.

Yours truly,

DR. J. B. EWALD

DEAR SIR: Yes, sir! From now on I intend converting every man and woman who cross my path to your wonderful plan. It is clear and easy to understand.

I certainly intend to purchase the book "The Only Way to Prosperity" and please send it to me by mail C. O. D. I have enclosed the necessary blanks.

Thanking you again, I am,

Most sincerely,

J. C. BOTHWELL

HERE IS YOUR OPPORTUNITY TO HELP

The Prosperity League of America will depend entirely on "public support" to conduct its campaign, which is as it should be, since this is your campaign, and it should be your duty and privilege to support a program, the purpose of which is to put into operation, the California Prosperity Plan, as speedily as possible.

You have now received your primary affiliation with the Prosperity League of America. A portion of our program has been unfolded to you. There is, however,

more to be unfolded, and this can be obtained only by the possession of additional literature. In the possession of this, you will necessarily learn more of our program. In order to make it possible for us to distribute additional literature and perhaps get on the radio, it will require funds and this we will accept only through voluntary contributions, from a postage stamp up. That is entirely up to you, as you are in no way obligated to contribute. Do not give until it hurts, but give until it feels good.

To anyone that will send a voluntary contribution, regardless of how small, we will send a free enrollment card, without any dues or further obligation on your part.

Do you seek advancement? Then send for your enrollment card at once

Four million adults can do anything!

PROSPERITY LEAGUE OF AMERICA

P. O. Box----- Los Angeles, Calif

IT'S MARVELOUS, STUPENDOUS, COLOSSAL

The Sensation of All Times

The book which has astounded the most expert mathematicians and accountants by its simplicity.

THE ONLY WAY TO PROSPERITY

Via The

California Prosperity Plan

Not just another plan but a remedy for our present financial ills
 Not just a temporary crutch but a permanent cure for all our depressions
 Now or in the future

It contains the following chapters:

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| 1. The Only Way | 12. The False Alarmists |
| 2. How Americans Have Failed | 13. Vanishing Bank Credits |
| 3. The Weakness of Human Nature | 14. The National Prosperity Plan |
| 4. America and Americans | 15. How the Remedy is Self-Liquidating |
| 5. Mass Sabotage | 16. Wartime Prosperity Returned |
| 6. Chiselers in Business | 17. Those Eligible for the Credit |
| 7. Individual and Group Selfishness | 18. Advantage of the Plan |
| 8. Short-sighted Buying Habits | 19. Foolish Inflation "Bogey" Men |
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Price \$1.00—Postage Prepaid

PROSPERITY LEAGUE OF AMERICA

P. O. Box-----

Los Angeles, California

PROSPERITY FOR ALL—POVERTY FOR NONE

"Fourteen points" stopped the war, and "fourteen points" will start prosperity. By a happy coincidence, there are fourteen letters in the words "Prosperity Plan". Read them

P ut all men to work immediately.
 R elieve poverty throughout the State.
 O ffer an opportunity to all citizens.
 S elf-liquidating each year.
 P ut billions of dollars into circulation.
 E liminate all poorhouses.
 R emove all slums.
 I mprove the morale of the people.
 T ake away the fear of old age.
 Y outh of the State will receive more education

P ut a stop to criminality.
 L ive and let live spirit will prevail.
 A nswer the prayers of millions
 N othing to lose—everything to gain.

APPENDIX 9(g)

WHEREAS, The Los Angeles Chapter of the Old Aged Pensioners of California have had many and varied experiences in connection with the administration of the Old Age Security Law, as now written; and

WHEREAS, We realize a woeful need for many amendments thereto; and

WHEREAS, We have given very earnest consideration to upward of 20 bills now pending in the State Legislature, proposing one or more desirable amendments each; therefore, be it

Resolved, That this organization endorses Assembly Bill No. 660 as embodying by far, the most complete coverage of meritorious legislation of any bill yet proposed; and, be it further

Resolved, That we hopefully urge its enactment, but wish to offer for consideration amendments thereto as follows:

For the purpose of further protection for our needy aged citizens and to minimize the chances for maladministration, to the disadvantage of such citizens, we deem it necessary and expedient that the following amendments to the present Old Age Security Law, other than those included in Assembly Bill No. 660, as introduced, should be enacted by the present session of the State Legislature.

We offer some of these amendments as amending Assembly Bill No. 660 and some that might be better handled in separate bills.

Underscore herein represent insertions. "Strikes" are indicated thus:

Amend 2003 to read:

2003 This chapter shall be liberally construed *and in case of doubt the applicant shall be given the benefit of such doubt.*

Amend 2007 to read:

2007 Any person who, knowing he is not entitled thereto, obtains or attempts to obtain aid to which he is not entitled, or a larger amount than that to which he is legally entitled, or the payment of any forfeited installment grant, is guilty of a misdemeanor and any person who has illegally obtained aid under this chapter shall make restitution, and all actions necessary to secure restitution may be brought against him.

(Sections 2007.5, 2160 (j), 2184, 2220, 2221, 2222 and 2225 of this chapter and Sections 12 and 13 of Article XVI of the California Constitution provide every safeguard and render the omitted portion of above section useless, confusing and a source of needless investigation and expense.)

Amend 2007.5 to read:

2007.5 No person shall be denied any aid under this chapter for any transfer of his property which transfer (1) does not *diminish his current resources or income* or (2) does not render him ineligible under Section 2163 or 2164.

Insert the following definitions somewhere: *The term "income" shall not include matter, either cash or kind, that does not contribute directly to the current support of the applicant or recipient and "casual income" shall include any income received in any month, which is not recurrent in subsequent months or does not render the person ineligible for aid under Sections 2163 or 2164 of this chapter.*

(We recommend the above be added to Section 2020, or entered into Assembly Bill No. 660 instead of 2000.2, which we think should be stricken from the bill to avoid probable complications with the Federal Social Security Board.)

2015 Insert a prefix to 2015, as "added" by Assembly Bill No. 660 to make the first part thereof read: *"Application forms end"* a copy of all laws relating to, etc.

2180 Amend this section, as it appears in Assembly Bill No. 660 by adding: *and if such statements are in accord with all the requirements for aid under this chapter, they shall constitute sufficient evidence of the applicants eligibility and aid shall be granted.*

2181 Amend the last portion of this section as it was introduced in Assembly Bill No. 660 to read: *The board shall immediately notify the applicant in writing of its decision, and failure to notify the applicant within the 30-day period that his application has been denied, shall be construed as approval of his eligibility as provided in Section 2180 of this code and aid shall be paid accordingly.* Also in line 31 of pamphlet, page 8 strike *"and"* insert *"any"*.

2182 Immediately following the word "council" at the end of first paragraph of this section insert: *The date of such hearing shall be within 45 days from the date appeal was filed.*

Amend line 22 on page 10 of the pamphlet to read: *The board of supervisors shall within 10 days pay to, etc.*

Immediately preceding the last paragraph of 2182 as it appears in Assembly Bill No. 660, as introduced, insert: *Provided, however, nothing in this chapter shall prohibit a county from reconsidering its previous actions on any application and adjusting same in accordance with the provisions herein contained, including retroactive payments, if any be due.*

- 2183 On page 11 pamphlet Assembly Bill No. 660, lines 16 to 22, inclusive, are a repetition of Section 2181. Lines 22 to 26, inclusive, are inconsistent with 2181. (Sections 2181 of Assembly Bill No. 660 and 2184 of the present code furnish ample provisions to care for the same matter, therefore, all of the second paragraph of Section 2183 should be stricken from Assembly Bill No. 660.)
 Insert as part of 2193 or as a new section: *No person connected with the administration of this chapter shall dictate how any recipient shall expend the aid granted to him.*
 (Copied from Section 3003 of Chapter 1 of Part 1 of Division 5—Blind Persons.)
 Amend the last paragraph of Section 2200 of the present code to read: *The county through which a recipient has been receiving his aid shall continue to pay his aid during any absence from said county not exceeding one year.*
- 2221 Amend by adding: *Not more than one payment shall be suspended for the purpose of such inquiry.*
- 2227 Repeal and replace with Section 12 of Article XVI of California State Constitution.
 (This section (2227) appears outlawed by the constitutional amendment but is confusing.)
- (If proposed legislation to give each applicant a copy of the law is enacted the confusion would be more widespread, therefore should be repealed.)
 Unanimously adopted by Los Angeles Chapter Old Age Pensioners in regular session February 17, 1943.

G. A. LONG, President

MINORITY REPORT OF CITIZENS' COMMITTEE ON OLD AGE PENSIONS

Submitted to the Honorable Earl Warren, Governor of California,
 March 31, 1943

Personnel of Citizens State-wide Committee on Old Age Pensions

RALPH T. FISHER, *Chairman*

Vice President, American Trust Company
 Oakland, California

- | | |
|--|--|
| HARRISON W. CALL
Republican State Assemblyman
Redwood City, California | GEORGE H. McLAIN
Citizens' Committee for Old Age Pen-
sions
Los Angeles, California |
| JOHN C. CUNEO
Townsend National Recovery Plan and
Joint Welfare Committee
Modesto, California | ROY G. OWENS
Payroll Guarantee Association
Los Angeles, California |
| C. O. HOOBER
Vice President, California Farm
Bureau Federation
Calipatria, California | LAURENCE PALACIOS
International Representative, Laundry
Workers A. F. L. and Secretary of
San Francisco Laundry Workers
Union
San Francisco, California |
| WILLIAM B. HORNBLOWER
Fraternal Order of Eagles
San Francisco, California | NATHAN T. PORTER
Townsend Party Candidate for Gov-
ernor 1942
Los Angeles, California |
| GEORGE A. JANSSEN
County Supervisors' Ass'n. of Cali-
fornia.
Oakland, California | C. A. RICKS
General Welfare Federation of Amer-
ica.
Martinez, California |
| RAY JUDAH
Republican State Senator
Santa Cruz, California | GEORGE SEHLMAYER
Master, California State Grange
Sacramento, California |
| THOMAS F. KEATING
Democratic State Senator
San Rafael, California | FRANK SLABY
President, Alameda County C. I. O.
Council and President, United Auto-
motive Workers, Local 76
Oakland, California |
| VERNON KILPATRICK
Democratic State Assemblyman
Los Angeles, California | |
| A. J. MCFADDEN
Past Pres., State Chamber of Com-
merce
Santa Ana, California | |

SACRAMENTO, CALIFORNIA, March 31, 1943

Honorable Earl Warren, Governor of California
State Capitol, Sacramento, California

DEAR GOVERNOR WARREN: We, the undersigned, members of the Citizens' Committee on Old Age Pensions pursuant to your appointment under date of February 17, 1943, beg leave to submit our findings and conclusions. It is a matter of regret that we should be forced to join in a separate report, but not to do so would be an evasion of our duty to the people of California, and to you as their Governor.

Sessions of the committee were held in Sacramento on February 25th; in San Francisco on March 2d and 3d; in Los Angeles on March 11th and 12th; and in Sacramento on March 17 and 18, 1943. A concluding meeting was held in Sacramento on March 30 and 31, 1943, to review the findings of the committee and to approve the report.

In preparing this report and particularly in the finding of facts much help was had from both the State Welfare and Finance Departments. Voluminous reports with compilations as to revenues and estimates of cost of the solution of the problem before the committee were voluntarily tendered by the chambers of commerce, taxpayers associations and other related groups. However, the members of your committee, parties to this report, relied chiefly upon and were guided by the information supplied by the departments of State.

There was laid before the committee your letter addressed to the chairman, in which you state:

It seems to me that there are at least four fields for exploration by the committee.

First: The sufficiency of the present pension.

Second: The reasonableness of administrative practices of the present system.

Third: The basic question of qualification for pension.

Fourth: Forward looking legislation expressing California's objectives and committing the State to immediate action if and when the Federal Government will authorize it under its social security legislation.

We herein submit our report on the matters referred to and in the order indicated.

Sufficiency of Present Pension

We recommend that the amount of grant be increased from \$40 per month to \$60 per month, the State to pay the \$20 increase.

This recommendation is made with the apology that the amount is inescapably below any gauge of a today's decent standard of living.

In the past a recipient of old age assistance received up to \$40 per month with a bonus in the form of Federal food and cotton stamps.

This recommendation and statement of fact is made having in mind the increase in living costs and the Federal withdrawal of the allowance of food and cotton stamps.

As an index to the committee's finding as to the increase in living costs the committee went on record as believing the basis of need should be established at \$75 per month.

This in itself is evidence conclusive that in the committee's own mind "needy" citizens who are unable to work could not live decently on any amount substantially less than \$75.

Supporting evidence as to minimum present living costs faced by old age aid recipients was submitted to the committee by the State Department of Social Welfare in the form of a budget developing the need as follows:

Food	\$15 97	Incidentals and personal needs ..	10 00
Housing	20 00	Transportation	3 00
Utilities—Electricity	1 72	Other needs	
Gas	2 10		
Water	1 50	Total	\$64 17
Other (heat, etc.)	2 00	When meals purchased in restau-	
Household operation	3 31	rants add	12 00
Clothing	4 57		
			\$76 17

We note the amount allowed for food is \$15.97 per month or 16½ cents per meal. It is common knowledge that the price of every basic item of food with the possible exception of bread has, since 1939, increased anywhere from 50 per cent to 200 per cent. Even according to this budget based on need the allowance for food is so low as to spell one thing—*malnutrition*. Sixteen and one-half cents per meal with basic food costs, excepting bread, up 50 to 200 per cent, tells the aged recipient he can not eat what he wants nor can he have what he needs. It tells him that his State which he has served will not permit him food even approaching that which it gives the inmates of its prisons. They, the offenders against the State, can and do

enjoy better food cost allowance paid for by the State and not a word about what the State can or can not afford. These and numerous related facts of rising cost, including the fact that the great majority of aged recipients are unable to work or by any means able to increase the allowance by budgeting or any other device forces the parties of this report to resolutely affirm the conclusion reached that the grant be increased to \$60 per month.

Relative's Responsibility

We recommend the elimination of relative's responsibility.

The need for old age aid arises, in most cases, from causes and conditions over which the aged recipient has had no control and for which he is in no way responsible. By the same token the children are in no way responsible for the system or the conditions which deprived their parents of self support. It follows, therefore, that the people, or the society, or the State permitting conditions which deprive the aged citizen of his means of self support, should be charged with the full responsibility of providing the essentials of a decent living. The Federal Social Security Law wisely and justly requires no aid from relatives—on the other hand, the present State law has been the source of much annoyance and administrative malpractice and has provoked and estranged, and in some cases destroyed, that which binds the family one to another.

We concur with the forthright statement of the Governor of the State "We must proceed upon the theory that the system which arbitrarily freezes people out of industry and declares them to be obsolete, must make honorable provision for their support during the years of their enforced idleness" * * * "I don't believe they should be forced to look to their children for support."

Age Qualification

We recommend that the qualifying age be fixed at 60 years.

It is obvious that the aged citizens' need for aid is not postponed until he is 65. Neither are the causes or conditions which brought about that need delayed in their effect until he reaches the age of 65. Neither are these conditions and their effects delayed until he is 60. It follows that the relief tendered a few years earlier than is now being given would be progress toward a real solution of the problems of those deprived of self-support.

That progress in reducing the old-age aid below age 65 should be made, and at this time, is evidenced by a report submitted to the committee by the Research Division of the State Welfare Department.

This report stated that with a 15-year residence requirement the additional case load which would result from including that group may be 25,000 persons. This is probably the lowest case load to be expected in that age bracket and the most opportune time for the picking up of this load. On the other hand the State finance is at the highest potential in years. These two factors make for the advisability of action now.

We recommend that old-age-aid be extended to include the years 60 to 64 inclusive, with a 15-year residence requirement, and that the whole of the costs pertaining thereto be borne by the State.

Qualification and Administration

1. Outside income should be allowed without deduction up to an amount which, added to the public assistance, does not exceed \$75 per month, and up to this amount budgetary statements should not be required.
2. Provisions of the law respecting property eligibility in old age assistance should be amended to permit possessions of real property of an assessed value not exceeding \$3,500 instead of the present limit of \$3,000 in cases where a man and wife live together, and that 12 months be allowed after the death of a spouse for property readjustment. An amendment should be adopted to make allowance for cases where encumbrances on such property operate to reduce the owner's actual equity therein to less than \$3,000 or \$3,500 for man and wife. Personal property limit should be increased from \$500 to \$600 per person.
3. A duplicate warrant for a grant should be issued expeditiously when the original has been lost or destroyed.
4. The confidential file in case of dispute of a person applying for or receiving aid should be open for inspection either by himself or an authorized agent.
5. The present county administration and State supervision should be continued.
6. The statutes should be revised and rules and procedures should be simplified so that applicants for and recipients of aid will not be harassed or humiliated.
7. Medical, dental and clinical care should be furnished by county administering aid.
8. Attorney fees and court costs, in case of court decision in favor of the applicant or recipient of aid, should be borne by the State.

9. No advisory county welfare board should pass upon any application for aid, but it must be passed upon directly by the Board of Supervisors. Provision should be made to give 30 days' notice to applicant or recipient to appear and show cause why the board's action is unsatisfactory. The right to appeal to the State Social Welfare Board shall not be impaired.

10. The committee recommends the passage by the Legislature of Senate Constitutional Amendment No. 12.

11. We are in general accord with the report submitted by the sub-committee.

12. Congress should be memorialized for a revision of the Federal Social Security Act in respect to (1) contributions by the Federal Government to the States by making the ratio 2 to 1, (2) age requirements be reduced to 60 years, and (3) outside income up to \$15 a month be allowed.

Long Range Planning

Any plan looking ahead and extending over an indefinite period of time must function with the least interference with the economic structure and with no impairment of free enterprise and with the least interference with the operative processes involved within the social structure.

In other words every principle, method and plan that has proved its worth or its value over a period, must be preserved.

At the same time the obsolete, the tried and failed, the ceased to serve methods and practices, must be set aside.

The inescapable fact that the aim of human security has not been achieved must be faced and the problem it presents, solved. There must be planned and provided some means by which the slack and the tension of the recurring breakdowns in our economic life must be met. There must be had some device or the employment of some means that will adjust itself and will respond to existing need—something that will yield itself to just what is required and at the time the need arises.

The parties to this report, directing their efforts to a complete solution of the problem of pensions as a right, suggest for serious consideration a gross income tax plan, a self-liquidating credit plan operated by the banks, or such other answers to the requirements as could have their founding and beginning in the State of California.

Respectfully submitted

JOHN C. CUNEO
VERNON KILPATRICK
GEORGE H. MCLAIN

ROY G. OWENS
NATHAN T. PORTER
C. A. RICKS

SENATE CONSTITUTIONAL AMENDMENT

No. 12

INTRODUCED BY SENATORS TENNEY AND SHELLEY

January 26, 1943

REFERRED TO COMMITTEE ON WELFARE AND INSTITUTIONS

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Article XVIa thereto relating to pensions.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its Fifty-fifth Regular Session commencing on the fourth day of January, 1943, two-thirds of all the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Article XVIa thereto, to read:

Article XVIa

Pensions

Section 1. The Legislature shall have power to provide for the payment of pensions to disabled or aged citizens of the United States who reside in this State, and who have such qualifications in respect to age, length and place of residence, property holdings, and income, as the Legislature may prescribe. The Legislature shall have power to provide by taxation the necessary funds for the payment of such pensions, whether such pensions are paid by the State, or by the Federal Government and the State jointly.

Sec. 2. If the Federal Government establishes a uniform Nation-wide retirement system of old-age pensions for citizens of the United States not less in amount than the pensions provided by the State of California, such National pensions shall be in lieu of the State pension provided pursuant to this article; but if a National pension is provided in an amount less than the amount of the pension provided by the laws of the State of California, the Legislature shall provide for the payment of the difference between the amount of the National pension and the amount of the pension provided by State law, such payments to be administered and the conditions of eligibility thereof to be as provided in this article.

Sec. 3. No applicant for or recipient of a pension shall be denied a pension because of the property holdings or income of any other person, whether child, spouse, or other relative, of the applicant or recipient, or because of any provision of law requiring any such relative to support the applicant or recipient, or because of the financial ability of any such relative to support the applicant or recipient.

Sec. 4. Any recipient of a pension provided pursuant to this article shall be permitted to own, hold, or convey to others real estate, cash, or other personal property in such amount as the Legislature shall provide, without thereby becoming ineligible to receive the pension.

Sec. 5. Any recipient of a pension provided pursuant to this article may receive remuneration for his labor or services, or rentals of property owned by him, in any amount provided by the Legislature, without thereby becoming ineligible to receive the pension.

Sec. 6. Any legislation providing pensions pursuant to this article shall be administered by a department established for that purpose, which shall be separate and distinct from any agency or organization engaged in the administration of laws governing the distribution of public or private charity. Any citizens' pension provided pursuant to this article shall be deemed a right accorded to citizens by virtue of their status as citizens, and the receipt thereof shall never be considered as an act of indigency or pauperism, nor shall any legislation granting such a pension be deemed to be nor administered as legislation providing aid to indigents or paupers.

Sec. 7. No pension granted to a citizen under legislation pursuant to this article shall be terminated except by the death of the pensioner, nor shall the amount of any such pension be reduced, until the pensioner has been granted a hearing before a court of record in the county in which he resides, and accorded full opportunity to defend his right to continue to receive the pension in the amount which has been granted.

Sec. 7.5. Any applicant for or recipient of a pension provided pursuant to this article who feels that he has been discriminated against by reason of any ruling by any administrative officer or body empowered by law to administer laws enacted pursuant to this article shall have the right, upon cause shown, to obtain a writ of review from any court of record in the county in which he resided at the time the action complained of occurred, and to have the question or questions judicially determined and proper relief granted.

Sec. 8. No grant of a pension to an aged person, or the enjoyment of a pension, shall create the relationship of debtor and creditor between a pensioner and the State of California, or any political subdivision of the State, save where the pension has been obtained by fraud. When a pension has been obtained by fraud, action may be maintained against the recipient, in such manner, and the person who obtained the pension fraudulently shall be subject to such penalties, as the Legislature may provide.

Sec. 9. No action shall be hereafter maintained in any court of the State of California against any person for the recovery of any sums heretofore or hereafter paid as a pension pursuant to this article, or as old-age assistance, except to recover such pensions or such assistance obtained by fraud.

Report of Subcommittee on Improvement of Administrative Practices

MARCH 30, 1943

*Mr. Ralph T. Fisher, Chairman, Governor's Old Age Pension Committee
State Capitol, Sacramento, California*

DEAR MR. FISHER: Your Subcommittee on Improvement of Administrative Practices would suggest points of correction in the law that the administration of the so-called Old Age Pension in California might be more dignified and humane. In order to accomplish the task we have been given, we have gone into minute detail and considered section by section the Social Welfare Code.

- (1) Inasmuch as the State Social Welfare Board administers a very large department, it is our opinion it should be a full time board.
- (2) The members of the board should be compensated on a full-time basis and their terms should be staggered so that no one Governor could control the board.

- (3) Much severe criticism was presented to the general committee regarding the activities of social workers and it is our opinion that there is room for much reform in this department in administering old age assistance.
- (4) Every applicant shall be given an itemized report setting forth the amount of deductions, if any, made from his grant
- (5) Any new rules and regulations shall be filed with the Secretary of State 30 days prior to effective date, and copies shall be available to people upon request.
- (6) The State department should be given authority to try social workers accused of maladministration or order the case to be tried before the State Personnel Board, and if found guilty the State shall have the power to suspend the social worker for a reasonable period of time, and after two such suspensions the employee may be dismissed.
- (7) The unnecessary language in Section 2180 of the Welfare and Institutions Code should be stricken out and the section should be made to read as follows:
 "Application for aid under this chapter shall be made to the board of supervisors of the county in which the applicant resides. An applicant may apply in person or the application may be made by another in his behalf. This application may be made in writing or reduced to writing upon the standard form prescribed by the State Department of Social Welfare, and a copy of his application shall be furnished to each applicant at the time of application. The form shall contain questions, the answers to which will provide the information necessary to establish eligibility for aid under this chapter. All statements in the application shall be verified, under oath, by the applicant."
- (8) The clause pertaining to insurance policies shall be so worded that no insurance policy may be valued at more than its present cash value to the recipient, and premiums on insurance policies may not be deducted from the recipient's award—no matter by whom paid.
- (9) Personal effects include clothing, furniture, household equipment, foodstuffs, and fuel, and shall not be considered as personal property, and the assessed value shall be considered in both real and personal property and then only net values after deductions of all encumbrances.
- (10) Trust deeds should be considered as mortgages, and not as personal property, in the matter of determining eligibility bearing on personal property.
- (11) Applicant's affidavit shall be deemed prima-facie evidence, and the county give 30 days' time in which to investigate and to affirm or deny the application.
- (12) Payments shall begin as of the first day of the month following date of application.
- (13) The county board of supervisors may reconsider previous denials, eliminating necessity in those cases of appeal to the State board, and must upon written request of the applicant hold a public hearing to determine the sufficiency of the application
- (14) A transcript of the hearing shall be made and the cost borne by the department.
- (15) The present provision of the law should be amended to provide that the applicant may reapply when the condition which resulted in his application being rejected has been eliminated.
- (16) Add language to Section 2003 to read: "In case of doubt the applicant shall be given the benefit of the doubt."
- (17) In Section 2005 after the words, "other suitable home," add the words: "of his own choosing."
- (18) In Section 2008 add this language: "Any applicant or recipient of aid under this chapter, and any person connected with the administration of such aid, or other person, who knowingly violates any provision of this chapter for which no penalty is specifically provided, is guilty of a misdemeanor."
- (19) In Section 2009 provide "that the public designation of any building or place used for aid under this chapter may not make any reference to charity or indigency."
- (20) Require that the State or County Welfare Department shall mail a copy of any bulletin, policy rule or the law itself to any recipient upon demand.
- (21) In Section 2160 provide under "F"—"that free board and lodging supplied to an applicant, because of his necessity, by a friend or relative who is not responsible for his support, shall not be grounds for refusing aid."

- (22) Any place of abode of recipient or applicant, whether it be a house, boat, trailer, or other habitation, shall be deemed to be real estate for the purposes of this act.
 - (23) All means of determining eligibility filed by applicant on affidavit before a judge of the superior court, shall be deemed to be sufficient evidence, in the absence of other factual data.
 - (24) Add "that no person connected with the administration shall dictate how the recipient shall spend the aid granted to him."
 - (25) Provide that all offices used for administration shall easily be accessible to the aged or maimed, and shall be either on the ground floor or served with an elevator and operator.
 - (26) Provide that absence from the State, not in excess of 90 days of any calendar year, shall not be considered evidence to establish residence elsewhere, nor to interrupt receipt of aid.
 - (27) Estates shall not be considered until they are available to the client for occupation or use, or until an income is available therefrom to the client.
 - (28) Provide an urgency clause for immediate passage of enactment.
 - (29) Provision should be made for the simplification of the responsible relatives affidavit form; for instance, a very brief initial form could be sent to the relative for the purpose of determining whether that relative has an income in his or her own right. This relates to the married daughter, primarily. Unless the married daughter has a separate income she shall not be required to make relatives' contributions. If the answer indicates a separate income, then a more elaborate form could follow.
 - (30) The committee should recommend that the state department review all present requirements of the State and counties governing the complete operation of the application and renewal process, and that anything of an unnecessary nature be eliminated.
- Respectfully submitted.

VERNON KILPATRICK, Chairman
 GEORGE SEILMEYER
 H. R. JUDAH

P. O. BOX 1054
 PHONE 545

DR. FRANCIS E. TOWNSEND, *Founder*

CALIFORNIA HEADQUARTERS, TOWNSEND NATIONAL RECOVERY PLAN
 Jno. C. Cuneo, National Representative
 Room 15, 922 Jay Street
 Modesto, California

April 3, 1943

Hon. Earl Warren, Governor, State of California
Sacramento, California

DEAR SIR: The members of your state-wide committee appointed to study pensions are submitting to you both a majority and a minority report and recommendations.

Throughout the deliberations of this committee there was general, common agreement on most all points which you recommended that a study be made. The only general difference of opinion was on the following points:

1. Amount to be paid recipients.
2. Age at which payments should begin.
3. Whether relatives should contribute.

There was general agreement that the actual minimum need under present conditions was \$65 to \$75 per month. There was general agreement that there are a great many people below age 65 unable to secure employment and maintain themselves, especially in normal times. There was general agreement that the requiring of relatives to support recipients was very unsatisfactory and created much unhappiness and required much investigation by welfare workers, so often referred to as "snooping"

In spite of this general agreement that all three of the above major items were necessary to achieve your objectives as stated by you on several occasions and in your letter to the committee, several members voted against making these recommendations. The only reason these members offered for so doing was that the taxpayers could not pay the necessary taxes and that these increased benefits to our senior citizens would bankrupt the State. They took this position despite the fact that at no time did you ask this committee to investigate and recommend ways and means to finance a broadened old age assistance program. It seems to me, that function properly belonged to your "tax committee" and not to your "pension committee."

Why these pension committee members were so worried about the taxpayers and so little interested in the desperate condition of hundreds of thousands of our senior citizens, I can not understand.

They all knew well that you have indicated pensions should be paid as a "matter of right" and that they should be available without property qualifications and relative responsibility and in amounts to insure a decent American standard of living. Everyone knows no one can exist on \$40 per month, or \$50 per month, under present costs. Fifty dollars today will buy much less than \$40 would a short time ago. In addition the food stamps have been discontinued, further reducing the income of the senior citizens and increasing their problem of existence. I ask you and the members of the Legislature of our great State, what are these pensioners—these fathers and mothers—to do? How can we deny them these simple and just needs in the face of such a large treasury surplus and which is rapidly increasing? How can we deny them the little they ask when we increase all State employees' salaries and travel expenses and we improve conditions for other groups? Why are they forgotten and neglected? Why are they left in such miserable poverty, want and distress with all of the unhappiness that follows? Is that their just reward for what they have given?

Governor Warren, the people of California believed you meant what you said about the needs and rights of our senior citizens and that the pension issue should be taken out of politics. I still think you are sincere in wanting to solve this great problem practically and fairly for all of our people. You have a great responsibility and also a great opportunity. It is to boldly face the issue as outlined in the enclosed suggested recommendation, a copy of which I delivered to you personally several weeks ago. I can not urge you too strongly to study this simple, equitable and practical proposal with an open mind. It is no idle theory! It has been proven beyond a question. We must not overlook its great possibilities, not only for meeting this pension issue fairly and practically, but to establish a system of taxation on a "pay-as-we-go" basis—taxing according to our ability to pay. It is so simple and equitable and could supplant the red tape and innumerable kinds of taxes we now have. It would raise large sums of money to meet all of our legitimate public needs. Think what such a system would mean for all of us, not only in California! Think of the value of keeping a large amount of money in circulation. Think of the happiness that would follow when all able persons could be assured employment and the aged and physically unfit would be assured the means to maintain themselves. Are not these objectives worthwhile? Think what it will mean if we of California can prove such a system which would be applied to meet our national problems to carry and liquidate the national debt.

I feel certain you will realize these opportunities. If you will assume leadership and take action to put this program into effect, you will render the highest service to our State, our Nation and to all people.

I am also enclosing a copy of Senate Bill No. 974, introduced by Senator Donnelly at my request. A close study of this bill will reveal how such a program as I am recommending could be initiated and operated. It may be desirable to add a section to this bill providing for a certain number of years' residence in California. It may also be advisable to start with a lower rate of premium for a test period of a year. These are details, but the basic principles are provided for in the attached copy of suggestion to you and in Senate Bill No. 974.

Please give these your most serious and careful consideration. There is so much at stake. Unless some such program can be developed to establish a plan of equitable, simple taxation on a pay-as-we-go basis and we make adequate provisions for support of our senior citizens, and provide jobs for our people able to work, there is a dark future ahead for all of us. Dissatisfied people are driven to follow radical leaders and programs. If we want to avoid this and take the pension issue out of politics, provide security and justice, we can not fail to take some such action as is herein recommended. I hope that you will see the wisdom of these constructive proposals and act boldly and promptly. Tomorrow may be too late and we will again have to admit that we did "too little, too late."

Yours for a better day in our Grand U. S. A.
P. S. If I can be of service, command me.

JOHN C. CUNEO

C. A. "CAPPY" RICKS, MAYOR

CITY OF MARTINEZ
County Seat of Contra Costa County, California

April 4, 1943

The Honorable Earl Warren, Governor of California
Sacramento, California

DEAR GOVERNOR WARREN: I beg leave to submit the following as a dissenting report from a member of your Committee on Old Age Pensions. I signed one report with the following reservations:

One half of the Committee recommended and of \$50, paid as follows:
65 years, Federal \$20, State \$20, Counties \$10.

One-half of the committee has recommended aid of \$60, paid as follows:
 65 years: Federal, \$20; State, \$20; Counties, \$20.
 60 years: Federal, none; State, \$60; Counties, none. I do not subscribe to either plan. I recommend:
 65 years: Federal, \$20; State, \$35; Counties, \$5 and
 60 years: Federal, none; State, \$35; Counties, \$5, until Federal adds to its aid or cost of living is lowered.

Relatives Responsibility

I am against relatives responsibility on account of the necessity of "snooping" and irritation to in-laws in families. It has no place in a pension system. But California has aged aid system on a basis of need instead of pensions. Case load increases in States where no relatives responsibility is demanded makes me hesitate on going all the way now on abolishing relatives responsibility. A compromise would be a new scale of requirements from relatives and less stringent investigation of relatives by department employees

State and Counties Participation:

The State has a wide basis of taxation possibilities. The county has real estate only. The State should take over all the load until the Federal Government does the right thing.

Lack of State funds is no excuse. The sales tax should not be lowered from 3 per cent to 2½ per cent until all aged are fed and housed. Postwar nest eggs should not be provided when aged are in need. The spectre of returning soldiers in the distant future should not be considered as important as caring for the old folks right now. The soldiers will well be able to take care of themselves when that time arrives. I believe the average soldier would rather have the surplus spent on his parents now than to save it for public works for his benefit after the war.

I hope the Legislature will not conform to the usual practices of cutting down recommendations. I believe that \$53 now will not establish the same standard of living as the old folks had in 1941. We were informed that if the Legislature were to raise the aged aid \$10 that only a portion of the present case load would get the full \$10. Investigators would cut down added payments according to the "need" of the case.

I am against all State aid and State pensions and believe it is entirely a problem of the Federal Government.

Sincerely,

CAPPY RICKS

APRIL 5, 1943

Mr. Ralph T. Fisher, Chairman

Governor's Old Age Pension Committee

c/o American Trust Company, 1401 Broadway, Oakland, California

MY DEAR MR. FISHER: Please be advised that the undersigned jointly concur on the compromised report as submitted by the Citizen's State-wide Committee on Old Age Pension, under date of March 31, 1943. However, this is not to be misconstrued as meaning that we have entirely disregarded the former joint stipulation as submitted on March 17, 1943, which in principle embodied Assembly Bill No. 660, but that we temporarily set this matter aside for reason that after careful consideration and study of all statistical, financial and factual matter submitted, together with the division of committee on said bill; we can do nothing other than to admit the inadvisability of forcing the issue at this time.

It is our sincere belief that under the circumstances the compromised report will to some extent bring about the desired effect in solidifying the committee and in receiving the necessary support of the Governor and the Legislature, which in our opinion is another successful step in advancing the Old Age Security Law and a further step towards complete liberalization, of which we still feel can only be ultimately accomplished by the enactment of legislation, similar to, or as embodied in Assembly Bill No. 660.

The undersigned want it known however, that they will not subscribe to any grant which is less than that stipulated in the above-mentioned compromised report, under date of March 31, 1943.

In conclusion may we request that this letter be made part of said report.

Respectfully submitted,

CALIFORNIA STATE FEDERATION OF LABOR
 LAWRENCE R. PALACIOS
 CALIFORNIA STATE C. I. O.
 FRANK SLABY

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 835
FROM INACTIVE FILE**

Mr. King gave notice that on Monday, April 12, 1943, he would move to withdraw Assembly Bill No. 835 from the inactive file, and have it placed upon the third reading file.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 359
FROM INACTIVE FILE**

Mr. Middough gave notice that on Monday, April 12, 1943, he would move to withdraw Assembly Bill No. 359 from the inactive file, and have it placed upon the third reading file.

**NOTICE OF MOTION TO WITHDRAW HOUSE RESOLUTION NO. 152
FROM INACTIVE FILE**

Mr. Hawkins gave notice that on Monday, April 12, 1943, he would move to withdraw House Resolution No. 152 from the inactive file, and have it placed upon file for adoption.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1842

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1612

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-fer to Committee on Ways and Means.

WEYBRET, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1591

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 440

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-fer to the committee.

CALL, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1793

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1058

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 911—An act making an appropriation for administrative expenses of the Department of Social Welfare, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the tenth day of April, 1943, at 11 a.m.

PELLETIER, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 107

Senate Bill No. 173

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 33

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 266

Assembly Bill No. 358

Assembly Bill No. 214

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1422

Assembly Bill No. 1309

Assembly Bill No. 1027

Assembly Bill No. 555

Assembly Bill No. 246

Assembly Bill No. 364

Assembly Bill No. 789

Assembly Bill No. 1252

Assembly Bill No. 689

Assembly Bill No. 1095

Assembly Bill No. 1421

Assembly Bill No. 1806

Assembly Bill No. 64

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 646	Senate Bill No. 269
Senate Bill No. 169	Senate Bill No. 570
Senate Bill No. 62	Senate Bill No. 461
Senate Bill No. 1036	Senate Bill No. 469
Senate Bill No. 534	Senate Bill No. 481
Senate Bill No. 774	Senate Bill No. 602
Senate Bill No. 489	Senate Bill No. 976

J. A. BEEK, Secretary of the Senate

SENATE CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 679	Senate Bill No. 952
Senate Bill No. 945	Senate Bill No. 982
Senate Bill No. 946	Senate Bill No. 983
Senate Bill No. 947	Senate Bill No. 984
Senate Bill No. 948	Senate Bill No. 985
Senate Bill No. 949	Senate Bill No. 986

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 413	J. A. BEEK, Secretary of the Senate
	By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 3	J. A. BEEK, Secretary of the Senate
	By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 646—An act to add Section 887 to the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Senate Bill No. 169—An act to amend Section 2614 of, and to add Section 5137.5 to, the Revenue and Taxation Code, relating to payment of taxes under protest.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 62—An act to amend Section 253 of the Revenue and Taxation Code, relating to exemptions from taxes on real property, and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1036—An act to amend Section 64 of the Fish and Game Code, relating to fish and game district.

Referred to Committee on Fish and Game.

Senate Bill No. 534—An act to add Section 612.5 to the Fish and Game Code, relating to steelhead.

Referred to Committee on Fish and Game.

Senate Bill No. 774—An act to amend Section 92 of the Fish and Game Code, relating to districts.

Referred to Committee on Fish and Game.

Senate Bill No. 489—An act making an appropriation from the State Park Maintenance Fund to repay a loan made from the Emergency Fund, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 269—An act to add Section 20.7 to the Personal Property Brokers Act as revised by Chapters 952 and 1044 of the Statutes of 1939, relating to licensees in military service.

Referred to Committee on Finance and Insurance.

Senate Bill No. 570—An act to amend Sections 10203, 10204, 10209 and 10213 of, and to add Section 10203.6 to, the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 461—An act to add Section 77 to the Agricultural Code, relating to the powers of the State Agricultural Society.

Referred to Committee on Agriculture.

Senate Bill No. 469—An act to add Section 395.8 to the Military and Veterans Code, relating to the reinstatement of officers of any city, who shall have left the services of such city to enter upon active services of the armed forces of the United States, upon his discharge or release from such active service; to provide for temporary officers to serve during such absence of officers; and declaring the urgency hereof, to take effect immediately.

Referred to Committee on Military Affairs.

Senate Bill No. 481—An act relating to bases for allocation of money to county and district agricultural fairs.

Referred to Committee on Agriculture.

Senate Bill No. 602—An act to amend Section 120 of the Welfare and Institutions Code, relating to the State Department of Social Welfare.

Referred to Committee on Social Welfare.

Senate Bill No. 976—An act to amend Section 647 of the Agricultural Code, relating to conveyances transporting milk or cream or containers therefor.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 679—An act to add Section 2521.5 to the Penal Code, relating to prison employees appointed by the wardens.

Referred to Committee on Crime and Correction.

Senate Bill No. 945—An act to establish a Water Code, thereby consolidating and revising the law relating to water, including the use of water, the acquisition and regulation of water rights, the control and utilization of water, the distribution of water, the supervision of dams, the use of and rights in streams, wells, pumping plants, and conduits, the establishment and operation of public districts relating to water, and to repeal certain acts and parts of acts specified herein.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 946—An act to add Division 5 and Section 150005 to the Water Code, relating to flood control by cities, counties, and the State, including provisions relating to the Reclamation Board, the Sacramento and San Joaquin Drainage District, and to repeal certain acts specified herein.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 947—An act to add Division 6 to the Water Code, relating to the conservation, development and utilization of the water resources of the State, including provisions relating to the State Water Plan, the Central Valley Project, the San Luis Rey Water Authority, the Colorado River Board, and to repeal certain acts specified herein.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 948—An act to add Division 10 and Section 150010 to the Water Code, thereby revising and consolidating the law relating to the financial supervision of irrigation and other public districts, including provisions relating to the approval and certification of bonds of such districts as legal investments and as security for the deposit of public money, provisions relating to the obligations and finances of such districts, and provisions relating to the California Districts Securities Commission and other State agencies having powers similar to said commission, and to repeal certain acts specified herein.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 949—An act to add Division 11 to the Water Code, thereby revising and consolidating the law relating to irrigation districts, including provisions for the supervision, regulation, and conduct of such districts, and to repeal certain acts specified herein.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 952—An act to add Sections 202, 203, 1050.5 and 1050.6 to, to amend Sections 228 and 275 of and to repeal Article 5, of Chapter 1 of Part 2 of Division 2 of the Water Code, relating to the administration of the provisions of said code.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 982—An act to add Section 8710.5 to the Water Code, relating to approval of works of reclamation proposed by public districts within the Sacramento and San Joaquin Drainage District.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 983—An act to add Section 4028.5 to the Water Code, relating to distribution of water in watermaster service areas.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 984—An act to add Section 1252.5 to the Water Code, relating to appropriation of water.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 985—An act to amend Section 2500 of the Water Code, relating to statutory adjudication of water rights.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 986—An act to amend Section 11102 and to repeal Section 11600 of the Water Code, relating to the Central Valley Project.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 413—An act amending Section 4300a of the Political Code, relating to fees of the county clerk.

Referred to Committee on Municipal and County Government.

Senate Joint Resolution No. 3—Relative to memorializing the Congress of the United States to initiate proper action and legislation to determine the identity, and forfeit the citizenship of those holding a dual citizenship in any other country and prohibiting such citizenship.

Referred to Committee on Rules and House Functions.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 280 re-referred to Committee on Judiciary.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Claude Welch of Los Angeles.

On request of Mr. Crichton, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Seymour Mathiesen, Mrs. William Hartley, Mrs. Carleton Mathewson, Mrs. Earl Cecil, and Mrs. Roy Perdue of Fresno.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Major Charles W. Freeman of San Francisco.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Fred R. Jenks, just returned from active duty in Africa, and Mrs. Fred R. Jenks.

On request of Mr. Gaffney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant and Mrs. Ralph Lewis, of Lodi.

On request of Mr. King, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Dallas B. Huggins of Butte County.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Merle Corrin of Sacramento.

ADJOURNMENT

At 1.31 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 11 a.m., Monday, April 12, 1943.

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FIRST LEGISLATIVE DAY

NINETY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, April 12, 1943

The Assembly met at 11 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Smith, Stream, Thomas, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Dear Heavenly Father, we pause in gratitude and expectation at the beginning of this new day.

“For restful sleep throughout the night
 For radiant return of morning light
 For loved ones guarded in Thy sight
 For strength to spend to aid the right—
 We thank Thee.”

Bless and guide the President of the United States, the Governor of our Commonwealth, those who serve in places of leadership and authority, those who serve in the armed forces, and our allies in the struggle to free mankind from the tyrant's heel.

“Our Father's God to Thee,
 Author of liberty,
 To Thee we sing.
 Long may our land be bright
 With freedom's holy light;
 Protect us by Thy might,
 Great God our King.”

AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the Pledge of Allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Middough.

MOTION TO EXCUSE MEMBER

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, because of illness.

COMMUNICATIONS

By Speaker Lyon:

A communication from the Fallbrook Ministerial Association, relative to the Youth Correction Authority, was received and referred to the Committee on Rules and House Functions.

Also:

A bulletin from the California Real Estate Association, relative to an editorial appearing in the Pasadena Post, was received and referred to the Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 76	Assembly Bill No. 1420
Assembly Bill No. 294	Assembly Bill No. 1463
Assembly Bill No. 491	Assembly Bill No. 1484
Assembly Bill No. 653	Assembly Bill No. 1503
Assembly Bill No. 1191	Assembly Bill No. 1613
Assembly Bill No. 1195	Assembly Bill No. 1692
Assembly Bill No. 1232	Assembly Bill No. 1701
Assembly Bill No. 1235	Assembly Bill No. 1795
Assembly Bill No. 1236	Assembly Bill No. 1807
Assembly Bill No. 1253	Assembly Bill No. 1880
Assembly Bill No. 1282	Assembly Bill No. 1914
Assembly Bill No. 1312	Assembly Bill No. 1915
Assembly Bill No. 1313	Assembly Bill No. 1917

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 58	Assembly Bill No. 962
Assembly Bill No. 159	Assembly Bill No. 1005
Assembly Bill No. 328	Assembly Bill No. 1081
Assembly Bill No. 387	Assembly Bill No. 1430
Assembly Bill No. 708	Assembly Bill No. 1571
Assembly Bill No. 729	Assembly Bill No. 1803

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 344

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 100

Assembly Bill No. 247

Assembly Bill No. 249

Assembly Bill No. 250

Assembly Bill No. 289

Assembly Bill No. 377

Assembly Bill No. 434

Assembly Bill No. 531

Assembly Bill No. 542

Assembly Bill No. 625

Assembly Bill No. 913

Assembly Bill No. 961

Assembly Bill No. 968

Assembly Bill No. 1013

Assembly Bill No. 1032

Assembly Bill No. 1076

Assembly Bill No. 1158

Assembly Bill No. 1179

Assembly Bill No. 1180

Assembly Bill No. 1181

Assembly Bill No. 1184

Assembly Bill No. 1186

Assembly Bill No. 1187

Assembly Bill No. 1188

Assembly Bill No. 1190

Assembly Bill No. 1192

Assembly Bill No. 1193

Assembly Bill No. 1197

Assembly Bill No. 1207

Assembly Bill No. 1212

Assembly Bill No. 1226

Assembly Bill No. 1231

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 876

Assembly Bill No. 879

Assembly Bill No. 883

Assembly Bill No. 884

Assembly Bill No. 1525

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 306

Assembly Bill No. 537

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1033

Assembly Bill No. 1127

Assembly Bill No. 1265

Assembly Bill No. 1857

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

RECESS

At 11.13 a.m., the Assembly recessed until 11.15 a.m., to hear from Captain Norman Goldberg, former Chaplain of the Assembly.

REASSEMBLED

At 11.15 a. m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 851—An act to amend Section 1106.2 of the Agricultural Code, relating to eggs.

Bill read second time, and ordered to third reading.

Assembly Bill No. 869—An act to add Chapter 7 to Division 6 of the Agricultural Code, relating to contracts for the sale of agricultural products.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1145—An act to add Section 83.6 to the Agricultural Code, relating to the board of directors of IA District Agricultural Association.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1507—An act to amend Section 1300.1 of the Agricultural Code, relating to processors of farm products.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1509—An act to amend Sections 122 and 123 of, and to add Sections 123.55, 123.56, 123.57 and 123.58 to, the Agricultural Code, relating to inspection and certification of nursery stock.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1963—An act to amend Sections 802.6, 803, 823, 828.15, 828.25, 828.4 and 829.2 of the Agricultural Code, relating to standard containers for deciduous fruits and grapes, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1591—An act to add Parts 8 and 9, comprising Sections 13301 to 16652, inclusive, to Division 2 of the Revenue and Taxation Code, and to add Section 5001 $\frac{1}{2}$ thereto, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Inheritance Tax Act of 1935, the Gift Tax Act of 1939, and Section 445 of the Political Code, and repealing acts and parts of acts specified therein.

Bill read second time, and ordered to third reading.

Assembly Bill No. 699—An act to amend Section 108.5 of the Agricultural Code, relative to host-free periods and host-free districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

After line 23 of the printed bill, insert "The establishment of a host-free period or host-free area shall not be construed to require the destruction of any fruit or nut trees or vines or berry bushes."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 849—An act to amend Sections 761, 762, 762.5 and 763 of, and to add Sections 761.1, 762.6, 762.7, 762.8, 762.9, 763.1, 763.2, and 763.3 to, the Agricultural Code, relating to tomato standards, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 3 of the printed bill, as amended, strike out all of lines 25 to 27, inclusive, and insert "son violating any provision of this chapter, and may seize and hold such portion of any lot or load of tomatoes".

Amendment No. 2

On page 3 of the printed bill, as amended, strike out all of lines 29 and 30, and insert "his judgment be necessary as evidence."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1842—An act to add Sections 6.737 to the School Code and to add Section 19311 to the Education Code, relating to cafeterias.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 6.737 to the School Code and to add".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Section 6.737 is added to the School Code, to", and strike out lines 2 to 5, inclusive.

Amendment No. 3

On page 1, line 7, of said bill, strike out "Sec. 2."

Amendment No. 4

On page 1, line 9, of said bill, strike out "served or".

Amendment No. 5

On page 1 of said bill, strike out line 11, and insert "employees of any school district, members of the governing board thereof, members or employees of the fund or association maintaining the cafeteria, pupils and employees of any work or harvest camp maintained by or within the district, and persons entitled to use the school under the Civic Center Act."

Amendment No. 6

On page 1 of said bill, strike out lines 13 to 17, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 440—An act to amend Section 758 of, to add Section 762 to, and to repeal Sections 758a and 759 of, the Political Code, all relating to officers and employees and fees of the district courts of appeal.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In the title of the printed bill, after "amend", strike out lines 1 to 4, inclusive, and insert "Sections 758 and 759, and to repeal Section 758a, of the Political Code, all relating to officers and employees of the district courts of appeal"

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 3 to 27, inclusive, and insert

"758. The First District Court of Appeal may appoint the following officers of the court whose salaries shall be as follows. One clerk at four thousand five hundred dollars (\$4,500) per annum, two deputy clerks at three thousand five hundred dollars (\$3,500) each per annum; two phonographic reporters as provided in Section 759; and two bailiffs at two thousand nine hundred dollars (\$2,900) each per annum; one deputy clerk, one phonographic reporter and one bailiff to be assigned to each division of the court

The Second District Court of Appeal may employ and appoint the following officers of the court whose salaries shall be as follows: One clerk at four thousand five hundred dollars (\$4,500) per annum; two deputy clerks at three thousand five hundred dollars (\$3,500) each per annum; phonographic reporters as provided in Section 759; and one bailiff at two thousand nine hundred dollars (\$2,900) per annum

The Third District Court of Appeal may employ and appoint the following officers of the court, whose salaries shall be as follows: One clerk at four thousand five hundred dollars (\$4,500) per annum; one deputy clerk at three thousand five hundred dollars (\$3,500) per annum; one phonographic reporter as provided in Section 759, and one bailiff at two thousand nine hundred dollars (\$2,900) per annum

The Fourth District Court of Appeal may employ and appoint the following officers of the court, whose salaries shall be as follows: One clerk at four thousand five hundred dollars (\$4,500) per annum, three deputy clerks at three thousand five hundred dollars (\$3,500) each per annum; one phonographic reporter as provided in Section 759, and one bailiff at two thousand nine hundred dollars (\$2,900) per annum."

Amendment No. 3

On page 2 of the printed bill, strike out all of lines 1 to 29, inclusive, and insert "SEC. 2. Section 759 of the Political Code is amended to read:

759 Each division of the District Courts of Appeal of the First and Second Appellate Districts, the District Court of Appeal of the Third Appellate District and the District Court of Appeal of the Fourth Appellate District may employ and appoint a phonographic reporter, who shall be competent to write shorthand at the rate of at least 150 words per minute and to transcribe the same correctly. His duties shall be to take down in shorthand the proceedings of the court, and to act as secretary to the judges in the discharge of their official duties. His compensation shall be at the rate of three thousand nine hundred dollars (\$3,900) per annum.

SEC. 3. Section 758a of the Political Code is repealed"

Amendments read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 1612—An act to amend Sections 305 and 306 of the Agricultural Code, relating to meat inspection.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended, after "transported", insert "for sale"

Amendment read and adopted.

Bill ordered reprinted and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 376
 Assembly Bill No. 912
 Assembly Bill No. 314
 Assembly Bill No. 914

Assembly Bill No. 332
 Assembly Bill No. 93
 Assembly Bill No. 94
 Assembly Bill No. 179

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 10, 1943

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 113
 Assembly Bill No. 453

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

RECONSIDERATION OF URGENCY CLAUSE TO ASSEMBLY BILL NO. 343

In compliance with a notice given on a previous day, Mr. Dilworth moved that the vote whereby the urgency clause to Assembly Bill No. 343 was refused adoption be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dilworth moved a call of the Assembly.

Motion carried. Time, 11 29 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
 BY UNANIMOUS CONSENT**

Speaker Pro Tempore Presiding

At 11 30 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Lyon, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of call of the Assembly on all bills considered during the call of the Assembly on Assembly Bill No. 343.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 686 was taken up

Assembly Bill No. 686—An act to amend Sections 101, 102, 104, 106, 107, 110, and 113 and to repeal Section 111 of, and to add Section 107.5 to of the Health and Safety Code, relating to the State Department Public Health.

Bill read third time.

Motion to Amend

Mr. Kraft moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 22, of the printed bill, strike out "doctor of medicine", and insert "physician and surgeon".

Amendment read.

Demand for Previous Question

Messrs. Robertson, Middough, Waters, Allen, and Rosenthal demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment to Assembly Bill No. 686.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Collins, George D., Crichton, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Gaffney, Kellems, Kilpatrick, Knight, John B., Kraft, Lowrey, Lyons, Massion, Middough, Niehouse, Pelletier, Rosenthal, Watson, and Weber—26.

NOES—Armstrong, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Debs, Denny, Desmond, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Leonard, Maloney, McMillan, Miller, O'Day, Potter, Price, Robertson, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—38.

The question being on the passage of Assembly Bill No. 686.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Collins, Sam L., Crichton, Debs, Denny, Desmond, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, McMillan, Miller, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Anderson, Clarke, Collins, George D., Dills, Clayton A., Dills, Ralph C., Heisinger, Kraft, Massion, Middough, Niehouse, and Pelletier—11.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 12 m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)**

Assembly Bill No. 908—An act to amend Sections 39, 382 and 623 of the Vehicle Code, and to add Sections 168 and 628 thereto, relating to vehicles and vehicular traffic.

Bill read third time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 20 and 21.

Amendment No. 2

On page 2, line 2, of the printed bill, as amended, strike out the period.

Amendment No. 3

On page 2, line 3, of the printed bill, as amended, strike out the letter "c" in brackets, and insert the letter "b".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Robertson:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 901 of the Probate Code, relating to compensation for administration of estates.

Respectfully submitted.

ALFRED W. ROBERTSON

Request referred to Committee on Legislative Procedure.

By Mr. Desmond:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to be known as the "Local Area Rehabilitation Act" to authorize cities, counties and cities and counties to reorganize, rehabilitate and reconstruct retrograde areas within the territories thereof; defining such retrograde areas and declaring the existence thereof; declaring the necessity of such reorganization, rehabilitation and reconstruction of such retrograde areas for the preservation of the public peace, health and safety and that same constitutes a public use and purpose for which private property may be condemned and granting such cities, counties and cities and counties the right to exercise the power of eminent domain and to enter into contracts for such purposes and that for such purposes public moneys may be spent and other aid given; establishing planning commissions in certain cases and conferring certain powers and duties upon such planning commissions and the legislative bodies of such communities for the purpose of carrying out the purposes of this act; empowering such legislative bodies to make contracts with property owners and others; to sell such properties in the manner prescribed in this act and to take and foreclose mortgages, and to take and enforce undertakings given in the performance of the terms of this act; to maintain actions for the enforcement of such contracts, and prescribing procedure for the performance of the duties of such legislative bodies and planning commissions under this act, and establishing such commissions as State agencies and waiving the trust status of the properties bought and sold in pursuance of the purposes of this act and declaring that this act and the powers thereby conferred are for public use and purpose.

Respectfully submitted.

EARL D. DESMOND

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Robertson:

An act to amend Section 901 of the Probate Code, relating to compensation for administration of estates.

By Mr. Desmond:

An act to be known as the "Local Area Rehabilitation Act" to authorize cities, counties and cities and counties to reorganize, rehabilitate and reconstruct retrograde areas within the territories thereof; defining such retrograde areas and declaring the existence thereof; declaring the necessity of such reorganization, rehabilitation and

reconstruction of such retrograde areas for the preservation of the public peace, health and safety and that same constitutes a public use and purpose for which private property may be condemned and granting such cities, counties and cities and counties the right to exercise the power of eminent domain and to enter into contracts for such purposes and that for such purposes public moneys may be spent and other aid given; establishing planning commissions in certain cases and conferring certain powers and duties upon such planning commissions and the legislative bodies of such communities for the purpose of carrying out the purposes of this act; empowering such legislative bodies to make contracts with property owners and others; to sell such properties in the manner prescribed in this act and to take and foreclose mortgages, and to take and enforce undertakings given in the performance of the terms of this act; to maintain actions for the enforcement of such contracts, and prescribing procedure for the performance of the duties of such legislative bodies and planning commissions under this act, and establishing such commissions as State agencies and waiving the trust status of the properties bought and sold in pursuance of the purposes of this act and declaring that this act and the powers thereby conferred are for public use and purpose.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Mason, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1978: By Mr. Robertson—An act to amend Section 901 of the Probate Code, relating to compensation for administration of estates.

Referred to Committee on Judiciary.

Assembly Bill No. 1979: By Mr. Desmond—An act to be known as the "Local Area Rehabilitation Act" to authorize cities, counties and cities and counties to reorganize, rehabilitate and reconstruct retrograde areas within the territories thereof; defining such retrograde areas and declaring the existence thereof; declaring the necessity of such reorganization, rehabilitation and reconstruction of such retrograde areas for the preservation of the public peace, health and safety and that the same constitutes a public use and purpose for which private property may be condemned and granting such cities, counties and cities and counties the right to exercise the power of eminent domain and to enter into contracts for such purposes and that for such purposes public moneys may be spent and other aid given; establishing planning commissions in certain cases and conferring certain powers and duties upon such planning commissions and the legislative bodies of such communities for the purpose of carrying out the purposes of this act; empowering such legislative bodies to make contracts with property owners and others; to sell such properties in the manner prescribed in this act and to take and foreclose mortgages, and to take and enforce undertakings given in the performance of the terms of this act; to maintain actions for the enforcement of such contracts, and prescribing procedure for the performance of the duties of such legislative bodies and planning commissions under

this act, and establishing such commissions as State agencies and waiving the trust status of the properties bought and sold in pursuance of the purposes of this act and declaring that this act and the powers thereby conferred are for public use and purpose.

Referred to Committee on Municipal and County Government.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

Assembly Joint Resolution No. 44

Assembly Joint Resolution No. 45

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered to engrossment.

Committee on Civil Service and State Departments

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which was referred:

Assembly Bill No. 1476

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

T. FENTON KNIGHT, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which were referred:

Assembly Bill No. 127

Senate Bill No. 855

Assembly Bill No. 1362

Senate Bill No. 1045

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

T. FENTON KNIGHT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which was referred:

Assembly Joint Resolution No. 30

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

T. FENTON KNIGHT, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which was referred:

Assembly Bill No. 258

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

T. FENTON KNIGHT, Chairman

Above reported bill ordered to second reading.

RECESS

At 12 12 p.m., on motion of Mr. Field, the Assembly recessed until 12.14 p.m to hear from Sheriff Eugene Biscailuz of Los Angeles County.

REASSEMBLED

At 12.14 p m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON RECONSIDERATION OF URGENCY CLAUSE
TO ASSEMBLY BILL NO. 343**

At 12.20 p.m , on motion of Mr. Dilworth, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No 343 reconsidered by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Brown, Burkhalter, Carey, Clarke, Collins, Sam L. Crichton, Debs, Denny, Desmond, Dilworth, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Middough, Miller, Niehouse, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—48.

NOES—Anderson, Bennett, Berry, Brady, Burnis, Call, Collins, George D., Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Gaffney, Haggerty, Hawkins, Heisinger, Lyons, Malouev, Massion, McMillan, O'Day, Pelletier, Potter, Sawallisch, and Wollenberg—24

RESOLUTIONS

The following resolution was offered:

By the Committee on Rules and House Functions:

House Resolution No. 176

Resolved, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly, to take effect

<i>Upon the completion of work on Saturday, April 10, 1943</i>	<i>Per day</i>
Noel T. Goursolle, Jr., Assistant Sergeant-at-Arms-----	\$6 00
<i>Upon completion of work on Monday, April 12, 1943</i>	
Allau Shelley, Chief Page-----	4 00
William Rust, Page-----	3 00

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 176, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

By the Committee on Rules and House Functions:

House Resolution No. 177

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth, with the compensation set opposite his name payable weekly, on a 7-day per week basis, and the Controller is hereby directed to draw his warrant in favor of said person for said amount, and the Treasurer is hereby directed to pay the same:

<i>Commencing Tuesday, April 13, 1943</i>	<i>Per day</i>
William Rust, Chief Page.....	\$4 00
Michael Waters, Page.....	no pay
SAM L. COLLINS, Chairman	

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 177, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.
 NOES—None.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Allen:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 1800.1 to, and to amend Section 1831.5 of, the Insurance Code, relating to transferring administration of bail bond licensing from the Insurance Commissioner to the Department of Professional and Vocational Standards.
 Respectfully submitted.

DON A. ALLEN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Allen:

An act to add Section 1800.1 to, and to amend Section 1831.5 of, the Insurance Code, relating to transferring administration of bail bond licensing from the Insurance Commissioner to the Department of Professional and Vocational Standards.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight,

John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following bills were introduced, and read the first time:

Assembly Bill No. 1980: By Mr. Allen—An act to add Section 1800.1 to, and to amend Section 1831.5 of, the Insurance Code, relating to transferring administration of bail bond licensing from the Insurance Commissioner to the Department of Professional and Vocational Standards.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 36: By Mr. Kilpatrick—Proposed amendment by repealing the third paragraph of Section 22 of Article XX of the Constitution of the State, as contained in Assembly Constitutional Amendment No. 79 adopted by the people on November 6, 1934, relating to rates of interest.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 37: By Mr. Kilpatrick—Proposed amendment to the Constitution, relative to the initiative and referendum.

Referred to Committee on Constitutional Amendments.

RE-REFERENCE OF ASSEMBLY BILL NO. 1753

Mr. Dilworth moved that Assembly Bill No. 1753 be withdrawn from the file, and re-referred to the Committee on Municipal and County Government.

Motion carried.

MOTION TO TEMPORARILY EXCUSE MEMBERS

Upon motion of Mr. Allen, Messrs. Weybret and Allen were excused from the Assembly Chamber at 2 p.m., to attend a meeting of the California War Council, of which they are members.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1425—An act to add Section 1656.5 to and to amend Section 1657 of to the Insurance Code, relating to insurance.

Bill read third time.

Motion to Amend

Mr. Miller moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 28, of the printed bill, as amended, strike out "license", and insert "agency appointment".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

RECESS

At 12.30 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1253 re-referred to the Committee on Elections and Reapportionment.

Assembly Bill No. 1807 re-referred to the Committee on Military Affairs.

Assembly Bill No. 1226 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1231 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1232 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1235 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1236 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 306 re-referred to the Committee on Ways and Means.

Assembly Bill No. 289 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1032 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1420 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1795 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1880 re-referred to the Committee on Public Health.

Assembly Bill No. 100 re-referred to the Committee on Roads and Highways.

Assembly Bill No. 961 re-referred to the Committee on Roads and Highways.

Assembly Bill No. 377 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1186 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1192 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1195 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1076 re-referred to the Committee on Judiciary.

Assembly Bill No. 1212 re-referred to the Committee on Judiciary.

Assembly Bill No. 542 re-referred to the Committee on Judiciary.

Assembly Bill No. 625 re-referred to the Committee on Judiciary.

Assembly Bill No. 1692 re-referred to the Committee on Fish and Game.

Assembly Bill No. 159 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1463 re-referred to the Committee on Commerce and Navigation.

Assembly Bill No. 58 re-referred to the Committee on Rules and House Functions.

Assembly Bill No. 1613 re-referred to the Committee on Judiciary.

Assembly Bill No. 294 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 962 re-referred to the Committee on Ways and Means.

Assembly Bill No. 76 re-referred to the Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1857 re-referred to the Committee on Judiciary.

Assembly Bill No. 1033 re-referred to the Committee on Judiciary.

Assembly Bill No. 491 re-referred to the Committee on Education.

Assembly Bill No. 1265 re-referred to the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 543—An act to add Sections 8.2 and 13.1 to The Personal Income Tax Act and Sections 17356 and 18434 to the Revenue and Taxation Code, relating to the personal income tax, deductions therefrom and returns made therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1825 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Bashore asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1825 from the Committee on Revenue and Taxation for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1825

Assembly Bill No. 1825—An act to add Section 2.5 to the Inheritance Tax Act of 1935, relating to inheritance taxes.

Bill read second time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2.5 to the Inheritance Tax Act of 1935,"; and strike out line 2 of said title, and insert "Article 4a (comprising Sections 970 to 978, inclusive) to Chapter 15 of Division 3 of the Probate Code, relating to the payment of Federal estate taxes."

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "Section 2.5 is added to the act cited in the title"; and strike out lines 2 to 11, inclusive, and insert "Article 4a (comprising Sections 970 to 978, inclusive) is added to Chapter 15 of Division 3 of the Probate Code, to read:

Article 4a. Payment of Federal Estate Tax

970. Whenever it appears upon any accounting, or in any appropriate action or proceeding, that an executor, administrator, trustee or other fiduciary has paid an estate tax to the Federal Government under the provisions of any Federal estate tax law, now existing or hereafter enacted, upon or with respect to any property required to be included in the gross estate of a decedent under the provisions of any such law, the amount of the tax so paid, except in a case where a testator otherwise directs in his will, and except in a case where by written instrument executed inter vivos direction is given for apportionment within the fund of taxes assessed upon the specific fund dealt with in such inter vivos instrument, shall be equitably prorated among the persons interested in the estate to whom such property is or may be transferred or to whom any benefit accrues.

971. The proration shall be made by the court having jurisdiction in probate of any property in the estate in the proportion, as near as may be, that the value of the property, interest or benefit of each such person bears to the total value of the property, interests and benefits received by all such persons interested in the estate.

972. In making a proration allowances shall be made for any exemptions granted by the act imposing the tax and for any deductions allowed by such act for the purpose of arriving at the value of the net estate.

973. In cases where a trust is created, or other provision made whereby any person is given an interest in income, or an estate for years, or for life, or other temporary interest in any property or fund, the tax on both such temporary interest and on the remainder thereafter shall be charged against and be paid out of the corpus of such property or fund without apportionment between remainders and temporary estates.

974. The tax shall be paid by the executor or administrator out of the estate before its distribution.

975. In all cases in which any property required to be included in the gross estate does not come into the possession of the executor or administrator, he shall be entitled, and it shall be his duty, to recover from whomever is in possession, or from the persons interested in the estate, the proportionate amount of the tax payable by the persons interested in the estate with which such persons interested in the estate are chargeable under the provisions of this article, and the probate court may by order direct the payment of such amount of tax by such persons to the executor or administrator.

976. No executor, administrator or other person acting in a fiduciary capacity shall be required to transfer, pay over or distribute any fund or property with respect to which a Federal estate tax is imposed until the amount of the tax due from the devisee, legatee, distributee or other person to whom such property is transferred is paid, or, if the apportionment of tax has not been determined, adequate security is furnished by the transferee for such payment.

977. The probate court, upon making a determination as provided in this article, shall make a decree or order directing the executor, administrator or other

fiduciary to charge the prorated amounts against the persons against whom the tax has been prorated insofar as he is in possession of property or interests of such persons against whom the charge may be made and summarily directing all other persons against whom the tax has been prorated or who are in possession of property or interests of such persons to make payment of such prorated amounts to such executor, administrator or other fiduciary.

978. Except where the context otherwise requires, as used in this article:

(a) "Person interested in the estate" means any person who receives or is the beneficiary of any property transferred pursuant to a transfer which is subject to a tax imposed by any Federal estate tax law, now existing or hereafter enacted.

(b) "Gross estate" or "estate" means all property included for Federal estate tax purposes in determining the Federal estate tax pursuant to the Federal Estate Tax Law.

SEC. 2 This act applies only to the estates of persons dying after the effective date hereof."

Amendments read and adopted.

Bill ordered reprinted and engrossed

MOTION TO CONTINUE CONSIDERATION OF GOVERNOR'S VETO

Mr. Fourt moved that consideration of the Governor's veto to Assembly Bills Nos. 445, 464, and 473 be continued until April 19, 1943.

Motion carried.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 515 WAIVED

Mr. Carlson waived his notice of motion to reconsider the vote whereby Assembly Bill No. 515 was passed.

Assembly Bill No. 515 ordered transmitted to the Senate.

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 358—An act to add Section 10202 to the Health and Safety Code, relating to certified copies of birth certificates.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 358?

Amendment No. 1

On page 1, line 1, of the printed bill, as amended, after "SECTION 1.", strike out "Section 10200."

Amendment No. 2

On page 2, line 48, of said bill, strike out "Beneficially interested persons may obtain".

Amendment No. 3

On page 2, line 49, of said bill, after "certificates", insert "may be".

The roll was called, and the Assembly concurred in Senate Amendments to Assembly Bill No. 358 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 358 ordered enrolled.

Assembly Bill No. 214—An act to amend Sections 675, 684, 685, 686 and 687 of, and to repeal Section 662 of, the Elections Code, relating to precinct boards.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 214?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 687", and insert ", 687 and 695."

Amendment No. 2

On page 3 of the printed bill, strike out line 16, and insert

"SEC. 6. Section 695 of said code is amended to read:

695. Any election officer may, on the day of an election at which he is serving, absent himself from any service or employment in which he is then engaged or employed. He shall not, because of so absenting himself, be liable to any penalty, nor shall any deduction be made from his usual salary or wages, nor shall he be suspended or discharged from his service or employment; *provided, that no employee of any public or municipal corporation, or public district, shall be paid any compensation by the public or municipal corporation, or public district, employing him for any absence during which he receives compensation for acting as an election officer.*"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 214 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Mr. Speaker—68.

NOES—None.

~~Assembly Bill No. 214 ordered enrolled.~~

[On April 12, 1943, above action was rescinded, and record ordered expunged, whereby the Assembly on this day concurred in Senate amendments to Assembly Bill No. 214.]

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills was continued until the next legislative day:

Assembly Bill No. 50

Senate Bill No. 896

Assembly Bill No. 1958

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 933

Mr. Thorp moved that Assembly Bill No. 933 be withdrawn from the Committee on Live Stock and Dairies, and re-referred to the Committee on Agriculture.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—62.

NOES—Burns, Denny, Desmond, Leonard, McCollister, Middough, and O'Day—7.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 678—An act to amend Section 669 of the Penal Code, relating to terms of imprisonment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 133—An act to amend Section 4267 of the Political Code, relating to compensation for public services in counties of the thirty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—64.

NOES—Massion—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 959—An act to amend Section 4280 of the Political Code, relating to the compensation of public personnel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 726—An act to amend Section 4041.11 of the Political Code, relating to control of dogs and predatory animals.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan,

Smith, Stream, Thompson, Thorp, Watson, Werdel, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 315—An act to amend Sections 105 and 106 of the Welfare and Institutions Code, relating to the Director of Social Welfare, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—67.

NOES—None.

Notice of Motion to Reconsider Senate Bill No. 315

Mr. O'Day gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 315 was this day passed.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON CONCURRENCE IN SENATE AMENDMENTS

Mr. Carlson moved to expunge the record, and rescind the action whereby Senate amendments to Assembly Bill No. 214 were this day concurred in.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—67.

NOES—None.

Further Consideration of Senate Amendments to Assembly Bill No. 214

Assembly Bill No. 214—An act to amend Sections 675, 684, 685, 686 and 687 of, and to repeal Section 662 of, the Elections Code, relating to precinct boards.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 214?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 687", and insert ", 687 and 695".

Amendment No. 2

On page 3 of the printed bill, strike out line 16, and insert "Sec. 6. Section 695 of said code is amended to read: 695. Any election officer may, on the day of an election at which he is serving, absent himself from any service or employment in which he is then engaged or employed. He shall not, because of so absenting himself, be liable to any penalty, nor shall any deduction be made from his usual salary or wages, nor shall he be suspended or discharged from his service or employment; *provided, that no employee of any public or municipal corporation, or public district, shall be paid any compensation by the public or municipal corporation, or public district, employing him for any absence during which he receives compensation for acting as an election officer.*"

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 214 by the following vote:

AYES—Carlson, Clarke, Doyle, and Evans—4.

NOES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Call, Carey, Collins, George D., Collins Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—60.

Appointment of Committee on Conference Concerning Assembly Bill No. 214

The Speaker announced the appointment of Messrs. Miller, Sheridan, and Carlson as a Committee on Conference concerning Assembly Bill No. 214.

RE-REFERENCE OF ASSEMBLY BILL NO. 258

Mr. T. Fenton Knight moved that Assembly Bill No. 258 be withdrawn from the second reading file, and re-referred to the Committee on Civil Service and State Departments.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 563—An act to amend Section 675 of the Political Code, relating to the powers of the Director of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 808—An act to abolish the Waste Utilization Commission and to provide for the transfer of its property, powers, and duties to the Department of Agriculture, and to repeal certain acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crich-

ton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 562—An act to amend Section 50½ of the Public Utilities Act, relating to fees for applications for certificates of public convenience and necessity.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—69.

NOES—Bennett and Dickey—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 613—An act to provide for the final liquidation of the State Land Settlement, for the disposition by the State of all real and personal property and funds owned or held by the State in connection therewith, and to repeal the Land Settlement Act, an act entitled "An act authorizing the Department of Finance to manage, administer, or dispose of certain real and personal property owned by the State of California, at Delhi State Lands Settlement, and acquired through trade of property at Delhi State Lands Settlement," approved July 22, 1939, and Sections 361e, 361f, 361g, 361h, 361i, 690a, 690b, 690c and 690d of the Political Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 765—An act to amend Section 70 of and to add Sections 70.1 and 70.2 to the Streets and Highways Code, relating to the California Highway Commission and providing for the organization thereof

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brady, Burkhalter, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Desmond, Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourn, Gaffney,

Gannon, Haggerty, Hollibaugh, Kellems, King, Kraft, Leonard, Lyons, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Potter, Price, Sargent, Stream, Thompson, Thorp, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—42.

NOES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burns, Collins, George D., Denny, Dills, Clayton A., Evans, Guthrie, Heisinger, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Massion, Middough, Robertson, Rosenthal, Sheridan, Smith, Thomas, and Watson—26.

Notice of Motion to Reconsider Senate Bill No. 765

Mr. Evans gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 765 was this day passed.

Senate Bill No. 506—An act to add Section 156.1 to the Welfare and Institutions Code, relating to travel expenditures by the Department of Institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—61.

NOES—Robertson—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 451—An act to add Section 249 to, and to amend Sections 250, 257, and 268 of the Health and Safety Code, relating to services for physically handicapped children providing for receipt and administration of Federal funds, providing for cooperation with the Federal Government.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**WITHDRAWAL OF ASSEMBLY BILL NO. 798 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Carlson asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 798 from the Committee on Revenue and Taxation for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 798

Assembly Bill No. 798—An act to amend Part 1 of Division 2 of the Revenue and Taxation Code, relating to the sales and use taxes.

Bill read second time.

Motion to Amend

Mr. Carlson moved the adoption of the following amendments :

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Part 1 of Division 2 of", and insert "Sections 6007, 6009, 6051, and 6201 of, and to add Section 6009.1 to".

Amendment No. 2

On page 1 of said bill, between lines 16 and 17, insert "SEC. 3 Section 6009.1 is added to said code, to read : 6009.1. "Storage" and "use" do not include the keeping, retaining or exercising any right or power over tangible personal property shipped or brought into this State for the purpose of subsequently transporting it outside the State for use thereafter solely outside the State, or for the purpose of being processed, fabricated, or manufactured into, attached to or incorporated into, other tangible personal property to be transported outside the State and thereafter used solely outside the State."

Amendment No. 3

On page 1, line 17, of said bill, strike out "3", and insert "4".

Amendment No. 4

On page 1, line 24, of said bill, strike out "4", and insert "5".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 338—An act to amend Section 227 of, and to add Section 227aa to, the Civil Code, relating to adoption.

Bill read third time.

Motion to Amend

Mr. Werdel moved the adoption of the following amendment :

Amendment No. 1

On page 2, line 20, of the printed bill, as amended, after "court", insert " ; provided, that if said natural parent is then commissioned or enlisted in the military service, or auxiliary thereof, of the United States, or of any of its allies, or in the American Red Cross, so that it is impossible or impracticable, because of such person's absence from the State of California, or otherwise for said person to make such appearance in person, and said circumstances are established by satisfactory evidence, said appearance may be made for such person by his or her counsel, commissioned and empowered in writing so to do and which said power of attorney may be incorporated in the petition for adoption".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 666—An act to amend Sections 10490, 10500, 10971, 10972 and 10974 of, and to add Section 10971.4 to the Insurance Code, relating to insurance.

Bill read third time.

Motion to Amend

Mr. Werdel moved the adoption of the following amendment :

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 13 and 14, and insert "10 of this part."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bills Nos. 876, 883, 884, and 879 were taken up.

Assembly Bill No. 876—An act to amend Section 5 of, and to add Section 29.5 to the Personal Income Tax Act and to amend Section 17052 of, and to add Chapter 13 5, comprising Sections 19200 and 19201, to Part 10 of Division 2 of, the Revenue and Taxation Code, relating to personal income taxes, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, before "(a)", insert "Sec. 5."

Amendment No. 2

On page 1, line 11, of said bill, as amended, strike out "income", and insert "incomes".

Amendment No. 3

On page 5 of the printed bill, as amended, after line 33, insert "Sec. 7. This act shall not take effect unless Assembly Bills Nos. 879, 883 and 884 are enacted by the Fifty-fifth Legislature."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Armstrong, Bashore, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Denny, Desmond, Dickey, Dilworth, Erwin, Field, Fourt, Hastain, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Miller, Niehouse, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—42.

NOES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Collins, George D., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Guthrie, Haggerty, Heisinger, Kilpatrick, King, Lowrey, Massion, McMillan, Middough, O'Day, Pelletier, Robertson, Rosenthal, and Thomas—28.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 883—An act to add Section 7.5 to the Bank and Corporation Franchise Tax Act, relating to a franchise tax imposed on banks and corporations.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended, after line 10, insert "Sec. 2. This act shall not take effect unless Assembly Bills Nos. 876, 879 and 884 are enacted by the Fifty-fifth Legislature."

Amendment read.

Demand for Previous Question

Messrs. Werdel, Weber, Watson, Price, and Debs demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment to Assembly Bill No. 883.

The roll was called, and the amendment adopted by the following vote:

AYES—Armstrong, Bashore, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Denny, Desmond, Dilworth, Erwin, Field, Fourt, Gannon, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Miller, Niehouse, Potter, Price, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—42.

NOES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Collins, George D., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Massion, McMillan, Middough, O'Day, Pelletier, Robertson, Rosenthal, Sawallisch, and Thomas—28.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 884—An act to add Section 5.5 to the Corporation Income Tax Act, relating to the income tax imposed on corporations.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended, after line 6, insert
 "Sec. 2. This act shall not take effect unless Assembly Bills 876, 879 and 883 are enacted by the Fifty-fifth Legislature"

Amendment read.

Demand for Previous Question

Messrs. Werdel, Robertson, Weber, Miller, and Dunn demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment to Assembly Bill No. 884.

The roll was called, and the amendment adopted by the following vote:

AYES—Armstrong, Bashore, Burns, Call, Carlson, Clarke, Collins, Sam L., Denny, Desmond, Dickey, Dilworth, Dunn, Erwin, Field, Fourt, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Miller, Niehouse, Potter, Price, Sargent, Sheridan, Smith, Stream, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—41.

NOES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Collins, George D., Crichton, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Massion, McMillan, Middough, O'Day, Pelletier, Robertson, Rosenthal, Sawallisch, and Thomas—28

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 879—An act to add Section 6363 to and to amend Sections 6051 and 6201 of the Revenue and Taxation Code, relating to the sales and use taxes, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended, after line 9, insert
 "Sec. 5. This act shall not take effect unless Assembly Bills 876, 883 and 884 are enacted by the Fifty-fifth Legislature".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Armstrong, Bashore, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Denny, Desmond, Dickey, Dilworth, Erwin, Field, Fourt, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Miller, Niehouse, Potter, Price, Sargent, Sheridan, Smith, Stream, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—41.

NOES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Collins, George D., Crichton, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Guthrie, Haggerty, Heisinger, Kilpatrick, King, Lowrey, Massion, McMillan, Middough, O'Day, Pelletier, Robertson, Rosenthal, Sawallisch, and Thomas—29.

Request for Unanimous Consent

Mr. Kraft asked for, and was granted, unanimous consent to consider further amendments to Assembly Bill No. 879, at this time.

Motion to Amend

Mr. Kraft moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "add Section 6363 to and to".

Amendment No. 2

On page 2 of said bill, strike out lines 38 to 45, inclusive.

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Armstrong, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Denny, Desmond, Erwin, Field, Fourt, Gannon, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, Potter, Price, Sargent, Smith, Stream, Thompson, Thorp, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—40.

NOES—Beck, Bennett, Berry, Brady, Brown, Burkhalter, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Massion, McMillan, O'Day, Robertson, Rosenthal, and Sawallisch—27.

Bill ordered reprinted and re-engrossed.

MOTION TO SET SPECIAL ORDER

Mr. Bashore moved that Assembly Bills Nos. 876, 879, 883, and 884 be made a special order of business for Tuesday, April 13, 1943, at 10 a.m.

Motion carried.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Rosenthal:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 2, comprising Sections 1770 to 1777, inclusive, to Division 8 of the Military and Veterans Code, relating to the education of veterans, and making an appropriation therefor

Respectfully submitted.

WILLIAM H. ROSENTHAL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER. Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Rosenthal:

An act to add Chapter 2, comprising Sections 1770 to 1777, inclusive, to Division 8 of the Military and Veterans Code, relating to education of veterans, and making an appropriation therefor.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McColliester, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—67.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following bill was introduced, and read the first time:

Assembly Bill No. 1981: By Mr. Rosenthal—An act to add Chapter 2, comprising Sections 1770 to 1777, inclusive, to Division 8 of the Military and Veterans Code, relating to the education of veterans, and making an appropriation therefor.

Referred to Committee on Ways and Means.

**WITHDRAWAL OF ASSEMBLY BILL NO. 79 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Rosenthal asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 79 from the Committee on Motor Vehicles for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 79

Assembly Bill No. 79—An act to add Section 511.4 to the Vehicle Code, relating to the regulation of speeds on public highways or streets during the war emergency.

Bill read second time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "511.4", and insert "512".

Amendment No. 2

In line 3 of the title of said bill, strike out the period, and insert ", declaring the urgency thereof to take effect immediately."

Amendment No. 3

On page 1, line 1, of said bill, strike out "511.4", and insert "512".

Amendment No. 4

On page 1 of said bill, strike out lines 4 to 15, inclusive, and insert "512. War Emergency Speed Limit. Whereas, during the present war emergency it is necessary to conserve tires on motor vehicles until such time as addi-

tional supplies of rubber are obtained; and whereas, this Legislature has determined that the reduction of speed of motor vehicles is necessary to conserve motor vehicle equipment, including tires, now in use until the emergency is past; and whereas, Federal agencies have directed that motor vehicles shall not be operated at speeds in excess of thirty-five (35) miles per hour, and Federal agencies have called upon State Governments to provide means for the enforcement of said directive imposing a thirty-five (35) mile per hour speed limit, unless and until otherwise changed; now, therefore, this measure to restrict the speed of motor vehicles is deemed essential to the maintenance of motor vehicle transportation and successful prosecution of the war.

Notwithstanding other provisions of this code, no person shall operate or knowingly permit the operation of any motor vehicle within this State at a rate of speed in excess of thirty-five (35) miles per hour, subject to the exceptions and unless and until said maximum speed limit is changed as hereinafter provided.

The provisions of this section shall not apply to: (a) any motor vehicle driven or operated by or under the direction of the military or naval forces of the United States or State military forces organized pursuant to Section 61 of the National Defense Act, as amended; (b) any motor vehicle when driven or operated in an emergency for the protection or preservation of life, health, or for public safety.

Nothing herein shall be deemed to increase any applicable speed limit prescribed by this code.

Whenever the Governor of this State, after investigation, finds and determines that a different limitation on speed than that above provided is permissible or is required to accomplish the necessary conservation of rubber or to facilitate or maintain necessary motor vehicle transportation either with respect to all vehicles on highways or any particular classes thereof, he shall proclaim such different limitations on speed with reference to vehicles or specified classes thereof, which shall thereupon become the speed limitations of this State. In making such investigation and determination the Governor is hereby directed to consider the findings and recommendations of any and all Federal agencies concerned with the problem of rubber conservation, and in no event shall he proclaim a speed more restrictive than that specified by Federal laws, rules, regulations, directives or orders, it being the intention that so far as possible the regulations so adopted shall conform exactly to such Federal laws, rules, regulations, directives or orders.

This section shall remain in effect only until the cessation of hostilities in the present war in which the United States is engaged, as declared by the President or the Congress of the United States, or until such time as there is no Federal law, rule, regulation, or order, civil or military, regulating the speed of vehicles throughout the United States, whichever date is the earlier.

SEC. 2. This act is declared to be an urgency measure within the meaning of Section 1 of Article IV of the State Constitution, necessary for the immediate preservation of the public peace, health, and safety. The statement of the facts constituting such necessity is as follows:

The Federal Government has found it necessary as a war measure to restrict the speed of highway vehicles throughout the Nation for the purpose of conserving rubber. There are no present available facilities with which the Federal Government may enforce such order, and it is necessary to the war effort that the State, in order to enforce such order, immediately adopt the restricted speed limits called for by the present emergency so as to provide an efficient enforcement thereof. It is, therefore, provided that this act take effect immediately."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1503—An act to amend Section 1 of an act entitled "An act relating to the education of persons in connection with programs of National defense, declaring the urgency thereof, and providing that this act shall take effect immediately," approved June 28, 1941, and to amend Section 9176 of the Education Code, relating to the education of persons.

Bill read third time.

Motion to Amend

Mr. Burkhalter moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1 of an act entitled "An act relating"; and strike out lines 2 to 5, inclusive, of said title, and insert "Section 9176 of the".

Amendment No. 2.

On page 1 of said bill, strike out lines 1 to 17, inclusive; and in line 18, strike out "Sec. 2", and insert "Section 1".

Amendment No. 3

On page 2 of said bill, strike out lines 12 to 16, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1525 was taken up.

Assembly Bill No. 1525—An act to add Section 6364 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, strike out "any products thereof," and insert "eyeglass lenses, frames and the parts thereof, hearing devices,".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

SPECIAL ORDER SET BY UNANIMOUS CONSENT

Mr. George D. Collins asked for, and was granted, unanimous consent to set Assembly Bill No. 1525 as a special order of business for Tuesday, April 13, 1943, at 10.05 a.m.

NOTICE OF MOTION TO WITHDRAW SENATE CONSTITUTIONAL AMENDMENT NO. 10 FROM THE INACTIVE FILE

Mr. Clarke gave notice that on Tuesday, April 13, 1943, he would move to withdraw Senate Constitutional Amendment No. 10 from the inactive file, and have it placed upon file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 434—An act to amend Sections 61, 132 and 133 of the Civil Code, relating to marriages and divorces.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, between lines 2 and 3, insert "The court may cause final judgment to be signed, dated, filed and entered nunc pro tunc as aforesaid, even though a final judgment may have been previously entered, whereby mistake, negligence or inadvertence the same has not been signed, filed or entered as soon as it could have been entered under the law if applied for."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1015—An act to amend Sections 11502, 11505, 11507, 11510, 11512, 11513 and 11516.5 of, to add Sections 11512.1,

11512.2 and 11512.3 to, and to repeal Section 11497 of, the Insurance Code, all relating to insurance.

Bill read third time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendment:

Amendment No. 1

Strike out line 2 of the title of the printed bill, as amended; and in line 3, strike out "11512.2 and 11512.3", and insert "11512, and 11513 of, to add Sections 11512.1, 11512.2, 11512.3, and 11516.5".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Breed, Dillinger, and Ward as a Committee on Conference concerning:

Assembly Bill No. 214—An act to amend Sections 675, 684, 685, 686, 687 and 695 of, and to repeal Section 662 of, the Elections Code, relating to precinct boards.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 526

Senate Bill No. 83

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 322

Senate Bill No. 323

Senate Bill No. 324

Senate Bill No. 325

Senate Bill No. 78

Senate Bill No. 238

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 31

Senate Bill No. 357

Senate Bill No. 430

Senate Bill No. 515

Senate Bill No. 590

Senate Bill No. 658

Senate Bill No. 990

Senate Bill No. 779

Senate Bill No. 1080

Senate Bill No. 360

Senate Bill No. 551

Senate Bill No. 820

Senate Bill No. 821

Senate Bill No. 1091

Senate Bill No. 587

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 32

Senate Bill No. 148

Senate Bill No. 159

Senate Bill No. 1000

Senate Bill No. 1001

Senate Bill No. 363

Senate Bill No. 858

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time :

Senate Bill No. 322—An act to amend Section 38c of the State Employees' Retirement Act, relating to a retirement system for public officers and employees.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 323—An act to add Section 78b to the State Employees' Retirement Act, relating to a retirement system for public officers and employees, providing for the employment of retired employees upon the conditions specified therein, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 324—An act to amend Section 4 of an act entitled "An act authorizing the creation of a personnel system, merit system or civil service system in cities; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions," approved April 11, 1935, relative to circulation of petitions.

Referred to Committee on Municipal and County Government.

Senate Bill No. 325—An act to amend the title and Section 8c of, and to add Sections 3e and 38f to the State Employees' Retirement Act, relating to the State Employees' Retirement System, including city policemen and city, county, and fire protection district firemen, and officers and employees of county forestry and county firewarden departments.

Referred to Committee on Municipal and County Government.

Senate Bill No. 78—An act to amend Section 4261 of the Political Code, relating to compensation for public services in counties of the thirty-second class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 238—An act to amend Section 4284 of the Political Code, relating to compensation for public services.

Referred to Committee on Municipal and County Government.

Senate Bill No. 31—An act to repeal the article heading of Article 6, Chapter 2, Title 1, Part 3 of, and to add Article 6 consisting of Sections 280 to 284, inclusive, to Chapter 2, Title 1, Part 3 to, the Political Code, and to add Article 4, comprising Sections 9100 to 9104, inclusive, to Chapter 1, Part 1, Division 2, Title 2, of the Government Code, relating to offices for the Legislature and the members thereof.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 357—An act to add Section 4014 to the Public Resources Code, relating to the acceptance by the State of the provisions of the Clarke-McNary Act.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 430—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, and horticultural products; to provide for the issuance, administration and enforcement of State marketing agreements and marketing orders in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that State marketing agreements and marketing orders shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State marketing agreements and marketing orders; to declare the urgency of this act and that this act shall take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 515—An act to amend Section 108 of the Civil Code, relating to financial responsibility of spouse seeking divorce on ground of incurable insanity.

Referred to Committee on Judiciary.

Senate Bill No. 590—An act to amend Section 890 of the Military and Veterans Code, relating to veterans and their dependents, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military Affairs.

Senate Bill No. 658—An act to amend Section 193 of the Penal Code and to repeal Section 500 of the Vehicle Code, relating to crimes involving the operation of vehicles.

Referred to Committee on Judiciary.

Senate Bill No. 990—An act to provide for the limiting of service areas by the Railroad Commission between public utilities and irrigation districts engaged in the sale of electric power, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Senate Bill No. 779—An act to increase production by providing for exemptions from various requirements, relating to employment and working conditions of minor employees essential to the war effort, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Labor and Capital.

Senate Bill No. 1080—An act to amend Section 3324 of and to add Sections 3327 and 3330 to the Penal Code, relating to the California Institution for Women.

Referred to Committee on Crime and Correction.

Senate Bill No. 360—An act to add Section 444.2 to the Political Code, relating to temporary transfers of money from the general to special funds.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 551—An act to add a new section to the Political Code, to be numbered 695.5, relating to services furnished by State agencies, and repealing Section 695 of the Political Code, as added by Chapter 923, Statutes of 1933.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 820—An act to add Section 408.5 to the Political Code, relating to the filing of all contracts made by or on behalf of the State, providing for the examination of such contracts, and requiring the Secretary of State to index such contracts.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 821—An act to provide for the deposit in the State Treasury of funds expended by, or under the supervision of, State agencies under contracts with public agencies or districts.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1091—An act to amend Section 8202 of the Government Code, relating to eligibility to and performing the duties of the office of notary public.

Referred to Committee on Judiciary.

Senate Bill No. 587—An act to amend Section 204c of the Code of Civil Procedure, relating to the duties, powers, and expenses of superior court jury commissioners and their assistants.

Referred to Committee on Judiciary.

Senate Bill No. 32—An act to add Section 9.3 to the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 148—An act to amend Section 737mm of the Political Code, relating to the compensation of the judges of the superior court in and for the County of San Joaquin.

Referred to Committee on Judiciary.

Senate Bill No. 159—An act to amend Section 737bb of the Political Code, relating to the salary of the judge of the superior court in and for the County of Napa.

Referred to Committee on Judiciary.

Senate Bill No. 1000—An act to amend Section 44.2 of the Unemployment Insurance Act, relating to contributions and refunds thereunder.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1001—An act to amend Section 67 of the Unemployment Insurance Act, relating to claims for benefits.

Referred to Committee on Finance and Insurance.

Senate Bill No. 363—An act to amend Sections 14½ and 15 of, and to add Section 13½ to, the Highway Carriers' Act, relating to the use of public highways for commercial purposes and the powers and duties of the Railroad Commission in respect thereto.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Senate Bill No. 858—An act to add Section 1.5 to an act entitled "An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discriminations between various forms of transportation; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act," approved May 27, 1935.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 178

Amendment to Rule 84

Add a new paragraph at the end of Rule 84, to read as follows:

"Notwithstanding anything to the contrary in these Rules, it shall require a two-thirds vote of the entire elected membership to reconsider the vote on any matter originally requiring a two-thirds vote for its passage or adoption."

Resolution read, and referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 33—Relative to the establishment of a memorial to the veterans of the United States who participated in the campaigns of the Union Army in the Civil War;

And reports that the same has been correctly enrolled, and presented to the Governor on the twelfth day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 555—An act to amend Section 7a of the Municipal Court Act of 1925, relating to attaches;

Assembly Bill No. 689—An act to add Section 6 to an act entitled "An act authorizing the creation of a personnel system, merit system, or civil service system in cities; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions," approved

April 11, 1935, relating to war emergency appointments, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 789—An act to amend Sections 3.30 and 3.33 of the School Code and to amend Sections 8121 and 8122 of the Education Code, relating to the closing of schools and postponement of openings, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 64—An act to repeal Section 4535 of the Elections Code, relating to the filing of vouchers;

Assembly Bill No. 246—An act to amend Section 1461a of the Penal Code, relating to procedure in municipal courts;

Assembly Bill No. 364—An act to add Section 557.1 to the Military and Veterans Code, relating to the organization of licensed military companies;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1027—An act to amend Section 801 of the Probate Code, relating to bond on sale of contract to purchase;

Assembly Bill No. 1252—An act to amend Section 2102 of the Education Code, relation to city boards of education;

Assembly Bill No. 1309—An act to amend Section 261 of the Code of Civil Procedure, relating to salaries of court commissioners;

And reports that the same have been correctly enrolled, and presented to the Governor on the 12th day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1421—An act to amend Section 4076a of the Political Code, relating to procedure for audit allowance and payment or rejection of claims in counties;

Assembly Bill No. 1422—An act to amend Section 345 of the Code of Civil Procedure, relating to limitations of actions;

Assembly Bill No. 1806—An act to amend Section 4312 of the Political Code, relating to the location and office hours of county offices;

And reports that the same have been correctly enrolled, and presented to the Governor on the 12th day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1014

Assembly Bill No. 1020

Assembly Bill No. 1015

Assembly Bill No. 1310

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1014 re-referred to the Committee on Finance and Insurance.

COMMUNICATIONS

By the Chief Clerk:

The following communications were received and, upon motion of Mr. Sam L. Collins, ordered printed in the Journal:

OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C., April 6, 1943

In Reply Refer to: 735:RCH

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature Assembly, Assembly Chamber
State Capitol, Sacramento, California*

DEAR MR. OHNIMUS: We acknowledge receipt of your letter of March 18th, transmitting a copy of Assembly Concurrent Resolution No. 38, adopted by the California Legislature on March 16, 1943, calling attention to the necessity for making ample provision for the performance of services essential to the caring for the dead.

We call your attention to the provisions of Section 7706 (j) of Ration Order 5C which establishes eligibility for preferred mileage for embalmers rendering necessary services in connection with the preparation for interment of deceased persons, provided such embalmers are licensed by the appropriate government authority.

Preferred mileage is also established in subdivisions (a) and (1) of the same section for permitting ministers and certain other religious practitioners to perform their duties in connection with the burial of the dead.

Undertakers generally may obtain occupational mileage to a limit of 470 miles per month for a private passenger car used in connection with their duties. We believe that these provisions make adequate mileage available for the purposes covered by the resolution of the California Legislature. The matter has received very careful study by this office and will continue to be investigated if it appears that changes are necessary in the regulations to take care of the matter satisfactorily.

We can assure you that we are in entire agreement with the views expressed in the resolution of the Legislature as to the necessity of providing proper gasoline rations for those things in connection with the caring for the dead which can only be taken care of through the use of private passenger automobiles.

Sincerely yours,

PRENTISS M. BROWN, Administrator

Also:

OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C., April 7, 1943

In Reply Refer to 637-B:AFP

*The Honorable Arthur A. Ohnimus
California Legislature, Sacramento, California*

DEAR MR. OHNIMUS: This will acknowledge receipt of your letter of March 27th enclosing a copy of House Resolution No. 139 and also receipt of your letter to The President which has been forwarded to this office.

The resolution of the California Assembly is being given our most respectful attention. The Poultry and Egg Section has been making a very exhaustive study of the fundamental factors of prices and costs appropriate to the various producing areas of the United States. Every effort should be made to maintain maximum prices for poultry which follow a consistent pattern for the whole United States. Regional differences can be recognized, but they should be such as not to cause undue disturbance in other areas.

To meet the California situation and still maintain a uniform system has been a knotty problem. Emphasis has been placed on the fact that California is separated by a natural barrier from contiguous regions. The natural barrier does not prevent the spreading of information, however. Other areas are already pointing out that they too have special conditions justifying a concession similar to that granted the West Coast.

It is our purpose to prepare an amendment in the near future which we think will embody in principle most of the suggestions contained in the Assembly resolution. Meanwhile, the regional order is meeting the California situation reasonably satisfactorily. This belief on our part is borne out by all the official figures at our command. For example, only a very small percentage of the leghorn chicks are being destroyed. The latest survey reports less than 5 per cent. Some destruction would probably be normal under the most favorable production conditions. Only three hatcheries reported any destruction, and they were all in the same locality.

We assure you of our solicitude for the well-being of the California poultry industry and for the whole food program.

Sincerely yours,

PRENTISS M. BROWN, Administrator

Also:

UNITED STATES SENATE
WASHINGTON, D. C., April 8, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California*

MY DEAR MR. OHNIMUS: This will acknowledge receipt of your letter of March 15th, enclosing copy of the Assembly Journal of March 9th, containing an editorial from the San Francisco Examiner and the remarks of Assemblyman Ralph C. Dills regarding the "Food Shortage Created by Bureaucratic Rule."

I read the Journal with sympathetic interest, and you may rest assured these problems are having my constant thought.

Sincerely yours,

HIRAM W. JOHNSON

Also:

SIXTH FERRYING GROUP, ARMY AIR FIELD
LONG BEACH, CALIFORNIA, April 10, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California*

DEAR SIR: In answer to your letter honoring me with the opportunity of speaking before the California State Legislature, I regret to inform you that as much as I should like to do so, it will be impossible for me to do so. The Commanding Officer in recently refusing a similar request for my services to a Los Angeles group, stated that the sole aim of the Sixth Ferrying Group was the delivery of airplanes.

In view of the fact that Colonel Spake has not mentioned your request up to this time, I feel that it precludes any possibility of appearing before you. I feel deeply honored by your kind invitation, and it would be my personal desire and pleasure to accede to your request.

Very truly yours,

LIEUTENANT JAMES C. WHITTAKER

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Sam L. Collins, the Journals for Monday, April 5, 1943; Tuesday, April 6, 1943; Wednesday, April 7, 1943; Thursday, April 8, 1943; Friday, April 9, 1943; and Saturday, April 10, 1943, were approved as corrected by the Minute Clerk.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. King and Gaffney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sister Anna, Sister Rosemarie, and the following pupils of the Notre Dame Academy at Marysville: Rose Marie Rakela, Charlotte Anthony, Virginia Pursell, Catherine Surabian, Florence Morrison, Julia Uriguen, Barbara Hanagan, Bessie Sarrionandia, Betty Boardman, Mary Barrett, Mary Riley, Mary Gaffney, Audrey Bussis, Helen Gaffney, Carol Murray, and Katina Bunos; and Peter Gaffney, Matthew Gaffney, and Mrs. Edward N. Gaffney of San Francisco.

On request of Messrs. Lyons and Debs, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Leslie L. Locke and Pharmacists Mate and Mrs. Neil D. Cunliffe of Los Angeles.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Peter Haggerty of San Francisco and Mr. George J. Major of Los Angeles.

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Master Sergeant John Taylor of Los Angeles.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Rabbi Norman Goldberg, former Chaplain of the Assembly.

On request of Mr. Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Clinton D. Collins of Fresno.

On request of Mr. Kellems and the Los Angeles County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sheriff Eugene Biscailuz of Los Angeles County.

On request of Mrs. Niehouse, Mr. Stream, and the San Diego County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Chester Gunn, Judge Edgar Luce, Mr. Victor Winnek, and Mr. Whelan of San Diego.

On request of Mr. Sam L. Collins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Earl Abbey of Orange.

On request of Mr. Burkhalter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Grover C. Swart of North Hollywood.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Charles Hinds of Sacramento.

On request of Mr. Hastain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Ross T. Hickox of El Centro.

ADJOURNMENT

At 5.10 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, April 13, 1943.

C. WILLIAM QUEALE, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SECOND LEGISLATIVE DAY
ONE HUNDREDTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, April 13, 1943

The Assembly met at 9.30 a.m.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF A QUORUM SUGGESTED

Mr. Desmond suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Anderson, Bashore, Beck, Berry, Burkhalter, Burns, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, King, Leonard, Lyons, Maloney, Massion, Niehouse, Pelletier, Price, Robertson, Stream, Thompson, Thorp, Waters, Watson, Werdel, and Weybret—39.

Call of the Assembly

Mr. Desmond moved a call of the Assembly.

Motion carried. Time, 9.31 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 9.38 a.m., on motion of Mr. Desmond, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Anderson, Bashore, Beck, Berry, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, Niehouse, Pelletier, Price, Robertson, Stream, Thompson, Thorp, Waters, Watson, Werdel, Weybret, and Mr. Speaker—43.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher :

Our Heavenly Father, hallowed be Thy name. May Thy kingdom come on earth as it is in Heaven.

May the tortures and indignities visited upon Thy people everywhere soften our hearts that the virtue of humility may spring forth.

Direct us to more perfect consecration that we may be equal to all of life's experiences and more than conquerors through Him that loved us.

"We give Thee but Thine own,
Whate'er the gift may be;
All that we have is Thine alone,
A trust, O Lord, from Thee."

In Jesus name. AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Call.

MOTION TO EXCUSE MEMBER

On motion of Mr. Leonard, Mr. Thurman was excused for the balance of the legislative week, because of illness

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered :

Assembly Constitutional Amendment No. 38: By Messrs. Weybret, Call, Miller, Dunn, Leonard, Kellems, Sheridan, Doyle, Waters, Dickey, Fourt, Burkhalter, Thompson, Bashore, Guthrie, Carey, Armstrong, Debs, Pelletier, Price, Evans, Allen, Hollibaugh, Knight, T. Fenton; Stream, Erwin, Thomas, Hastain, Kraft, Wollenberg, Dills, Ralph C., Smith, Kilpatrick, Bennett, Anderson, Robertson, Collins, Sam L., Potter, Knight, John B., and Dills, Clayton A.—Proposed amendment to Article XX of the Constitution, relative to the seat of government.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 46: By Mr. Lowrey—Relative to repair facilities and materials for agricultural machinery and implements.

Referred to Committee on Agriculture.

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 127—An act to add Section 57.1 to the State Civil Service Act, relating to the status of employees of the Railroad Commission.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1362—An act to amend Section 30 of the State Employees' Retirement Act, relating to the membership of the Retirement System established thereunder.

Bill read second time, and ordered engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 855—An act to amend Section 96.5 of the State Civil Service Act, relating to status of members of armed forces on civil service lists.

Bill read second time, and ordered to third reading.

Senate Bill No. 1045—An act to add Section 57.7 to the State Civil Service Act, relating to the Secretary of the Advisory Pardon Board.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 221 | Assembly Bill No. 1916 |
| Assembly Bill No. 1145 | Assembly Bill No. 1935 |
| Assembly Bill No. 1404 | Assembly Bill No. 1937 |
| Assembly Bill No. 1445 | Assembly Bill No. 1950 |
| Assembly Bill No. 1507 | Assembly Bill No. 1954 |
| Assembly Bill No. 1712 | Assembly Bill No. 1957 |
| Assembly Bill No. 1759 | Assembly Bill No. 1962 |
| Assembly Bill No. 1774 | Assembly Bill No. 1963 |

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 876 | Assembly Bill No. 884 |
| Assembly Bill No. 879 | Assembly Bill No. 1525 |
| Assembly Bill No. 883 | |

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

- Assembly Joint Resolution No. 30
- Assembly Joint Resolution No. 44
- Assembly Joint Resolution No. 45

And reports the same correctly engrossed

PELLETIER, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 453—An act to add Section 2873.1 to the Penal Code, relating to the sale or exchange of animals and fowls raised at the prisons.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 453?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "farmers of California, as well as to other".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 453 by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Doyle, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins,

Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 453 ordered enrolled.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day :

Assembly Bill No. 50

Senate Bill No. 896

Senate Bill No. 315

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 938—An act to add to Chapter 4 of Division 4 of the Agricultural Code a new article to be numbered Article 9, including a new section to be numbered Section 690, relating to the disposition of moneys, declaring the urgency of this act, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 112 ORDERED PLACED UPON THE INACTIVE FILE

Mr. McCollister moved that Assembly Bill No. 112 be withdrawn from the third reading file, and placed upon the inactive file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 447—An act to amend Section 6602 of the Welfare and Institutions Code, relating to the admission and detention of voluntary patients in State hospitals.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 446—An act to amend an act entitled “An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof,” approved May 31, 1927, relating to superior court stenographers and secretaries.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Bashore, Beck, Berry, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Werdel, Weybret, and Wollenberg—55.

NOES—Brown, Lowrey, and Massion—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 665—An act to add Section 249 to, and to amend Sections 250, 257, and 268 of the Health and Safety Code, relating to services for physically handicapped children providing for receipt and administration of Federal funds, providing for cooperation with the Federal Government.

Bill read third time.

The roll was called, and the bill passed by the following vote .

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 928—An act to amend Section 11003 of, the Health and Safety Code, relating to narcotics.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Call, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—58

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF ASSEMBLY BILLS NOS. 1853 AND 1854 FROM COMMITTEE, BY UNANIMOUS CONSENT

Mr. Hastain asked for, and was granted, unanimous consent to withdraw Assembly Bills Nos. 1853 and 1854 from the Committee on Public Utilities for purpose of amendment, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 1853

Assembly Bill No. 1853—An act to provide for the limiting of service areas by the Railroad Commission between public utilities and

irrigation districts engaged in the sale of electric power, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Motion to Amend

Mr. Hastain moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "of", and insert "or defining of electric".

Amendment No. 2

In line 2 of the title of said bill, strike out "between public", and insert "of the State of California between".

Amendment No. 3

In line 3 of the title of said bill, after "sale", insert "or distribution".

Amendment No. 4

On page 1 of said bill, between lines 1 and 2, insert "ditions the sale and distribution of electric power and energy in the same geographical area both by an electrical utility and by an irrigation district, results in duplication of service, waste of materials, increase in costs, waste of manpower and economic loss, and is detrimental to the efficiency and best interests of such districts. It is hereby declared to be the policy of this State to induce such utilities and irrigation districts to prevent or remove such economic waste and to adopt more efficient and economic methods of distribution of electric power and energy and to that end encourage the definition of areas to be served or not to be served by each.

SEC. 2. Any utility may petition the Railroad Commission of the State of California setting forth in its petition the following:

(1) That the petitioner and an irrigation district formed under the laws of this State are both engaged or propose to engage in the sale and distribution of electric power and energy in the described area or areas or in contiguous areas, or that the petitioner proposes to sell an electric distribution system in a described area, to such irrigation district.

(2) That the petitioner and irrigation district are desirous of entering into a contract in which, among other things, and as one of the considerations therefor, they consent to the limitation of areas which each are to serve or are to be excluded from serving.

(3) A copy of the contract or proposed contract.

(4) A description of the respective areas that such limitations will affect and the terms of the contract, if any, or the conditions, if any, existing in connection with such limitations or the sale or acquisition of a utility distribution system.

(5) A prayer that said Railroad Commission issue its order limiting the area or areas within which the petitioner may, directly or indirectly, sell or distribute electric power or energy or define the area or areas within which the petitioner shall not sell or distribute electric power or energy as indicated in the petition and set forth in a contract or proposed contract.

SEC. 3. Thereupon, the Railroad Commission shall cause an investigation to be made and may conduct such hearings in connection therewith as it considers desirable.

SEC. 4. If the Railroad Commission finds that it is for the best interests of the State and of such utility, and not incompatible with any public interest, that the petition be granted, it shall, and it is hereby empowered to, make and issue its order limiting the area or areas within which such utility shall have the right and authority to sell or distribute electric power or energy, directly or indirectly, or define the area or areas within which the utility shall not have the right or authority to sell or distribute electric power or energy, directly or indirectly, and said Railroad Commission is hereby further empowered to and may, in its order, approve and thereby authorize the contract or conditions, if any, in connection therewith. No limitation or definition of area or areas or statement of conditions shall be included in the order of said commission except as contained in said petition and contract.

SEC. 5. Such limitations on the utility contained in any such order of the Railroad Commission shall not be effective until the California Districts Securities Commission shall have issued its order limiting the area to be served or defining the area not to be served by such irrigation district and approving the contract or conditions, if any, in connection therewith as set forth in the petition and contract.

SEC. 6. In any civil or criminal action or proceeding for violation of the Cartwright Act, the Unfair Practices Act, the Fair Trade Act, Section 1673 of the Civil Code, Part 2 of Division 7 of the Business and Professions Code, or any rule of statutory or common law against monopolies or combinations in restraint of trade, proof that the act complained of was done in compliance with this act or an order issued under it and in furtherance of the purposes and provisions of this act, shall be a complete defense in such action or proceeding.

SEC. 7. Where limitation of areas to be served or limitations or designations of areas not to be served by such utility and by an irrigation district have heretofore been approved or are hereafter approved by the Railroad Commission they shall be deemed to have complied with the provisions of this act.

SEC. 8. If in any contract submitted and approved by the Railroad Commission or in any order made by the Railroad Commission pursuant to application and petition as in this act provided, it is provided that the utility is not to serve or furnish electric energy in a specified area or areas, or is to furnish or serve the same under limited or specified circumstances only, or is to refrain from serving or furnishing electric energy in certain specified areas or under certain specified circumstances or under certain specified limitations, then, from and after the effective date of such order of the commission it shall be unlawful for the utility to serve electric energy in any area or in any manner which said contract and order provides that service shall not be rendered and in connection therewith the affected districts shall be entitled, as a matter of right, to an injunction to prevent any such unlawful act on the part of the utility.

SEC. 9. Nothing contained in this act or any provisions thereof shall be construed to give to or vest in the Railroad Commission of the State of California any jurisdiction over irrigation districts or to vest in or give to the California Districts Securities Commission any jurisdiction over utilities other than irrigation districts.

SEC. 10. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of California and therefore shall go into effect immediately. The following is a statement of the facts constituting such necessity:

In certain areas of the State duplicating service by irrigation districts and public utilities in the sale and distribution of electric power has resulted, and is resulting in economic waste, wastage of manpower, wastage of strategic and critical materials needed for the war, with no resultant benefit to the community served. In order that this economic wastage may be prevented it is necessary that this act go into effect as soon as possible."

Amendment No. 5

On page 1 of said bill, strike out lines 2 to 23, inclusive; and strike out all of page 2.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 1854

Assembly Bill No. 1854—An act to provide for the limiting of service areas by the California Districts Securities Commission between public utilities and irrigation districts engaged in the sale of electric power, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Motion to Amend

Mr. Hastain moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "of", and insert "or defining of electric".

Amendment No. 2

In line 2 of the title of said bill, strike out "public".

Amendment No. 3

On page 1 of said bill, between lines 1 and 2, insert "tions, the sale and distribution of electric power and energy in the same geographical area both by an electrical utility and by an irrigation district, results in duplication of service, waste of materials, increase in costs, waste of manpower and economic loss, and is detrimental to the efficiency and best interests of such districts. It is hereby declared to be the policy of this State to induce such utilities and irrigation districts to prevent or remove such economic waste and to adopt more efficient and economic methods of distribution of electric power and energy and to that end encourage the definition of areas to be served or not to be served by each.

SEC. 2. Any irrigation district, formed under the laws of this State, may petition the California Districts Securities Commission, setting forth, among other things in its petition, the following:

(1) That the petitioner and a utility are both engaged or propose to engage in the sale and distribution of electric power and energy in a described area or areas

or in contiguous areas, or that the petitioner proposes to acquire an electric distribution system in a described area from such utility.

(2) That the petitioner and utility are desirous of entering into a contract in which, among other things, and as one of the considerations therefor they consent to the limitation of areas which each are to serve or are to be excluded from serving.

(3) A copy of the contract or proposed contract.

(4) A description of the respective areas that such limitations will affect and the terms of the contract, if any, or the conditions, if any, existing in connection with such limitations or the sale or acquisition of the utility distribution system.

(5) A prayer that the California Districts Securities Commission issue its order limiting the areas within which the petitioner may, directly or indirectly, sell or distribute electric power or energy or define the areas within which the petitioner shall not sell or distribute electric power or energy as indicated in the petition and set forth in the contract or proposed contract.

SEC. 3. Thereupon, the California Districts Securities Commission shall cause an investigation to be made and may conduct such hearings in connection therewith as it considers desirable.

SEC. 4. If the California Districts Securities Commission finds that it is for the best interests of the State and of such district and not incompatible with any public interest that the petition be granted, it shall, and it is hereby empowered to, make and issue its order limiting the area or areas, within or without the district and within or without the State, within which the district shall have the right and authority to sell or distribute electric power or energy, directly or indirectly, or defining the area or areas within or without the boundaries of such district and within or without the boundaries of this State, within which the district shall not have the right or authority to sell or distribute electric power or energy, directly or indirectly, and said commission is hereby further empowered to, and may, in such order, approve and thereby authorize the contract or conditions, if any, in connection therewith. No limitations or definitions of areas or statement of conditions shall be included in the order of the commission except as contained in said petition and contract.

SEC. 5. If such utility is subject to the jurisdiction of the Railroad Commission of the State of California, such limitations on the district contained in any such order of the California Districts Securities Commission shall not be effective until said Railroad Commission shall have issued its order limiting the area or areas to be served or defining the area or areas not to be served by such utility as set forth in the contract or proposed contract and approving the contract or conditions, if any, in connection therewith as set forth in said petition of the district and said contract or proposed contract. If such utility is not subject to the jurisdiction of the Railroad Commission the order of the California Districts Securities Commission shall not be effective until, by contract or other means satisfactory to the district, the area or areas to be served or not to be served by the utility are limited or defined and written evidence thereof has been filed by the district with the California Districts Securities Commission.

SEC. 6. In any civil or criminal action or proceedings for violation of the Cartwright Act, the Unfair Practices Act, the Fair Trade Act, Section 1673 of the Civil Code, Part 2 of Division 7 of the Business and Professions Code, or any rule of statutory or common law against monopolies or combinations in restraint of trade, proof that the act complained of was done in compliance with this act or an order issued under it and in furtherance of the purposes and provisions of this act, shall be a complete defense in such action or proceeding.

SEC. 7. Where limitation of areas to be served or limitations or designations of areas not to be served by such a utility and by an irrigation district have been heretofore approved or are hereafter approved by the California Districts Securities Commission, they shall be deemed to have complied with the provisions of this act.

SEC. 8. If in any contract submitted to and approved by the California Districts Securities Commission, or in any order made by the California Districts Securities Commission pursuant to application and petition as in this act provided, it is provided that the irrigation district is not to serve or furnish electric energy in a specified area or areas, or is to furnish or serve the same under limited or specified circumstances only, or is to refrain from serving or furnishing electric energy in certain specified areas or under certain specified circumstances or under certain specified limitations, then, from and after the effective date of such order of the commission, it shall be unlawful for the irrigation district to serve electric energy in any area or in any manner which said contract and order provides that service shall not be rendered and in connection therewith the affected utility shall be entitled as a matter of right to an injunction to prevent any such unlawful act on the part of the irrigation district.

SEC. 9. Nothing contained in this act or any provision thereof shall be construed to give to or vest in the Railroad Commission of the State of California any jurisdiction over irrigation districts or to vest in or give to the California Districts Securities Commission any jurisdiction over utilities other than irrigation districts.

Sec. 10. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of California and therefore shall go into effect immediately. The following is a statement of the facts constituting such necessity:

In certain areas of the State duplicating service by irrigation districts and public utilities in the sale and distribution of electric power has resulted, and is resulting in economic waste, wastage of manpower, wastage of strategic and critical materials needed for the war, with no resultant benefit to the community served. In order that this economic wastage may be prevented it is necessary that this act go into effect as soon as possible."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 24, inclusive, and strike out all of page 2.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Speaker Presiding

At 10.10 a.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 634—An act to amend Section 2804 of the Streets and Highways Code and Section 23 of the District Investigation Act of 1933, relating to mosquito abatement districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Bashore, Desmond, Dilworth, and Field—4.

Bill ordered transmitted to the Senate.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1107
FROM COMMITTEE**

Mr. Field gave notice that on Thursday, April 15, 1943, he would move to withdraw Assembly Bill No. 1107 from the Committee on Ways and Means, and have it placed upon the file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1035—An act to provide for the formation of districts within municipalities for the acquisition, construction, maintenance and operation of parking places, garages and other improvements for the parking of motor vehicles; the levy and collection of assessments upon property in said districts; the issuance, sale and payment of bonds secured by such assessments; the collection of rentals, fees, and charges for the use of such parking places, garages or other improvements; the administration thereof; the levy of taxes; and the powers and duties of cities relating thereto.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 43, of the printed bill, as amended, strike out “, or signed by twenty”; strike out all of line 44; and in line 45, strike out “ment roll”.

Amendment No. 2

On page 3, line 3, of said bill, strike out “Part IV or Part V of”.

Amendment No. 3

On page 3, line 41, of said bill, strike out “Part IV or Part V”.

Amendment No. 4

On page 3, line 42, of said bill, strike out “of this act, as the case may be,” and insert “this act”.

Amendment No. 5

On page 3, line 48, of said bill, strike out “fifteen (15)”, and insert “thirty (30)”.

Amendment No. 6

On page 4, line 2, of said bill, strike out “two (2) weeks”, and insert “thirty (30) days”.

Amendment No. 7

On page 4, line 12, of said bill, strike out “fifteen (15)”, and insert “thirty (30)”.

Amendment No. 8

On page 4 of said bill, between lines 14 and 15, insert “A copy of the ordinance shall be mailed, postage prepaid, by the clerk of the legislative body to each person to whom land in the assessment district is assessed, as shown on the last equalized assessment roll of the county, at his address as shown upon such roll, and to any person, whether owner in fee or having a lien upon or legal or equitable interest in any land within said district, whose name and address and a designation of the land in which he is interested, is on file in the office of said clerk. No error, failure or mistake in the mailing of such notices or any thereof and no failure of any owner or person interested in any land within the district to receive such mailed notice shall in any way affect the validity of any proceeding hereunder.”

Amendment No. 9

On page 4, line 20, of said bill, after “or”, strike out “thing”, and insert “things”.

Amendment No. 10

On page 4, line 24, of said bill, after the last “the”, insert “number of parcels or the”.

Amendment No. 11

On page 4, line 27, of said bill, strike out “in their entirety”.

Amendment No. 12

On page 4 of said bill, strike out all of lines 32 to 38, both inclusive, and insert “If the owners of more than one-half of the number of parcels or of the area of the”.

Amendment No. 13

On page 4 of said bill, between lines 48 and 49, insert

“The legislative body shall not change the boundaries except after notice of intention so to do given by one insertion by the clerk thereof in the newspaper in which the ordinance of intention was published, describing the proposed change and specifying the time for hearing objections thereto, which time shall be at least 15 days after publication of such notice. If the change proposed is to include additional land in the district, the clerk also shall mail a copy of the notice to each person to whom land in the area proposed to be added is assessed as shown on said last equalized assessment roll, at his address as shown upon such roll, at least 15 days prior to the time set for hearing objections, but no error, failure, or mistake in the mailing of such notices or any thereof shall invalidate the proceeding.

No land shall be included in the district which in the judgment of the legislative body will not be benefited.

In the event the proceedings are terminated by a majority protest, no proceeding under this act for the same or substantially the same acquisition and improvement shall be commenced within a period of one year thereafter except upon petition signed by the owners of a majority in area of the taxable land in the district.”

Amendment No. 14

On page 6, line 41, of said bill, after “taken”, insert “and all expenses of the proceedings taken under the Special Assessment Investigation, Limitation and Majority Protest Act of 1931”.

Amendment No. 15

On page 6, line 46, of said bill, strike out "or", and insert "and no".

Amendment No. 16

On page 7, line 3, of said bill, strike out "included", and insert "lying".

Amendment No. 17

On page 7, line 4, of said bill, strike out "in the discre-"; and strike out all of lines 5, 6, and 7; and in line 8, strike out "lands shall be included within the district and", and insert "may with the consent of the governing body thereof filed at or prior to the date of filing the petition be included in the district and if included therein".

Amendment No. 18

On page 7, line 36, of said bill, after the first "and", insert ", except as provided by this act,".

Amendment No. 19

On page 9, line 9, of said bill, after "closed", insert "in the mode provided for foreclosure of assessments in Part 5, Chapter 11 of the Improvement Act of 1911".

Amendment No. 20

On page 9, line 12, of said bill, strike out "in the event bonds are to", and insert "Bonds shall".

Amendment No. 21

On page 9, line 13, of said bill, strike out ", the", and insert ". The".

Amendment No. 22

On page 9 of said bill, strike out all of line 30, and insert "The maximum interest rate shall not exceed 6 per cent per annum. The bonds shall extend over a period not to exceed 19 years from the second day of January next succeeding the next October 15th following their date."

Amendment No. 23

On page 11 of said bill, strike out lines 23 to 51, both inclusive; strike out all of pages 12, 13, 14, 15, 16, 17, 18, 19, and 20; and on page 21, strike out all of lines 1 to 15, both inclusive.

Amendment No. 24

On page 21, line 17, of said bill, strike out "VI", and insert "V".

Amendment No. 25

On page 21, line 19, of said bill, strike out "56", and insert "28".

Amendment No. 26

On page 21, line 26, of said bill, after "fund," insert "In the event any of the parking lots acquired by the district has any building or other improvement thereon which needs to be removed any moneys derived from the sale of such building or improvement shall be apportioned to the various lots or parcels of land in the district in proportion to the amounts of the assessments levied thereon, and the amount apportioned to each parcel shall be credited against the unpaid assessment thereon, or if the assessment has been paid, shall be paid to the person who paid the assessment."

Amendment No. 27

On page 21, line 27, of said bill, strike out "57", and insert "29".

Amendment No. 28

On page 21, line 38, of said bill, strike out "58", and insert "30".

Amendment No. 29

On page 21, line 45, of said bill, strike out "59", and insert "31".

Amendment No. 30

On page 22, line 1, of said bill, strike out "60", and insert "32".

Amendment No. 31

On page 22, line 16, of said bill, strike out "VII", and insert "6".

Amendment No. 32

On page 22, line 18, of said bill, strike out "61", and insert "33".

Amendment No. 33

On page 23, line 33, of said bill, strike out "62", and insert "34".

Amendment No. 34

On page 22, line 41, of said bill, strike out "63", and insert "35".

Amendment No. 35

On page 23, line 23, of said bill, strike out "64", and insert "36".

Amendment No. 36

On page 23, line 34, of said bill, strike out "65", and insert "37".

Amendment No. 37

On page 23, line 47, of said bill, strike out "66", and insert "38".

Amendment No. 38

On page 24, line 3, of said bill, strike out "67", and insert "39".

Amendment No. 39

On page 24, line 16, of said bill, strike out "68", and insert "40".

Amendment No. 40

On page 24, line 27, of said bill, strike out "69", and insert "41".

Amendment No. 41

On page 24, line 38, of said bill, strike out "70", and insert "42".

Amendment No. 42

On page 24, line 46, of said bill, strike out "71", and insert "43".

Amendment No. 43

On page 25, line 3, of said bill, strike out "VIII", and insert "7".

Amendment No. 44

On page 25, line 5, of said bill, strike out "72", and insert "44".

Amendment No. 45

On page 25, line 14, of said bill, after the period, insert "Members of the commission shall serve without compensation."

Amendment No. 46

On page 25, line 21, of said bill, after "qualified", insert "; provided, however, that by a four-fifths vote a commissioner may be removed by the legislative body at any time".

Amendment No. 47

On page 25, line 22, of said bill, strike out "73", and insert "45".

Amendment No. 48

On page 25, line 30, of said bill, strike out "rents", and insert "fees".

Amendment No. 49

On page 25, line 32, of said bill, after the period, insert "Such rentals, fees and charges shall be fixed after public hearing following such notice as the board of parking place commissioners may prescribe."

Amendment No. 50

On page 25, line 33, of said bill, after "employees", insert ", said employees to be selected as other city employees are selected."

Amendment No. 51

On page 25, line 37, of said bill, strike out "74", and insert "46".

Amendment No. 52

On page 25, line 47, of said bill, following "land", insert "and improvements".

Amendment No. 53

On page 25, line 49, of said bill, after "taxation", insert "; provided, however, that the tax levy for maintenance and operation of said parking places in any year shall not exceed 5 cents (\$0.05) on each one hundred dollars (\$100) assessed value of taxable land and improvements within the district".

Amendment No. 54

On page 26, line 16, of said bill, strike out "IX", and insert "8".

Amendment No. 55

On page 26, line 18, of said bill, strike out "75", and insert "47".

Amendment No. 56

On page 26 of said bill, strike out lines 26 to 33, both inclusive.

Amendment No. 57

On page 26, line 34, of said bill, strike out "77", and insert "48".

Amendment No. 58

On page 26, line 38, of said bill, strike out "78", and insert "49".

Amendment No. 59

On page 26, line 51, of said bill, after "assessments", insert "and the collection thereof, and may issue bonds under this act to represent unpaid assessments".

Amendment No. 60

On page 27, line 1, of said bill, strike out "70", and insert "50".

Amendment No. 61

On page 27, line 6, of said bill, strike out "80", and insert "51".

Amendment No. 62

On page 27, line 9, of said bill, strike out "any vehicle parking district", and insert "each vehicle parking district created in such city".

Amendment No. 63

On page 27, line 12, of said bill, after "district", insert "or districts".

Amendment No. 64

On page 27, line 14, of said bill, after "charge", insert "thereafter".

Amendment No. 65

On page 27, line 16, of said bill, strike out "81", and insert "52".

Amendment No. 66

On page 27, line 26, of said bill, strike out "82", and insert "53".

Amendment No. 67

On page 27, line 38, of said bill, strike out "83", and insert "54".

Amendment No. 68

On page 27, line 43, of said bill, strike out "84", and insert "55".

Amendment No. 69

On page 27 of said bill, strike out all of lines 46 to 52, both inclusive, and insert "Following the filing of any petition under Part 1 of this act the proceedings required under the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall be taken prior to the adoption of the ordinance of intention hereunder and all of the provisions of said act shall apply to any such proceedings. A majority protest filed any time prior to the adoption of the ordinance ordering any acquisition and improvement hereunder shall terminate the proceeding."

Amendment No. 70

On page 28, line 1, of said bill, strike out "85", and insert "56".

Amendment No. 71

On page 28, line 9, of said bill, strike out "86", and insert "57".

Amendment No. 72

On page 28, line 15, of said bill, strike out "87", and insert "58".

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 535—An act to amend Sections 528 and 540 of the Political Code, relating to State printing.

Bill read third time.

Motion to Amend

Mr. Weybret moved the adoption of the following amendment :

Amendment No. 1

On page 2, line 30, of the printed bill, as amended, strike out "Whenever any bill, joint or concurrent resolution, is"; and strike out all of lines 31 to 50, inclusive.

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1509—An act to amend Sections 122 and 123 of, and to add Sections 123.55, 123.56, 123.57 and 123.58 to, the Agricultural Code, relating to inspection and certification of nursery stock.

Bill read third time.

Motion to Amend

Mr. Clarke moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended, insert
"Sec. 2 Section 123 of the Agricultural Code is amended to read".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 438—An act to amend Section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 666—An act to amend Section 1 of an act entitled "An act relating to cold storage, regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto." approved June 13, 1913, relating to the cold storage of foods.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier,

Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 667—An act to amend Sections 26200.5, 26209, 26212, 26251, 26253, 26254, 26271, 26280, 26281, 26282, 26296, 26302, 26303, 26327, 26328, 26336, 26337, 26338, 26342, 26343, 26361, 26364, 26366, 26367, 26368, and 26380 of, and add Sections 26216 and 26271 (a) to Division 21, Chapter 2 of the Health and Safety Code, relating to the adulteration, misbranding, advertising and sale of drugs and devices, and to the powers of the State Department of Public Health in relation thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lyons, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 10.35 a.m., on motion of Mr. Allen, the Assembly recessed until 10.37 a.m. to hear from Lieutenant Lily Hutcheon, of the United States Marine Corps.

REASSEMBLED

At 10.37 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

ASSEMBLY BILL NO. 1605 ORDERED PLACED UPON THE INACTIVE FILE

Mr. Dilworth moved that Assembly Bill No. 1605 be withdrawn from the third reading file, and placed upon the inactive file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 296—An act to amend Sections 6486, 6782, 6783 and 6784, and to repeal Section 6785 of the Health and Safety Code, relating to sanitary districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, John-

son, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1414—An act to add Section 471.5 to the Agricultural Code, relating to cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Leonard, Maloney, McCollister, Miller, Niehouse, Pelletier, Potter, Price, Sargent, Smith, Stream, Thorp, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—44.

NOES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Collins, George D., Crowley, Dills, Clayton A., Dills, Ralph C., Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyons, Massion, McMillan, Middough, O'Day, Robertson, Rosenthal, Sheridan, and Werdel—27.

Bill ordered transmitted to the Senate.

Assembly Bill No. 481—An act to add Sections 301.5, 319.1, 319.2, 319.3 and 319.4 to the Agricultural Code, relating to horse meat, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 846—An act to amend Section 787.5 of the Agricultural Code, relating to markings on containers of fruits, nuts and vegetables, declaring the urgency hereof and that this act take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 708—An act to amend Section 4045 of the Business and Professions Code, and to amend Section 1066 of and add Section 1066 5 to the Agricultural Code, relating to economic poisons.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 11, of the printed bill, as amended, strike out "thallium salt", and insert "thallium".

Amendment No. 2

On page 2, line 12, of the printed bill, as amended, strike out "salt", and insert "or of the salts thereof".

Amendment No. 3

On page 2, line 14, of the printed bill, as amended, strike out "salt".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bills Nos. 876, 879, 883, and 884 were taken up.

Assembly Bill No. 876—An act to amend Section 5 of, and to add Section 29.5 to The Personal Income Tax Act and to amend Section 17052 of, and to add Chapter 13.5, comprising Sections 19200 and 19201, to Part 10 of Division 2 of, the Revenue and Taxation Code,

relating to personal income taxes, declaring the urgency thereof, to take effect immediately.

Motion to Continue Special Order

Mr. Desmond moved that further consideration of the special order heretofore set for Assembly Bills Nos. 876, 879, 883, and 884 be continued until 10 a.m., Tuesday, April 20, 1943

Mr. Dunn seconded the motion.

Demand for Previous Question

Messrs. Johnson, Werdel, Waters, Kellems, and Evans demanded the previous question.

Demand for previous question sustained.

The question being on the motion that further consideration of the special order heretofore set for Assembly Bills Nos. 876, 879, 883, and 884 be continued until Tuesday, April 20, 1943.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Collins, George D., Crichton, Desmond, Dills, Ralph C., Doyle, Dunn, Gaffney, Haggerty, Heisinger, Kilpatrick, King, Lowrey, Massion, McMillan, Middough, O'Day, Robertson, Rosenthal, and Sawallisch—25.

NOES—Armstrong, Bashore, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Debs, Dickey, Dills, Clayton A., Dilworth, Erwin, Field, Fount, Gannon, Guthrie, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Miller, Niehouse, Pelletier, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—48.

Assembly Bill No. 876—An act to amend Section 5 of, and to add Section 29.5 to The Personal Income Tax Act and to amend Section 17052 of, and to add Chapter 13.5, comprising Sections 19200 and 19201, to Part 10 of Division 2 of, the Revenue and Taxation Code, relating to personal income taxes, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Heisinger moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 37, of the printed bill, as amended, strike out “, but the amount to be paid to the”; and strike out lines 38 and 39, and insert a period.

Amendment No. 2

On page 4 of said bill, strike out lines 1 to 3, inclusive, and insert “Section 19200.”

Amendments read.

Demand for Previous Question

Messrs. Werdel, Waters, Knight, John B., Evans, and Debs, demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Heisinger to Assembly Bill No. 876.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Collins, George D., Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Gaffney, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Massion, McMillan, Middough, O'Day, Pelletier, and Rosenthal—22.

NOES—Allen, Armstrong, Bashore, Beck, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dilworth, Doyle, Erwin, Field,

Fourt, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Miller, Niehouse, Potter, Price, Robertson, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "5", and insert "10".

Amendment No. 2

In line 2 of the title of said bill, strike out "17052", and insert "17951".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 20, inclusive; and on page 2, strike out lines 1 to 19, inclusive, and insert

"SECTION 1. Section 10 of The Personal Income Tax Act is amended to read: Sec. 10. There shall be allowed for the purpose of the tax herein imposed:

(a) In the case of a single person, a personal exemption of [\$1,000] *one thousand five hundred dollars (\$1,500)*; or in case of the head of a family or a married person living with husband or wife, a personal exemption of [\$2,500] *three thousand five hundred dollars (\$3,500)*. A husband and wife living together shall receive but one personal exemption. The amount of such personal exemption shall be [\$2,500] *three thousand five hundred dollars (\$3,500)*. If such husband and wife make separate returns, the personal exemption may be taken by either or divided between them;

(b) Four hundred dollars (\$400) for each person (other than husband or wife living with the taxpayer) dependent upon and receiving his chief support from the taxpayer if such dependent person is under 18 years of age or is incapable of self-support because mentally or physically defective, and for each former or present spouse to whose support the taxpayer is contributing by order of a court of competent jurisdiction;

(c) In the case of an estate an exemption of one thousand dollars (\$1,000); in the case of a trust an exemption of one hundred dollars (\$100);

(d) If the status of the taxpayer, insofar as it affects the personal exemption or credit for dependents changes during the taxable year, the personal exemption and credit shall be apportioned, under such rules and regulations as are prescribed by the commissioner, in accordance with the number of months before and after such change. For the purpose of such apportionment a fractional part of a month shall be disregarded unless it amounts to more than half a month, in which case it shall be considered as a month."

Amendment No. 4

On page 2 of said bill, strike out lines 23 to 33, inclusive, and insert "levied, collected and paid for each taxable year upon the entire net income of every resident of this State and upon the net income of every nonresident which is derived from sources within this State, one thousand fifty dollars (\$1,050) upon net incomes of thirty thousand dollars (\$30,000); and upon net incomes in excess of thirty thousand dollars (\$30,000), 7 per centum in addition of such excess."

Amendment No. 5

On page 2, line 41, of said bill, strike out "17052", and insert "17951".

Amendment No. 6

On page 2 of said bill, between lines 42 and 43, insert "17951. There shall also be allowed as a credit against net income, in the case of a single individual, a personal exemption of [one thousand dollars (\$1,000)] *one thousand five hundred dollars (\$1,500)*, or, in the case of a head of a family or a married individual living with husband or wife, a personal exemption of [two thousand five hundred dollars (\$2,500)] *three thousand five hundred dollars (\$3,500)*. A husband and wife living together shall receive but one personal exemption of [two thousand five hundred dollars (\$2,500)] *three thousand five hundred dollars (\$3,500)*. If the husband and wife living together make separate returns, the personal exemption may be taken by either or divided between them."

Amendment No. 7

On page 2 of said bill, strike out lines 43 to 51, inclusive; and on page 3, strike out lines 1 to 28, inclusive.

Amendment No. 8

On page 3 of said bill, strike out lines 37 to 46, inclusive, and insert "levied, collected and paid for each taxable year upon the entire net income of every resident of this State and upon the net income of every nonresident which is derived from sources within this State, one thousand fifty dollars (\$1,050) upon net income of said thirty thousand dollars (\$30,000); and upon net income in excess of thirty thousand dollars (\$30,000), 7 per cent in addition of such excess."

Amendments read.

Division of the Question

Mr. Hawkins asked for a division of the question, and requested that Amendments Nos. 3 and 4 be considered, at this time.

Request granted.

Consideration of Amendment No. 3

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 20, inclusive; and on page 2, strike out lines 1 to 19, inclusive, and insert

"SECTION 1. Section 10 of The Personal Income Tax Act is amended to read: Sec. 10. There shall be allowed for the purpose of the tax herein imposed:

(a) In the case of a single person, a personal exemption of [~~\$1,000~~] *one thousand five hundred dollars (\$1,500)*; or in case of the head of a family or a married person living with husband or wife, a personal exemption of [~~\$2,500~~] *three thousand five hundred dollars (\$3,500)*. A husband and wife living together shall receive but one personal exemption. The amount of such personal exemption shall be [~~\$2,500~~] *three thousand five hundred dollars (\$3,500)*. If such husband and wife make separate returns, the personal exemption may be taken by either or divided between them;

(b) Four hundred dollars (\$400) for each person (other than husband or wife living with the taxpayer) dependent upon and receiving his chief support from the taxpayer if such dependent person is under 18 years of age or is incapable of self-support because mentally or physically defective, and for each former or present spouse to whose support the taxpayer is contributing by order of a court of competent jurisdiction;

(c) In the case of an estate an exemption of one thousand dollars (\$1,000); in the case of a trust an exemption of one hundred dollars (\$100);

(d) If the status of the taxpayer, insofar as it affects the personal exemption or credit for dependents changes during the taxable year, the personal exemption and credit shall be apportioned, under such rules and regulations as are prescribed by the commissioner, in accordance with the number of months before and after such change. For the purpose of such apportionment a fractional part of a month shall be disregarded unless it amounts to more than half a month, in which case it shall be considered as a month."

Amendment read.

Motion to Temporarily Suspend the Rules

Mr. O'Day moved that the Rules be temporarily suspended for the purpose of granting Mr. George D. Collins additional time for argument on Amendment No. 3, at this time.

Motion carried.

Demand for Previous Question

Messrs. Werdel, Price, Evans, Robertson, and Erwin demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendment No. 3 offered by Mr. Hawkins to Assembly Bill No. 876.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Collins, George D., Crowley, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Massion, McMillan, O'Day, Pelletier, Robertson, Rosenthal, and Thomas—27.

NOES—Allen, Armstrong, Bashore, Beck, Call, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Dilworth, Doyle, Erwin, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, Potter, Price, Sargent, Sawallsch, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—45.

Consideration of Amendment No. 4

Amendment No. 4

On page 2 of said bill, strike out lines 23 to 33, inclusive, and insert "levied, collected and paid for each taxable year upon the entire net income of every resident of this State and upon the net income of every nonresident which is derived from sources within this State, one thousand fifty dollars (\$1,050) upon net incomes of thirty thousand dollars (\$30,000); and upon net incomes in excess of thirty thousand dollars (\$30,000), 7 per centum in addition of such excess."

Amendment read.

Demand for Previous Question

Messrs. Evans, Robertson, Lyons, Watson, and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendment No. 4 offered by Mr. Hawkins to Assembly Bill No. 876.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Carey, Collins, George D., Crowley, Dills, Clayton A., Dills, Ralph C., Dunn, Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Massion, McMillan, Middough, O'Day, Pelletier, Rosenthal, and Thomas—25.

NOES—Allen, Armstrong, Bashore, Beck, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lyons, Maloney, McCollister, Miller, Niehouse, Potter, Price, Robertson, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—51.

Withdrawal of Amendments

Mr. Hawkins withdrew the balance of his amendments to Assembly Bill No. 876.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend SECTION 5 OF, AND TO".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "TO AMEND SECTION 17052 OF, AND".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 20, inclusive; and on page 2, strike out lines 1 to 19, inclusive.

Amendment No. 4

On page 2, line 20, of said bill, strike out "Sec. 2", and insert "Section 1".

Amendment No. 5

On page 2 of said bill, strike out lines 41 to 51, inclusive; and on page 3, strike out lines 1 to 28, inclusive.

Amendment No. 6

On page 4, line 5, of said bill, strike out "Sections 3 and 4 of this act become", and insert "Section 4 of this act becomes".

Amendment No. 7

On page 4 of said bill, strike out lines 9 and 10, and insert "which time the section of the Personal Income Tax Act added and amended by this act is hereby repealed."

Amendment No. 8

On page 4, lines 21 and 22, of said bill, strike out "that the personal income tax rates be reduced and".

Amendment No. 9

On page 4 of said bill, strike out lines 25 and 26.

Amendments read.

Motion to Table Amendments

Mr. Evans moved that the amendments offered by Mr. George D. Collins to Assembly Bill No. 876 be laid on the table.

Mr. Debs seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Burkhalter, Burns, Call, Carlson, Clarke, Crichton, Debs, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gannon, Guthrie, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—48.

NOES—Anderson, Bennett, Berry, Brady, Brown, Carey, Collins, George D., Dills, Clayton A., Dills, Ralph C., Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Massion, McMillan, O'Day, Pelletier, Rosenthal, and Thomas—22.

The question being on the adoption of the urgency clause to Assembly Bill No. 876.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Anderson, Bennett, Collins, George D., Hawkins, Heisinger, Kilpatrick, King, Lowrey, Massion, McMillan, Pelletier, and Rosenthal—12.

The roll was called, and Assembly Bill No. 876 passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Anderson, Bennett, Collins, George D., Hawkins, Heisinger, Kilpatrick, King, Lowrey, Massion, McMillan, Pelletier, and Rosenthal—12.

Bill ordered transmitted to the Senate.

Explanation of Vote

The personal income tax Assembly Bill No. 876 gives to the extremely rich permanent reductions equaling more than 50 per cent, while at the same time, the common people are allowed only small reductions which are only for two years during the war.

I can not sanction such iniquitous legislation, therefore my "No" vote.

S. L. HEISINGER

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Debs:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act relating to the use and furnishing of premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices, for, or with the sale of goods, wares, merchandise; and providing a penalty for the violation thereof.

Respectfully submitted.

ERNEST E. DEBS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Debs:

An act relating to the use and furnishing of premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices, for, or with the sale of goods, wares, merchandise; and providing a penalty for the violation thereof.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Dav, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 1982: By Mr. Debs—An act relating to the use and furnishing of premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices, for, or with the sale of goods, wares, merchandise; and providing a penalty for the violation thereof.

Referred to Committee on Judiciary.

RECESS

At 12.21 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 1.45 p.m.

REASSEMBLED

At 1.45 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

RESOLUTIONS

The following resolution was offered:

By Messrs. Lyon, Carlson, Robertson, Heisinger, Gaffney, Collins, George D., O'Day, Maloney, Weber, Sargent, McMillan, and Mid-dough:

House Resolution No. 179

Relating to adjournment out of respect to the memory of Thomas Jefferson

WHEREAS, This day, April 13, 1943, marks the anniversary of the birth of Thomas Jefferson, the third President of the United States and known as the founder of the Democratic Party, and the "Greatest Democrat of them all"; and

WHEREAS, Thomas Jefferson took a leading position in guiding the destiny of the United States during its early days, and his benign influence for the good of the Country is apparent even today; and

WHEREAS, His was one of the most versatile minds of all time, and he excelled as a statesman, diplomat, author, scientist, architect, lawyer and educator; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly this day adjourns, it do so out of respect to the memory of Thomas Jefferson, third President of the United States and "Greatest Democrat of them all."

Request for Unanimous Consent

Mr. Robertson asked for, and was granted, unanimous consent to take up House Resolution No. 179, at this time, without reference to committee.

Resolution read and adopted by a rising vote of the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 798

Assembly Bill No. 1825

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 79

Assembly Bill No. 699

Assembly Bill No. 440

Assembly Bill No. 1842

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 434

Assembly Bill No. 1425

Assembly Bill No. 849

Assembly Bill No. 1503

Assembly Bill No. 908

Assembly Bill No. 1612

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1759 re-referred to the Committee on Judiciary.

Assembly Bill No. 1957 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1774 re-referred to the Committee on Ways and Means.

Assembly Bill No. 221 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1954 re-referred to the Committee on Ways and Means.

Assembly Bill No. 1962 re-referred to the Committee on Ways and Means.

Assembly Bill No. 1935 re-referred to the Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 440 re-referred to the Committee on Judiciary.

Assembly Bill No. 1612 re-referred to the Committee on Ways and Means.

Assembly Bill No. 79 re-referred to the Committee on Motor Vehicles.

CONSIDERATION OF SPECIAL ORDER (RESUMED)

Assembly Bill No. 879—An act to amend Sections 6051 and 6201 of the Revenue and Taxation Code, relating to the sales and use taxes, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended, strike out "and 6201", and insert ", 6201 and 6359".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 21, insert

"SEC. 25. Section 6359 of said code is amended to read:

6359. There are exempted from the taxes imposed by this part the gross receipts from the sale of and the storage, use, or other consumption in this State of food products for human consumption.

"Food products" include cereals and cereal products, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products other than candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products other than candy and confectionery.

"Food products" do not include spirituous, malt or vinous liquors, soft drinks, sodas, or beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith, medicines, tonics, and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

"Food products" also [do not] include meals served on or off the premises of the retailer or drinks or foods furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware provided by the retailer."

Amendment No. 3

On page 1, line 9, of said bill, strike out "2½", and insert "2".

Amendment No. 4

On page 1, line 19, of said bill, strike out "2½", and insert "2".

Amendment No. 5

On page 2, line 19, of said bill, strike out "medicine and drugs", and insert "food sold in restaurants".

Amendments read.

Division of the Question

Mr. Hawkins asked for a division of the question.

Consideration of Amendment No. 1

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended, strike out "and 6201", and insert ", 6201 and 6359".

Amendment read.

Demand for Previous Question

Messrs. Johnson, Weber, Werdel, Evans, and Robertson demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendment No. 1 offered by Mr. Hawkins to Assembly Bill No. 879.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Collins, George D., Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Massion, McCollister, McMillan, Middough, O'Day, Pelletier, Robertson, Rosenthal, Sawallisch, Sheridan, and Thomas—33.

NOES—Armstrong, Bashore, Beck, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Denny, Dickey, Dilworth, Erwin, Field, Fount, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Miller, Potter, Price, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—42.

Withdrawal of Amendments

Mr. Hawkins withdrew the balance of his amendments to Assembly Bill No. 879.

Motion to Amend

Mr. Doyle moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, strike out "2½", and insert "2".

Amendment No. 2

On page 1, line 19, of said bill, as amended, strike out "2½", and insert "2".

Amendments read.

Demand for Previous Question

Messrs. Johnson, Werdel, Waters, Debs, and Price demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Doyle to Assembly Bill No. 879.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Collins, George D., Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sheridan, and Thomas—31.

NOES—Armstrong, Bashore, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Denny, Desmond, Dilworth, Erwin, Field, Fount, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Miller, Potter, Price, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—42.

Motion to Amend

Mr. Doyle moved the adoption of the following amendment:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 2 of the printed bill, as amended, between lines 9 and 10, insert

"SEC. 3. Section 6359 of said code is amended to read:

6359. There are exempted from the taxes imposed by this part of the gross receipts from the sale of and the storage, use, or other consumption in this State of food products for human consumption.

"Food products" include cereals and cereal products, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products other than candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products other than candy and confectionery.

"Food products" do not include spirituous, malt or vinous liquors, [soft drinks, sodas, or beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith,] or medicines, tonics, and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts [.] but do include soft drinks, sodas, or beverages such as are ordinarily dispensed at bars and soda fountains.

"Food products" [also do not] include meals served on or off the premises of the retailer or drunks or foods furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware provided by the retailer."

Amendment read.

Demand for Previous Question

Messrs. Johnson, Werdel, Robertson, Dills, Clayton A., and Evans demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Doyle to Assembly Bill No. 879.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Collins, George D., Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Massion, McMillan, Middough, Robertson, and Thomas—23.

NOES—Allen, Armstrong, Bashore, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dilworth, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Maloney, Miller, Niehouse, Pelletier, Potter, Price, Sargent, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—44.

Motion to Amend

Mr. Heisinger moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, strike out ", and to"; and strike out lines 10 and 11, and insert a period.

Amendment No. 2

On page 1, line 19, of said bill, strike out "and to and"; and strike out lines 20 and 21, and insert a period.

Amendments read.

Demand for Previous Question

Messrs. Werdel, Robertson, Evans, Allen, and Knight, John B., demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Heisinger to Assembly Bill No. 879.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Collins, George D., Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Massion, McMillan, Middough, O'Day, Pelletier, and Thomas—23.

NOES—Allen, Armstrong, Bashore, Beck, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Dilworth, Erwin, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Miller, Niehouse, Potter, Price, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—46.

The question being on the adoption of the urgency clause to Assembly Bill No. 879.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Werdel, Knight, John B., Allen, Evans, and Robertson demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 879.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—Collins, George D., Kilpatrick, Lowrey, and Robertson—4.

The roll was called, and Assembly Bill No. 879 passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—Collins, George D., Kilpatrick, Lowrey, and Robertson—4.

Bill ordered transmitted to the Senate.

Explanation of Vote

Four Assembly bills—Nos. 876, 879, 883, and 884—have been cunningly and legally tied together so that the defeat of one means defeat of all.

This bill provides for but one-half per cent reduction in the sales tax, which is inconsequential in comparison to substantial reductions for those in the high income brackets.

Under the circumstances I believe all should be defeated together, hence my "No" vote.

VERNON KILPATRICK

Assembly Bill No. 883—An act to add Section 7.5 to the Bank and Corporation Franchise Tax Act, relating to a franchise tax imposed on banks and corporations.

Bill read third time.

Motion to Amend

Mr. Heisinger moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, strike out "seventy-five per cent (75%)", and insert "eighty-seven and one-half per cent (87½%)".

Amendment read.

Demand for Previous Question

Messrs. Werdel, Lyons, Evans, Debs, and Robertson demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Heisinger to Assembly Bill No. 883.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Carey, Collins, George D., Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Gaffney, Haggerty, Hawkins, Heisinger, King, Massion, McMillan, O'Day, Pelletier, Rosenthal, and Thomas—21.

NOES—Allen, Armstrong, Bashore, Beck, Brown, Burkhalter, Burns, Call, Carlson, Collins, Sam L., Crichton, Debs, Desmond, Dilworth, Doyle, Erwin, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, Potter, Price, Robertson, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—49

The question being on the passage of Assembly Bill No. 883.

Demand for Previous Question

Messrs. Werdel, Kraft, Debs, Allen, and Robertson demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 883.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Anderson, Beck, Bennett, Collins, George D., Dunn, Hawkins, Heisinger, Kilpatrick, Massion, McMillan, Pelletier, Rosenthal, and Thomas—13.

Bill ordered transmitted to the Senate.

Assembly Bill No. 884—An act to add Section 5.5 to the Corporation Income Tax Act, relating to the income tax imposed on corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Price, Robertson,

Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Anderson, Beck, Bennett, Brady, Collins, George D., Dunn, Haggerty, Hawkins, Heisinger, Kilpatrick, Massion, McMillan, Pelletier, Rosenthal, and Thomas—15.

Bill ordered transmitted to the Senate.

Explanation of Vote

Assembly Bills Nos. 883 and 884, reducing taxes upon the banks and corporations which are now enjoying the greatest prosperity in their history, are against public interest and should not be enacted, is the reason I vote "No."

S. L. HEISINGER

ASSEMBLY BILL NO. 1525 PLACED UPON FILE

Mr. George D. Collins moved that Assembly Bill No. 1525 be withdrawn from the special order file, and placed upon the third reading file.

Motion carried.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Watson:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 15159 to the Health and Safety Code, relating to application of the State Housing Act, declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

CLYDE WATSON

Request referred to Committee on Legislative Procedure.

By Mr. McCollister:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation for the support of the State Guard.

Respectfully submitted.

RICHARD H. MCCOLLISTER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Watson:

An act to add Section 15159 to the Health and Safety Code, relating to application of the State Housing Act, declaring the urgency thereof, to take effect immediately.

By Mr. McCollister:

An act making an appropriation for the support of the State Guard.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D.

Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following bills were introduced, and read the first time:

Assembly Bill No. 1983: By Mr. Watson—An act to add Section 15159 to the Health and Safety Code, relating to application of the State Housing Act, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 1984: By Mr. McCollister—An act making an appropriation for the support of the California State Guard.

Referred to Committee on Ways and Means.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1958 WAIVED

Mr. Ralph C. Dills waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1958 was passed.

Assembly Bill No. 1958 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 765 WAIVED

Mr. Evans waived his notice of motion to reconsider the vote whereby Senate Bill No. 765 was passed.

Senate Bill No. 765 ordered transmitted to the Senate.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1265 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Dilworth asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1265 from the Committee on Education for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1265

Assembly Bill No. 1265—An act to add Article 9 to Chapter 7 of Part 3 of Division 5 of the School Code and to add Article 8 to Chapter 11 of Division 7 of the Education Code, relating to the placing on emergency leave of absence of permanent employees of school districts serving as teachers in junior colleges.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "Code", insert "comprising Sections 5.725 to 5.725q, inclusive,".

Amendment No. 2

In line 3 of the title of said bill, after "Code", insert "comprising Sections 13701 to 13718, inclusive,".

Amendment No. 3

In line 4 of the title of said bill, strike out "leave of absence of permanent"; and strike out lines 5 and 6 of said title, and insert "leaves of absence, declaring the urgency thereof, to take effect immediately."

Amendment No. 4

On page 1, line 4, of said bill, strike out the second "of", and insert a period.

Amendment No. 5

On page 1 of said bill, strike out lines 5 to 22, inclusive; and strike out all of pages 2, 3, and 4, and insert

"5.725. Whenever, because of an emergency arising out of any war in which the United States is engaged, it becomes necessary to decrease the number of employees of a school district in positions requiring certification qualifications, the governing board shall grant emergency leaves of absence for either part or full time to such employees as are not needed for the ensuing year, in accordance with the provisions of this article.

5.725a. Not later than 15 days after the effective date of this act in 1943, and on or before the tenth day of April in any subsequent year, the governing board shall, by resolution, designate the employees to whom it proposes to grant emergency leaves of absence, and shall serve notice of such action, and a copy of such resolution, on each of the employees so named, in the manner provided by Section 5.651 of this code.

5.725b. If, within 15 days after service of such notice, the employee files with the board a protest against the proposed action of the board, with a written statement of his reasons therefor, the board shall grant him a hearing, which shall be public or private at the option of the employee. At the hearing, evidence of all pertinent facts relating to the qualifications and competency of such employee shall be heard and considered.

5.725c. Within 30 days after service of the notice, in 1943, and on or before May 15th in any subsequent year, the board shall grant to each employee on whom such notice has been served and who has not protested, or whose protest has been overruled, an emergency leave of absence, effective at the beginning of the next school year, which leave of absence shall entitle the holder thereof to accept other employment.

5.725d. The provisions of this article shall apply to all employees who are classified as permanent and, at the discretion of the board, may apply also to all employees classified as probationary or substitute.

5.725e. Emergency leaves shall be granted in the inverse of the order in which the employees affected were employed in their respective classifications, provided that:

a. The employee is qualified and competent to serve in a subject field in which service is required by the district.

b. No such notice may be given to a permanent employee while a probationary, substitute, any other employee with less seniority of service, is retained to render a service which said permanent employee is qualified and competent to render, and, in districts where the provisions of this article are extended to probationary teachers, no probationer may be given notice while a substitute is similarly retained.

c. An employee shall be deemed qualified and competent to serve in any subject field which is the same as the one in which he was originally employed to serve, or to which he has been assigned for more than one school year within the past seven years. The board also shall consider other evidence showing such qualifications and competence.

d. Subject to the foregoing, in junior colleges, other than those maintained in unified school districts, employees in any subject field shall be placed on emergency leave of absence in the inverse of the order of their employment therein.

5.725f. The board shall make assignments and reassignments in each subject field in such way that employees shall be employed to render service which their seniority and qualifications, as defined in this article, entitle them to render.

5.725g. For the purposes of this article, governing boards shall establish seniority rankings of all certificated employees under their jurisdiction and shall keep the same as a public record. Seniority shall apply from the date upon which an employee first accepted employment in other than a substitute or temporary position in said district, or in any district any part of which has become a component part of the employing district, if said employee was transferred to the employing district's pay roll at the time of the transfer of territory to the employing district.

5.725h. In areas in which two or more districts have the same governing board, when any school or part thereof shall have been transferred from one district to another within the jurisdiction of the said governing board, seniority shall date from the original acceptance of employment in the school or part thereof so transferred.

5.725i. If any certificated employee in a district to which this article applies shall request such an emergency leave of absence, and if no substitute would be required for

such employee during his absence, the governing board shall grant the same with all of the benefits in this article provided

5.725j. With the employee's consent, the governing board may grant part time emergency leaves.

5.725k. The provisions of this article shall apply to employees on leave of absence as well as to those actively employed.

5.725l. Should any certificated employee of a district to which this article applies have been dismissed in accordance with the provisions of Article 7 of this chapter since January 1, 1943, such employee shall be granted an emergency leave of absence, as provided in this article, in lieu of such dismissal.

5.725m. All rights and privileges of employees under emergency leaves of absence shall continue until two years after hostilities in such war have ceased.

5.725n. If, within such period, it becomes necessary to employ additional employees in said district, in positions requiring certification qualifications, for either full or part time, employees on emergency leave shall have preferred right to reappointment in the inverse of the order in which they would have been placed on leave had the board granted all leaves in accordance with the provisions of this article, and with no requirements for reappointment that would not have been imposed had they continued in service, but any such employee may waive his right to reemployment at that time, without prejudice.

5.725o. Any employee who has been given an emergency leave who has reached age 60, and who is credited with at least 25 years of service in the California State Teachers' Retirement System, may elect either to accept said emergency leave or to retire and receive such allowance as is given by said system to members retired for disability.

If such an employee is also a member of a district retirement system and chooses to retire, he shall receive the benefits to which his membership in the district system shall then entitle him; provided, that if he then shall have completed the number of years of service required for disability but not for service retirement, then for the purposes of this article, he shall be deemed to be incapacitated for further service and shall receive such allowance as is given by the said district system to members retired for disability.

5.725p. In the case of any employee who is a member of either the State or a district retirement system and who is given emergency leave as provided in this article, his rights under said retirement system during such leave or upon resumption of service entitling him to membership in either or both of such systems shall remain as they were at the time he was granted such leave; provided that

a. The period of such absence shall not count as part of the service required for retirement thereunder;

b. Such absence shall not be construed as a break in the continuity of service;

c. Any credit for prior service under the system shall not be affected by such absence.

5.725q. Whenever the date of expiration of any credential or certificate granted to certificated employees under this code occurs while the holder thereof is on emergency leave, such credential or certificate is hereby continued in force until two years after the cessation of hostilities in said war.

Sec. 2. Article 8 is added to Chapter 11 of Division 7 of the Education Code. to read:

Article 8. Emergency Leaves of Absence

13701. Whenever, because of an emergency arising out of any war in which the United States is engaged, it becomes necessary to decrease the number of employees of a school district, in positions requiring certification qualifications, the governing board shall grant emergency leaves of absence for either part or full time to such employees as are not needed for the ensuing year, in accordance with the provisions of this article.

13702. Not later than 15 days after the effective date of this act in 1943, and on or before the tenth day of April in any subsequent year, the governing board shall, by resolution, designate the employees to whom it proposes to grant emergency leaves of absence, and shall serve notice of such action, and a copy of such resolution, on each of the employees so named, in the manner provided by Section 13527 of this code.

13703. If, within 15 days after service of such notice, the employee files with the board a protest against the proposed action of the board, with a written statement of his reasons therefor, the board shall grant him a hearing, which shall be public or private at the option of the employee. At the hearing evidence of all pertinent facts relating to the qualifications and competency of such employee shall be heard and considered.

13704. Within 30 days after service of the notice, in 1943, and on or before May 15th in any subsequent year, the board shall grant to each employee on whom such notice has been served and who has not protested, or whose protest has been overruled, an emergency leave of absence, effective at the beginning of the next school year, which leave of absence shall entitle the holder thereof to accept other employment.

13705. The provisions of this article shall apply to all employees who are classified as permanent and, at the discretion of the board, may apply also to all employees classified as probationary or substitute.

13706. Emergency leaves shall be granted in the inverse of the order in which the employees affected were employed in their respective classifications, provided that:

a. The employee is qualified and competent to serve in a subject field in which service is required by the district.

b. No such notice may be given to a permanent employee while a probationer or substitute, or any other employee with less seniority of service, is retained to render a service which said permanent employee is qualified and competent to render, and, in districts where the provisions of this article are extended to probationary teachers, no probationer may be given notice while a substitute is similarly retained.

c. An employee shall be deemed qualified and competent to serve in any subject field which is the same as the one in which he was originally employed to service, or to which he has been assigned for more than one school year within the past seven years. The board also shall consider other evidence showing such qualifications and competence.

d. Subject to the foregoing, in junior colleges, other than those maintained in unified school districts, employees in any subject field shall be placed on emergency leave of absence in the inverse of the order of their employment therein.

13707. The board shall make assignment and reassignments in each subject field in such way that employees shall be employed to render service which their seniority and qualifications, as defined in this article, entitle them to render.

13708. For the purposes of this article, governing boards shall establish seniority rankings of all certificated employees under their jurisdiction and shall keep the same as a public record. Seniority shall apply from the date upon which an employee first accepted employment in other than a substitute or temporary position in said district, or in any district any part of which has become a component part of the employing district, if said employee was transferred to the employing district's pay roll at the time of the transfer of territory to the employing district.

13709. In areas in which two or more districts have the same governing board, when any school or part thereof shall have been transferred from one district to another within the jurisdiction of the said governing board, seniority shall date from the original acceptance of employment in the school or part thereof so transferred.

13710. If any certificated employee in a district to which this article applies shall request such an emergency leave of absence, and if no substitute would be required for such employee during his absence, the governing board shall grant the same with all of the benefits in this article provided.

13711. With the employee's consent, the governing board may grant part time emergency leaves.

13712. The provisions of this article shall apply to employees on leave of absence as well as to those actively employed.

13713. Should any certificated employee of a district to which this article applies have been dismissed in accordance with the provisions of Article 6 of this chapter since January 1, 1943, such employee shall be granted an emergency leave of absence, as provided in this article, in lieu of such dismissal.

13714. All rights and privileges of employees under emergency leaves of absence shall continue until two years after hostilities in such war have ceased.

13715. If, within such period, it becomes necessary to employ additional employees in said district, in positions requiring certification qualifications, for either full or part time, employees on emergency leave shall have preferred right to reappointment in the inverse of the order in which they would have been placed on leave had the board granted all leaves in accordance with the provisions of this article, and with no requirements for reappointment that would not have been imposed had they continued in service, but any such employee may waive his right to reemployment at that time, without prejudice.

13716. Any employee who has been given an emergency leave who has reached age 60, and who is credited with at least 25 years of service in the California State Teachers' Retirement System, may elect either to accept said emergency leave or to retire and receive such allowance as is given by said system to members retired for disability.

If such an employee is also a member of a district retirement system and chooses to retire, he shall receive the benefits to which his membership in the district system shall then entitle him; provided, that if he then shall have completed the number of years of service required for disability but not for service retirement, then for the purposes of this article, he shall be deemed to be incapacitated for further service and shall receive such allowance as is given by the said district system to members retired for disability.

13717. In the case of any employee who is a member of either the State or a district retirement system and who is given emergency leave as provided in this article, his rights under said retirement system during such leave or upon resumption of service entitling him to membership in either or both of such systems shall remain as they were at the time he was granted such leave; provided that

- a. The period of such absence shall not count as a part of the service required for retirement thereunder;
- b. Such absence shall not be construed as a break in the continuity of service;
- c. Any credit for prior service under the system shall not be affected by such absence.

13718. Whenever the date of expiration of any credential or certificate granted to certificated employees under this code occurs while the holder thereof is on emergency leave, such credential or certificate is hereby continued in force until two years after the cessation of hostilities in said war.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Due to conditions arising out of war, many pupils will be compelled to leave school; the number of teachers required will thereby be temporarily decreased; under the present law, governing boards have no recourse but to discharge many teachers whose services in normal times are of great value to the districts, and notice thereof must be given immediately; discharge of such a large number of teachers would be demoralizing to the public schools; in order to provide an orderly means for dispensing with the services of teachers during such emergency without the necessity of wholesale dismissals, and assuring, as far as possible, their return to service when required, a means of providing emergency leaves of absence must be established, and this bill is intended to accomplish such purpose."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 180

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant in favor of the respective person for the said respective amount, and the Treasurer is hereby directed to pay the same; said compensation to be upon a seven-day week basis:

<i>Commencing Tuesday, April 13, 1943</i>	<i>Per day</i>
Leal Norton, Page	\$3 00

Resolution read, and referred to Committee on Rules and House Functions.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file and re-referred as follows:

Assembly Bill No. 1825 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 798 re-referred to the Committee on Revenue and Taxation.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Messrs. Denny and Thompson.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows.

An act to add Chapter 4, comprising Sections 250 to 261, inclusive, to Division 1 of the Welfare and Institutions Code, providing State grants for public assistance,

fixing the amount each county contributes for public assistance, and making an appropriation.

Respectfully submitted.

PAUL DENNY
JOHN F. THOMPSON

Request referred to Committee on Legislative Procedure.

By Messrs. Price, Denny, and Thompson:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 3714.5 to the Political Code, relating to increases in expenditures and tax levies.

Respectfully submitted.

R. L. PRICE
PAUL DENNY
JOHN F. THOMPSON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Messrs. Denny and Thompson:

An act to add Chapter 4, comprising Sections 250 to 261, inclusive, to Division 1 of the Welfare and Institutions Code, providing State grants for public assistance, fixing the amount each county contributes for public assistance, and making an appropriation.

By Messrs. Price, Denny, and Thompson:

An act to add Section 3714.5 to the Political Code, relating to increases in expenditures and tax levies.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1985: By Messrs. Denny and Thompson—An act to add Chapter 4, comprising Sections 250 to 261, inclusive, to Division 1 of the Welfare and Institutions Code, providing State grants for public assistance, fixing the amount each county contributes for public assistance, and making an appropriation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1986: By Messrs Price, Denny, and Thompson—
An act to add Section 3714.5 to the Political Code, relating to increases
in expenditures and tax levies.

Referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 314—An act to amend Section 20 of the "California Water District Act," relating to the redemption of bonds of water districts;

Assembly Bill No. 332—An act to amend Section 3424 of the Public Resources Code, relating to the recording of oil production charge payments;

Assembly Bill No. 358—An act to amend Section 10200 of and to add Section 10202 to the Health and Safety Code, relating to birth certificates;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 93—An act to amend Section 117d of the Code of Civil Procedure, relating to small claims court and the time for appearance therein;

Assembly Bill No. 94—An act to amend Section 117 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court;

Assembly Bill No. 179—An act to amend Section 51 of the Bank Act, relating to deposit of moneys in banks by executors and other fiduciaries;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 376—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of districts organized under the California Water District Act;

Assembly Bill No. 914—An act to amend Section 4891 of the Health and Safety Code, relating to sewer maintenance districts;

Assembly Bill No. 1095—An act to amend Sections 864 and 885 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 912—An act to amend Sections 13600, 13607, 13610, 13652, 13655, 13656, 13687, 13727 and 13728 of the Health and Safety Code, and to repeal Sections 13513, 13609, 13611 and 13653 thereof, relating to spotting, sponging and pressing establishments;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirteenth day of April, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 127

Assembly Bill No. 1362

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 166

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered to second reading.

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred:

Assembly Bill No. 1555

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MIDDOUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred:

Senate Bill No. 160

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

MIDDOUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred:

Assembly Bill No. 738

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

MIDDOUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which were referred:

Senate Bill No. 161

Senate Bill No. 167

Senate Bill No. 162

Senate Bill No. 608

Senate Bill No. 163

Senate Bill No. 677

Senate Bill No. 164

Senate Bill No. 679

Senate Bill No. 166

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MIDDOUGH, Chairman

Above reported bills ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Senate Bill No. 348

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER Your Committee on Finance and Insurance, to which were referred:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1225 | Assembly Bill No. 1233 |
| Assembly Bill No. 1226 | Senate Bill No. 269 |
| Assembly Bill No. 1227 | Senate Bill No. 776 |
| Assembly Bill No. 1228 | Senate Bill No. 777 |

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 294 | Assembly Bill No. 1016 |
| Assembly Bill No. 401 | Assembly Bill No. 1017 |
| Assembly Bill No. 1011 | Assembly Bill No. 1019 |
| Assembly Bill No. 1014 | |

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

- Assembly Bill No. 1012

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

- Assembly Bill No. 490

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

- Assembly Bill No. 1958
- Assembly Bill No. 1055
- Assembly Bill No. 763

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

- | | |
|------------------------|---------------------|
| Assembly Bill No. 1687 | Senate Bill No. 591 |
| Senate Bill No. 110 | Senate Bill No. 629 |
| Senate Bill No. 154 | Senate Bill No. 673 |
| Senate Bill No. 347 | Senate Bill No. 878 |
| Senate Bill No. 444 | Senate Bill No. 889 |

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1078

Senate Bill No. 646

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Joint Resolution No. 9

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

WATSON, Chairman

Above reported resolution ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 125

Assembly Bill No. 1452

Assembly Bill No. 1146

Assembly Bill No. 1692

Assembly Bill No. 1147

Senate Bill No. 567

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 1480

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

Committee on Universities and Colleges

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Universities and Colleges, to which were referred:

Assembly Bill No. 1800

Assembly Bill No. 1965

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

JOHNSON, Chairman

Above reported bills re-referred to Committee on Ways and Means.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 561

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Assembly Bill No. 1901

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

Committee on Universities and Colleges

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Universities and Colleges, to which was referred:

Senate Bill No. 725

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

JOHNSON, Chairman

Above reported bill ordered to second reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs Allen, Wollenberg, and the Alameda County and San Francisco Delegations, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain Douglas Montell, Sergeant Joe Bush, and Lieutenant Lily S. Hutcheon, United States Marines.

On request of Mr. Hollibaugh, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Christopher Griffin of Huntington Park.

On request of Mr. Thompson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. John R. Tankin of Los Gatos.

On request of Messrs. Price and Armstrong, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. R. E. Williams, Mr. Donald Gillespie and Mr. Frank Mogle of San Bernardino.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lena B. Everett, teacher, and the following pupils of the seventh grade of the Stanford Junior High School: Lenora Ahlstrom, Darlene Bristol, Wallace Canfield, Paul Casteel, June Cavin, Marianne Crowder, Geraldine Georges, Jouce Hayse, Marie Huntley, Ernest Johnson, Frances Jennings, Eileen Libhart, Christine Merrill, John Miars, George Miller, Ruth Niederost, James Paterson, Louise Pritchard, Claude Purcell, Clinton Riggs, Thomas Robertson, Donna Rose, Olive Rosecrans, Ervin Schneegas, Richard Shugart, Marie Spence, Betty Trueman, Jimmie Wagner, Robert Williams, Jean Soske, George Miller, Evelyn Altimus, Joanne Baker, Paul Barton, Barbara Collis, Leah Cornelius, Sofia Petras, Sally Flint, James Grass, Winifred Gray, Betty Harrison, Betty Higgs, Patricia Huffman, Valerie Jacobsen, Barbara Mahaffey, Jacqueline McCombs, Frank Messina, Dorothy Nicholl, Nona Peterson, Fleurette Pettit, Thomas Sekul, Jack Skram,

Patricia Watson, Fred Webber, Willy Weber, Lloyd Williams, Bill Wilmoth, Norma Wilson, Lois Wood, and Delores Wiedman.

On request of Mr. Burkhalter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Faye Andrew of North Hollywood.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. William Brink of Winters.

On request of Messrs. Rosenthal and Hollibaugh, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain A. P. Wilson of Huntington Park, Mr. Frank L. Scott of Mourovia, and A. Beldon Gilbert of Los Angeles.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Charles T. Iredale of San Francisco.

On request of Mr. Carlson and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to P. E. Gallott, Jr., of Piedmont, E. Guy Warren of Hayward, and William Reichel of Piedmont.

ADJOURNMENT

At 3.30 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned, until 9.30 a.m., Wednesday, April 14, 1943, out of respect to the memory of Thomas Jefferson, third President of the United States.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-THIRD LEGISLATIVE DAY
 ONE HUNDRED FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
 Wednesday, April 14, 1943

The Assembly met at 9.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
 Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMullan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, and Mr. Speaker—51.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

O Lord, our God, we bring before Thee the troubles and perils of people and nations, the sighing of prisoners and captives, the sorrows of the bereaved, the necessities of strangers, the helplessness of the weak, consideration earned by the aged.

We thank Thee for our beloved Nation, founded upon these eternal principles of liberty, justice and mercy and for our opportunity to build further upon them

“At Thy feet, O Christ, we lay,
 Thine own gift of this new day;
 Doubt of what it holds in store
 Makes us crave Thine aid the more;
 Lest it prove a time of loss,
 Mark it, Savior, with Thy cross.”

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Rosenthal.

COMMUNICATIONS

By the Chief Clerk :

The following communications were received and ordered printed in the Journal, and the reports transmitted therewith filed with the Secretary of State :

DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, CALIFORNIA, April 13, 1943

Honorable Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

SUBJECT: Filing of State Engineer reports pursuant to Ch 1, Stats. 1940, 2d Extra Session, as amended.

DEAR SIR: Handed you herewith for filing is the following report of the State Engineer :

A-132 County of San Bernardino, File No. S. Bd. 40-2
Channel repair

This report is on an application filed under authority of said Chapter 1, Statutes of 1940, as amended, and is transmitted to you pursuant to the requirements of Section 1 thereof.

Very truly yours,

EDWARD HYATT, State Engineer
By A. D. EDMONSTON, Deputy State Engineer

DEPARTMENT OF AGRICULTURE
SACRAMENTO, CALIFORNIA, April 12, 1943

To The Assembly of the State of California
State Capitol, Sacramento, California
Attention Mr. Arthur Ohnimus, Chief Clerk

GENTLEMEN: We are pleased to transmit herewith Report from the California Commission on Interstate Cooperation, which is required by the statute creating said commission.

Very sincerely,

W. C. JACOBSEN, Executive Secretary
California Commission on Interstate Cooperation

Also:

A communication from W. J. Cecil, Director of Agriculture, relative to a resolution adopted by the California Farm Production Council, was received and referred to the Committee on Rules and House Functions.

Also:

The following communications were received, read, and ordered printed in the Journal:

April 12, 1943

Arthur A. Ohnimus
Chief Clerk, Assembly Chamber

DEAR MR. OHNIMUS: This will serve to acknowledge receipt of the Assembly concurrent resolution, relative to the death of my husband, Godfrey Andreas.

This tribute to Godfrey, coming from his many good friends in the Legislature, has been a source of great comfort to me and, I know, would have made Godfrey very proud.

Very sincerely,

MRS. G. A. ANDREAS

SAN RAFAEL, CALIFORNIA, April 8, 1943

Mr. A. A. Ohnimus, Sacramento, California

DEAR MR. OHNIMUS: Your letter of sympathy on my husband's passing was very kind, and your measure of Charles' stature adds much to the comfort given by his many friends.

On behalf of the boys (who are away in the service) I wish to express our deep appreciation of the resolution adopted by the Assembly and the Senate. We feel it is a lovely tribute you have paid Charles, particularly since he has been out of public life for so long, and it is indeed heartwarming to know that his many friends have not forgotten him.

At such time as it is convenient we should like to have the special copy of the resolution now being prepared.

Thank you very kindly.

Sincerely,

ETHYLE REINDOLLAR

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 708

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (OUT OF ORDER)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1705—An act to amend Section 105 of the Vehicle Code, relating to the office of director.

Bill read third time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "eight", and insert "nine".

Amendment No. 2

On page 1, line 8, of said bill, strike out "\$8,000", and insert "\$9,000".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1015

And reports the same correctly re-engrossed

PELLETIER, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 490—An act to provide for the compilation, publication, and distribution by the Secretary of State of a Roster of Public Officials of California and to make an appropriation therefor.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1225—An act to amend Section 9.2 of the Unemployment Insurance Act, relating to employment and wages under said act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1226—An act to amend Sections 66 to 72, inclusive, of the Unemployment Insurance Act, relating to claims for benefits.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1227—An act to amend Sections 11 and 12 of the Unemployment Insurance Act, relating to the definitions of "wages" and "week" under said act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1228—An act to repeal Sections 47 to 51, inclusive, of the Unemployment Insurance Act, relating to exemptions, guaranteed employment, and private employment plans under said act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1233—An act to amend Section 15 of the Unemployment Insurance Act, relating to election to become an employer and to have services deemed employment under said act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1687—An act to amend Sections 956 and 957 of the Fish and Game Code, relating to drag nets.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1555—An act to add Section 499c to the Penal Code, relating to theft of automobile tires, and fixing the time when the section shall no longer be effective.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1958—An act making an appropriation to the Department of Motor Vehicles, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "making an appropriation to the Department of Motor Vehicles", and insert "to add Section 782 to the Vehicle Code, relating to the expenditure of money for crossing guards by the Department of Motor Vehicles, declaring the urgency thereof".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert "SECTION 1. Section 782 is added to the Vehicle Code, to read: 782. Crossing Guards. Upon request of the board of supervisors of any county, the department may expend money that otherwise would be apportioned to that county from the Motor Vehicle Fund, for salaries and wages of crossing guards in that county, and such expenditure shall be deducted from that county's share. SEC 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Crossing guards are primarily used for the protection of children from vehicular traffic on main arteries. Unless this act takes effect immediately and makes money available for the salaries and wages of crossing guards, no money will be available for the purpose, and in the absence of such guards the lives of many children will be endangered"

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1055—An act to amend Section 1908 of the Harbors and Navigation Code, relating to fireboats.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "fireboats", and insert "fire protection".

Amendment No. 2

On page 1, line 4, of said bill, strike out "the use of two fireboats owned by the city and as"; and strike out lines 5 to 8, inclusive, and insert "the furnishing by the city to the board of the services of fireboats owned and operated by the city for the protection from fire of the property under the control and jurisdiction of the board on the San Francisco water front. Any such contract shall provide for the payment by the board out of the San Francisco Harbor Improvement Fund to the City of".

Amendment No. 3

On page 1, line 9, of said bill, after "maintenance", strike out "of the fireboats shall"; and strike out lines 10, 11, and 12; and in line 13, strike out "Fund", and insert "and operation of such fireboats in an amount that".

Amendment No. 4

On page 1 of said bill, strike out lines 16 to 23, inclusive, and insert "The board may also pay the city for furnishing to the board such services of firemen of the city as may be requested by the board and furnished by the city in the performance of fire prevention work in cooperation with the San Francisco Fire Department, on the property of the State under the control and jurisdiction of the board. The amount to be paid for such services shall not exceed the amount of salary or wages paid by the city to such firemen on account of the performance of such services for the board, and shall not exceed the sum of twenty-five thousand dollars (\$25,000) in any one year."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 763—An act making an appropriation for the care and education of pupils of the California School for the Blind who are both deaf and blind.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 3 and 4, and insert "of six thousand dollars (\$6,000) to be expended by the California School for the Blind for the care and education of pupils of said school who are both".

Amendment No. 2

On page 1 of the printed bill, after line 5, insert "Sec. 2. The money herein appropriated shall be in addition to, and in augmentation of the appropriation contained in Item 74 of Section 2 of the 'Budget Act of 1943'."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 561—An act to add Section 5.750-1 to the School Code and to add Section 13841.1 to the Education Code, relating to leaves of absence for persons employed by school districts in positions requiring certification qualifications.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 5.750-1 to the School Code and to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive; and on page 2, strike out lines 1 and 2

Amendment No. 3

On page 2, line 4, of said bill, strike out "Sec. 2.", and insert "Section 1."

Amendment No. 4

On page 2, line 26, of said bill, strike out "provision of Education Code 13841", and insert "provisions of Section 13841".

Amendment No. 5

On page 2 of said bill, between lines 29 and 30, insert
 "The provisions of this section shall not apply to any employee of the school district coming within a rule adopted by the governing board of the district; providing, that any person, except a substitute employee, who is employed in a position requiring certification qualifications and is compelled to be absent from duty on account of illness or injuries, shall receive full pay less the amount paid to a substitute employed in his position, but not less than forty-three per cent (43%) of the regular salary for the period of absence in any month, not to exceed accumulative period of 100 days in any school year, so long as this rule is in effect."

Amendment No. 6

On page 2 of said bill, strike out lines 31 to 35, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1480—An act to repeal the Unlawful Liquor Sales Abatement Law of 1915.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In the title of the printed bill, strike out everything except "An act to", and insert "add Section 53.2 to the Alcoholic Beverage Control Act, relating to places where alcoholic beverages are received, kept, or brought for consumption"

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert
 "SECTION 1. Section 53.2 is added to the Alcoholic Beverage Control Act, to read:

Sec. 53.2. It is a public nuisance for any person regularly or continually to maintain any club room or other place in which any alcoholic beverage is received or kept, or to which any such beverage is brought, for consumption on the premises by members of the public or of any club, corporation or association, unless such person and premises are licensed under this act.

The Attorney General, or any district attorney, may bring an action in the name of the people to abate such nuisance, and the Attorney General shall, upon request of the board, bring such action."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 125—An act to add Section 842.5 to the Fish and Game Code, relating to the use of nets, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, after "Obispo", insert "; but is not applicable to that portion of District 20 comprising the waters around Santa Catalina Island easterly from a line extended through Seal Rock on the southerly side of said island and Long Point on the northerly side of said island."

Amendment No. 2

On page 1, line 4, of the printed bill, as amended, insert "during the period of the war emergency".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1146—An act to amend Section 799 of the Fish and Game Code, relating to abalone.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 799 of", and insert "add Section 799.1 to".

Amendment No. 2

On page 1, line 1, of said bill, strike out "799 of the Fish and Game Code is"; and strike out all of lines 2 to 5, inclusive, and insert "799.1 is added to the Fish and Game Code, to read:

799.1. Diving apparatus may be used to take abalones in District 10. Abalones may be taken in this district for commercial purposes only under a revocable permit of the commission and the shells of abalones so taken after being brought ashore and the meat removed shall be returned to the ocean waters at approximately the points from which taken."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1147—An act to amend Section 1011.5 of the Fish and Game Code, relating to sharks and shark livers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 9 to 11, inclusive, and insert "either in the round or with only livers and entrails removed. When shark livers are removed before being brought ashore they shall be segregated as to sex and the livers of males and those of females shall be kept in separate containers. Possession of shark livers without a corresponding number of carcasses on any fishing vessel shall be prima facie evidence of a violation of this section, and when shark livers are unloaded from any fishing vessel a corresponding number of carcasses shall be unloaded and each such carcass shall have head, fins, and evidence of sex intact and attached."

Amendment No. 2

On page 1, line 16, of said bill, after "State", insert ", nor to shark livers or parts of sharks brought ashore from vessels operating under a customhouse clearance for foreign ports".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1452—An act to add Section 265 to the Fish and Game Code, relating to stocking of waters of the State with fish and providing for the acquisition of public easements over private property for the purpose of taking fish from waters stocked by the State.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "or streams"; in line 5, strike out "or stream"; in line 7, strike out "or stream"; in line 12, strike out "or stream"; in line 13, strike out "or river"; and in line 18, strike out "or stream".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1692—An act to amend Sections 50, 51, 54, and 55 of the Fish and Game Code, relating to game management areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, after "not more than", strike out "7,000", and insert "10,000".

Amendment No. 2

On page 2, line 46, of the printed bill, as amended, strike out "90", and insert "80".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 738—An act to authorize the State Board of Prison Directors to establish a prison farm and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "authorize the State Board of Prison Directors to"; and strike out lines 2 and 3, and insert "add Section 2715 to the Penal Code to authorize the State Board of Prison Directors to establish a prison farm."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 15, inclusive, and insert "SECTION 1. Section 2715 is hereby added to the Penal Code, to read: 2715. Land belonging to the State of California may, with the approval of the Department of Finance, be transferred to the jurisdiction of the State Board of Prison Directors for the purpose of establishing thereon a prison farm and prisoners in the State prisons may be transferred to such farm. Products from said farm shall first be used for supplying the State prisons, prison camps, or the prison farm and any surplus may be sold to any other State institution."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

House Resolution No. 166—Requests deferment of police and firemen.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules and House Functions:

Amendment No. 1

In the title of the measure, after "departments", insert ", members of scavenger or garbage departments or associations, members of sheriffs' offices, and members of the California Highway Patrol,".

Amendment No. 2

In the first paragraph of the recitals of the measure (which paragraph begins with "WHEREAS, Members"), after "departments", strike out "and", and insert ", members of scavenger or garbage departments or associations, members,".

Amendments read and adopted.

Resolution ordered on file for adoption.

Assembly Bill No. 294—An act to amend Section 16c of the Bank Act, relating to the deposit of checks in banks and the return of unpaid items.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended, after "the", insert "bank".

Amendment No. 2

On page 1, line 15, of said bill, as amended, strike out "bank".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 401—An act to repeal Section 19 of the Bank Act, relating to the ratio of capital and surplus of banks to their deposit liabilities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Section 19 of the Bank Act, relating", and insert "add Section 19.1 to the Bank Act relating to the suspension of the provisions of the Bank Act relating".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "Section 19 of the Bank Act is hereby repealed.", and insert "A new section is hereby added to the Bank Act, to read as follows:

Sec. 19.1. The provisions of Section 19 of this Bank Act are hereby suspended until one year following the cessation of hostilities between the United States and the foreign powers with which the United States is now at war except in such cases where the Superintendent of Banks shall deem it advisable that a bank comply with the provisions of Section 19 of this Bank Act and shall so notify said bank in writing. A failure on the part of a bank to comply with such notice within such time as the superintendent may prescribe shall constitute a violation of the provisions of this Bank Act. Nothing herein contained shall deprive any such bank of any injunctive

or other relief it has or may have under Sections 134 or 136 or any other provision of this act or any other law."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1011—An act to add Sections 838.5, 1710, 1691.3, 1831.6, 1831.7, 1831.8, and 1831.9 to the Insurance Code, to add Article 18, comprising Sections 1110 to 1113, to Chapter 1, Part 2, Division 1, thereof, and to amend Sections 382, 733, 763, 1200, 1202, 1591, 1808 and 1831.5, and to repeal Section 1710 of the Insurance Code, all relating to insurance..

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "733."

Amendment No. 2

On page 2 of the printed bill, strike out lines 4 to 19, inclusive; and in line 21, strike out "Sec. 5.", and insert "Sec. 4."

Amendment No. 3

On page 2 of the printed bill, strike out lines 4 to 19, inclusive; and in line 21, strike out "Sec. 5.", and insert "Sec. 4."

Amendment No. 4

On page 2, line 33, of the printed bill, strike out "Sec. 6.", and insert "Sec. 5."

Amendment No. 5

On page 3, line 38, of the printed bill, strike out "Sec. 7.", and insert "Sec. 6."

Amendment No. 6

On page 4, line 29, of the printed bill, strike out "Sec. 8.", and insert "Sec. 7."

Amendment No. 7

On page 4, line 39, of the printed bill, strike out "Sec. 9.", and insert "Sec. 8."

Amendment No. 8

On page 4, line 47, of the printed bill, strike out "shall", and insert "may, in his discretion,".

Amendment No. 9

On page 5, line 6, of the printed bill, strike out "Sec. 10.", and insert "Sec. 9."

Amendment No. 10

On page 6, line 24, of the printed bill, strike out "Sec. 11.", and insert "Sec. 10."

Amendment No. 11

On page 7, line 4, of the printed bill, strike out "Sec. 12.", and insert "Sec. 11."

Amendment No. 12

On page 7, line 15, of the printed bill, after "Article 1", insert "of this chapter".

Amendment No. 13

On page 7, line 16, of the printed bill, after "by", insert "such".

Amendment No. 14

On page 7, line 22, of the printed bill, strike out "Sec. 13.", and insert "Sec. 12."

Amendment No. 15

On page 8, line 1, of the printed bill, strike out "Sec. 14.", and insert "Sec. 13."

Amendment No. 16

On page 8, line 19, of the printed bill, strike out "Sec. 15.", and insert "Sec. 14."

Amendment No. 17

On page 8, line 29, of the printed bill, strike out "Sec. 16.", and insert "Sec. 15."

Amendment No. 18

On page 8, line 41, of the printed bill, strike out "Sec. 17.", and insert "Sec 16."

Amendments read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 1014—An act to add Sections 10176, 10206.5 and 10641.5 to, and to amend Sections 10202, 10203, 10206, 10270.5, 10270.55, 10270.9, 10270.93 and 10342 of, the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "10270.93 and 10342", and insert "and 10270.93".

Amendment No. 2

On page 1, line 5, of the printed bill, as amended, strike out "charged to the insured", and insert "upon a reimbursement basis".

Amendment No. 3

On page 1, line 7, of the printed bill, as amended, strike out "directly to", and insert a period.

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 8 to 23, inclusive, and on page 2, strike out lines 1 to 16, inclusive; and in line 18, strike out "Sec. 4", and insert "Sec. 2."

Amendment No. 5

On page 2, line 47, of the printed bill, as amended, strike out "Sec. 5.", and insert "Sec. 3."

Amendment No. 6

On page 3, line 32, of the printed bill, as amended, strike out "Sec. 6.", and insert "Sec. 4."

Amendment No. 7

On page 3, line 38, of the printed bill, as amended, strike out "Sec 7.", and insert "Sec 5."

Amendment No. 8

On page 4, line 1, of the printed bill, as amended, strike out "Sec 8.", and insert "Sec. 6."

Amendment No. 9

On page 4, line 42, of the printed bill, as amended, strike out "Sec. 9.", and insert "Sec 7."

Amendment No. 10

On page 5, line 10, of the printed bill, as amended, strike out "Sec 10", and insert "Sec. 8."

Amendment No. 11

On page 5, line 26, of the printed bill, as amended, strike out "Sec 11.", and insert "Sec. 9."

Amendment No. 12

On page 5, line 49, of the printed bill, as amended, strike out "Sec. 12.", and insert "Sec. 10."

Amendment No. 13

On page 6, line 7, of the printed bill, as amended, strike out "Sec. 13", and insert "Sec. 11"

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1016—An act to add Chapter 6a to Part 2, Division 1, of the Insurance Code, relating to taxes on nonadmitted insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "1789 to 1793", and insert "1790 to 1794".

Amendment read and adopted.
Bill ordered reprinted and engrossed.

Assembly Bill No. 1017—An act to add Sections 756.5 and 11730x to, and to amend Sections 11561 and 11715 of, the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 756.5 and", and insert "Section".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "11561 and 11715", and insert "11561, 11699 and 11715".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 7, inclusive.

Amendment No. 4

On page 1, line 9, of the printed bill, strike out "Sec. 2.", and insert "Section 1."

Amendment No. 5

On page 1, line 13, of the printed bill, strike out "70", and insert "65".

Amendment No. 6

On page 1, line 17, of the printed bill, strike out "70", and insert "65".

Amendment No. 7

On page 1, line 24, of the printed bill, strike out "Sec. 3", and insert "SEC. 2. Section 11699 of the Insurance Code is amended to read:

11699. The bond shall be in an amount:

(a) Not less than the sum of the following amounts computed as of the close of the last preceding December 31st:

(1) The aggregate of the present values at 4 per cent interest, of the determined and estimated future payments upon claims under compensation policies written more than three years prior to such date.

(2) The aggregate of the amounts computed as follows: For each of the preceding three years take 70 per cent of the earned compensation premiums for that year and deduct all loss and loss expense payments made upon claims under policies written in the corresponding year from such 70 per cent: except that the amount for each such year shall not be less than the present value at 4 per cent interest of the determined and the estimated unpaid claims under compensation policies written in that year.

(b) Not less than one hundred thousand dollars (\$100,000).

(c) If the aggregate amount computed under subdivision (a) exceeds fifty thousand dollars (\$50,000), not more than double such aggregate amount.

Sec. 3."

Amendments read and adopted.
Bill ordered reprinted and engrossed.

Assembly Bill No. 1019—An act to amend Sections 916 and 918 and repeal Section 10487 of, to add Sections 10150.1, 10478, 10479, 10488 and 10489 to, and to add Article 3a to Chapter 1 and Article 3a to Chapter 5 of Part 2, Division 2 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "and 10489", and insert ", 10489 and 10929".

Amendment No. 2

On page 8, line 27, of the printed bill, strike out "only".

Amendment No. 3

On page 10, line 48, of the printed bill, strike out "Sec. 10.", and insert "SEC. 10. Section 10929 is added to the Insurance Code, to read as follows: 10929. Insurers operating under and pursuant to this chapter shall be governed exclusively by the provisions of this chapter with respect to reserves required to be maintained upon contracts of life insurance issued by them and with respect to provisions required to be contained in such contracts.

SEC. 11."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1012—An act to amend Sections 102 and 112 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 18, inclusive, and insert "(b) Insurance against loss of, or destruction of, or damage to, any of the following property, when such insurance includes loss thereof by fire and excludes coverage of property while in the custody of, or possession of, or being transported by, any carrier for hire or in the mail:

1. Accounts, books, maps, manuscripts, indexes and other valuable papers, documents and records incidental to the business or profession or activity in which the insured is engaged, resulting from any cause, but excluding any article constituting stock in trade or used as a sample or sold or held for sale.

2. Moneys, stamps, coins, bullion, securities, notes, drafts, acceptances or instruments of like kind or character, resulting from any cause, except:

(I) Forgery.

(II) Any dishonest, fraudulent or criminal act of any officer, employee, partner, director, trustee or authorized representative of the insured.

The provisions of Section 2070 shall not apply to insurance written pursuant to this subdivision (b)."

Amendment No. 2

On page 1 of the printed bill, strike out lines 23 to 30, inclusive, and insert

"(b) Insurance against loss of, or destruction of, or damage to, any of the following property, resulting from any cause, when such insurance includes loss thereof by burglary or theft, or both, and excludes coverage of property while in the custody of, or possession of, or being transported by, any carrier for hire or in the mail: moneys, stamps, coins, bullion, securities, notes, drafts, acceptances or instruments of like kind or character, accounts, books, maps, manuscripts, indexes and other valuable papers, documents and records incidental to the business or profession or activity in which the insured is engaged."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1078—An act to add Section 109a to an act entitled "An act to provide for the creation, establishment and adjustment with other such systems, of a Retirement System for employees of the State of California and of such cities as may elect to include employees under such system and make an appropriation therefor," approved June 9, 1931, relating to fish and game wardens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In lines 1 to 6, inclusive, of the title of the printed bill, strike out "add Section 109a to an act entitled "An act to provide for the creation, establishment and adjustment with other such systems, of a Retirement System for employees of the State of California and of such cities as may elect to include employees under such system and make an appropriation therefor," approved June 9, 1931", and insert "amend Sections 65, 65c, 78, 79, 83, 83a, 101, and 109 of, and to add Sections 8e, 28b, 65f, 65g, and 65h to, the State Employees' Retirement Act".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 8e is added to the act cited in the title hereof, to read:

SEC. 8e. "Warden service" shall mean service rendered as a fish and game warden, and for the purpose of this act, a member shall be considered as being in "warden service" only while he is receiving compensation for such service, except as provided in Section 47 hereof.

SEC. 2. Section 28b is added to said act, to read

SEC. 28b. "Fish and game warden" and "warden," for the purpose of the retirement system, include persons employed in the Department of Natural Resources in connection with its warden service, whose principal duties consist of active law enforcement service, including immediate supervision thereof, and exclude such persons whose principal duties are those of a telephone operator, clerk, stenographer, machinist, mechanic, assistant fish and game warden, or otherwise clearly do not fall within the scope of law enforcement service, even though such person is subject to occasional call, or is occasionally called upon, to perform duties within the scope of active law enforcement.

SEC. 3. Section 65 of said act is amended to read:

SEC. 65. The normal rates of contribution of members, other than members of the California Highway Patrol, or fish and game wardens or city policemen or city firemen, shall be based on sex and age at the nearest birthday at the time of entrance into the retirement system. The normal rates of contribution shall be such as will provide an average annuity at age 65 equal to one one-hundred-fortieth of the final compensation of members, according to the tables adopted by the board, for each year of service rendered after entering the system. Nothing in this section shall prevent the adoption of one schedule of rates for males and one schedule for females.

SEC. 4. Section 65c of said act is amended to read:

SEC. 65c. The Board of Administration shall adopt normal rates of contribution of members to comply with the provisions of Sections 65, 65a, [and] 65e, and 65f hereof, and said rates shall remain in full force and effect until revised by said board as provided in Section 51 hereof.

The actual amount of annuity receivable by any member upon retirement shall be the actuarial equivalent of his accumulated contributions, as provided in Sections 81 and 87.

SEC. 5. Section 65f is added to said act, to read:

SEC. 65f. The normal rates of contribution of each member, who is also a fish and game warden, shall be based on his age at January 1, 1944, or at his later entrance into the Retirement System, and his age when he entered warden service, both ages being taken to the next lower completed quarter year. The age at entrance into warden service, if said entrance was prior to January 1, 1944, shall be determined by deducting the total of such service credited to the member at January 1, 1944, from his age at that date. The normal rates of contribution of each such member who entered warden service at or below age 45 shall be such as, on the average for such member, if his service on full salary be uninterrupted and when accumulated with regular interest, added to the equal accumulated contributions of the State and applied according to the tables adopted by the board will provide a retirement allowance upon retirement for service at the age of 60 years, or upon completion of 20 years of warden service at an age higher than 60 years, equal to one-half of his final compensation, less that part of the retirement allowance set forth in Section 83a, which is to be provided by contributions of the State on account of service rendered prior to January 1, 1932, if such member affirmatively exercises the option in Section 65h; otherwise, less a pension calculated in the same manner as the pension in Section 83a, but on the basis of warden service rendered by him prior to January 1, 1944. If such member entered warden service at an age greater than 45 years, then his normal rate of contribution shall be such as will provide

an average annuity at age 65 equal to one-eightieth of his final compensation, according to tables adopted by the board, for each year of warden service after January 1, 1944, or after entrance into the Retirement System if he affirmatively exercises the option in Section 65h.

SEC. 6. Section 65g is added to said act, to read:

SEC. 65g. If a member ceases to be a fish and game warden and continues to be a member of the Retirement System in a different employment status, or if the reverse be true, then the accumulated contributions standing to his credit or re-deposited by him shall remain in his individual account, and the rate of his contribution thereafter shall be the normal rate provided herein for persons in his new group or class of employment and at his then attained age.

SEC. 7. Section 65h is added to said act, to read:

SEC. 65h. The rates of contribution provided for in Section 65c for fish and game wardens shall apply on and after January 1, 1944. Each such warden, however, shall have the option, to be exercised on or before December 31, 1944, of contributing a sum sufficient to make the amount of the accumulated contributions standing to his credit on that date, the same as such amount would have been had he been contributing at the rate, from and after the effective date of his membership in the Retirement System, which would have applied to him at such effective date if said rates for fish and game wardens had been then in effect. If such option is affirmatively exercised, then the rate of contribution for such warden on and after January 1, 1944, shall be based on his age at such effective date and his age at the date of entrance into warden service.

SEC. 8. Section 78 of said act is amended to read:

SEC. 78. From and after January 1, 1933, until January 1, 1937, every member shall be retired on the first day of the calendar month next succeeding that in which he attains the age of 75 years. Every employee of the university who becomes a member, and who, at the time of becoming such member has attained the age of 70 years, shall be retired forthwith. On or after January 1, 1937, every member who is also a member of the California Highway Patrol or a fish and game warden or a city policeman or city fireman, and who [at that time] has attained the age of 65 years shall be retired forthwith, and thereafter every such member must be retired on the first day of the calendar month next succeeding that in which he attains the age of 65 years. On and after January 1, 1937, every member other than one who is also a member of the California Highway Patrol, or a fish and game warden or a city policeman or city fireman, who at that time has attained the age of 70 years, shall be retired forthwith, and thereafter every such member other than one who is also a member of the California Highway Patrol or a fish and game warden or is a city policeman or city fireman must be retired on the first day of the calendar month next succeeding that in which he attains the age of 70 years.

SEC. 9. Section 79 of said act is amended to read:

SEC. 79. Upon attaining the age of 60 or more years and completing 20 years of continuous State service credited under this act, among which must be included one year of service after becoming a member of the Retirement System, any member, who is not a member of the California Highway Patrol, a fish and game warden, or a city fireman or city policeman, shall be retired upon his written application to the board.

A member who is also a member of the California Highway Patrol or is a fish and game warden and who has completed 20 years of continuous [State Highway Patrol] service credited under this act and attained the age of 50 or more years shall be retired upon his written application to the board.

A city fireman or city policeman who has completed at least 20 years of continuous State service credited under this act, and who has attained at least the minimum optional retirement age, which shall be not less than 55 years or more than 60 years, specified in the contract provided by Section 38c, in lieu of 60 years required of other members, shall be retired upon his written application to the board. Any member, other than members employed by a contracting city [and], members of the California Highway Patrol, and fish and game wardens, who is separated from State service because of a curtailment of such service or a change in the manner of performing such service, but not because of resignation or dismissal under charges, and who has attained the age of 50 years and is credited with 15 or more years of State service, shall be retired upon his written application to the board; provided, said board determines said separation to be of an extended and uncertain duration, and not the separation normally experienced by members in positions known at the time of employment to be of limited duration or employed on a seasonal or intermittent basis.

SEC. 10. Section 83 of said act is amended to read:

SEC. 83. An additional pension, purchased by the contributions of the State, for members other than members of the California Highway Patrol, fish and game wardens, persons who are employees of the university at the time of becoming members, and members employed by a contracting city. Such additional pension shall be equal to one-seventieth of the average annual compensation earnable by him during the three years ending December 31, 1931, multiplied by the number of years of prior service credited to him, except that if a member retires before

attaining the age of 65 years, the additional pension shall be reduced to that amount which the value of the pension computed as provided in this paragraph as deferred to age 65, will purchase at the actual age of retirement.

SEC. 11. Section 83a of said act is amended to read:

Sec. 83a. An additional pension for members who are also members of the California Highway Patrol, or who are fish and game wardens, purchased by contributions of the State. Such additional pension shall be the same percentage of his final compensation, regardless of his age at retirement, for each year of Highway Patrol or warden service, as the case may be, rendered by him prior to January 1, 1932, as the contributions of the member and the State are calculated to provide upon retirement for service at 60 years of age or upon completion of 20 years of service at an age higher than 60 years or upon retirement with less than 20 years of service at age 65, for each year of such service after said date.

If a member retires before attaining the age of 60 years, the additional pension shall be reduced to that amount which the value of the pension computed as provided in this section as deferred to age 60 will purchase at the actual age of retirement.

SEC. 12. Section 101 of said act is amended to read:

Sec. 101. No modification of the benefits provided herein shall be made on account of any amounts payable to a beneficiary, as defined herein, under Division 4 of the Labor Code, except that the portion of any retirement allowance or death allowance which is provided by contributions of the State or of a contracting city and which is payable by the Retirement System because of the death or retirement of any member of the California Highway Patrol or of any city policeman or city fireman, or the retirement of any fish and game warden, as a result of injury or illness arising out of and in the course of employment, shall be reduced in the manner hereinafter described, by the amount of any benefits, other than medical benefits, payable to or on account of such member under Division 4 of the Labor Code, because of his death or the disability resulting in his retirement.

If said benefits under Division 4 of the Labor Code shall run concurrently with said allowance hereunder and shall be due the beneficiary in payments which are equal to or less than said portion of the retirement allowance or death allowance, then said portion shall be reduced each month by the amount of said benefits so due during said month, and the beneficiary shall have no more right to such reduction than if the Retirement System had never existed.

If said benefits under Division 4 of the Labor Code shall run concurrently with the allowance hereunder and shall be due to the beneficiary in payments which are greater than said portion of the retirement allowance or death allowance, then payment of said portion shall be withheld until the total of the amounts so withheld shall equal the total of said benefits paid, and the beneficiary shall have no more right to such amounts withheld than if the Retirement System had never existed.

It is the purpose of the preceding paragraphs of this section to reduce the portion of the retirement or death allowance payable from the Retirement Fund and which is provided by contributions of the State or by a contracting city, by the amount of benefits, other than medical benefits, due to the beneficiary concurrently with said portion, under Division 4 of the Labor Code, and the payment before due date by the commutation through compromise or otherwise of such benefits shall not prevent the reduction of said portion, as provided in this section, in the amounts which would have been payable concurrently with the retirement allowance in the absence of such commutation.

If any benefits, other than medical benefits, shall have been paid under Division 4 of the Labor Code because of a permanent disability concurrently with payments of wages or salary, to said beneficiary, then payment of said portion of the retirement allowance or death allowance shall be withheld until the total of the amounts so withheld shall equal the total of such benefits paid because of the permanent disability, and the beneficiary shall have no more right to such amounts withheld than if the Retirement System had never existed. Said benefits which are payable for time during which salary is not paid and prior to the effective date of the retirement or death allowance, shall not be considered hereunder.

If an injury, known to result in the retirement of and/or the death of a member of the California Highway Patrol or a fish and game warden, or of a city policeman or city fireman, is the proximate consequence of the act of a person other than his employer, the Retirement System shall have the right to recover from said person an amount which shall be the actuarial equivalent of the benefits for which it shall be liable because of said injury and/or death, and said right shall be determined under the provisions of Chapter 5 of Part 1, Division 4 of the Labor Code. Any claim in favor of the Retirement System, now pending or which shall arise under this paragraph, may be settled and compromised, and the proceeds of such settlement and compromise shared between the Retirement System and said retired employee, or person entitled to benefits under the Retirement System because of the death of said employee, in such amounts as may be recommended by the President of the Board of Administration, and approved by the Attorney General. Said Retirement System may join with the employer and/or its compensation insurance carrier in any proceeding under said section, and any amount recovered by any of

the parties shall be applied first on the amounts which the employer or its insurance carrier shall have paid or become obligated to pay, and second, on the amounts which the Retirement System shall have paid or become obligated to pay.

Amounts by which retirement and death allowances are reduced and amounts recovered from third persons under the provisions of this section shall be paid by the Retirement System to the Motor Vehicle Support Fund, or any other fund out of which the compensation of [members who are also members of the California Highway Patrol] the member is paid, or to the contracting city in the case of a city policeman or city fireman.

Sec 13 Section 109 of said act is amended to read:

Sec. 109. In addition to such payments from the General Fund, there shall be paid monthly, from and after the date this act takes effect into the State Employees' Retirement Fund (1) out of the Motor Vehicle Support Fund, or any other fund out of which the compensation of members who are also members of the California Highway Patrol is paid, a sum equal to 13 40/100 per centum of the total compensation paid from said fund to members of the Retirement System who also are members of the California Highway Patrol, or which would have been so paid in the case of members electing to continue and continuing their contributions under Section 47 of this act and absent with the armed forces of the United States, (2) out of the Fish and Game Preservation Fund or any other fund out of which the compensation of members who are also fish and game wardens is paid, a sum equal to ----- per centum of the total compensation paid from said fund to members of the Retirement System who also are fish and game wardens, or which would have been so paid in the case of members electing to continue and continuing their contributions under Section 47 of this act and absent with the armed forces of the United States, and (3) [and] out of said Motor Vehicle Support Fund and every other fund directly controlled by the State, out of which the compensation of members is paid, a sum equal to 3 75/100 per centum of the total compensation paid members, other than members of the said Highway Patrol and fish and game wardens, of the Retirement System from the said fund, or which would have been so paid in the case of members electing to continue and continuing their contributions under Section 47 of this act and absent with such armed forces. All such payments, whether heretofore or hereafter made are hereby validated and confirmed. *If any fish and game warden shall affirmatively exercise the option in Section 65h, the Controller shall transfer into the State Employees' Retirement Fund from the Fish and Game Preservation Fund upon certification by the Board of Administration of the total compensation received by said member for service as a member of the Retirement System rendered prior to January 1 1944 ----- per centum of said total compensation.* The Board of Administration shall certify to the State Controller at the end of each month the total amount of compensation paid such members of the Retirement System from each such fund, and the total amounts which would have been paid members absent with such armed forces and electing to continue and continuing their contributions under Section 47 of this act, if they had not been so absent, and the State Controller shall thereupon transfer the percentages as specified in this section, of said total amount from each such fund, respectively, to the "State Employees' Retirement Fund."

Amendments read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 1901—An act establishing a Legislative Research Bureau and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning.

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "shall"; and strike out lines 3 to 9, inclusive, and insert "shall conduct and report upon such inquiries of fact within the scope of legislative regulation or control as the Legislature."

Amendment read and adopted

Bill ordered reprinted and engrossed

SECOND READING OF SENATE BILLS

Senate Bill No. 269—An act to add Section 20.7 to the Personal Property Brokers Act as revised by Chapters 952 and 1044 of the Statutes of 1939, relating to licensees in military service.

Bill read second time, and ordered to third reading.

Senate Bill No. 776—An act to amend Section 20 of the "Personal Property Brokers Act" as revised and set forth in Chapters 952 and 1044 of the Statutes of 1939, relating to personal property brokers and to persons who, as brokers, negotiate loans made by personal property brokers.

Bill read second time, and ordered to third reading.

Senate Bill No. 777—An act to amend Section 19 of the "California Small Loan Act," relating to lenders engaged in the business of making loans of three hundred dollars (\$300) or less, and to persons who, as brokers, negotiate loans made by such lenders.

Bill read second time, and ordered to third reading.

Senate Bill No. 348—An act to amend Sections 23, 23a, 23b, 24 1 and 24.5, and to repeal Sections 19, 25, 26, 26a, 26b, 26c, 27, 31, 31a, 31b, 31c, 31d, 31e, 31f, 31g and 32 of the Alcoholic Beverage Control Act and to add thereto new sections to be designated Sections 19, 23c, 23d, 26, 27 and 38.2, relating to the taxation of beer and wine and to provide that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 110—An act to amend Section 1340.6 of the Fish and Game Code, relating to bear.

Bill read second time, and ordered to third reading.

Senate Bill No. 154—An act to repeal Section 64.5 of, and to amend Section 1270 of, the Fish and Game Code, relating to deer seasons, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 347—An act to add Section 656.5 to the Fish and Game Code, relating to salmon.

Bill read second time, and ordered to third reading.

Senate Bill No. 444—An act to add Section 39.1 to the Fish and Game Code, relating to open seasons, and providing a penalty for the breach thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 591—An act to amend Sections 794, 799, and 800 of the Fish and Game Code, relating to abalones, and declaring its urgency in order to produce more necessary food at once.

Bill read second time, and ordered to third reading.

Senate Bill No. 629—An act to amend Sections 619.5 and 620 of the Fish and Game Code, relating to bag limits and to lake fishing.

Bill read second time, and ordered to third reading.

Senate Bill No. 673—An act to amend Section 1293 of the Fish and Game Code, relating to damage by animals and the taking of such animals
Bill read second time, and ordered to third reading.

Senate Bill No. 878—An act to amend Section 625 of the Fish and Game Code, relating to Fish and Game District 14
Bill read second time, and ordered to third reading.

Senate Bill No. 889—An act to amend Section 610 of the Fish and Game Code, relating to bag limits.
Bill read second time, and ordered to third reading.

Senate Bill No. 161—An act to amend Sections 17315 and 1732 of the Welfare and Institutions Code, relating to commitments to the Youth Correction Authority
Bill read second time, and ordered to third reading.

Senate Bill No. 162—An act to add Section 1714.5 to the Welfare and Institutions Code, and to amend Sections 1717 and 1718 thereof, relating to the Youth Correction Authority, and providing for the appointment of temporary members thereof
Bill read second time, and ordered to third reading.

Senate Bill No. 163—An act to add Section 1767.3 to the Welfare and Institutions Code, relating to the Youth Correction Authority, and providing for the return to the custody of the authority of persons committed thereto who are at liberty on parole or otherwise
Bill read second time, and ordered to third reading.

Senate Bill No. 164—An act to add Section 1752.7 to the Welfare and Institutions Code, relating to the collection of statistics and other information by the Youth Correction Authority, and requiring public officers and employees to furnish statistics and other information to the authority.
Bill read second time, and ordered to third reading.

Senate Bill No. 166—An act to add Section 17607 to the Welfare and Institutions Code, to amend Sections 112, 643, and 644 thereof, and to amend Section 120311 of the Penal Code, transferring the power of supervision over adult and juvenile probation and probation officers from the State Department of Social Welfare to the Youth Correction Authority.
Bill read second time, and ordered to third reading.

Senate Bill No. 167—An act to amend Section 15542 of the Penal Code, relating to proceedings against fugitives from justice, and authorizing the Youth Correction Authority to apply to the Governor for requisitions for the return of persons committed thereto
Bill read second time, and ordered to third reading.

Senate Bill No. 608—An act to amend Section 644 of the Penal Code, relating to habitual criminals and parole.
Bill read second time, and ordered to third reading.

Senate Bill No. 677—An act to amend Sections 1547 and 2762 of the Penal Code and to repeal Section 2783 of the Penal Code, relating to the escape of prisoners.

Bill read second time, and ordered to third reading.

Senate Bill No. 679—An act to add Section 2521 5 to the Penal Code, relating to prison employees appointed by the wardens.

Bill read second time, and ordered to third reading.

Senate Bill No. 725—An act to repeal Section 5.63 of the School Code, and to repeal Section 20431 of the Education Code, relating to the admission of persons not residents of California to the State colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Universities and Colleges:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5 63 of the School Code, and to repeal".

Amendment No. 2

On page 1, line 1. of said bill, strike out "Section 5 63 of the School Code is repealed "

Amendment No. 3

On page 1, line 2, of said bill, strike out "Sec. 2."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 6, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 567—An act to amend Section 1346 of the Fish and Game Code, relating to antelope, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out all of lines 17 to 20, inclusive, and insert "Fund. The commission may make such".

Amendment No. 2

On page 1, line 8, of the printed bill, as amended, after "commission," insert "30 days".

Amendment No. 3

On page 1, line 8, of the printed bill, as amended, strike out "first", and insert "opening".

Amendment No. 4

On page 1, line 8, of the printed bill, as amended, strike out the last "the".

Amendment No. 5

On page 1, line 9, of the printed bill, as amended, strike out "month of May", and insert "hunting as may be prescribed by the commission".

Amendment No. 6

On page 1 of the printed bill, as amended, after line 24, insert "The provisions of Section 1275.5 of this code shall apply to the possession of antelope meat "

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 160—An act to amend Sections 154, 159, 160, 161, 740, 741, 742, 743, 744, 745, 747, 749, 834, 835, 836, 869, 901, 903, 905, 906, 907, 908, 909, 910, 911, 1000, 1001, 1002, 1003, 1004, 1005, 1050, 1075, 1076, 1120, 1124, 1125, 1127, 1129, 1150, 1152, 1153, 1175, 1176, 1177, 1178, 1179, 1200, and 5252 of the Welfare and Institutions Code, to add Sections 1008, 1009, 1010, 1011, 1014, 1015, 1049, and 1077 thereto, to repeal Sections 1007 and 1202 thereof, to repeal Article 2 of Chapter 3 of Part 1 of Division 2 thereof, comprising Sections 1020 1021, 1022, 1023, and 1024, and Article 5 of said chapter, comprising Sections 1100, 1101, and 1102, and to amend and renumber Section 155.5 of said code to be Section 1000.5, all relating to the Youth Correction Authority, providing for commitments thereto by the juvenile courts, transferring thereto the correctional schools and forestry camps now subject to the jurisdiction of the State Department of Institutions, and specifying the powers and duties of the Youth Correction Authority and its officers and employees in regard to the inmates of such institutions and to other persons committed to the authority.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1 of the printed bill, strike out line 7.

Amendment No. 2

On page 17 of the printed bill, strike out line 35, and insert "Any district attorney or probation officer".

Amendment No. 3

On page 17 of the printed bill, strike out line 37, and insert "Any person designated for that purpose by the judge of the court".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 646—An act to add Section 887 to the Fish and Game Code, relating to nets.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 27, of the printed bill, as amended, strike out "b", and insert "a".

Amendment No. 2

On page 2, line 3, of said bill, strike out "c", and insert "b".

Amendment No. 3

On page 2, line 6, of said bill, strike out "d", and insert "c".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 699
Senate Bill No. 291

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 170
Senate Bill No. 668
Senate Bill No. 724
Senate Bill No. 819
Senate Bill No. 364

Senate Bill No. 381
Senate Bill No. 907
Senate Bill No. 732
Senate Bill No. 873
Senate Bill No. 168

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 170—An act to amend Sections 3691, 3699, 3705 and 3707 and repeal Section 3707 5 of the Revenue and Taxation Code, relating to the sale of tax-deeded property.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 668—An act to amend Section 7403 of the Revenue and Taxation Code, relating to the Motor Vehicle Fuel License Tax.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 724—An act making an appropriation for the purchase of land for the Humboldt State College.

Referred to Committee on Universities and Colleges.

Senate Bill No. 819—An act to regulate the employment of publicists employed by State departments and agencies, and prescribing penalties for the violation hereof.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 364—An act to add Sections 333.7 and 333.8 to the Agricultural Code, relating to cattle brands.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 381—An act to amend Section 4861 of the Education Code, relating to the membership of schools in societies, associations, or organizations.

Referred to Committee on Education.

Senate Bill No. 907—An act to amend Sections 1509.4 and 1571 of and to add Sections 1509.6, 1509.7, 1509.8, and 1509.9 to the Military and Veterans Code, relating to and providing for State and local participation in civilian defense and the war effort and for the administration of the California War Powers Act, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Military Affairs.

Senate Bill No. 732—An act to amend Section 5010 of the Public Resources Code, relating to the State Park Maintenance Fund.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 873—An act to add Sections 13528.1, 13528.2, 13528.3, 13528.4, 13528.5, 13528.6, 13528.7, 13528.8, and 13528.9 to, and to amend Sections 13529 and 13530 of, the Education Code, relating to permanent employees of school districts.

Referred to Committee on Education.

Senate Bill No. 168—An act to amend Section 2.600 of, to add Section 2.600-1 to, the School Code, to amend Section 3661 of, and to add Section 3661.1 to, the Education Code, relating to the formation of union or joint union high school districts.

Referred to Committee on Education.

RECESS

At 9.50 a m., on motion of Mr. Denny, the Assembly recessed until 9.52 a.m., to hear from Private Max Baer of Sacramento.

REASSEMBLED

At 9.52 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1570—An act to amend Sections 96.5 and 149 of and to add Section 152.6 to the State Civil Service Act, relating to the State civil service, declaring the urgency thereof and to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and refused adoption by the following vote:

AYES—Bennett, Call, Carey, Collins, George D., Collins, Sam L., Dills, Ralph C., Doyle, Dunn, Gaffney, Haggerty, Hastain, Hawkins, Johnson, Kraft, Leonard, Lyons, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Sargent, Stream, Thurman, Weybret, Wollenberg, and Mr. Speaker—28.

NOES—Anderson, Armstrong, Beck, Berry, Brown, Burns, Carlson, Clarke, Crichton, Debs, Dickey, Dills, Clayton A., Evans, Field, Fourn, Guthrie, Heisinger, Hollibaugh, Kellems, Knight, John B., Lowrey, Massion, Middough, Pelletier, Potter, Price, Robertson, Rosenthal, Sawallisch, Smith, Thompson, Thorp, Waters, Watson, and Werdel—35.

The roll was called, and the bill refused passage by the following vote:

AYES—Bennett, Call, Carey, Collins, George D., Collins, Sam L., Dills, Ralph C., Dove, Dunn, Gaffney, Haggerty, Hastain, Hawkins, Johnson, Kraft, Leonard, Lyons, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Sargent, Stream, Thurman, Weybret, Wollenberg, and Mr. Speaker—28.

NOES—Anderson, Armstrong, Beck, Berry, Brown, Burns, Carlson, Clarke, Crichton, Debs, Dickey, Dills, Clayton A., Evans, Field, Fourn, Guthrie, Heisinger, Hollibaugh, Kellems, Knight, John B., Lowrey, Massion, Middough, Pelletier, Potter, Price, Robertson, Rosenthal, Sawallisch, Smith, Thompson, Thorp, Waters, Watson, and Werdel—35.

Notice of Motion to Reconsider Assembly Bill No. 1570

Mr. Johnson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1570 was this day refused passage.

RE-REFERENCE OF ASSEMBLY BILL NO. 338

Mr. Thurman moved that Assembly Bill No. 338 be withdrawn from the third reading file, and re-referred to the Committee on Conservation, Natural Resources, and Planning.

Motion carried.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1085
FROM INACTIVE FILE**

Mr. Sam L. Collins gave notice that on Thursday, April 15, 1943, he would move to withdraw Assembly Bill No. 1085 from the inactive file, and have it placed upon the third reading file.

**NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 535
FROM INACTIVE FILE**

Mr. Weybret gave notice that on Thursday, April 15, 1943, he would move to withdraw Senate Bill No. 535 from the inactive file, and have it placed upon the third reading file

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 919—An act to add Section 57 2 to, and to amend Sections 62, 93, 95, 96, 131, and 132 of, the County Employees Retirement Act of 1937, relating to retirement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—57

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1592—An act to add Part 10, comprising Sections 17001 to 19452, inclusive, to Division 2 of, and to add Section 50015 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of The Personal Income Tax Act, and repealing acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burns, Carey, Carlsson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal,

Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.
 NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1377—An act to amend Section 786.5 of the Fish and Game Code, relating to lobsters and shellfish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.
 NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 1377

Mr. Stream gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1377 was this day passed.

UNFINISHED BUSINESS (OUT OF ORDER)

Consideration of Senate Amendments

Assembly Bill No. 113—An act to amend Section 395.2 of the Military and Veterans Code, relating to leaves of absence of school employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 113?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "of", insert "and to add Section 395.3 to".

Amendment No. 2

On page 1, line 5, of the printed bill, as amended, strike out "is ordered".

Amendment No. 3

On page 1, line 6, of the printed bill, as amended, strike out "to serve", and insert "serves".

Amendment No. 4

On page 1, line 7, of the printed bill, as amended, strike out "or to serve in any civilian war effort or war industry".

Amendment No. 5

On page 1 of the printed bill, as amended, between lines 12 and 13, insert

"SEC 2. Section 395.3 is added to the Military and Veterans Code, to read:
 395.3 Any employee of a board of school trustees or board of education in a position not requiring certification qualifications who is ordered pursuant to the laws of the United States to serve in any war effort or war industry shall regain all rights to his position and shall be reinstated thereto upon his application at any time within 90 days of the termination of that service, but in any event within one year from the date of a treaty of peace terminating the hostilities in which the United States is now engaged"

Amendment No. 6

On page 1, line 18, of the printed bill, as amended, strike out "2", and insert "3".

Amendment No. 7

On page 1, line 7, of the printed bill, as amended, after "States", insert "and who receives an honorable discharge therefrom".

Amendment No. 8

In lines 1 and 2 of the title of said bill, strike out "and to add Section 395.3 to".

Amendment No. 9

On page 1 of said bill, strike out lines 13 to 23, inclusive, and on page 2, strike out lines 1 to 4, inclusive.

Amendment No. 10

On page 2, line 5, of said bill, strike out "3", and insert "2".

Amendment No. 11

In line 3 of the title of the printed bill, as amended, strike out the period, and insert ", declaring the urgency thereof, to take effect immediately."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 113 by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 113 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 1430—An act to amend Section 797 of the Fish and Game Code, relating to abalones, and declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**RECONSIDERATION OF ASSEMBLY BILL NO. 1377 BY
UNANIMOUS CONSENT**

Mr. Stream asked for, and was granted, unanimous consent to reconsider the vote whereby Assembly Bill No. 1377 was this day passed.

The roll was called, and reconsideration granted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallsch, Sheidan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weidel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Further Consideration of Assembly Bill No. 1377

Assembly Bill No. 1377—An act to amend Section 786.5 of the Fish and Game Code, relating to lobsters and shellfish.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 786.5 of", and insert "add Section 786.6 to".

Amendment No. 2

On page 1, line 1, of said bill, strike out "786.5 of the Fish and Game Code is", and insert "786.6 is added to the Fish and Game Code, to read:

786.6. It is unlawful to sell, expose for sale, offer to sell, barter, trade, or have in possession any spiny lobster which has been cooked or otherwise prepared for human consumption outside of the State of California. This section shall not apply to any cooked or canned lobster or other shellfish prepared under permit or license of any duly constituted authority of any State or Nation; provided, however, that such lobster or other shellfish brought into this State shall be subject to inspection by State or local health authorities.

This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 10, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 344—An act to amend Section 142 of the Vehicle Code, relating to exemption from registration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lyons, Maloney, Massion, McCallister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weidel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 387—An act to authorize municipal and county governments to vacate certain easements and providing a procedure therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L., Crichton, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 995—An act to validate contracts between public utility districts and individuals, firms or corporations for the joint payment for or joint construction or joint use of sewers or sewer facilities or for the purchase of rights or capacity in any sewer or sewer facilities constructed by such districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1964—An act to amend Section 4310 of the Political Code, relating to sheriff's special funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1934—An act to add Section 3056 to the Business and Professions Code, relating to the admission to practice optometry, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1005—An act to add Section 17a to an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges, and approaches thereto, and for the acquisition of all property necessary therefor, and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts, and for the annexation of additional territory thereto," approved May 25, 1923, and to add Section 27228 to the Streets and Highways Code authorizing the refunding of existing indebtedness, whether bonded or otherwise, and for the issuance of bonds and other indebtedness in aid of the refunding of existing bonds, or the creation of a new bonded indebtedness.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Kellems, Waters, and Werdel—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1415—An act to add Section 25 to an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25,

1923, to provide for the building of approach roads in cooperation with city, county and county, county, district, and State authorities.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

In line 10 of the title of the printed bill, after "1923," insert "and to add Section 27173 to the Streets and Highways Code,".

Amendment No. 2

On page 1, lines 16 and 17, of said bill, strike out "Board of Public Works of the State of California", and insert "State Department of Public Works".

Amendment No. 3

On page 2 of said bill, after line 23, insert

"SEC. 2 Section 27173 is added to the Streets and Highways Code, to read :
27173. The work of constructing, repairing, relocating or otherwise providing any of the highways or approaches composed of the structures or improvements mentioned in this part, may be done by any district in cooperation with a city, county, joint highway district or other district formed for the improvement or building of roads, or in cooperation with the State. For the purpose of doing such work or acquiring rights of way therefor, the board may authorize a contract to be entered into between the district and the political subdivision or agency of the State with which it proposes to cooperate, and full power and authority is granted to such city, county, joint highway or other district, or the State Department of Public Works, to enter into such contracts for cooperative work, construction, or purchase of rights of way, in such manner and upon such apportionment of the cost thereof as may be agreed upon between them. For this purpose the contracting parties may designate engineers, county surveyors, or other necessary officials or employees to take charge of the particular work, and provide for the payment of the cost of the work out of funds contributed by the contracting parties. The plans and specifications for such work shall be approved by both of the contracting parties, and the work may be carried out by either one of the contracting parties as the agent of the other, or it may be carried out under the joint management of both of the contracting parties. Any such project, or any project, undertaken by a district alone, or in cooperation with any of the agencies mentioned, may be accomplished by Federal aid under such rules as may be prescribed by the Federal agencies involved. Any such work may extend across, through, or within, any city, county, joint highway district or other district, if such work is an extension of an approach to a bridge operated by the district and connects the same as a main or alternate route with State highways or other through routes leading to or from the bridge.

SEC. 3. Section 2 of this act shall take effect only if Part 3 is added to Division 16 of the Streets and Highways Code by the Legislature at its Fifty-fifth Session, and in such case at the same time as Part 3 takes effect, at which time Section 25 as added to the act cited in the title by this act is hereby repealed."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

**APPOINTMENT OF MEMBER TO JOINT FACT-FINDING COMMITTEE
ON UN-AMERICAN ACTIVITIES**

The Speaker announced the appointment of Mr. Dickey as a member of the Joint Fact-finding Committee on Un-American Activities.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1633—An act to add Sections 195.5 and 1623.5 to the Streets and Highways Code, relating to the expenditure of money allocated to counties, cities, and cities and counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny,

Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—Werdel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 708—An act to amend Section 4045 of the Business and Professions Code, and to amend Section 1066 of and add Section 1066.5 to the Agricultural Code, relating to economic poisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burns, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.40 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Assembly Bill No. 1194—An act to amend Sections 6720 and 6721 of the Welfare and Institutions Code, relating to escapes and return from parole of patients under the jurisdiction of a State hospital.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1196—An act to amend Section 5050.7 of the Welfare and Institutions Code, relating to the apprehension of mentally ill or insane persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent,

Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1198—An act to amend Section 1461 of the Probate Code, relating to the appointment of guardians for insane or incompetent persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Wollenberg—64.

NOES—Crowley—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 544—An act granting certain salt marsh, tide and submerged lands of the State of California to the City of Oakland, including the management, use and control thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 923—An act authorizing municipal corporations to compromise litigation wherein the United States of America seeks to condemn tide or submerged lands heretofore granted such municipal corporation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered :

By the Committee on Rules and House Functions :

House Resolution No. 181

Resolved, That the following named person be stricken from the list of Assembly attaches, and his name be stricken from the pay roll of the Assembly, to take effect upon the completion of work on Tuesday, April 13, 1943 :

	<i>Per day</i>
Cleve Taylor, Assistant Clerk-----	\$8 00
SAM L. COLLINS, Chairman	

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 181, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Field, Fout, Gaffney, Gannon, Haggetty, Hastam, Hawkins, Heisinger, Johnson, Kellem, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

By the Committee on Rules and House Functions :

House Resolution No. 182

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth, with the compensation set opposite his name payable weekly, on a 7-day per week basis, and the Controller is hereby directed to draw his warrant in favor of said person for said amount, and the Treasurer is hereby directed to pay the same :

<i>Commencing Wednesday, April 14, 1943</i>	<i>Per day</i>
Cleve Taylor, Assistant Sergeant-at-Arms-----	\$6 00
SAM L. COLLINS, Chairman	

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 182, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Field, Gaffney, Gannon, Guthrie, Haggetty, Hastam, Hawkins, Heisinger, Johnson, Kellem, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1918—An act to add Section 53.5 to the Code of Civil Procedure, relating to review of the record on appeal.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 10, and insert "53.5. Notwithstanding any rule of court heretofore or hereafter made effective, the Supreme Court shall not be bound or limited, at any stage of any cause or matter before it, or under any circumstances, by any statement or finding of fact made in any opinion or decision of a district court of appeal."

Amendment No. 2

In line 2 of the title of said bill, strike out "the record on appeal", and insert "causes by the Supreme Court".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Hon. Albert C. Wollenberg Presiding

At 12.12 p.m., Hon. Albert C. Wollenberg, Member of the Assembly from the Twenty-first District, presiding.

Assembly Bill No. 1015—An act to amend Sections 11502, 11505, 11507, 11510, 11512, and 11513 of, to add Sections 11512.1, 11512.2, 11512.3, and 11516.5 to, and to repeal Section 11497 of, the Insurance Code, all relating to insurance.

Bill read third time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendment:

Amendment No. 1

On page 5, line 46, of the printed bill, as amended, strike out "in", and insert "is".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 140—An act to amend Section 8 and to repeal Section 4 of, and to add Sections 4, 10a, 10b, 10c, 11a, and 12a to, an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," approved by the electorate November 2, 1920, relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to contracts for the use, leasehold or other interest in real property less than the fee, including cropping contracts, providing for escheats in certain cases, prescribing the procedure therein, defining the powers and duties of the Attorney General or the district attorney of the proper county in reference thereto, providing as to the duties, powers and authority of any alien appointed by any court as guardian of his native-born minor child or children, or as guardian of any other person, or persons, and prescribing the procedure in such cases, and to provide a penalty.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 17, of the printed bill, as amended, strike out "three", and insert "six".

Amendment No. 2

On page 2, line 32, of said bill, strike out "said quarterly".

Amendment No. 3

On page 2, line 41, of said bill, strike out "In no case shall the"; and strike out lines 42 to 44, inclusive.

Amendment No. 4

On page 2 of said bill, strike out lines 47 and 48; and in line 49, strike out "ance of his duties", and insert "determine".

Amendment No. 5

On page 3, line 7, of said bill, strike out "Such final account must be pre-"; strike out all of lines 8 to 11, inclusive; and in line 12, strike out "and all money received on account thereof."

Amendment No. 6

On page 3, line 13, of said bill, strike out "other".

Amendment No. 7

On page 5, line 41, of said bill, strike out "Sections 10 and", and insert "Section".

Amendment No. 8

On page 5, line 52, of said bill, strike out "authenticated", and insert "certified".

Amendment No. 9

On page 6 of said bill, strike out line 6; and in line 7, strike out "and place of birth".

Amendment No. 10

On page 6, line 8, of said bill, after "therein", insert "relevant to the question of the person's eligibility to citizenship and place of birth".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

RECESS

At 12.15 p.m., on motion of Mr. Maloney, the Assembly recessed until 12.18 p.m. to hear from Sergeant Walter Mails of the United States Marines.

REASSEMBLED

At 12.18 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Speaker Pro Tempore Presiding

At 12.20 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1853

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
 Assembly Bill No. 1035
 Assembly Bill No. 1509

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
 Assembly Bill No. 1854

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

Hon. Don A. Allen Presiding

At 12.24 p.m., Hon. Don A. Allen, Member of the Assembly from the Sixty-third District, presiding.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:
 Senate Bill No. 469

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:
 Assembly Bill No. 1888
 Assembly Bill No. 671

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:
 Assembly Bill No. 1807

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:
 Assembly Bill No. 1253

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ROBERTSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 375

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 388

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ROBERTSON, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1444

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Public Utilities, Manufacturing, and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which was referred:

Assembly Bill No. 860

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ALLEN, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 261

Senate Bill No. 634

Assembly Bill No. 933

Senate Bill No. 635

Senate Bill No. 266

Senate Bill No. 636

Senate Bill No. 267

Senate Bill No. 637

Senate Bill No. 631

Senate Bill No. 638

Senate Bill No. 632

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1510

Senate Bill No. 59

Assembly Bill No. 1512

Senate Bill No. 633

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEYBRET, Chairman

Above reported bills ordered to second reading.

Committee on Public Utilities, Manufacturing, and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which was referred:

Assembly Bill No. 512

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Chairman

Above reported bill ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Assembly Bill No. 867

Assembly Bill No. 939

Assembly Bill No. 1488

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THORP, Chairman

Above reported bills ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 9

Assembly Constitutional Amendment No. 11

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

RECESS

At 12.25 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Hon. Albert C. Wollenberg Presiding

At 2.01 p.m., Hon. Albert C. Wollenberg, Member of the Assembly from the Twenty-first District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 198—An act to add Sections 10580 and 10581 to the Health and Safety Code, relating to birth certificates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Brown, Burns, Call, Collins, George D. Collins, Sam L. Crichton, Dills, Clayton A., Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Knight, John B. Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Robertson, Rosenthal, Sheridan, Stream, Thorp, Weybret, and Wollenberg—42.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1179—An act to amend Sections 6726 and 6727 of the Welfare and Institutions Code, relating to payment for family care and other needs of patients on parole from State hospitals, and declaring the urgency thereof.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D. Collins, Sam L., Crichton, Debs, Denny, Dickey, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Weybret, and Wollenberg—58.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D. Collins, Sam L., Crichton, Debs, Denny, Dickey, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1035—An act to provide for the formation of districts within municipalities for the acquisition, construction, maintenance, and operation of parking places, garages and other improvements for the parking of motor vehicles; levy and collection of assessments upon property in said districts; the issuance, sale and payment of bonds secured by such assessments; the collection of rentals, fees, and charges for the use of such parking places, garages or other improvements; the administration thereof; the levy of taxes; and the powers and duties of cities relating thereto.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendment:

Amendment No. 1

On page 29, line 26, of the printed bill, as amended, after "would", insert "have".

Amendment read and adopted.

~~Bill ordered reprinted and re-engrossed.~~

Motion to Expunge Record and Rescind Action

Mr. Potter moved to expunge the record, and rescind the action whereby the amendment to Assembly Bill No. 1035 was this day adopted.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—61.

NOES—None

The question being on the passage of Assembly Bill No. 1035.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—61.

lister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Weybret, and Wollenberg—62.

NOES—Hawkins, Lowrey, Massion, and Pelletier—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1081—An act to amend Section 3714 of the Political Code, relating to annual financial estimates of counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellem, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Weybret, and Wollenberg—61.

NOES—Kraft—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1158—An act to add Section 474b to the Political Code, relating to the collection of claims or judgments due the State, or to any department, board or commission, under one thousand dollars (\$1,000), and payment for services therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Weber, Weybret, and Wollenberg—58.

NOES—Call, Debs, O'Day, Pelletier, and Watson—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1701—An act to amend Section 4 of the "Municipal Water District Act of 1911," relating to elections therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellem, Kilpatrick, King, Knight, T. Fenton, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thomas, Thorp, Weber, Weybret, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1270—An act to amend Section 160 and to add Sections 55 5 and 154 to the County Employees Retirement Act of 1937, relating to retirement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley,

Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Weidel, Weybret, and Wollenberg—65

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 742—An act to provide for precautions against enemy attack, including blackout and dimout regulations, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Watson, Weber, Weidel, Weybret, and Wollenberg—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Watson, Weber, Weidel, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 227—An act to amend Section 6361 of the Business and Professions Code, relating to provision of library quarters for law libraries, by counties, by defining such provision

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Collins, George D., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Weidel, Weybret, and Wollenberg—60.

NOES—Burns, Desmond, Heisinger, and Lowrey—4.

Bill ordered transmitted to the Senate.

Senate Bill No. 512—An act to provide for the disposal of certain real property of the State in Sonoma County and for the disposition of the proceeds of such sale.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 649—An act granting to the County of Sonoma certain lands of the State of California located in the County of Sonoma, upon certain trusts and conditions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Crichton, Crowley, Debs, Denny, Dickey, Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 299—An act to amend Section 328b of the Civil Code, relating to the transfer by trustees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Crichton, Crowley, Debs, Denny, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 338—An act to amend Section 227 of, and to add Section 227aa to, the Civil Code, relating to adoption.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Crichton, Crowley, Debs, Denny, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 20—Relative to memorializing Congress to extend the effective date of the act providing for suspension of

assessment work on mining claims held by location in the United States, including Alaska, to July 1, 1944.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Wollenberg—66.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 3 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

STATEMENT BY THE SPEAKER

The Chair announced that, due to a defect in the automatic voting machine, Mr. Fourt's vote had not been recorded on previous roll calls, although he was present and voting during the entire morning and afternoon sessions.

RECESS

At 3.05 p.m., on motion of Mr. Allen, the Assembly recessed until 3.07 p.m. to hear from Lieutenant Yockers, of the United States Navy.

REASSEMBLED

At 3.07 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1943

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 214—An act to amend Sections 675, 684, 685, 686 and 687 of, and to repeal Section 662 of, the Elections Code, relating to precinct boards; Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows.

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out “, and to repeal Section 662 of.”

DILLINGER
BREED
WARD

CARLSON
MILLER
SHERIDAN

Senate Committee on Conference

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream,

Thomas, Thompson, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—None.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 978

Mr. Burns moved that Senate Bill No. 978 be withdrawn from the Committee on Motor Vehicles, and re-referred to the Committee on Judiciary.

Motion carried.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 50.
Senate Bill No. 896.
Senate Bill No. 315.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 266—An act to amend the title and Sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district, or flood control district," approved April 23, 1913, as amended, and to repeal an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, relating to investment of moneys in the sinking funds of or surplus moneys in the treasury of any county, city and county, incorporated city or town, municipality, or other public or municipal corporation or public district, and declaring the urgency hereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 266?

Amendment No. 1

In line 17 of the title of the printed bill, strike out "or town, municipality," and insert ", or any department of any incorporated city having control of its own funds,".

Amendment No. 2

On page 2, line 1, of said bill, strike out "or town, municipality," and insert "or any department of any incorporated city having control of its own funds,".

Amendment No. 3

On page 2, line 5, of said bill, strike out "or town, municipality," and insert "or any department of any incorporated city having control of its own funds,".

Amendment No. 4

On page 2, lines 9 and 10, of said bill, strike out "or town, municipality," and insert ", department,".

Amendment No. 5

On page 2, line 12, of said bill, strike out "to".

Amendment No. 6

On page 2, line 13, of said bill, strike out "or town, municipality," and insert "department,".

Amendment No. 7

On page 2, line 15, of said bill, strike out "be deemed wise or expedient in", and insert "deem wise or expedient in (1)".

Amendment No. 8

On page 2, line 17, of said bill, strike out "or town, municipality," and insert "department,".

Amendment No. 9

On page 2, line 18, of said bill, strike out ", or in", and insert ", and (2)".

Amendment No. 10

On page 2, line 22, of said bill, strike out "town, municipality," and insert "department,".

Amendment No. 11

On page 2, line 24, of said bill, strike out "State, which", and insert "State; provided said".

Amendment No. 12

On page 2, line 25, of said bill, strike out "shall be", and insert "are"

Amendment No. 13

On page 2, line 26, of said bill, strike out "California and", and insert "California. Any".

Amendment No. 14

On page 2, line 37, of said bill, strike out the comma following "money".

Amendment No. 15

On page 2, line 40, of said bill, strike out "or town, municipality," and insert "department,".

Amendment No. 16

On page 2 of said bill, between lines 41 and 42, insert "Any bonds so purchased, which were issued by the purchaser, may be canceled, either in satisfaction of sinking fund obligations, or otherwise, and when canceled shall no longer be deemed to be outstanding, or in the discretion of the governing body any bonds so purchased may be held uncanceled so long as may be determined upon, and while so held uncanceled may be resold. Any interest and the proceeds of any such resale, shall be deposited in the fund out of which the bonds were purchased."

Amendment No. 17

On page 2, line 43, of said bill, strike out "of this act authorized", and insert "authorized by this act".

Amendment No. 18

On page 2, lines 45 and 46, of said bill, strike out "our town, municipality," and insert "or department thereof".

Amendment No. 19

On page 2 of said bill, between lines 47 and 48, insert "In the case of any department of any incorporated city having control of its own funds, the board having control of such department and of the expenditure of such funds shall be deemed to be the governing body thereof within the meaning of this act."

Amendment No. 20

On page 3, line 15, of the printed bill, as amended, after "act", insert "entitled, An act".

Amendment No. 21

On page 3, line 18, of said bill, strike out the quotation marks, and insert single quotation mark.

Amendment No. 22

On page 3, line 21, of said bill, after "town", insert single quotation mark.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 266 by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Nie-

house, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thulman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 266 ordered enrolled.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, April 13, 1943

To the Members of the Assembly

GREETINGS: I am herewith transmitting additional information received by my office relative to the pension problem. It is in the form of a statement submitted by John C. Cuneo, member of the Citizens Committee on Old Age Pensions.

Respectfully,

EARL WARREN, Governor

SENATE BILL

No. 974

INTRODUCED BY SENATOR DONNELLY

January 30, 1943

REFERRED TO COMMITTEE ON REVENUE AND TAXATION

An act to raise revenue and to provide for the payment of annuities therefrom.

The people of the State of California do enact as follows:

SECTION 1. The term "gross income" means the gross receipts of the taxpayer received as compensation for personal services and the gross receipts of the taxpayer derived from trade, business, commerce, or the sale of tangible or intangible property and including interest, dividends, discounts, rentals, royalties, fees, commissions, bonuses, or prizes or any other emoluments however designated and without any deductions on account of the cost of property sold, the cost of materials used, labor employed, taxes, royalties, interest or discount paid, or any other expenses whatsoever.

SEC. 2. When used in this act the term "wages" means all remuneration for employment, including the cash value of all remuneration paid in any medium other than cash.

SEC. 3. The term "State Welfare Board" means the present State Welfare Board of the State of California.

SEC. 4. The term "property" means real and/or personal property and includes stocks, bonds, and choses in action. It includes also any right, interest, or estate whatsoever in such property.

SEC. 5. The term "persons" or "companies" shall include every individual, partnership, society, unincorporated association, joint venture, group, joint-stock company, corporation, trustee, executor, administrator, trust estate, decedent's estate, trust or other entity, whether doing business for itself or in a fiduciary capacity, and whether the individuals composing it are residents or nonresidents of the United States and whether the corporation or other association is created or organized under the laws of the United States or of another jurisdiction.

SEC. 6. The term "California," when used in a geographical sense, means all areas in the State of California; and the term "employee" includes an officer of a corporation.

SEC. 7. In addition to all other excises, duties or taxes, there shall be levied, collected, and paid a premium of 2 per cent of the gross income of all persons or companies derived from any and all sources, over and above one hundred dollars (\$100) for each calendar month. Such one hundred dollars (\$100) shall be deducted monthly if received as wages or salary, and may be deducted on quarterly, semi-annual or annual basis if derived on any other basis.

SEC. 8. The premiums imposed by this act shall be collected by the State Welfare Board and shall be paid into the treasury of the State of California and allocated to a special fund solely for the purpose of this act.

SEC. 9. The State Welfare Board may distrain any goods, chattels, or intangibles, represented by negotiable evidences of indebtedness, of any premium payer who is delinquent under this act, for the amount of all premiums, penalties and interest accrued and unpaid hereunder.

SEC. 10. The State Welfare Board shall be empowered to designate the manner and place for filing returns and payment of premiums, and shall provide such forms and instructions as may be necessary for the proper administration of this act.

SEC. 11. The premiums shall be computed on the total gross income of all persons and companies at the end of each calendar month, and a complete return must be filed with the State Welfare Board before the twentieth day of the calendar month following the month in which the premium accrues, unless no premium is due under the exemptions as provided in Section 7.

SEC. 12. All remittances of premiums imposed by this act shall be made to the place designated by the State Welfare Board on or before the twentieth day of the second month after they accrue; such returns shall be verified by the oath of the premium payer if an individual, or by oath of an officer or director, if made in behalf of a company. If made in behalf of a partnership, firm, society, unincorporated association or group, joint venture, joint-stock company, corporation, trust estate, decedent's estate, trust, or other entity, any individual delegated by such partnership, firm, society, unincorporated association or group, joint venture, joint-stock company, corporation, trust estate, decedent's estate, trust or other entity shall make the oath in behalf of the premium payer. If for any reason it is not practical for the individual premium payer to make the oath, it may be made by any duly authorized agent, who shall then be held entirely responsible for the correctness of such return.

SEC. 13. If the premium payer shall make any error in computing the premium assessable against him the State Welfare Board shall correct such error, reassess the proper amount of premium and notify the premium payer of its action by mailing to him promptly, by registered mail, return receipt requested, a copy of the corrected assessment, and any additional premium for which such premium payer may be liable shall be paid within 10 days after the receipt of such notice.

SEC. 14. If the amount already paid exceeds that which should have been paid on the basis of the premium so recomputed, the excess so paid shall be immediately refunded to the premium payer by the State Welfare Board out of the funds collected under this act. The premium payer may, at his election, apply an overpayment credit to premiums subsequently accruing hereunder.

SEC. 15. If any person having made the return and paid the premium as provided by this act feels aggrieved by any assessment so made upon him for any specified period by the State Welfare Board, he may appeal from said assessment by filing a petition in the manner provided by law.

SEC. 16. The State Welfare Board shall enforce the payment of the premiums required by this act to be paid, and shall promptly deposit in the State treasury all moneys received by it through or from the collection of such premiums.

SEC. 17. The provisions of this act shall not apply to the following persons: (1) Fraternal benefit societies, orders, or associations, or for the exclusive benefit of the members of the fraternity itself, operating under the lodge system, and providing for the payment of death, sick, accident, or other benefits to the members of such societies, orders, or associations, and to their dependents or beneficiaries; (2) corporations, associations, or societies organized and operated exclusively for non-profit, religious, charitable, scientific, or educational purposes; (3) business leagues, chambers of commerce, labor organizations, boards of trade, civic leagues, and other similar organizations operated exclusively for the benefit of the community and for the promotion of social welfare, and not for commercial trading in any form, and from which no profit inures to the benefit of any private stockholder or individual; (4) hospitals, infirmaries, and sanatoria, from which no profit inures to the benefit of any private stockholder or individual; (5) amounts received under life insurance policies and contracts paid by reason of death of the insured; (6) amounts received under property-insurance policies; (7) amounts received by any person under any accident-insurance or health-insurance policy or contract or under workmen's compensation acts or employer's liability acts, as compensation for personal injuries, death, or sickness, including also the amount of any damages or other compensation received, whether as a result of action or by private agreement between the parties on account of such personal injuries, death, or sickness; (8) amounts received by any person as compensatory damages for any tort injury to him, or his character or reputation, or received by any person as compensatory damages for any tort injury or destruction to property, whether as the result of action or by private agreement between the parties; except amounts received by any person as punitive damages for tort injury or breach-of-contract injury; (9) amounts received by any person as a benefit payment so-called or like payments by virtue of acts passed by the Congress of the United States relating thereto and disbursed to others as such benefit payment; but the State Welfare Board may by regulation require any such deductions to be set forth specifically by the taxpayer in his return; provided, however, that exceptions, (1) to (9) inclusive, shall apply only to the gross income received from nonprofit activities.

SEC. 18. It shall be unlawful for any person to refuse to make any returns provided for in this act; or to make any false or fraudulent return, or false statements in any return with intent to defraud the State of California, or to evade the payment of the premium imposed by this act or any part thereof; or for any person to aid or abet another in any attempt to evade the payment of the premium imposed by this act or any part thereof; or for any officer or director of any company to make, or permit to be made, or any company, corporation, association, or other legal entity to make any false return, or any false statement in any return required by this act, with the intent to evade the payment of any premium hereunder. Any person violating any of the provisions of this act shall be guilty of a felony, and, upon conviction, shall be fined not more than ten thousand dollars (\$10,000) or by imprisonment not exceeding 10 years, or both. In addition to the foregoing penalties, any person who shall knowingly swear to or verify any false or fraudulent return, or any return containing any false or fraudulent statement, shall be guilty of the offense of perjury, and, on conviction thereof, shall be punished in the manner provided by law. Any corporation for which a false return, or a return containing a false statement, shall be made, shall be guilty of a felony and shall be punished by a fine of not more than ten thousand dollars (\$10,000). If the premium imposed under this act is not paid when due, there shall be added as part of the premium, interest at the rate of one-half of 1 per cent per month, from the date the premium became due until it is paid.

SEC. 19. There is hereby created an account of the treasury of the State of California to be known as the General Welfare Account, hereinafter referred to as the "account." There are hereby authorized to be appropriated annually amounts equal to the estimated revenue derived under this act. On the twentieth day of the month succeeding the month in which this act is enacted, and on the twentieth day of each calendar month thereafter, there shall be credited to the account a sum equal to the amount of revenue to be collected under the provisions of this act, as indicated by the returns filed during the preceding calendar month. Such sums shall be available for making the payments as hereinafter provided. The State Treasurer shall submit annually to the State Welfare Board an estimate of the appropriations to be credited to the account.

SEC. 20. Amounts estimated by the State Treasurer to be necessary for monthly expenditures in the administration of this act shall be deducted from amounts credited to the account each month. The remaining amount credited to the account for each month shall be prorated and paid monthly to each qualified annuitant for the first month after the amounts are credited to the account, except that no payment shall exceed one hundred dollars (\$100) for any one month. Any surplus remaining in the account after the maximum monthly payments are made to each such annuitant shall be applied toward the liquidation of the State debt, if any exists, until the State debt is paid, after which it shall go into the General Fund of the State.

SEC. 21. Every citizen who is 60 years of age or over, and every physically incapacitated person unable to sustain himself, shall, upon filing an application under oath as hereinafter provided, be entitled to receive an annuity payable in monthly installments during the remainder of his life, or until he is physically able to sustain himself.

SEC. 22. (a) The annuity shall be spent within California for goods or services (except gambling), giving preference to commodities grown, produced, or manufactured within California and for services rendered by citizens of the United States in the State of California.

(b) Each installment of the annuity shall be spent by the annuitant within 30 days of the time of its receipt.

(c) An annuitant shall not engage in any occupation, business, or other activity from which a profit, wage, or other compensation is realized or attempted, except that nothing in this act shall be construed to prohibit an annuitant from collecting interest, rents, or other revenues from his own investments. No annuitant shall support an able-bodied person in idleness except a spouse. No annuity shall be paid to any person for any period that such person is forcibly confined in a penal institution or an institution for mental incompetents, and no person shall be entitled to an annuity when released, until a new application is approved for him.

(d) Any annuitant may waive all or any part of his right to an annuity under this act by filing a notice thereof with the State Welfare Board in such manner as it shall prescribe. Any such waiver shall not affect the right of any person to apply for an annuity at any time thereafter.

(e) Any sum received by an annuitant which represents the proceeds of a sale of any real property acquired through the use of money received as an annuity under this act shall be expended by the annuitant within six months after the receipt of such proceeds of such a sale.

(f) An annuitant shall not pay to any person any salary, wages, or other compensation in disproportion to the services rendered.

(g) It shall be the duty of each annuitant while receiving an annuity to pay his just obligations for purchases, rents, or services rendered, and to pay at least 10 per centum of any monthly installment on just obligations incurred before such annuitant received any money under this act.

(h) Each annuitant shall covenant and agree in his application for an annuity to comply with all the provisions of this act and all rules and regulations prescribed by the State Welfare Board to carry out the provisions of this act

SEC. 23. (a) Payments of the amounts due to each annuitant under this act shall be made at regular monthly intervals so that the payments will be in the possession of each annuitant as near the first day of each month as possible

(b) The State Welfare Board shall furnish application blanks and other necessary forms to their branch offices, for distribution to persons who wish to apply for benefits under this act.

(c) Applications for annuities and any returns required to be made by an annuitant may be filed in local State Welfare Board offices and forwarded by them to the State Welfare Board. Welfare Board employees designated by them and notaries public shall have power to administer oaths where required under this act and may collect a fee of twenty-five cents (\$0.25).

SEC. 24. (a) State Welfare Board is authorized and directed to prescribe such rules and regulations as may be necessary to carry out the provisions of this act.

(b) The State Welfare Board is hereby empowered to call upon other departments or agencies of the State to aid in the administration of this act.

(c) The State Treasurer is also empowered to make adjustments with respect to the time in which installments shall be expended in case payments to any person may have been delayed and there is an accumulation of two or more installments.

SEC. 25. The right to receive any payment under this act shall not be transferable or assignable, at law or in equity, and none of the moneys paid or payable or rights existing under this title shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law.

SEC. 26. Whenever any person, in an application or when making a payment under this act knowingly or wilfully makes a false statement of a material fact, or fails or refuses to obey any rule, or regulation, issued by the State Welfare Board under this act, or violates any provision of this act, shall be prosecuted by the Attorney General in the court in the county in which the offense occurred, and upon conviction the annuitant shall forfeit for the remainder of his life one-fourth of the annuity to which he would otherwise be entitled each month, but shall suffer no other penalty, regardless of the number of counts on which he was convicted. Upon a subsequent commission and conviction for such misdemeanor he shall forfeit an additional one-fourth of the annuity to which he would otherwise have been entitled, for a third conviction, another one-fourth, and for a fourth conviction he shall forfeit entirely his right to any annuity under the terms of this act.

SEC. 27. All acts or parts of acts in conflict with the provisions of the act are hereby repealed to the extent of such conflict.

SEC. 28. Any person who accepts an annuity under this act shall not be entitled, for any period that such annuity is received, to any pension, unemployment insurance, or other benefit to which he would otherwise be entitled under State law.

SEC. 29. If any part of this act is held to be unconstitutional, it shall not affect the validity of any other part of this act.

February 22, 1943

A Suggestion for Governor Warren and His Tax and Pension Committees

1. That present State tax programs be continued for one year with such minor changes as may be thought necessary for efficiency and equity.

2. That State surplus be held intact for the one-year period.

3. That a reasonable State pension plan be adopted, "as a right," payable to all citizens 60 years of age and over. As soon as the war ends, recipients to retire from gainful employment. The money for this purpose to be raised by a 2 per cent gross income tax on all business as now levied in Hawaii. The amount to be paid to be a pro rata share of money available after payment of operating expenses each month. The rate of tax and the minimum age to be raised or lowered by Governor and a committee, within certain limits, as conditions warrant.

At the end of a year after the 2 per cent gross income tax plan has been in operation we will know how successfully it operates and how much money will be available. At that time, if the results justify, a gross income tax plan can then be adopted with a rate high enough to absorb most all other forms of State taxes. The State surplus could then be allocated to the best advantage at that time. By lowering, or raising, the age requirement, the problem of unemployment should be under control. With a flexible rate of tax, the State could be on a "pay-as-we-go" basis and we would tax according to the ability to spend and at a time when the taxpayer has the money—MONTHLY, as sales are made. This plan need not interfere with the present old age assistance grants. The pro rata amounts available each month would apply on the assistance now paid to senior citizens each month and when such amount exceeds the sum they are now eligible to, they would automatically go off the old age assistance rolls.

Advantages of Transactions, or Gross Income Tax

1. Simpler—one tax, one report. No complicated formulas with deductions and additions.
 2. More equitable. Collect the tax according to the ability to receive and as received.
 3. On "pay-as-you-go" basis. No bonds issued or interest to pay.
 4. Flexible. As costs rise, the revenue rises proportionately.
 5. Governing body has full facts on kind and amount of business being done in area.
 6. Taxpayer sees what he pays. Taxes not hidden.
 7. With flexible rate, within limits prescribed, changing conditions can be met promptly without need for further legislation.
 8. Keeps money in circulation. No large amount in treasury like on annual tax plan.
 9. More people pay taxes, but more equitably. Raises more money.
 10. Disadvantages—None known.
- Respectfully submitted.

Modesto, California.

JNO. C. CUNEO

(COPY)

TERRITORY OF HAWAII, BUREAU OF THE TAX COMMISSIONER
HONOLULU, T. H., January 18, 1943

Mr. Jno. C. Cuneo
Modesto, California

DEAR MR. CUNEO:

I am sending under separate cover two copies of the Gross Income Law. It is still working wonders for us. Regardless of whether it is used for pensions, it should be a Federal law. It's the solution of the tax problem due to its simplicity and the fact that it will produce the revenue for the war effort.

The gross income has more than doubled our receipts from that source. In fact, it has jumped from an estimated five million to over 14 million in a biennium. California needs this type of tax. So does the United States of America.

Sincerely,

W. BORTHWICK, Tax Commissioner

COMMUNICATIONS

By Speaker Lyon:

The following communication from the Legislative Counsel was received and ordered printed in the Journal:

OFFICE OF LEGISLATIVE COUNSEL
STATE CAPITOL, SACRAMENTO, CALIFORNIA, April 14, 1943

Honorable Charles W. Lyon, Speaker of the Assembly
State Capitol, Sacramento, California

VOTE ON TAX MEASURES

DEAR MR. LYON: You have asked us if it is necessary that there be two separate roll calls in connection with the passage of a bill which is to take effect immediately because it provides for a tax levy or an appropriation for the usual current expenses of the State.

We assume that you have reference to clauses which are substantially in either of the following forms:

"This act, inasmuch as it provides for an appropriation for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

"This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

It is our opinion that a separate roll call is not necessary on either of the above quoted clauses when included as a section in a bill.

The requirement of a separate roll call on an urgency measure is restricted to the type of urgency measure that is enacted as such because it is necessary for the immediate preservation of the public peace, health, or safety. Such a section contains a statement of the facts deemed by the Legislature to constitute the necessity.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By SIDNEY L. WEINSTOCK, Deputy

REPORTS OF STANDING COMMITTEES**Committee on Rules and House Functions**

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 180

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 453—An act to add Section 2873.1 to the Penal Code, relating to the sale or exchange of animals and fowls raised at the prisons
And reports that the same has been correctly enrolled, and presented to the Governor on the 14th day of April, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 9

Assembly Constitutional Amendment No. 11

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1225

Assembly Bill No. 1233

Assembly Bill No. 1227

Assembly Bill No. 1555

Assembly Bill No. 1228

And reports the same correctly engrossed

PELLETIER, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1853 re-referred to the Committee on Public Utilities, Manufacturing, and Corporations.

Assembly Bill No. 1854 re-referred to the Committee on Public Utilities, Manufacturing, and Corporations.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Heisinger and Anderson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. J. R. Williams of Inglewood.

On request of Mrs. Niehouse, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Vroman J. Dorman of San Diego.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Walter B. Bowman and Private Max Baer, United States Army.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harold Swisher of Los Angeles.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Benj. C. Corlett of Sacramento.

On request of Messrs. Rosenthal and Beck, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank Belcher of Los Angeles.

On request of Mr. Ralph C. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Samuel P. Block of Compton.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frederick L. Ray of Los Angeles, and Dr. William Harrod of Long Beach.

On request of Mr. Anderson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Vernon P. Spencer of Inglewood.

On request of Mr. Clayton A. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. O. M. McCray, Dr. Chas. W. Von Walden, Dr. Wilma Churchill of Los Angeles, and Dr. William Henry of Huntington Park.

On request of Mr. Maloney and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant Walter Mails, United States Marines.

On request of Mr. King, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. John E. Frazier of Gridley.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Marian Williams of Palo Alto, Dr. Francis Baker, and Miss Hazel Prescott of San Francisco, Miss Margaret Andrews of Los Angeles, and Miss Helen Foss of Sacramento.

On request of Mr. Brown, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to R. L. Kimmel, Paul Bomberger of Modesto, Wm. Logan of Patterson, and Glenn Bump of Stockton.

On request of the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Fire Chiefs of California, including Barry J. Dallas, Chief, Merced County; J. H. Alderson, Chief, Los Angeles Fire Department; Laddie J. Jacobson, Chief, Vallejo; Charles E. Dawley, Chief, Ventura City; James A. Bird, Chief, National City; Walter Johnson, Chief, Oceanside City; Howard Heringer, Chief, Rio Vista; Ralph E. Thompson, Fire Chief, Stockton; George Arens, Chief, Arbuckle; Fred E. Kaiser, Chief, Martinez; E. E. Woods, Chief, Bakersfield; George D. Polenska, Chief, Lodi; T. Mulligan, Chief, Sacramento; S. Guy Lukens, Chief, Auburn; William Meinhoit, Chief, Berkeley; R. T. Hammel, Deputy State Fire Marshal; W. L. Hicks, San Francisco, State Fire Marshal's Office; W. L. Ogden, Fire Marshal, San Jose; Chief E. F. Coop, Pasadena; Chief Frank Billo, Two Rock Post, Petaluma; R. R. Davis, Fire Chief, Fullerton; Lloyd B. Canfield, Fire Chief, Beverly Hills; C. E. Sullivan,

Fire Chief, Alhambra; Lieutenant Joe R. Yockers, United States Naval Reserve, Los Angeles; William F. Carleton, Fire Chief, South Gate; Max E. Miller, Deputy State Fire Marshal, Los Angeles Office; F. A. Bovet, Chief, Alhambra; Jim Ferelon, State Forestry, San Bernardino; C. N. Niday, Fire Chief, San Bernardino; Earl B. Reeves, Chief, Fontana; Warren L. King, Chief, Santa Paula; Jay W. Stevens, State Fire Marshal; George A. Ambrose, Sacramento; Loren S. Bush, Chief, Fire Protection O. C. D., San Francisco; George C. Lady, Chief, Merced; W. R. Williams, National Board of Fire Underwriters, Los Angeles; Chief B. Benoit, Petaluma; E. Mellin, Elect., Petaluma; F. J. Sandy, Battalion Chief, Oakland; M. Mello, Chief, San Pablo; George Hazeman, Chief, Woodland; Ozzie Oswald, City Councilman, San Jose; George E. Wallace, Fire Chief, Modesto; O. S. Bell, County Fire Warden, Modesto; Charles Plummer, Fire Chief, San Jose; B. J. Rose, Emeryville; H. C. Janssen, Burlingame; L. F. Ledford, Palo Alto; A. J. Welte, South San Francisco; and T. A. Deise, Sacramento.

On request of Mr. Thomas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Coxswain Alan Dodge, United States Coast Guard.

ADJOURNMENT

At 3.23 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, April 15, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FOURTH LEGISLATIVE DAY
ONE HUNDRED SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, April 15, 1943

The Assembly met at 9.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Doyle, Erwin, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Smith, Stream, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—47.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

God of infinite love and matchless mercy, we thank Thee for putting into our lives a hunger for righteousness.

May this day offer new gleams of Truth, new depths of understanding and new avenues of service.

Help us to find that image of Thyself in every man that we may sense the meaning of true brotherhood.

We thank Thee for the unspeakable gift of Thy Son to be the Way and Truth and Life. Our hearts would flow in ceaseless praise for

"One who never turned His back but marched breast forward,
Never doubted clouds would break,
Never dreamed, though right were worsted, wrong would triumph,
Held we fall to rise, are baffled to fight better,
Sleep to wake."

In Jesus' name we ask it.

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Burkhalter.

MOTION TO EXCUSE MEMBER

On motion of Mr. Evans, Mr. Rosenthal was excused for the balance of the legislative day, because of illness.

COMMUNICATIONS

By Speaker Lyon:

A communication from the California Federation of Women's Clubs (Alameda District), relative to a resolution supporting legislation, was received and referred to the Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 33

Assembly Bill No. 1068

Assembly Bill No. 796

Assembly Bill No. 1070

Assembly Bill No. 1067

Assembly Bill No. 1702

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred

Assembly Bill No. 1501

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BURNS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred.

Assembly Bill No. 426

Senate Bill No. 6

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BURNS, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 261—An act to amend Sections 19484 and 19562 of the Business and Professions Code, relating to horse racing meetings.

Bill read second time, and ordered to third reading.

Assembly Bill No. 933—An act to add to Chapter 1 of Division 1 of the Agricultural Code a new article to be numbered Article 1A, including a new section to be numbered 35, relating to the formulation of new provisions, conditions, standards, and prices to take the place of those rendered ineffectual or unenforceable by reason of conflict with a Federal law, order or regulation made under the Federal war powers, and declaring the urgency thereof to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 867—An act to amend Section 453 of, and to add Section 453.1 to, the Agricultural Code, relating to milk and cream.

Bill read second time, and ordered to third reading.

Assembly Bill No. 939—An act to amend Section 737.6 of the Agricultural Code, relating to the duties of the Director of Agriculture.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1488—An act to amend Section 469 of the Agricultural Code and to repeal Section 472, relating to milk and cream.

Bill read second time, and ordered to third reading.

Assembly Bill No. 512—An act to amend Section 6902 of the Labor Code, relating to operation personnel of railroads.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1510—An act to add Section 1152.5 to the Agricultural Code, relating to cooperative agreements to effectuate the purposes of marketing laws

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, strike out all of line 7, and insert "marketing law, including any marketing order, marketing program, rule or regulation, issued thereunder, the responsi-".

Amendment read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 860—An act to amend Sections 653 1, 653.3, 653 6 and 653 9 of the Civil Code, all relating to cooperative corporations

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities, Manufacturing, and Corporations:

Amendment No. 1

In line 1 of the title of the printed bill, after "653 6", insert ", 653.7".

Amendment No. 2

On page 3, line 10, of the printed bill, insert

"SEC. 4. Section 653 7 of the Civil Code is amended to read:

653 7. Every such corporation shall be managed by a board of directors. The directors shall be elected by the shareholders and/or members at such time and for such terms not exceeding three years as the by-laws may prescribe, and shall hold office until their successors are elected, and enter upon the discharge of their duties. The officers of every such corporation shall be a president, one or more vice presidents, who must be directors, and a secretary and a treasurer, who need not be directors, who shall be elected annually by the directors. One person may hold the office of secretary and treasurer. A majority of all the shareholders and/or members, at any regular or special meeting duly called, may remove any director for cause, and fill the vacancy.

Upon written request of at least 20 per centum of the shareholders and/or members, the secretary shall call a special meeting of the shareholders and/or members for the purpose to which the request relates."

Amendment No. 3

On page 3, line 11, of the printed bill, strike out "4", and insert "5".

Amendment No. 4

On page 3 of the printed bill, strike out lines 17 to 22, inclusive, and insert "tion which shall have been formed or which exists under the provisions of this title may

provide that each cooperative corporation which is a shareholder or member thereof shall be entitled to cast one vote in the affairs of said central organization, for each shareholder or member having voting rights in such cooperative corporation."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 388—An act to amend Section 5005 of the Elections Code, relating to the writing and circulation of publications intended to injure or defeat a candidate for public office.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "intentionally".

Amendment No. 2

On page 1 of said bill, strike out lines 13 to 19, inclusive, and insert "the names and residence addresses of the chairman and secretary or at least two officers of the political or other organization issuing it and the name and business address, with street and number thereof, of every person who writes, prints, posts or distributes such circular, pamphlet or poster."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1512—An act to amend Sections 1261, 1268, 1268.1, 1269, 1271 and 1273, and to repeal Sections 1268.5 and 1270 of the Agricultural Code, relating to produce dealers and brokers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "1268.1".

Amendment No. 2

On page 3 of the printed bill, as amended, strike out all of lines 28 and 29, and insert

"The director, after due hearing, may refuse to grant any license herein provided, and may, upon his own motion, after hearing, or".

Amendment No. 3

On page 3 of the printed bill, as amended, strike out all of line 31, and insert "by any interested person, revoke, suspend or refuse renewal of any such".

Amendment No. 4

On page 4, line 48, of the printed bill, as amended, after "director", insert ", after hearing,".

Amendment No. 5

On page 5 of the printed bill, as amended, strike out all of lines 1 to 33, inclusive.

Amendment No. 6

On page 5, line 35, of the printed bill, as amended, strike out "4.", and insert "3."

Amendment No. 7

On page 5, line 36, of the printed bill, as amended, strike out "5.", and insert "4."

Amendment No. 8

On page 6 of the printed bill, as amended, strike out all of lines 42 to 44, inclusive.

Amendment No. 9

On page 7, line 30, of the printed bill, as amended, strike out "6.", and insert "5."

Amendment No. 10

On page 6, line 31, of the printed bill, as amended, strike out "7.", and insert "6."

Amendment No. 11

On page 8, line 27, of the printed bill, as amended, strike out "8.", and insert "7."

Amendments read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 1888—An act to add Article 12 to Chapter 1 of Division 7 of the Military and Veterans Code, relating to emergency war legislation and administrative regulation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Article 12 to Chapter 1 of Division 7 of the", and strike out lines 2 and 3 of said title, and insert "Section 1714.5 to the Civil Code, relating to negligence as a matter of law for acts or omissions complying with orders or proclamations of military authorities, declaring the urgency of this act, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 1714.5 is added to the Civil Code, to read:

1714.5 The violation of any statute or ordinance shall not establish negligence as a matter of law where the act or omission involved was required in order to comply with an order or proclamation of the Commanding General of the Western Defense Command or such other military commander as may be designated by the Secretary of War and authorized to issue such orders or proclamations. The provisions of this section shall apply to such acts or omissions whether occurring prior to or after the effective date of this section.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Certain military proclamations and orders made under the paramount authority of the United States in the exercise of the war power prescribe rules of conduct contrary to those prescribed by State and local laws and ordinances with the result that compliance with both is impossible. This act is therefore necessary in order that the people may comply with such military orders and proclamations without the danger of civil liability for violation of State and local laws or ordinances."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 27, inclusive; and strike out all of pages 2 and 3.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 671—An act to provide for dispensing with the giving of notice to persons who are enemies or allied with enemies of the United States as defined in the Trading With the Enemy Act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 2, line 4, of the printed bill, after "such", insert "notice or".

Amendment No. 2

On page 2, line 6, of the printed bill, strike out the period after "person", and insert a semicolon and "provided, however, that in any such case after this act takes

effect a copy of such notice or communication shall be mailed by registered mail to the Alien Property Custodian, Washington, D. C., accompanied by a letter or notation informing such custodian as to the name and last known address, if any, of the enemy, ally of enemy or other person as to whom the service of such notice or communication is or shall be hereby dispensed with."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1253—An act to add Section 5903 to and amend Sections 661, 3711, 3712, 3814, 3818, 3819, 3822, 3872, 3873, 3879, 3921, 3922, 3924, 3929, 3938, 3939, 3941, 3944, 4536, 5503, 5505, 5507, 5508, 5511, 5557, 5560, 5562, 5563, 5565, 5699, 5707, 5708, 5724, 5737, 5802, 5803, 5804, 5809, 5931, 7003, 7005, 7007, 7008, 7011, 7020, 7074, 7204, 7881, 9102, and 9754 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 7 of the title of the printed bill, as amended, strike out "5562,"; and in line 10 of said title, after "9754", insert "and to repeal Section 5562".

Amendment No. 2

On page 9 of the printed bill, as amended, after line 15, insert "For any general election the number of sample ballots printed shall not exceed the total registration by more than 15 per cent. The county clerk, or clerk or secretary shall also enclose in the envelope with each of the ballots a card stating the location of the precinct polling place of each voter. Only official matter shall be sent in the envelope."

Amendment No. 3

On page 9, line 23, of the printed bill, as amended, strike out "county".

Amendment No. 4

On page 10, line 9, of the printed bill, as amended, after "parties", insert a comma.

Amendment No. 5

On page 10, line 48, of the printed bill, as amended, strike out "capital", and insert "capitals".

Amendment No. 6

On page 11, line 9, of the printed bill, as amended, strike out "smaller", and insert "small".

Amendment No. 7

On page 11, line 17, of the printed bill, as amended, strike out "heavy-faced", and insert "heavy-face".

Amendment No. 8

On page 11, line 43, of the printed bill, as amended, strike out "heavy-faced", and insert "heavy-face".

Amendment No. 9

On page 12, line 33, of the printed bill, as amended, strike out the quotation marks.

Amendment No. 10

On page 12, line 35, of the printed bill, as amended, strike out the period, and insert ".".

Amendment No. 11

On page 15, line 26, of the printed bill, as amended, strike out "county".

Amendment No. 12

On page 21, line 23, of the printed bill, as amended, strike out ", in"; and in line 24, strike out "alphabetical order or".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1444—An act to amend Section 3.760 of the School Code and to amend Section 10301 of the Education Code, relating to the course of study for elementary schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to amend Section 3.760 of the School Code and".

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 26, both inclusive.

Amendment No. 3

On page 2, line 1, of the printed bill, strike out "2", and insert "1".

Amendment No. 4

On page 2, line 21, of the printed bill, strike out "In all other cases, the"; and strike out all of lines 22 and 23, and insert

"The courses of study for any day elementary school located in an elementary school district situated in a union or joint union high school district maintaining one or more junior high schools shall be six years or eight years at the discretion of the governing board of the elementary school district if such high school district did not maintain a junior high school prior to July 1, 1943, and if such elementary school is located 40 miles or more by the nearest traveled road from any junior high school maintained by such high school district.

In all other cases, the courses of study of any elementary school shall embrace eight years."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1807—An act to add Chapter 25, comprising Sections 532 to 543, inclusive, to Part 2 of Division 2 of the Military and Veterans Code, relating to the California Military Cadet Corps, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "543", and insert "542"

Amendment No. 2

On page 1, line 2, of said bill, strike out "543", and insert "542".

Amendment No. 3

On page 2, line 5, of said bill, strike out "from each county of the"; and in line 6, strike out "State".

Amendment No. 4

On page 2, line 37, of said bill, after "general", insert "from the ranks".

Amendment No. 5

On page 4, line 48, of said bill, strike out the colon; and strike out all of lines 49 to 51, inclusive, and insert "prescribed by The Adjutant General."

Amendment No. 6

On page 5 of said bill, strike out lines 1 to 4, inclusive.

Amendment No. 7

On page 5, line 7, of said bill, strike out the colon; and strike out all of lines 8 to 15, inclusive, and insert "prescribed by The Adjutant General."

Amendment No. 8

On page 5 of said bill, strike out all of lines 16 to 50, inclusive, and insert "542. Tables of organization shall be prescribed by The Adjutant General."

Amendment No. 9

On page 6 of said bill, strike out all of lines 1 to 26, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 266—An act to amend Section 19c of the California Irrigation District Act, relating to the appointment or election of officers.

Bill read second time, and ordered to third reading.

Senate Bill No. 267—An act to amend Sections 21285 and 21336 of the Water Code, relating to the appointment or election of officers of an irrigation district.

Bill read second time, and ordered to third reading.

Senate Bill No. 631—An act to amend Section 25.1 of the Agricultural Prorate Act, relating to changes in proration zone boundaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 632—An act to amend Section 5 of the Agricultural Prorate Act, relating to meetings of the Agricultural Prorate Advisory Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 634—An act to amend Sections 18.1 and 19.1 of the Agricultural Prorate Act, relating to hearings on marketing program modifications and to functions of program committees under marketing programs.

Bill read second time, and ordered to third reading.

Senate Bill No. 635—An act to amend Section 21 of the Agricultural Prorate Act, relating to the disposition of funds collected under marketing programs.

Bill read second time, and ordered to third reading.

Senate Bill No. 636—An act to add Section 21.1 to the Agricultural Prorate Act, relating to proceedings for the collection of fees.

Bill read second time, and ordered to third reading.

Senate Bill No. 637—An act to add a new section, to be numbered 25.2, to the Agricultural Prorate Act, relating to a periodic referendum.

Bill read second time, and ordered to third reading.

Senate Bill No. 638—An act to repeal Section 12108 of the Business and Professions Code, relating to the construction and installation of heavy duty scales.

Bill read second time, and ordered to third reading.

Senate Bill No. 469—An act to add Section 395.8 to the Military and Veterans Code, relating to the reinstatement of officers of any city, who shall have left the services of such city to enter upon active services of the armed forces of the United States, upon his discharge or release from such active service; to provide for temporary officers to serve

during such absence of officers; and declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 375—An act to amend Sections 2893, 2896, 2897 and 2898 of the Elections Code, relating to ballots in case of the death or disqualification of a candidate.

Bill read second time, and ordered to third reading.

Senate Bill No. 59—An act to regulate, and to prohibit fraud and deception in, the sale of olive oil, imitation olive oil, and other edible oils, to repeal an act entitled "An act to regulate the sale of imitation olive oil, and to repeal an act entitled 'An act to regulate the sale of olive oil,' approved March 10, 1891," approved March 23, 1893, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, after "the", insert "wholesale distribution as specified in Section 2 hereof."

Amendment No. 2

On page 1 of said bill, strike out lines 6 to 14, inclusive, and insert "Sec. 2. The State Board of Public Health shall issue to any person, firm, company, organization, association, or corporation in the State of California an annual license to package, manufacture or distribute olive oil, on receipt of an official application and a showing that said person, firm, company, organization, association, or corporation is properly equipped to so package or manufacture, or is a wholesale distributor of olive oil whose name and address will be upon the container of olive oil as distributor and whose name will appear upon the container of such olive oil as the only California addressee thereon".

Amendment No. 3

On page 1 of said bill, strike out all of lines 15 to 23, inclusive, and on page 2, strike out lines 1, 2, and 3, and insert

"Sec. 3. It shall be unlawful to manufacture, sell, offer for sale, give away, or to possess imitation olive oil in the State of California; provided, however, that this section and this act shall not apply to olive oil in packaged form existing on the effective date of this act, nor shall the provisions of this section be construed to prohibit the blending of olive oil with other edible oils by any person for their own personal use in their own home.

(a) The term "imitation olive oil" shall mean the mixture of any edible oil with olive oil; or any edible oil artificially colored or flavored to resemble olive oil.

(b) The term "olive oil" means the edible oil obtained from the fruit of the olive tree (*olea europea L.*).

(c) The use of any artificial color or flavor in the manufacture or blending of olive oil is prohibited.

(d) It is unlawful to prepare, express, mix or blend olive pumace or meats with any bland fixed oil other than olive oil."

Amendment No. 4

On page 2 of said bill, strike out lines 4 to 10, inclusive, and insert "Sec. 4. All olive oil for technical purposes shall be denatured with an odoriferous substance so as to render it unfit for food purposes."

Amendment No. 5

On page 2 of said bill, strike out lines 11 to 19, inclusive, and insert "Sec. 5. All olive oil manufactured or sold in the State of California shall be packed in sealed containers not larger in size than five-gallon cans; or in drums, and shall bear the following information on the label:

- (a) Net contents
- (b) Brand name
- (c) Designation as olive oil
- (d) Name of packer or distributor
- (e) Address of packer or distributor."

Amendment No. 6

On page 2 of said bill, strike out lines 20 to 28, inclusive, and insert "Sec. 6. It shall be unlawful to reuse any olive oil container, can or drum for repacking any fixed oil intended to be used for food purposes, except on the premises of the processor."

Amendment No. 7

On page 2 of said bill, strike out lines 33 to 35, inclusive, and insert "Sec. 8. The State Board of Public Health is hereby empowered to administer and enforce the provisions of this act."

Amendment No. 8

On page 2 of said bill, strike out lines 36 to 50, inclusive.

Amendment No. 9

On page 3, lines 3 and 4, of said bill, strike out "for the first offense".

Amendment No. 10

On page 3 of said bill, strike out lines 8 to 12, inclusive, and insert "ment".

Amendment No. 11

On page 3, line 32, of said bill, insert "The State Department of Public Health feels that this act is urgent, because the olive oil crushing season is now on, and by this legislation the California manufacturers will receive the protection which they so rightfully deserve".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 633—An act to amend Sections 15 and 18 of the Agricultural Prorate Act, relating to the selection and appointment of marketing program committee members, their terms and duties.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 16, of the printed bill, after "commission", strike out the period, and insert ", provided, that a mail ballot shall be granted upon a written request of 10 per cent of the producers."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Assembly Bill No. 214—An act to amend Sections 675, 684, 685, 686, 687 and 695 of, and to repeal Section 662 of, the Elections Code, relating to precinct boards.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 714

Senate Bill No. 994

Senate Bill No. 998

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 714—An act to amend Section 5227 of the Business and Professions Code, relating to outdoor advertising.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 994—An act to amend Section 13 of the Unemployment Insurance Act, relating to the definition of "suitable employment" under said act.

Referred to Committee on Finance and Insurance.

Senate Bill No. 998—An act to add Section 59 to the Unemployment Insurance Act, relating to seasonal employment.

Referred to Committee on Finance and Insurance.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 14, 1943

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 613
Senate Bill No. 562

Senate Bill No. 726
Senate Bill No. 765

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 14, 1943

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 1387

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1387—An act to add Sections 53.55, and 53.65 to the Alcoholic Beverage Control Act, relating to containers, cartons and bottles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1387?

Amendment No. 1

On page 2, line 23, of the printed bill, as amended, strike out "in" before "Limits", and insert "of Schedule B to".

Amendment No. 2

On page 2, line 31, of said bill, before "generally", insert "principally and".

Amendment No. 3

On page 2, line 32, of said bill, strike out "brewing", and insert "malt beverage".

Amendment No. 4

On page 2, line 33, of said bill, after "10", insert "-A".

Amendment No. 5

On page 2, line 34, of said bill, after "said", insert "Schedule B of said".

Amendment No. 6

On page 2, line 35, of said bill, strike out "brewing", and insert "malt beverage".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1387 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L, Crichton, Crowley, Denny, Desmond, Dil-

worth, Doyle, Erwin, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Wateis, Werdel, Weybret, and Mr. Speaker—49.

NOES—Kellems—1.

Assembly Bill No. 1387 ordered enrolled

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1187—An act to amend Sections 5701 and 5701.5 of the Welfare and Institutions Code, relating to licensing of private institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dilworth, Doyle, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Sargent, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1180—An act to amend Sections 5355 and 5356 of and to add Sections 5355.1, 5356.1 and 5356 2 to the Welfare and Institutions Code, relating to the commitment, support, parole, and discharge of narcotic addicts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Doyle, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—56.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1181—An act to amend Sections 5260, 7009, and 7010 of the Welfare and Institutions Code, relating to the cost and reimbursement for the care of feeble-minded persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Burns, Carey, Carlson, Clarke, Crowley, Debs, Doyle, Erwin, Evans, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, Middough, Niehouse, Pelletier, Potter, Price, Sargent, Smith, Stream, Thomas, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—41.

NOES—Bashore, Brown, Burkhalter, Crichton, Denny, Dills, Clayton A., Haggerty, Heisinger, King, Lowrey, O'Day, Robertson, and Thorp—13.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1950—An act to amend Sections 7100, 7101, 7103, 7104, 7105, 7110 and and 10735 of, and to add Sections 7025 and

7113 to, the Health and Safety Code, relating to the disposition and autopsy of human remains.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dilworth, Doyle, Evans, Fourn, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, King, Leonard, Lyons, Maloney, Massion, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, and Mr. Speaker—52

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1937—An act to amend Sections 7618, 7630, to add Section 7632 to, and to amend Sections 7640, 7641, 7643, 7647, to add Section 7651 to and to amend Sections 7662, 7665, 7666, 7667, 7668, 7669, 7680, 7702, 7726 and 7729 of the Business and Professions Code, relating to funeral directors, embalmers and apprentice embalmers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—53.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lyons, Maloney, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1184—An act to amend Section 7302 of, and to add Section 7310 to, the Welfare and Institutions Code, relating to the Langley Porter Clinic.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Leonard, Lyons, Maloney, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1188—An act to amend Section 162 of the Welfare and Institutions Code, relating to the expenses of deporting non-resident persons who were committed to State institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1190—An act to amend Sections 7500, 7501, 7505 and 7506 of the Welfare and Institutions Code, relating to the general powers and duties of the State Department of Institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight John B., Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1191—An act to amend Sections 5700, 5703, 5705, 5706, 5707, 5708, 5750, 5751, and 5753 of the Welfare and Institutions Code, and to add Sections 5699 and 5700 5 thereto, relating to private institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Weybret—63.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Gardiner Johnson Presiding

At 10.30 a.m., Hon Gardiner Johnson, Member of the Assembly from the Eighteenth District, presiding.

Assembly Bill No. 1193—An act to amend Sections 7352, 7353, 6514, and 7504 of the Welfare and Institutions Code, relating to the State Department of Institutions, providing for the establishment of in-service training programs for social workers in State hospitals, and providing for the care and parole of patients from State hospitals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1197—An act to amend Sections 1516, 1535, 1550, 1554, and 1558 of the Probate Code, relating to guardianship matters of persons confined in State institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Weybret—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1280—An act relating to public officers, deputies, assistants, and employees, and their return to public service, declaring the urgency hereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—65.

NOES—None.

Motion to Amend Title

Mr. Sargent moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, strike out “, declaring the”; and strike out all of line 3, and insert a period.

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—63

NOES—None.

Bill ordered reprinted, and transmitted to the Senate.

Assembly Bill No. 968—An act to add Section 487a to the Penal Code, and to add Section 378.5 to the Agricultural Code, relating to theft of animals or carcasses thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mi Speaker—46

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 44—Relative to the appointment of the Honorable Jesse Tapp as Assistant to the Food Administrator of the United States

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—60.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 541—An act to amend Section 11835 of the Civil Code, relating to the proof or acknowledgment of instruments, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Watson, Weber, Weybret, and Wollenberg—59

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Watson, Weber, Weybret, and Wollenberg—59.

NOES—None.

Bill ordered transmitted to the Senate.

**WITHDRAWAL OF SENATE BILL NO. 499 FROM INACTIVE FILE
BY UNANIMOUS CONSENT**

Mr. Sawallisch asked for, and was granted, unanimous consent to have Senate Bill No. 499 withdrawn from the inactive file, and placed upon the third reading file for Friday, April 16, 1943.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1083—An act to amend Section 6854 of the Business and Professions Code, relating to exclusions from definition of "collection agency."

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Holibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Consideration of House Resolution No. 153

House Resolution No. 153

Relating to requesting the Governor to appoint a committee to cooperate with Federal agencies to plan for the growing of guayule for rubber production in the State

WHEREAS, Congress has authorized the Emergency Rubber Project of the United States Forest Service to undertake the growing of guayule for rubber production and to acquire land therefor; and

WHEREAS, Much of the land so acquired has been acquired in the State of California; and

WHEREAS, Guayule can be produced on thousands of acres of otherwise unproductive California land; and

WHEREAS, Production of guayule rubber may conceivably become a major industry of the State and may alleviate the anticipated postwar unemployment problem; and

WHEREAS, Production of guayule is an infant industry of the State that merits State planning and encouragement for its growth; and

WHEREAS, There has been friction, confusion and misunderstanding among the Federal agencies in control of the rubber program; and

WHEREAS, The climate of the State will be conducive to an abundant growth of guayule plants; now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor is hereby requested to appoint a citizens' committee consisting of five members to cooperate with the Federal authorities having jurisdiction over the Emergency Rubber Project, to assist in working out a plan for the development of the guayule rubber industry in the State, and to represent farmers of the State in relation to the project.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Wollenberg—57.

NOES—Doyle—1.

Hon. Franklin J. Potter Presiding

At 11.25 a.m., Hon. Franklin J. Potter, Member of the Assembly from the Fifty-seventh District, presiding.

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF SENATE BILL NO. 896

In compliance with a notice given on a previous day, Mr. Ralph C. Dills moved that the vote whereby Senate Bill No. 896 was passed be reconsidered.

Demand for Previous Question

Messrs Evans, Werdel, Kellems, Fourt, and Waters demanded the previous question.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Berry, Brown, Burkhalter, Burns, Carey, Carlson, Crichton, Dickey, Evans, Field, Fourt, Gaffney, Haggerty, Hastain, Johnson, Kellems, Kilpatrick, Leonard, Middough, Miller, Pelletier, Robertson, Sawallisch, Sheridan, Stream, Thompson, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—32.

NOES—Anderson, Beck, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Guthrie, Heisinger, Hollibaugh, King, Kraft, Lowrey, Lyons, Maloney, O'Day, Sargent, Smith, Thorp, and Watson—25.

The question being on the motion to reconsider the vote whereby Senate Bill No. 896 was passed.

The roll was called, and reconsideration refused by the following vote:

AYES—Anderson, Beck, Burkhalter, Collins, George D., Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Lyons, Massion, Middough, O'Day, Potter, Price, Sargent, Smith, Waters, and Werdel—28.

NOES—Bashore, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dilworth, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, King, Leonard, Lowrey, Maloney, Miller, Niehouse, Robertson, Sheridan, Stream, Thompson, Thorp, Thurman, Watson, Weber, Weybret, and Wollenberg—37.

Senate Bill No. 896 ordered transmitted to the Senate.

**WITHDRAWAL OF ASSEMBLY BILL NO. 822 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Field asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 822 from the Committee on Governmental Efficiency and Economy, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 822

Assembly Bill No. 822—An act to add Section 5501.5 to and to amend Section 5537 of the Business and Professions Code, relating to licensed contractors.

Bill read second time.

Motion to Amend

Mr. Field moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, after line 22, insert

"For the purposes of this section, the term "licensed contractor"

(a) Means a contractor licensed to engage in the business of contracting in connection with any structure built, being built, or to be built, for the support,

shelter, and enclosure of persons, animals, chattels or movable property of any kind, requiring in its construction the use of more than two unrelated building trades or crafts, or to do or superintend the whole or any part thereof.

(b) Does not include anyone who merely furnishes materials or supplies without fabricating them into, or consuming them in the performance of the work of construction."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 731 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Thurman asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 731 from the Committee on Municipal and County Government, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 731

Assembly Bill No. 731—An act to amend Section 4281 of the Political Code, relating to compensation for public services in counties of the fifty-second class.

Bill read second time.

Motion to Amend

Mr. Thurman moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4281", and insert "4287 and to repeal Section 4287a".

Amendment No. 2

In line 3 of the title of the said bill, strike out "second", and insert "eighth".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 30, inclusive, and insert

"SECTION 1. Section 4287 of the Political Code is amended to read:

4287. In counties of the fifty-eighth class [county officers shall receive as compensation for services required of them by law, or by virtue of their office,] the following salaries and compensation *shall be paid*, to wit:

- [1. The county clerk, six hundred twenty-five dollars per annum.
2. The sheriff, eight hundred seventy-five dollars per annum.
3. The recorder, six hundred twenty-five dollars per annum.
- 4.] 1. The auditor, [two hundred fifty] *nine hundred* dollars (\$900) per annum.
- [5. The treasurer, seven hundred fifty dollars per annum.
6. The tax collector, three hundred seventy-five dollars per annum
7. The assessor, seven hundred fifty dollars per annum.
- 8.] 2. The district attorney, one thousand two hundred fifty dollars (\$1,250) per annum.
- [9. The coroner, ten dollars per month and such fees as are now or may be hereafter allowed by law.
10. The public administrator, such fees as are now or may be hereafter allowed by law.
11. The superintendent of schools, two hundred fifty dollars per annum.
12. The surveyor, such fees as are now or may be hereafter allowed by law.
13. Justice of the peace, ten dollars per month and such fees as are now or may be hereafter allowed by law.
14. Constables, ten dollars per month and such fees as are now or may be hereafter allowed by law.
- 15.] 3. Each supervisor, six dollars (\$6) per day when the board is in session, and twenty cents (\$.20) per mile for traveling from his residence to the county seat, going only, and only one mileage shall be allowed for any regular session of the board; and when serving as road commissioner five dollars (\$5) per day [; provided, however, that five per cent only shall be allowed the sheriff or tax collector as fees for collecting licenses in counties of this class.]

4. Each grand juror in the superior court shall receive for each day's attendance three dollars (\$3); for each mile actually traveled one way as such grand juror in the superior court on a summons or order of the court, thirty cents (\$0.30). The per diem and mileage of the grand jurors shall be paid by the treasurer of the county out of the general fund of the county upon warrants drawn by the county auditor upon the written order of the judge of the superior court.

SEC. 2. Section 4287a of the Political Code is repealed."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 45—Relative to facilitating the employment of Mexican citizens in agriculture.

Resolution read.

Motion to Amend

Mr. Hastain moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 24, of the printed measure, between "will", and "permit", insert " , for the duration of the current emergency,".

Amendment No. 2

On page 2, line 2, of the printed measure, after "will", insert " , for the duration of the current emergency,".

Amendments read and adopted.

Resolution ordered reprinted and engrossed.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS NOS. 278 AND 105

Mr. Call moved that Senate Bill No. 278 be withdrawn from the Committee on Crime and Correction, and re-referred to the Committee on Judiciary.

Motion carried.

Mr. Call moved that Senate Bill No. 105 be withdrawn from the Committee on Social Welfare, and re-referred to the Committee on Judiciary.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF SENATE BILL NO. 315

In compliance with a notice given on a previous day, Mr. O'Day moved that the vote whereby Senate Bill No. 315 was passed be reconsidered.

Senate Bill No. 315 refused reconsideration by the following vote:

AYES—Anderson, Bennett, Berry, Collins, George D., Crowley, Dills, Clayton A., Dills, Ralph C., Gaffney, Haggerty, Heisinger, Kilpatrick, King, Knight, John B., Lowrey, Maloney, Massion, O'Day, and Robertson—18.

NOES—Bashore, Beck, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Denny, Desmond, Dilworth, Doyle, Field, Fourt, Guthrie, Hastain, Johnson, Kellems, Kraft, Leonard, McCollister, Middough, Miller, Niehouse, Sargent, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—38.

Senate Bill No. 315 ordered transmitted to the Senate.

Speaker Presiding

At 11.55 a.m., Hon. Charles W Lyon, Speaker of the Assembly, presiding.

RE-REFERENCE OF ASSEMBLY BILL NO. 1411

Mr. Weber moved that Assembly Bill No. 1411 be withdrawn from the file, and re-referred to the Committee on Conservation, Natural Resources, and Planning.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1013—An act to amend Section 108 of the Insurance Code, relating to liability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kulpatrik, King, Knight, John B., Kraft, Leonard, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1425—An act to add Section 1656 5 to and to amend Section 1657 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kulpatrik, King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1389—An act to amend Sections 10170 and 10171 of the Insurance Code, relating to life insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Johnson, Kulpatrik, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Potter, Robertson, Stream, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO INVITE FULTON LEWIS, JR., TO ADDRESS ASSEMBLY

Mr. Burkhalter moved that the Chief Clerk be instructed to invite Mr. Fulton Lewis, Jr., radio commentator, to address the Members of

this Assembly during his visit to the State, providing the Legislature is in session.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 913—An act to add Section 37b to the Reclamation Board Act, relating to flood control and the advancement to the United States of funds to be used therefor, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Sargent, Sawalisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Sargent, Sawalisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1097—An act to amend Section 8.1 of the Metropolitan Water District Act, relating to district taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Crowley:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation to the Division of Parks in the Department of Natural Resources for the acquisition of land in Napa County as a State park.

Respectfully submitted.

ERNEST C. CROWLEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Crowley:

An act making an appropriation to the Division of Parks in the Department of Natural Resources for the acquisition of land in Napa County as a State park.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellem, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Masson, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1987: By Mr. Crowley—An act making an appropriation to the Division of Parks in the Department of Natural Resources for the acquisition of land in Napa County as a State park.

Referred to Committee on Ways and Means.

Assembly Concurrent Resolution No. 54: By Mr. Sargent—Relative to the appointment of a Joint Committee to Investigate Fiscal and Accounting Measures used in this and other States.

Referred to Committee on Rules and House Functions.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 183

Relative to amendment of the Standing Rules of the Assembly

Resolved by the Assembly of the State of California:

First, that Rule 72 of the Standing Rules of the Assembly be amended to read as follows:

72. If the Assembly refuses to concur in Senate amendments to any Assembly bill, the Chief Clerk shall notify the Senate of such refusal and request the Senate to appoint a Committee on Conference.

Second, that the first and second sentences of Rule 73 of the Standing Rules of the Assembly are amended to read as follows:

73 When the Assembly refuses to concur in Senate amendments to an Assembly bill and, when notified that the Senate refuses to concur in Assembly amendments to a Senate bill, the Speaker shall appoint three members as a Committee on Conference. If there be a minority vote on concurrence by the Assembly or a minority vote on the original passage of the Assembly bill, two of such members shall be selected from those voting against concurrence or in favor of the bill, and the third member shall be selected from those voting for concurrence or against the bill.

Resolution read, and referred to Committee on Rules and House Functions.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 348—An act to amend Sections 23, 23a, 23b, 24.1 and 24.5, and to repeal Sections 19, 25, 26, 26a, 26b, 26c, 27, 31, 31a, 31b, 31c, 31d, 31e, 31f, 31g and 32 of the Alcoholic Beverage Control Act and to add thereto new sections to be designated Sections 19, 23c, 23d, 26, 27 and 38.2, relating to the taxation of beer and wine and to provide that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. Thorp moved the adoption of the following amendments:

Amendment No. 1

On page 2, lines 31 and 32, of the printed bill, strike out "within 30 days from the date of such sale".

Amendment No. 2

On page 2 of said bill, between lines 39 and 40, insert "In the event excise taxes under this act have been paid on beer subsequently exported from the State or sold for export and actually thereafter exported from this State, a taxpayer may claim and shall be allowed credit with respect to such tax in any report filed or assessment made under this act".

Amendment No. 3

On page 4, line 9, of said bill, after "on", insert "beer or".

Amendment No. 4

On page 4, line 12, of said bill, strike out "on", and insert "or".

Amendment No. 5

On page 4, line 20, of said bill, strike out "September", and insert "August".

Amendment No. 6

On page 4 of said bill, between lines 29 and 30, insert "It shall be presumed for the purpose of this act that any wine in the possession of a wine manufacturer at 12 o'clock midnight, June 30, 1943, on which the United States internal revenue tax had been previously paid, but on which the excise tax imposed by Section 23 of this act had not been paid, and that any beer or wine in the possession of a beer or wine importer at 12 o'clock midnight, June 30, 1943, previously imported into California, but on which the tax imposed by Section 23 of this act had not been paid, has been sold, and such wine manufacturer or beer or wine importer shall pay the tax imposed by Section 23 of this act. Such wine manufacturer or beer or wine importer shall file a report of such beer or wine, together with a remittance of the amount of tax due, to the office of the board on or before August 1, 1943"

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

REQUEST TO WITHDRAW ASSEMBLY BILL NO. 1703 FROM INACTIVE FILE

Mr. Sawallisch requested that Assembly Bill No. 1703 be withdrawn from the inactive file, and placed upon the third reading file for Friday, April 16, 1943.

Request granted.

**REQUEST TO WITHDRAW ASSEMBLY BILL NO. 1417
FROM INACTIVE FILE**

Mr. Sawallisch requested that Assembly Bill No. 1417 be withdrawn from the inactive file, and placed upon the third reading file for Friday, April 16, 1943.

Request granted.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1069
Assembly Bill No. 1195
Assembly Bill No. 1540

Assembly Bill No. 1625
Assembly Bill No. 1627

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 158

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 545

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 776
Assembly Bill No. 1189

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which were referred:

Assembly Bill No. 100
Assembly Bill No. 638
Assembly Bill No. 961

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1032

Assembly Bill No. 1221

Assembly Bill No. 1420

Assembly Bill No. 1795

Assembly Bill No. 1940

Assembly Bill No. 1967

Senate Bill No. 232

Senate Bill No. 468

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CARLSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1579

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CARLSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 736

Assembly Bill No. 1266

Assembly Bill No. 289

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

CARLSON, Chairman

Above reported bills ordered to second reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 174

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

Assembly Concurrent Resolution No. 50

Assembly Concurrent Resolution No. 52

House Resolution No. 178

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported concurrent resolutions ordered engrossed.

House Resolution No. 178 ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Joint Resolution No. 42

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Bill No. 58

Has had the same under consideration, and reports the same back without recommendation, and be re-referred to Committee on Ways and Means.

SAM L. COLLINS, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 573

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POTTER, Chairman

Above reported bill ordered to second reading

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1109

Senate Bill No. 63

Assembly Bill No. 131

Senate Bill No. 33

Assembly Bill No. 1865

Senate Bill No. 139

Assembly Bill No. 625

Senate Bill No. 278

Assembly Bill No. 1031

Senate Bill No. 280

Senate Bill No. 105

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1580

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1857

Senate Bill No. 799

Assembly Bill No. 66

Senate Bill No. 1059

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALL, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 1335

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

POTTER, Chairman

Above reported bill ordered to second reading

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No. 1463

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MALONEY, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 224

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-fer to Committee on Ways and Means.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 604

Has had the same under consideration, and reports the same back with the recommendation: Do pass

DILWORTH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1287

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 125

Assembly Bill No. 1147

Assembly Bill No. 294

Assembly Bill No. 1377

Assembly Bill No. 763

Assembly Bill No. 1705

Assembly Bill No. 1014

Assembly Bill No. 1918

Assembly Bill No. 1055

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 401

Assembly Bill No. 1012

Assembly Bill No. 512

Assembly Bill No. 1146

Assembly Bill No. 561

Assembly Bill No. 1452

Assembly Bill No. 738

Assembly Bill No. 1480

Assembly Bill No. 939

Assembly Bill No. 1958

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 113—An act to amend Section 3952 of the Military and Veterans Code, relating to leaves of absence of school employees, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 266—An act to amend the title and Sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district, or flood control district," approved April 23, 1913, as amended, and to repeal an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, relating to the investment of moneys in the sinking funds of or surplus moneys in the treasury of any county, city and county, incorporated city, or any department of any incorporated city having control of its own funds, or other public or municipal corporation or public district, and declaring the urgency hereof, to take effect immediately. And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of April, 1943, at 2 p m

PELLETIER, Chairman

RECESS

At 12.15 p.m., on motion of Mr. Sam L Collins, the Assembly recessed until 2 p m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 47: By Mr Evans—Relative to memorializing the Congress of the United States to refuse to pass the War Security Act.

Referred to Committee on Rules and House Functions.

COMMUNICATIONS

By Speaker Lyon:

A communication from chief clerk of the board of supervisors of Los Angeles County, relative to endorsement of legislation, was received and referred to Committee on Rules and House Functions.

REQUEST FOR USE OF ASSEMBLY CHAMBER

Mrs. Niehouse requested permission to use the Assembly Chamber this afternoon, following adjournment, for purpose of holding a meeting of the Committee on Social Welfare.

Request granted.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1012 re-referred to the Committee on Finance and Insurance.

Senate Bill No. 646 re-referred to the Committee on Fish and Game

SENATE BILL NO. 266 ORDERED PLACED UPON THE INACTIVE FILE

Mr. Lowrey moved that Senate Bill No. 266 be withdrawn from the third reading file, and placed upon the inactive file.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS**

Senate Bill No. 149—An act to repeal Sections 7032, 7033, 9032, and 9033 of the Insurance Code, all relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Denny, Dills, Clayton A., Dilworth, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Kellems, King, Knight, John B., Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, Pelletier, Price, Smith, Stream, Thomas, Thompson, Waters, Weber, Werdel, Weybret, and Mr. Speaker—44.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1078—An act to amend Section 1005 of the Water Code and to add Section 41.5 to the Water Commission Act, relating to water rights.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Weybret, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 16

Mr. Crowley moved that Senate Bill No. 16 be withdrawn from the Committee on Judiciary, and re-referred to the Committee on Ways and Means.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 134—An act to amend Sections 737yy and 737fff of the Political Code, relating to the annual salaries of the judges of the superior courts of Sutter and Yuba Counties

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bennett, Berry, Brady, Brown, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Sawallsch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Werdel, and Mr. Speaker—46.

NOES—Bashore, Dilworth, Heisinger, Kilpatrick, and Massion—5.

Bill ordered transmitted to the Senate.

Senate Bill No. 666—An act to amend Sections 10490, 10500, 10971, 10972 and 10974 of, and to add Section 10971.4 to the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Sawallsch, Sheridan, Stream, Thomas, Thompson, Waters, Weber, Werdel, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 403—An act to amend Section 444 of the Code of Civil Procedure, relating to grounds of demurrer to the answer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Sawallsch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 404—An act to amend Section 6021 of the Business and Professions Code, relating to election of officers of the Board of Bar Governors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Sawallsch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, and Mr. Speaker—53.

NOES—Carlson—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1045—An act to add Section 57.7 to the State Civil Service Act, relating to the Secretary of the Advisory Pardon Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Johnson, Kellems, Kilpatrick, King, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—55.

NOES—Brady and Evans—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 855—An act to amend Section 96.5 of the State Civil Service Act, relating to status of members of armed forces on civil service lists.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 9—Memorializing Congress and the United States Fish and Wildlife Service to allow hunting in the Sheepy Lake area.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 466—An act to amend Sections 2271, 2274 and 2275 of the Public Resources Code, relating to the Ore Buyer's License Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 289—An act to amend Sections 5437, 5439, 5440 and 5450 of the Public Resources Code, relating to public recreation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister,

McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 547—An act to add Section 79.03a to, and to amend Sections 79.03, 79.04 and 79.05 of the Civil Code, all relating to pre-marital examinations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63

NOES—Bashore, Dilworth, Knight, John B., and Lowrey—4.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1958—An act to add Section 782 to the Vehicle Code, relating to the expenditure of money for crossing guards by the Department of Motor Vehicles, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Carlson, Sheridan, Stream, and Werdel—4.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Carlson, Sheridan, Stream, and Werdel—4.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1107 FROM COMMITTEE WAIVED

Mr. Field waived his notice of motion to withdraw Assembly Bill No. 1107 from the Committee on Ways and Means.

MOTION TO INVITE KATE SMITH TO BE GUEST OF THE ASSEMBLY

Mr. Potter moved that the Chief Clerk be instructed to invite Kate Smith, noted radio singer, to be the guest of this Assembly on April 21, 1943, during her visit to neighboring Army camps.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1265

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 993

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1107

Assembly Bill No. 1984

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file and re-referred as follows:

Assembly Bill No. 1265 re-referred to the Committee on Education.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 50

Assembly Bill No. 1570

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harry Derbowka, leading aircraftsman of Saskatoon, Saskatchewan, Canada.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Otto Petri and Ieland McArthur of Long Beach.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Agnes Potter, mother of Assemblyman Franklin J. Potter, and Gayle Schmoldt of Los Angeles.

On request of the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Commander John Johnson Hallenbeck and Lieutenant Commander Norman N. Carr, United States Coast Guard.

On request of Mr. Ralph C. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. William Henry of Compton.

On request of Mr. Sam L. Collins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. E. E. Proud of La Habra.

On request of the Speaker and Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Jesse R. Kellems, wife of Assemblyman Kellems; Mr. and Mrs. Paul G. Neihoff of Los Angeles, and J. D. Funk of Santa Monica.

On request of Mr. Guthrie, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Percy M. Whiteside of Tulare.

On request of Mr. Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Dean S. Leshner of Merced.

On request of the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John B. Long of Los Angeles.

On request of Mr. Brown, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Laura Cartcart, Mrs. Ella Crawford, C. H. Worrel, and Mrs. Mollie Norcross of Ceres; W. E. Griffin of Oakdale, Mr. W. R. Barmore, Louis Motsinger, Mrs. Wilda Davis, and John MacDannald of Keyes; Mrs. Mary Cooley, George Blount, Emma Winkie, Stella Stockwell, Nellie Stinson, Mrs. D. S. Spurlock, Mrs. E. Talkington, Ozro Spencer, Allie Maines, John Zimmerman, John Anderson, C. E. Small, Mr. and Mrs. Pete Stinguist, Mrs. Maude Harvey, Mrs. Flora B. Crisinger, and Mrs. Clara Burford of Turlock; Mrs. J. F. Smith, Mrs. Mildred Atwood, Mr. John Nolan, Mr. and Mrs. Milen, Mrs. J. S. Smith, Mr. and Mrs. Smith, Mrs. Laura Brubaker, Mr. and Mrs. A. J. Schrock, Mr. and Mrs. J. H. Kyle, Mrs. Florence Beckwith, Mr. Wiley Lewis, Mr. Jack Lewis, Mr. and Mrs. J. M. Kauffman, Mr. and Mrs. R. Hiatt, Mr. John Cuneo, Mr. and Mrs. Chas. MacLaughlin, Mr. W. H. Potts, Mr. and Mrs. W. C. Crewes, Mrs. Fellows, Mrs. Isabelle Hope, Mr. N. S. Bryant, Mrs. Rose, Mrs. J. Sparks, Mrs. Alma S. Taylor, Miss Mary Sparks, and Mrs. Stark of Modesto.

On request of Mr. Kilpatrick and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. F. E. Townsend, Mr. John C. Cuneo, Mr. Milfred Howard, and Mrs. Lena Varnell and 500 senior citizens.

ADJOURNMENT

At 3.20 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, April 16, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNALFIFTY-FIFTH LEGISLATIVE DAY
ONE HUNDRED THIRD CALENDAR DAY**IN ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO

Friday, April 16, 1943

The Assembly met at 9.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Olinimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Watson suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Bashore, Beck, Bennett, Berry, Burkhalter, Clarke, Collins, Sam L., Debs, Doyle, Erwin, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Smith, Stream, Thompson, Thorp, Waters, Watson, Werdel, Weybret, and Mr. Speaker—38.

Call of the Assembly

Mr. Watson moved a call of the Assembly.

Motion carried. Time, 9.32 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 9.34 a.m., on motion of Mr. Watson, further proceedings under the call of the Assembly were dispensed with.

The roll was called, and the following answered to their names:

Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Doyle, Erwin, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—49.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Our Heavenly Father, we thank Thee for the wonders of Thy creation.
The heavens declare the glory of God and the firmament showeth Thy handiwork.
We thank Thee for the lessons which our Master taught, the lilies of the field,

arrayed in beauty surpassing human imitation and the sparrow that can not fall to the earth without the concern of a Heavenly Father.

We thank Thee for Thy bountiful provision for our every need and for Nature's constant inspiration :

"The harp at nature's advent strung
Has never ceased to play ;
The song the stars of morning sung
Has never died away
So nature keeps the reverent frame
With which her years began ,
And all her signs and voices shame
The prayerless heart of man."

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Miller.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day :
Mr. Gaffney, on motion of Mr. Haggerty.

MOTIONS TO EXCUSE MEMBERS

On motion of Mr. Brown, Mr. Rosenthal was excused for the balance of the legislative day, because of illness.

On motion of Mr. Sam L. Collins, Mr. Allen was excused for the balance of the legislative day to hold a subcommittee meeting of the Committee on Ways and Means.

COMMUNICATIONS

By Speaker Lyon :

A communication from the Associated Farmers of California, Inc., relative to a resolution supporting legislation, was received and referred to the Committee on Rules and House Functions.

Also :

A communication from the Associated Farmers of California, Inc., relative to a resolution of appreciation to the Legislature and Governor Warren for enactment of California Food and Fiber Act, was received and referred to the Committee on Rules and House Functions.

Speaker Pro Tempore Presiding

At 9.35 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented :
By Mr. Erwin :

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows :
An act to amend Section 11010 of, and to add Section 11011.5 to, the Business and Professions Code, relating to real estate subdivision.

Respectfully submitted.

THOMAS M. ERWIN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Erwin:

An act to amend Section 11010 of, and to add Section 11011.5 to, the Business and Professions Code, relating to real estate subdivision.

PELLETIER, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sam L. Collins moved a call of the Assembly.

Motion carried. Time, 9 36 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 426—An act to amend Sections 177 and 178 of the Vehicle Code, relating to motor vehicles.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1032—An act to amend Sections 28, 43 5 and 43 6 of the County Employees Retirement Act of 1937, relating to retirement.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1221—An act to amend Section 5362 of the Streets and Highways Code, relating to notices of filing of and hearings on assessments under the Improvement Act of 1911.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1420—An act to amend Sections 3 and 626 of, and add a new Section 633 to the District Organization Act (Statutes of 1933, page 2280) relating to the improvement district acts made applicable to the provisions for the dissolution of such districts in the manner provided in said District Organization Act.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1795—An act to add Section 13 $\frac{1}{2}$ to the Los Angeles County Flood Control Act, relating to storm drain improvements and drainage system.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1940—An act to amend Section 4247 of the Political Code, relating to salaries and expenses of officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1967—An act to repeal Sections 4239, 4239a, 4239b, 4239c, 4239d, 4239e, 4239f, 4239g, 4239h, 4239i, 4239j, 4239k.

4239l, 4239m, 4239n, 4239o, 4239p, 4239q, 4239r, 4239s, 4239t, 4239u, 4239v, and 4239w of, and to add Section 4239 to, the Political Code, relating to compensation for public services in counties of the tenth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1069—An act to amend Section 359b of the Political Code, relating to the Governor's Council.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1195—An act to amend Sections 7051, 7058, 7069 and to add Section 7058.1 and to repeal Section 7051.5 of the Welfare and Institutions Code, relating to defective and psychopathic delinquents.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1540—An act to add Section 1005 to the Political Code and Section 1779 to the Government Code, relating to appointments by the Governor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1625—An act to amend Section 403 of the Business and Professions Code, relating to buildings of the Department of Professional and Vocational Standards.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1627—An act to amend Section 114 of the Business and Professions Code, relating to the renewal of licenses by boards or commissions of the Department of Professional and Vocational Standards.

Bill read second time, and ordered engrossed.

Assembly Bill No. 100—An act to repeal Section 469 and to amend Section 362 of the Streets and Highways Code, relating to highways.

Bill read second time, and ordered to third reading.

Assembly Bill No. 638—An act to amend Section 1325 of the Streets and Highways Code and Section 4041.18 of the Political Code, relating to the cost limit on county construction and repair contracts which can be let without calling for bids.

Bill read second time, and ordered engrossed.

Assembly Bill No. 961—An act to add Chapter 7, consisting of Sections 880 and 881, to Division 1 of the Streets and Highways Code, relating to the acquisition, by the State, of shoreline property adjoining State highways.

Bill read second time, and ordered to third reading.

Assembly Bill No. 604—An act to amend Section 5.751 of the School Code and to amend Section 13842 of the Education Code, relating to salaries of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 573—An act to add Section 2497 to the Business and Professions Code, relating to drugless practitioners under the Board of Osteopathic Examiners.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1109—An act to amend Section 142 of the Civil Code, relating to payment of alimony.

Bill read second time, and ordered engrossed.

Assembly Bill No. 131—An act to amend the chapter heading of Chapter 5.7, Part 6, Division 1, and to amend Sections 3620, 3625, 3627, 3631, 3635 and 3637, and to add Section 3638 of the Revenue and Taxation Code, relating to a taxpayer's action to contest the validity of a tax sale or tax deed, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1865—An act to amend the title and Section 1 of an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts," approved July 1, 1937, relating to retirement of judges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 625—An act to amend Sections 197 and 200 of the Civil Code, relating to minors.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1031—An act to add Section 1844a to the Code of Civil Procedure, relating to proof of gifts causa mortis.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1463—An act granting to the City and County of San Francisco certain tidelands and submerged lands belonging to the State of California and situated in the County of San Mateo for development and use in connection with the San Francisco Airport in San Mateo County and as a part of the public airport being used, operated and maintained by the City and County of San Francisco, regulating the management, use and control thereof and authorizing the reclamation and improvement thereof all in conjunction with the use, operation and maintenance of the San Francisco Airport in San Mateo County.

Bill read second time, and ordered to third reading.

Assembly Bill No. 33—An act to amend Sections 511, 511.1, 511.2, 512.1, and 515.5 of the Vehicle Code, relating to the regulation of speeds on public streets and highways, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Sections 511, 511.1, 511.2, 512.1 and 515.5 of", and insert "add Section 511.9 to".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "511 of", and insert "5119 is added to".

Amendment No. 3

On page 1, lines 1 and 2, of the printed bill, strike out "is hereby amended", and strike out "as follows".

Amendment No. 4

On page 1 of the printed bill, beginning with line 3, strike out all down to and including line 34 on page 3, and insert "511.9. Prima Facie Speed Limits. The prima facie speed limit of 25 miles per hour provided in Section 511 shall apply upon any portion of the highway within a distance of 1,000 feet of any entrance to, approach to, or intersection near any military or naval establishment where the authorities in charge of such highway deem necessary and signs have been erected as provided in Section 468 giving notice thereof."

Amendment No. 5

On page 3, line 35, of the printed bill, strike out "Sec. 6.", and insert "Sec. 2."

Amendment No. 6

On page 3, line 43, of the printed bill, strike out "Lower highway"; and strike out lines 44 to 47, inclusive, and insert

"Many military and naval establishments have been established in California, some of these establishments being located upon our principal highways, and the high speed of motor traffic past entrances to such establishments constitutes a grave hazard to life and property of both military or naval personnel entering and leaving such establishments and of the general public upon our highways, and in order to reduce that serious hazard, it is necessary that the speed of traffic upon such highways at the entrances to military and naval establishments must immediately be reduced to 25 miles per hour."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 796—An act to amend Part 5 of Division 2 of the Revenue and Taxation Code, relating to the vehicle license fee.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1 of the printed bill, as amended on April 1, 1943, strike out lines 15 to 17, inclusive, and insert

"10753.5. The following shall determine and establish the market value of vehicles for the calendar years 1944 and 1945:

(a) For vehicles first sold prior to January 1, 1943, the market values shall be the same as compiled and published by the department on January 1, 1943.

(b) For vehicles first sold after January 1, 1943, the market values shall be determined by the department on the basis of the selling price of such class of vehicles.

(c) Notwithstanding the provisions of subdivisions (a) and (b), if prior to October 1, 1944, the actual market value of any class of vehicle falls below the 1945 market value established by this section, the department shall determine such lower value and shall assess the 1945 license fee thereon."

Amendment read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 1067—An act to amend Sections 10.5, 56, 130, 142, 146, 154, 164.5, 164.7, 175, 217, 222, 225, 245.5, 371.5, 372.5, 374, 378, 383, 384, and 776 of the Vehicle Code, relating to registration of vehicles and fees, and Section 11001 of the Revenue and Taxation Code, relating to the report and deposit of moneys.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "10 5, 56,".

Amendment No. 2

In line 2 of the title of said bill, strike out "372 5".

Amendment No. 3

In line 3 of the title of said bill, after "776 of", insert ", and to add Sections 10 5, 56 and 372.5 to".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

Amendment No. 4

On page 4 of said bill, strike out all of lines 3 to 20, inclusive, and insert "164 7. Stolen or Embezzled Vehicles Whenever by reason of the theft or embezzlement of a vehicle the owner or legal owner is not in possession of such vehicle at the time penalties accrue for failure to obtain annual renewal of registration, the owner or legal owner may secure the reregistration of such vehicle within [10] 30 days after its recovery [and prior to May 1 of the registration year] upon filing an affidavit setting forth the circumstances of the theft or embezzlement, *if the theft or embezzlement of such vehicle has been reported pursuant to the provisions of this code*, without payment of any of the following:
 (a) Penalty for delinquent payment of registration fee;
 (b) Penalty for delinquent payment of the license fee imposed by Chapter 362, Statutes of 1935, as amended."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1068—An act to add Section 135.4 to the Vehicle Code, relating to members of California Highway Patrol having power of peace officers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended, strike out "Interstate Commerce Commission".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1070—An act to add Section 156 5 to the Vehicle Code, relating to the issuance of stickers in lieu of license plates to vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "1943", and insert "1944".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1702—An act to add Section 106.5 to the Vehicle Code, relating to personnel of the Department of Motor Vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, between "to", and "the", insert ", and to amend Section 106 of,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1, line 1, of said bill, after "Section 1.", insert "Section 106 of the Vehicle Code is amended to read:

106. Director to **Appoint Subordinates.** The director may appoint and, with the approval of the Department of Finance, fix the salaries of:

(a) A [deputy director and a] secretary.

(b) Except as provided in Sections 110 and 112, such other officers, deputies, technical experts and employees as may be necessary for the proper discharge of the duties of the department.

Sec. 2."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 736—An act to amend the title of an act entitled "An act to provide for the acquisition by municipalities of land for public park or playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring and improving such land," approved April 22, 1909, as amended; and to add two new sections thereto, to be numbered 1b and 1c, providing for the maintenance of improvements on such lands and for the establishment of assessment districts and the assessment of property therein to pay the expenses of maintaining said improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "shall", and insert "may".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1266—An act to revise an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and county fire protection district officers and employees, namely county foresters, fire wardens and county fire protection district firemen as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax" approved May

19, 1939, Statutes 1939, Chapter 174, relating to the county foresters, fire wardens and firemen's pension system.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 3 of the printed bill, as amended on April 6, 1943, strike out line 16; and strike out that portion of line 17 preceding "abolish", and insert "may upon the adoption of ordinance passed by a four-fifths vote of said board".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

House Resolution No. 174—Designates Mrs. Hattie C. Scott official representative at National Folk Festival.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

In the third "WHEREAS" paragraph of the typewritten resolution, strike out "1943", and insert "1933".

Amendment read and adopted.

Resolution ordered on file for adoption.

Assembly Bill No. 776—An act to amend Sections 607 and 607f of the Civil Code, relating to the formation of corporations for the prevention of cruelty to animals and children and to the appointment of humane officers by the corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "a majority of whom", and insert "who".

Amendment No. 2

On page 1, lines 9 and 10, of said bill, strike out "State Humane Association of California", and insert "Director of Penology".

Amendment No. 3

On page 1, line 18, of said bill, strike out "State Humane Association of California", and insert "Director of Penology".

Amendment No. 4

On page 1, lines 20 and 21, of said bill, strike out "State Humane Association of California", and insert "Director of Penology".

Amendment No. 5

On page 2 of said bill, strike out lines 5 to 9, inclusive, and insert "by the sheriff and district attorney of the county or city and county and, in cities and cities and counties by the chief of police. Each appointment of a humane".

Amendment No. 6

On page 2, line 21, of said bill, strike out "State Humane Association of"; and strike out all of lines 22 and 23, and insert "Director of Penology".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1189—An act to amend Sections 165, 6656.5, 6660.5 and 6661 of the Welfare and Institutions Code, relating to funds and personal property belonging to patients in State institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 16, of the printed bill, after "Institutions," insert "with the exception of the correctional schools and the home and workshops for the blind,".

Amendment No. 2

On page 2, lines 19 and 20, of said bill, strike out "is hereby empowered in his discretion to", and insert "may".

Amendment No. 3

On page 2, line 29, of said bill, strike out "of", and insert "after".

Amendment No. 4

On page 2, line 30, of said bill, strike out "and", and insert "for".

Amendment No. 5

On page 2 of said bill, strike out lines 39 and 40, and insert "as reimbursement shall be deposited in the State treasury in augmentation of the appropriation from which the expenses were paid."

Amendment No. 6

On page 3, line 13, of said bill, after "sums", insert "known to be".

Amendment No. 7

On page 3, line 23, of said bill, strike out "thereto", and insert "to the amount of money so paid."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1335—An act to amend Sections 1, 4, 5 and 5a of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, relating to poisons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, lines 18 and 19, of the printed bill, as amended, strike out "or duly registered assistant pharmacist".

Amendment No. 2

On page 2, line 24, of said bill, strike out "druggist", and insert "pharmacist".

Amendment No. 3

On page 2, line 38, of said bill, strike out "Such rules shall have the force and effect of law and"; and in line 39, strike out "any violation thereof shall constitute a misdemeanor."

Amendment No. 4

On page 2, line 52, of said bill, after "board.", insert "No schedule adopted by or under the provisions of this act shall apply, except as herein specifically provided, to any economic poison as defined in Section 1061 of the Agriculture Code."

Amendment No. 5

On page 4, line 5, of said bill, strike out "bromide", and insert "bromine".

Amendment No. 6

On page 4, line 8, of said bill, strike out "occulus", and insert "cocculus".

Amendment No. 7

On page 4, line 17, of said bill, after "labeled," insert "preparations containing 5 per cent or less of sulfa salts for topical application,".

Amendment No. 8

On page 4, line 29, of said bill, after "on the", strike out "written".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 66—An act adding to the Political Code Section 790, relating to the exercise of duties as a notary public.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In the title of the printed bill, strike out line 2, and insert "powers of attorneys at law."

Amendment No. 2

On page 1, line 6, of said bill, strike out "is by virtue of said act of", and insert "by virtue of his active".

Amendment No. 3

On page 1 of said bill, strike out lines 8, 9, and 10, and insert "ever, may administer oaths and affirmations with respect to any pleading or affidavit to be used in or in connection with any proposed or pending action or proceeding."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1857—An act to amend Section 6 of the Municipal Court Act of 1925, relating to municipal courts in cities of the first class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, as amended, strike out "nine thousand dollars (\$9,000)", and insert "eight thousand five hundred dollars (\$8,500)".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1287—An act to amend Sections 1.110, 1.111, 1.120, 1.122, 1.123, and 1.125 of the School Code, relating to supervision of the health of pupils in the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "1.110, 1.111, 1.120, 1.122, 1.123, and 1.125 of the School", and insert "16441, 16442, 16481, 16484, 16485 and 16461 of the Education".

Amendment No. 2

On page 1, line 1, of said bill, strike out "1.110 of the School", and insert "Section 16441 of the Education".

Amendment No. 3

On page 1 of said bill, strike out all of lines 3 to 17, inclusive, and insert "16441. The governing board of any school district may appoint a [physical inspector] *supervisor of health, or supervisors of health*, consisting of a physician, teacher, nurse, oculist, dentist, optometrist, or any one or more of such persons. In case of the appointment of more than one [physical inspector], *supervisor of health* the [inspectors] *supervisors* may, in the discretion of the board, all be chosen from any one of the classes designated. The board may also appoint such number of nurses and dental hygienists as it may [be deemed] *deem* necessary to work under the direction of the [physical inspector] *supervisor of health* and may provide for the compensation of such employees. No money set aside for the payment of teachers' salaries or for library purposes shall be used for this purpose."

Amendment No. 4

On page 1, line 19, of said bill, strike out "1.111 of the School", and insert "16442 of the Education".

Amendment No. 5

On page 1 of said bill, strike out all of lines 21 to 29, inclusive, and insert "16442. The governing boards of two or more school districts in the same county may join in the employment of a [physical inspector] *supervisor of health, or supervisors of health*, and may use funds not set aside for the payment of teachers' salaries or for library purposes for the expenses of the work. The boards may employ a nurse or nurses under the direction of a [physical inspector] *supervisor of health* to examine the schools under their jurisdiction."

Amendment No. 6

On page 2, line 1, of said bill, strike out "1.120 of the School", and insert "16481 of the Education".

Amendment No. 7

On page 2 of said bill, strike out all of lines 3 to 10, inclusive, and insert "16481. The governing board of any school district shall make such rules for the examination of the pupils in the public schools under its jurisdiction as will insure proper care of the pupils and proper secrecy in connection with any defect noted by the [physical inspector] *supervisor of health* or his assistant and may tend to the correction of the physical defect."

Amendment No. 7.5

On page 2, line 12, of said bill, strike out "1.122 of the School", and insert "16484 of the Education".

Amendment No. 8

On page 2 of said bill, strike out all of lines 14 to 18, inclusive, and insert "16484. When a defect has been noted by the [physical inspector] *supervisor of health* or his assistant, a report shall be made to the parent or guardian of the child, asking the parent or guardian to take such action as will cure the defect."

Amendment No. 9

On page 2, line 20, of said bill, strike out "1.123 of the School", and insert "16485 of the Education".

Amendment No. 10

On page 2 of said bill, strike out lines 22 to 27, inclusive, and insert "16485. The [physical inspector] *supervisor of health* shall make such reports from time to time as he deems best to the governing board of the school district, or as the board may call for, showing the number of defective children in the schools of the district and the effort made to correct the defects."

Amendment No. 11

On page 2, line 29, of said bill, strike out "1.125 of the School", and insert "16461 of the Education".

Amendment No. 12

On page 2 of said bill, strike out all of lines 31 to 51, inclusive, and insert "16461. The county superintendent of schools of each county may employ one or more nurses [and] or dental hygienists, or both, to supervise the health of pupils enrolled in the schools of elementary districts over which he has jurisdiction not employing a nurse as a [physical inspector] *supervisor of health* or may contract with the board of supervisors of the county in which he holds office for the performance of health officers, health nurses, or other employees of county health departments of any or all of the functions relating to proper health supervision of the elementary school buildings and of pupils enrolled in the elementary schools of the elementary school districts. All rules governing health supervision in the elementary schools shall be made by the county superintendent of schools. No nurse or dental hygienist shall be employed, and no county employee shall perform duties under any contract, who does not possess a health and development credential."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1107—An act to amend School Code Sections 5.801, 5.821, 5.830, 5.844, 5.850, 5.851, 5.852, 5.853, 5.860, 5.861, 5.863, 5.871, 5.873 and 5.874, and to add School Code Sections 5.855 and 5.877-1, and to amend Education Code Sections 14265, 14268, 14272, 14274, 14325, 14326, 14327, 14361, 14363, 14427, 14431, 14432, 14433, 14434, 14435, 14436, 14440, 14441, 14442, 14444, 14445, 14446, 14447, 14450, 14452, 14458, 14491, 14492, 14494, 14496, 14523, 14526, 14534, and to add Education Code Sections 14274.1, 14274.2, 14274.3, 14274.4, 14274.5, 14437, 14438, 14458.1, 14458.2, 14458.3, 14469, 14470, 14471, 14472, 14473, 14523.1, 14523.2, 14523.3, 14526.1, and 14542, and to repeal Education Code Sections 14365, 14437, 14438, 14439, and 14456, relating to the California State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In the title of the printed bill, as amended, beginning in line 1, strike out "to amend School Code Sections 5.801, 5.821, 5.830, 5.844, 5.850, 5.851, 5.852, 5.853, 5.860, 5.861, 5.863, 5.871, 5.873, and 5.874, and to add School Code Sections 5.855 and 5.877-1, and".

Amendment No. 2

In line 11 of the title of the printed bill, as amended, strike out "14470, 14471, 14472, 14473,".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out all of lines 1 to 8, both inclusive; and strike out all of pages 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18; and on page 19, strike out all of lines 1 to 26, both inclusive.

Amendment No. 4

On page 19, line 28, of the printed bill, as amended, strike out "17", and insert "1".

Amendment No. 5

On page 19, line 32, of the printed bill, as amended, strike out "district", and insert "State".

Amendment No. 6

On page 19, line 35, of the printed bill, as amended, strike out "18", and insert "2".

Amendment No. 7

On page 19, line 45, of the printed bill, as amended, strike out "19", and insert "3".

Amendment No. 8

On page 19, line 48, of the printed bill, as amended, strike out "District", and insert "State".

Amendment No. 9

On page 19, line 51, of the printed bill, as amended, strike out "District", and insert "State".

Amendment No. 10

On page 20, line 1, of the printed bill, as amended, strike out "20", and insert "4".

Amendment No. 11

On page 20, line 8, of the printed bill, as amended, strike out "21", and insert "5".

Amendment No. 12

On page 20, line 10, of the printed bill, as amended, strike out "District", and insert "State".

Amendment No. 13

On page 20, line 11, of the printed bill, as amended, strike out "district", and insert "State".

Amendment No. 14

On page 20, line 11, of the printed bill, as amended, after the word "fund", insert "by the State".

Amendment No. 15

On page 20 of the printed bill, as amended, strike out all of lines 12 and 13.

Amendment No. 16

On page 20, line 15, of the printed bill, as amended, strike out "22", and insert "6".

Amendment No. 17

On page 20, line 22, of the printed bill, as amended, strike out "23", and insert "7".

Amendment No. 18

On page 20, line 31, of the printed bill, as amended, strike out "24", and insert "8".

Amendment No. 19

On page 20, line 37, of the printed bill, as amended, strike out "25", and insert "9".

Amendment No. 20

On page 21, line 1, of the printed bill, as amended, strike out "26", and insert "10".

Amendment No. 21

On page 21, line 7, of the printed bill, as amended, strike out "the contributions to the district pension fund,".

Amendment No. 22

On page 21, line 12, of the printed bill, as amended, strike out "27", and insert "11".

Amendment No. 23

On page 21, line 39, of the printed bill, as amended, strike out "28", and insert "12".

Amendment No. 24

On page 22, line 1, of the printed bill, as amended, strike out "district", and insert "State".

Amendment No. 25

On page 22, line 6, of the printed bill, as amended, strike out "29", and insert "13".

Amendment No. 26

On page 22, line 16, of the printed bill, as amended, strike out "District", and insert "State".

Amendment No. 27

On page 22, line 17, of the printed bill, as amended, strike out "districts and other employing agencies", and insert "the State".

Amendment No. 28

On page 22, line 22, of the printed bill, as amended, strike out "District", and insert "State".

Amendment No. 29

On page 22, line 28, of the printed bill, as amended, strike out "30", and insert "14".

Amendment No. 30

On page 22, line 32, of the printed bill, as amended, strike out "District", and insert "State".

Amendment No. 31

On page 22, line 40, of the printed bill, as amended, strike out "31", and insert "15".

Amendment No. 32

On page 22, line 41, of the printed bill, as amended, strike out "32", and insert "16".

Amendment No. 33

On page 22, line 47, of the printed bill, as amended, strike out "33", and insert "17".

Amendment No. 34

On page 23, line 15, of the printed bill, as amended, strike out "34", and insert "18".

Amendment No. 35

On page 23, line 30, of the printed bill, as amended, strike out "35", and insert "19".

Amendment No. 36

On page 24, line 1, of the printed bill, as amended, strike out "36", and insert "20".

Amendment No. 37

On page 24, line 10, of the printed bill, as amended, strike out "37", and insert "21".

Amendment No. 38

On page 24, line 31, of the printed bill, as amended, strike out "38", and insert "22".

Amendment No. 39

On page 25, line 1, of the printed bill, as amended, strike out "39", and insert "23".

Amendment No. 40

On page 25, line 2, of the printed bill, as amended, strike out "40", and insert "24".

Amendment No. 41

On page 25, line 20, of the printed bill, as amended, strike out "41", and insert "25".

Amendment No. 42

On page 25, line 21, of the printed bill, as amended, strike out "42", and insert "26".

Amendment No. 43

On page 25, line 34, of the printed bill, as amended, strike out "43", and insert "27".

Amendment No. 44

On page 25, line 35, of the printed bill, as amended, strike out "44", and insert "28".

Amendment No. 45

On page 25, line 48, of the printed bill, as amended, strike out "45", and insert "29".

Amendment No. 46

On page 26, line 9, of the printed bill, as amended, strike out "46", and insert "30".

Amendment No. 47

On page 26, line 22, of the printed bill, as amended, strike out "47", and insert "31".

Amendment No. 48

On page 26, line 34, of the printed bill, as amended, strike out "48", and insert "32".

Amendment No. 49

On page 26, line 42, of the printed bill, as amended, strike out "49", and insert "33".

Amendment No. 50

On page 27, line 5, of the printed bill, as amended, strike out "50", and insert "34".

Amendment No. 51

On page 27, line 16, of the printed bill, as amended, strike out "51", and insert "35".

Amendment No. 52

On page 27, line 33, of the printed bill, as amended, strike out "52", and insert "36".

Amendment No. 53

On page 27, line 40, of the printed bill, as amended, strike out "53", and insert "37".

Amendment No. 54

On page 27, line 42, of the printed bill, as amended, strike out "54", and insert "38".

Amendment No. 55

On page 27, line 45, of the printed bill, as amended, after "Fund", insert "and the State Pension Fund".

Amendment No. 56

On page 27, line 45, of the printed bill, as amended, strike out "section", and insert "act".

Amendment No. 57

On page 27, line 48, of the printed bill, as amended, strike out "Permanent Fund", and insert "said funds".

Amendment No. 58

On page 27, line 50, of the printed bill, as amended, after "Fund", insert "and the State Pension Fund".

Amendment No. 59

On page 27, line 50, of the printed bill, as amended, after "to the", insert "said funds".

Amendment No. 60

On page 27, line 51, of the printed bill, as amended, strike out "Permanent Fund".

Amendment No. 61

On page 27, line 52, of the printed bill, as amended, strike out "section", and insert "act".

Amendment No. 62

On page 28, line 5, of the printed bill, as amended, strike out "53", and insert "39".

Amendment No. 63

On page 28, line 30, of the printed bill, as amended, strike out "56", and insert "40".

Amendment No. 64

On page 29, line 11, of the printed bill, as amended, strike out "57", and insert "41".

Amendment No. 65

On page 29, line 41, of the printed bill, as amended, strike out "48", and insert "42".

Amendment No. 66

On page 29 of the printed bill, as amended, strike out all of lines 43 to 50, both inclusive, and insert

"14469. Commencing with the fiscal year ending June 30, 1945, the State's contribution to the State Pension Fund shall consist of a State contribution for current service, payable monthly, equal to one-fourth of the aggregate normal contributions made to the annuity fund by members of the system who are not active or retired members of a local fund. Each month the Retirement Board shall certify to the State Controller the amount of such aggregate normal contributions received during the preceding month, and one-fourth thereof. Upon receipt of such certification the State Controller shall transfer to the State Pension Fund an amount equal to said one-fourth."

Amendment No. 67

On page 30 of the printed bill, as amended, strike out all of lines 1 to 50, both inclusive; and on page 31, strike out all of lines 1 to 7, both inclusive.

Amendment No. 68

On page 31, line 9, of the printed bill, as amended, strike out "63", and insert "43".

Amendment No. 69

On page 31, line 24, of the printed bill, as amended, strike out "district", and insert "State".

Amendment No. 70

On page 31, line 27, of the printed bill, as amended, strike out "district", and insert "State".

Amendment No. 71

On page 31, line 29, of the printed bill, as amended, strike out "64", and insert "44".

Amendment No. 72

On page 31, line 46, of the printed bill, as amended, strike out "65", and insert "45".

Amendment No. 73

On page 32, line 16, of the printed bill, as amended, strike out "district", and insert "State".

Amendment No. 74

On page 32, line 19, of the printed bill, as amended, strike out "66", and insert "46".

Amendment No. 75

On page 32, line 30, of the printed bill, as amended, strike out "67", and insert "47".

Amendment No. 76

On page 32, line 41, of the printed bill, as amended, strike out "68", and insert "48".

Amendment No. 77

On page 33, line 1, of the printed bill, as amended, strike out "district", and insert "State".

Amendment No. 78

On page 33, line 15, of the printed bill, as amended, strike out "69", and insert "49".

Amendment No. 79

On page 33, line 33, of the printed bill, as amended, strike out "70", and insert "50".

Amendment No. 80

On page 33, line 41, of the printed bill, as amended, strike out "71", and insert "51".

Amendment No. 81

On page 34, line 5, of the printed bill, as amended, strike out "72", and insert "52".

Amendment No. 82

On page 34, line 18, of the printed bill, as amended, strike out "district", and insert "State".

Amendment No. 83

On page 34, line 45, of the printed bill, as amended, strike out "73", and insert "53".

Amendment No. 84

On page 35, line 4, of the printed bill, as amended, strike out "74", and insert "54".

Amendment No. 85

On page 35 of the printed bill, as amended, strike out all of lines 12 to 26, both inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 1984—An act making an appropriation for the support of the California State Guard.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "seventy-seven", and insert "eighty-seven".

Amendment No. 2

On page 1, line 4, of said bill, strike out "\$1,477,186", and insert "\$1,457,186".

Amendment No. 3

On page 1, line 5, of said bill, after "guaid", insert ", including not to exceed ten thousand dollars (\$10,000) for the administrative expenses of the State Controller."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1501—An act to repeal Chapter 2 of Division 7 of the Vehicle Code, consisting of Sections 410 to 418, inclusive, and to add Chapter 2 to Division 7 of the Vehicle Code, consisting of Sections 410 to 410.35, inclusive, relating to financial responsibility.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In line 1 of the title of the printed bill, after "repeal", insert "Section 307 and".

Amendment No. 2

In line 2 of the title of said bill, after the comma, insert "to add Section 307 to the Vehicle Code".

Amendment No. 3

In line 4 of the title of said bill, strike out "410 to 410.35", and insert "405 to 423 7".

Amendment No. 4

On page 1 of said bill, strike out lines 6 to 24, inclusive, and insert

"CHAPTER 2. CALIFORNIA FINANCIAL RESPONSIBILITY LAW

405. Powers and Duties of Department.

(a) The department shall administer and enforce the provisions of this chapter.

(b) The department is hereby authorized to adopt and enforce such regulations as may be necessary for the administration of this chapter.

(c) Any person aggrieved by an order or act of the department under the provisions of this chapter, may maintain a proceeding for review by the courts, as provided by law, but the commencement of such proceedings shall not suspend the order or act unless a stay thereof shall be allowed by said court pending final determination of the review.

406. Grounds Permitting Revocation or Suspension.

Upon any reasonable ground, appearing on the records of the department, the department may suspend or revoke the operator's or chauffeur's license of any person or may refuse to issue to any such person any new or renewal license or to register in the name of such person any motor vehicle unless and until such person gives proof of financial responsibility as hereinafter provided.

407. Proof Required Upon Certain Convictions.

(a) Whenever the department suspends or revokes the operator's or chauffeur's license of any person under the provisions of Sections 304, 307 or 308 of this code, the department shall also suspend any and all registration cards and license plates issued for any motor vehicle registered in the name of such person except that such evidence of registration shall not be suspended in the event such owner has previously given or shall give and thereafter maintain proof of financial responsibility.

(b) Such suspension or revocation shall remain in effect until terminated as elsewhere provided for under this code and not then until such person gives proof of financial responsibility.

(c) Reversal on appeal of any conviction because of which any license or registration has been suspended or revoked shall entitle the holder to restoration thereof without proof of financial responsibility.

(d) For the purposes of this chapter, a plea of guilty, or a judgment of guilty whether probation is granted or not, or a forfeiture of bail, constitutes a conviction of any of the crimes mentioned in Sections 304, 307, or 308 of this code.

408. Report Required Upon Accident.

(a) Every person operating a motor vehicle which is in any manner involved in an accident, anywhere within the boundaries of this State, in which any person is killed or injured, or in which damage to the property of any one person, including himself, in excess of twenty-five dollars (\$25), is sustained, shall immediately report the matter in writing to the department. If such operator or chauffeur be physically incapable of making such report and there be another occupant in the vehicle at the time of the accident not incapacitated, such occupant shall make or cause to be made such report immediately. If the operator or chauffeur involved in such accident be physically incapable of making such report, the owner of the motor vehicle involved in such accident, if such owner be not involved in such accident or incapacitated, shall as soon as he learns of the fact of such accident immediately report the matter to the department together with such information as may have come to his knowledge relating to such accident. Every person required herein to make such reports shall make such other additional reports as the department shall require.

(b) Failure to report an accident as herein provided or failure to give correctly the information required of him by the department in connection with such report shall be a misdemeanor and shall constitute a ground for the suspension or revocation of the operators or chauffeurs license or all evidences of registration of a motor vehicle, or of both, or such person.

(c) In the case of a nonresident the failure to report an accident as herein provided shall constitute ground for suspension or revocation of his privileges of operating a motor vehicle in this State and of the operation within this State of any motor vehicle owned by him.

409. Following Accident, Security and Proof Required.

(a) Ten days after receipt of a report or notice of an accident which has resulted in bodily injury or death, or in damage to the property of any one person in excess of twenty-five dollars (\$25), the department shall suspend the license of any person operating and the registration cards and license plates of any person owning a motor vehicle in any manner involved in such accident unless and until such operator (or chauffeur) or owner or both shall have previously furnished or immediately furnishes security sufficient, in the judgment of the department, to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against such owner or operator (or chauffeur) by or on behalf of any aggrieved person or his legal representative and until such owner or operator (or chauffeur) or both shall immediately furnish and thereafter maintain proof of financial responsibility.

(b) The preceding section shall not apply:

(1) To such owner or operator or chauffeur if, at the time of such accident, with respect to such motor vehicle, there was in effect a standard provisions automobile liability policy in form approved by the Insurance Commissioner and issued by an insurance company authorized to do business in this State or, if such motor vehicle was not registered in this State, or was registered elsewhere than in this State at the effective date of the policy, or the most recent renewal thereof an automobile liability policy acceptable to the Insurance Commissioner as substantially the equivalent of such standard provisions automobile liability policy;

(2) To such operator or chauffeur, if not the owner of such motor vehicle, if there was in effect at the time of such accident such a policy with respect to his operation of motor vehicles not owned by him, or, if such motor vehicle was a private passenger vehicle, with respect to his operation of private passenger motor vehicles not owned by him, or

(3) to such owner or operator or chauffeur if the liability of such person for damages resulting from such accident is, in the judgment of the department, covered by any other liability insurance policy issued by an insurance company authorized to do business in this State or by a bond, provided every such policy or bond mentioned herein must be in the same amounts as is herein provided for a motor vehicle liability policy of insurance.

(c) Upon receipt of notice of such accident, the insurance carrier or surety company which issued a policy or bond as required by subsections (1), (2) and (3) hereof shall furnish for filing with the department a written notice that such policy or bond was in effect at the time of such accident.

(d) In case any such operator or chauffeur or owner has no license to operate issued under this code or no motor vehicle registered in his name in this State, he shall not be issued any license or registration until he has complied with the chapter to the same extent as would be necessary if he had held an operator's or a chauffeur's license and a motor vehicle registration issued under this code at the time of the accident.

(e) The provisions of this section shall not apply to the owner of a motor vehicle operated at the time of the accident by one having obtained possession or control without his express or implied consent or to either the owner or operator of a motor vehicle involved in an accident wherein no damage or injury was caused to other than the person or property of such owner or operator

409.1. Form of Security to be Required.

(a) The security required by Section 409 subsection (a) of this code shall be in such form and in such amount as the department may require, but in no case in excess of the amount of proof required by Section 417 of this chapter.

The department may reduce the amount of security ordered in any case within six months after the date of the accident if, in its judgment, the amount ordered is too large. In case the security originally ordered has been deposited, the excess deposited over the reduced amount ordered shall be returned to the depositor or his personal representative forthwith, notwithstanding the provisions of subdivision (c) of this section.

(b) Such security shall be deposited by such person with the State Treasurer who shall determine the sufficiency of such security in accordance with the amount specified by the department and shall issue and shall notify the department in writing of such deposit.

(c) Such security shall be applicable only to the payment of a judgment or judgments against the depositor for damages arising out of the accident, for which a deposit of security was required by this code, in an action at law in a court of this State begun not later than one year after the date of such accident; and such

deposit, or any balance thereof, shall be returned to the depositor or his personal representative whenever, after the expiration of such year, the department shall be given reasonable evidence to believe that there is no such judgment unsatisfied

409.2. Confession of Judgment.

(a) In lieu of deposit of security when required, pursuant to the provisions of Section 409 of this code, the motor vehicle owner or operator or chauffeur may, if the person who has sustained bodily injury, including death, or damage to his property, or his legal representative consents, effect and deliver a confession of judgment for such amount and payable when and in such installments as the judgment creditor may agree to do.

(b) In the event the judgment debtor fails to pay any installment, then upon notice of such default the department shall suspend the license, and registration cards and license plates of the judgment debtor until such judgment is satisfied as provided in this chapter.

(c) In no case shall such confession of judgment be used in lieu of proof of financial responsibility required pursuant to the provisions of this code.

409.3. Termination of Suspension

(a) The suspension required in Sections 409 and 409.2 shall remain in effect and the motor vehicle in any manner involved in such accident shall not be registered in the name of the person whose license or registration was so suspended and no other motor vehicle shall be registered in the name of such person nor any new licenses issued to such person

(1) unless such person complies with the requirement with respect to furnishing security, or

(2) unless and until he has obtained a release, or a judgment in his favor in an action at law to recover damages resulting from such accident or

(3) unless he shall have satisfied in the manner herein provided any judgment rendered against him in such an action,

(4) and in any event gives and thereafter maintains proof of financial responsibility.

(b) However any person whose license or registration has been suspended pursuant to Section 409, whether or not he has furnished security and proof of financial responsibility, shall be relieved from furnishing and maintaining proof of financial responsibility if one year has elapsed since the date of the accident and he has neither paid nor agreed to pay anything for damages resulting from such accident and no suit for damages because thereof has been brought against him, or if a suit was brought, it resulted in a judgment in his favor, and he is not required to furnish or maintain proof of financial responsibility for some reason other than for having been involved in such accident. In such case, the fact of having been involved in such accident shall not bar the issuance of license and registration to such person

410. Proof Required in the Event of Certain Judgments.

(a) The department shall suspend the privilege of any person to operate a motor vehicle upon a highway or the operator's or chauffeur's license issued to him evidencing such privilege, and the registration cards and license plates issued for all motor vehicles registered in the name of such person, upon receiving a certified copy of a judgment as hereinafter described, and a certificate of facts relative to such judgment, on a form provided by the department, indicating that such person has failed for a period of 30 days to satisfy any final judgment rendered against him in amounts and upon a cause of action as hereinafter stated

(b) The judgment herein referred to shall mean any judgment in excess of twenty-five dollars (\$25) for damages because of injury to or destruction of property, including loss of use thereof, or any judgment for damages, including damages for care and loss of services, because of bodily injury to or death of any person arising out of ownership, maintenance, use, or operation of any motor vehicle, except any judgment based upon statutory liability by reason of signing the application of a minor for an operator's or chauffeur's license.

(c) The judgment hereinbefore referred to shall mean a final judgment of any court of competent jurisdiction of this or any other State, or of the District of Columbia, or of the United States, or of any province of Canada, against a person as defendant upon a cause of action as hereinbefore stated

410.1. Bankruptcy. A discharge in bankruptcy following the rendition of any such judgment shall not relieve the judgment debtor from any of the requirements of this chapter.

410.5. Duty of Courts to Report Judgments. The clerk of a court or the judge of a court which has no clerk, shall forward to the department a certified copy of any judgment or a certified copy of the docket entries in an action resulting in a judgment for damages, and a certificate of facts relative to such judgment, on a form provided by the department, the rendering and nonpayment of which judgment requires the department to suspend the operator's or chauffeur's license and registrations in the name of the judgment debtor hereunder, such document to be forwarded to the department immediately upon the expiration of 30 days after such judgment has become final and when such judgment has not been stayed or

satisfied within the amounts specified in this chapter as shown by the records of the court.

411. Relief from Suspension Upon Failure of Insurer to Pay Judgment. Any person whose operator's or chauffeur's license or registration has been suspended, or is about to be suspended or shall become subject to suspension under the provisions of this chapter, may relieve himself from the effect of such judgment as hereinbefore prescribed in this chapter by filing with the department an affidavit stating that at the time of the accident upon which such judgment has been rendered he was insured, that the insurer is liable to pay such judgment, and the reason, if known, why such insurance company has not paid such judgment. He shall also file the original policy of insurance or a certified copy thereof, if available, and such other documents as the department may require to show that the loss, injury or damage for which such judgment was rendered, was covered by such policy of insurance.

If the department is satisfied from such papers that such insurer was authorized to issue such policy of insurance in the State of California at the time of issuing such policy and that such insurer is liable to pay such judgment, at least to the extent and for the amounts hereinbefore provided in this chapter, the department shall not suspend such license or licenses and such registration, or if already suspended, shall reinstate them.

412. Installment Payments.

(a) The department shall not suspend a license, or registration of a motor vehicle, and shall restore any license or registration suspended following nonpayment of a judgment, when the judgment debtor gives proof of financial responsibility and files with the department an order from the court in which such judgment was rendered, permitting the payment of such judgment in installments, and while the payment of any said installment is not in default.

(b) A judgment debtor, upon five days' notice to the judgment creditor, may apply to the court in which such judgment was obtained for the privilege of paying such judgment in installments and the court, in its discretion and without prejudice to any other legal remedies which the judgment creditor may have, may so order, fixing the amounts and times of payment of the installments.

(c) Whenever the trial court orders the payment of a judgment in installments as provided in this section, such court shall forward a certified copy of such order to the department.

(d) In the event the judgment debtor fails to pay any installment as permitted by the order of the court, then the court shall give notice of such default to the department and the department shall suspend the license and registration cards and license plates of the judgment debtor until such judgment is satisfied as provided in this code.

(e) If the judgment creditor consents in writing, in such form as the department may prescribe, that the judgment debtor be allowed license and registration the same may be allowed by the department, in its discretion, notwithstanding default in the payment of such judgment or any installment thereof, for six months from the date of such consent and thereafter until such consent is revoked in writing, if the judgment debtor furnishes proof of financial responsibility.

413. When Judgment Deemed Satisfied. Every judgment referred to in this chapter shall, for the purposes of this chapter, be deemed satisfied:

(a) When five thousand dollars (\$5,000) has been credited upon any judgment in excess of that amount, or upon all judgments, collectively, which together total in excess of that amount, for personal injury to or death of one person as a result of any one accident.

(b) When, subject to said limit of five thousand dollars (\$5,000) as to one person, the sum of ten thousand dollars (\$10,000) has been credited upon any judgment in excess of that amount, or upon all judgments, collectively, which together total in excess of that amount, for personal injury to or death of more than one person as a result of any one accident.

(c) When one thousand dollars (\$1,000) has been credited upon any judgment or judgments rendered in excess of that amount for damage to property of others as a result of any one accident.

(d) Payments made in settlement of any claims because of bodily injury, death or property damage arising from a motor vehicle accident shall be credited in reduction of the amount provided for in this section.

413.1. Transfer of Registration. Whenever under this chapter the registration cards and license plates of any person are suspended no vehicle registered in the name of the person affected shall be registered in the name of any other person where the department has reasonable grounds to believe that such registration will have the effect of defeating the purposes of this chapter.

413.2. Duty of Courts to Report Judgments.

(a) The clerk of a court or the judge of a court which has no clerk, shall forward to the department a certified copy of any judgment or a certified copy of the docket entries in an action resulting in a judgment for damages, and a certificate of facts relative to such judgment, on a form provided by the department, the rendering and

nonpayment of which judgment requires the department to suspend the operator's or chauffeur's license or registrations in the name of the judgment debtor hereunder, such documents to be forwarded to the department immediately upon the expiration of 15 days after such judgment has become final and when such judgment has not been stayed or satisfied within the amounts specified in this chapter as shown by the records of the court.

(b) Any person required to forward to the department a record of a conviction or a judgment for damages or certificate of facts as provided for in this code, who wilfully fails or neglects to do so, shall be punished by a fine of not less than ten dollars (\$10) for each separate offense.

413 3. Duration of Suspension The suspension required in Sections 410 and 412 shall remain in effect and no motor vehicle shall be registered in the name of the person whose license or registration card and license plates were suspended nor any new license issued to such person unless and until such judgment is satisfied and the judgment debtor gives proof of financial responsibility as required by this chapter except as otherwise provided for in this chapter.

414 Proof of Financial Responsibility.

(a) Proof of financial responsibility when required by this code means proof of ability to respond in damages resulting from the ownership or operation of a motor vehicle, and arising by reason of personal injury to, or death of, any one person of at least five thousand dollars (\$5,000), and, subject to the limit of five thousand dollars (\$5,000) for each person injured or killed, of at least ten thousand dollars (\$10,000) for such injury to, or the death of, two or more persons in any one accident, and for damages to property of at least one thousand dollars (\$1,000) resulting from any one accident. Such proof of financial responsibility may be given by any of the following methods.

(1) By proof that a policy or policies of motor vehicle liability insurance have been obtained and are in full force and effect, or

(2) By proof that a bond has been duly executed, or

(3) By proof that deposit has been made of money or securities.

All methods of giving proof shall be as hereinafter provided.

414 1 Proof of Financial Responsibility by Means of Motor Vehicle Liability Insurance

(a) Proof of financial responsibility may be made by filing with the department the written certificate or certificates of any insurance carrier duly authorized to do business within the State, that it has issued to or for the benefit of the person named therein a motor vehicle liability policy or policies as defined in Section 415, which, at the date of said certificate or certificates is in full force and effect, and designating therein by explicit description or by other appropriate reference all motor vehicles with respect to which coverage is granted by the policy certified to. The department shall not accept any certificate or certificates unless the same cover all motor vehicles registered in the name of the person furnishing such proof. Additional certificates shall be required as a condition precedent to the registration of any additional motor vehicles or motor vehicles in the name of the person required to furnish such proof. Said certificate or certificates shall certify that the motor vehicle liability policy or policies therein cited shall not be canceled except upon 10 days' prior written notice to the department.

(b) No motor vehicle shall be or continue to be registered in the name of any person required to file proof of financial responsibility unless such motor vehicle is so designated in such a certificate.

415. Motor Vehicle Liability Policy.

(a) A "motor vehicle liability policy," as used in this code means a policy of liability insurance issued by an insurance carrier authorized to transact such business in this State to or for the benefit of the person named therein as assured, which policy shall meet the following requirements:

(1) Such policy shall designate by explicit description or by appropriate reference all motor vehicles with respect to which coverage is thereby intended to be granted.

(2) Such policy shall insure the person named therein and any other person using or responsible for the use of said motor vehicle or motor vehicles with the express or implied permission of said assured.

(3) Such policy shall insure every such person against loss from the liability imposed by law for damages, including damages for care and loss of services, because of bodily injury to or death of any person and injury to or damage to property arising out of the ownership, maintenance, use, or operation of such motor vehicle or motor vehicles within this State, or elsewhere in the United States in North America (exclusive of Alaska) or the Dominion of Canada, subject to a limit, exclusive of interest and costs, with respect to each motor vehicle, of five thousand dollars (\$5,000) because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, to a limit of ten thousand dollars (\$10,000) because of bodily injury to or death of two or more persons in any one accident, and to a limit of one thousand dollars (\$1,000) because of injury or damage to property of others in any one accident.

(b) Such policy shall

(1) cover the assured in the use or operation of all vehicles owned by him or registered in his name but not insuring such person when operating any motor vehicle not owned by him, or

(2) cover the assured in the use or operation of all vehicles owned by him or registered in his name and insure such person in the operation of any motor vehicle now owned or registered in his name, or

(3) cover the assured only in the operation of any motor vehicle not owned by him nor registered in his name, or

(4) cover the assured only in the operation of a certain vehicle or vehicles not owned by him nor registered in his name.

(e) Any such policy may grant any lawful coverage in excess of or in addition to the coverage herein specified or contain any agreements, provisions or stipulations not in conflict with the provisions of this code and not otherwise contrary to law.

(d) Any liability policy issued hereunder need not cover any liability for injury to the assured or any liability of the assured assumed by or imposed upon said assured under any workmen's compensation law nor any liability for damage to property in charge of the assured or the assured's employees or agents.

(e) Several policies of one or more insurance carriers which together meet the requirements of this section shall be termed "motor vehicle liability policy" within the meaning of this code.

(f) No motor vehicle liability policy shall be issued or delivered in this State until a copy of the form of policy shall have been on file with the Insurance Commissioner for at least 30 days, unless sooner approved in writing by the Insurance Commissioner, nor if within said period of 30 days the Insurance Commissioner shall have notified the carrier in writing that in his opinion, specifying the reasons therefor, the form of policy does not comply with the laws of this State. The Insurance Commissioner shall approve any form of policy which discloses the name, address and business of the insured, the coverage afforded by such policy, the premium charged therefor, the policy period, the limit of liability and the agreement that the insurance thereunder is provided in accordance with the coverage defined in this section and is subject to all the provisions of this article.

(g) Every motor vehicle liability policy shall be subject to the following provisions which need not be contained therein:

(1) The liability of any company under a motor vehicle liability policy shall become absolute whenever loss or damage covered by said policy occurs, and the satisfaction by the insured of a final judgment for such loss or damage shall not be a condition precedent to the right or duty of the carrier to make payment on account of such loss or damage. No such policy shall be canceled or annulled as respects any loss or damage by any agreement between the carrier and the insured after the said insured has become responsible for such loss or damage, and any such cancellation or annulment shall be void. If the death of the insured shall occur after the insured has become liable during the policy period for loss or damage covered by the policy, the policy shall not be deemed terminated by such death with respect to such liability and the company shall be liable thereunder in the same manner and to the same extent as though death had not occurred. Upon the recovery of a final judgment against any person for any such loss or damage, if the judgment debtor or the decedent whom he represents was at the accrual of the cause of action insured against liability therefor under a motor vehicle liability policy, the judgment creditor shall be entitled to have the insurance money applied to the satisfaction of the judgment. But the policy may provide that the insured, or any other person covered by the policy, shall reimburse the company for payments made on account of any accident, claim or suit involving a breach of the terms, provisions or conditions of the policy; and further, if the policy shall provide for limits in excess of the limits designated in this section, the insurance carrier may plead against such judgment creditor, with respect to the amount of such excess limits of liability, any defenses which it may be entitled to plead against the insured. Any such policy may further provide for the prorating of the insurance thereunder with other applicable valid and collectible insurance. If the death, insolvency or bankruptcy of the insured shall occur within the policy period, the policy during the unexpired portion of such period shall cover the legal representatives of the insured. No statement made by the insured or on his behalf, and no violation of the terms of the policy, shall operate to defeat or avoid the policy so as to bar recovery within the limits provided in subdivision (a) Subsection (3) of this section.

(2) The policy, the written application therefor (if any) and any rider or endorsement, which shall not conflict with the provisions of this section, shall constitute the entire contract between the parties.

(3) Any insurance carrier authorized to issue motor vehicle liability policies as provided for in this article may, pending the issue of such a policy, execute an agreement, to be known as a binder; or may, in lieu of such a policy, issue an endorsement to an existing policy; each of which shall be construed to provide indemnity or protection in like manner and to the same extent as such a policy. The provisions of this section shall apply to such binders and endorsements.

(h) When an insurance carrier has certified a motor vehicle liability policy under the provisions of this chapter, the insurance so certified shall not be canceled until at least 10 days after a notice of cancellation of the insurance so certified shall be filed in the office of the department in Sacramento, except that such a policy subsequently procured and certified shall, on the effective date of its certification, terminate the insurance previously certified with respect to any motor vehicles designated in both certificates.

415.1. Not to Affect Other Policies.

(a) The provisions of this chapter shall not be held to apply to or affect policies of automobile insurance against liability which may now or hereafter be required to any other law of this State, and such policies, if endorsed to conform to the requirements of this code, shall be accepted as proof of financial responsibility when required by this code.

(b) The provisions of this chapter shall not be held to apply to or affect policies insuring solely the insured named in the policy against liability resulting from the maintenance, or use by persons in the insured's employ or in his behalf, of motor vehicles not owned by the insured.

415.2. Self-Insurance.

(a) In lieu of other means provided in this code, any person having registered in his name in this State more than 25 motor vehicles may apply to the Insurance Commissioner for a certificate of self-insurance to be filed with the department as proof of financial responsibility.

(b) The Insurance Commissioner may, in his discretion, upon application of such a person, issue a certificate of self-insurance when he is reasonably satisfied that such a person is possessed and will continue to be possessed of financial ability to respond to judgments, as hereinbefore described, obtained against such person, arising out of the ownership, maintenance, use or operation of any of such person's motor vehicles.

(c) Upon due notice and hearing, the Insurance Commissioner, may, in his discretion, and upon reasonable grounds, cancel a certificate of self-insurance.

415.5. Restrictions on Operator's or Chauffeur's Licenses.

Unless the certificate or certificates of insurance filed with the department, evidencing the issuance of a motor vehicle liability policy, show that the person in whose behalf they are filed is covered in the operation of all vehicles owned by him or registered in his name, and any motor vehicle not owned or registered in his name, the department shall place an appropriate restriction on any operator's or chauffeur's license issued to such person. It shall be unlawful for such person to operate any motor vehicle not covered by the certificate or certificates filed by him with the department as proof of financial responsibility.

416. Proof of Financial Responsibility by Means of Bonds.

(a) A person required to give proof of financial responsibility may file with the department a bond meeting the requirements of this section.

(b) Such bond shall be executed by the person giving such proof and by a surety company duly authorized to do business within this State or by the person giving such proof and by two individual sureties, each owning unencumbered real estate, which shall be scheduled therein, and approved by a judge of a court of record.

(c) Such bond shall be conditioned for payments of the amounts and under the same circumstances as would be required in a motor vehicle liability policy furnished by a person giving such proof under this chapter.

(d) No such bond shall be canceled unless 10 days' prior written notice of cancellation is given the department at Sacramento but cancellation of such bond shall not prevent recovery thereon with respect to any right or cause of action arising prior to the effective date of cancellation.

(e) A bond with individual sureties shall constitute a lien in favor of the State upon the real estate of any individual surety, which lien shall exist in favor of any holder of any final judgment against the principal on account of damage to property or injury to any person resulting from the ownership, maintenance, use or operation of his motor vehicles, upon the recording of notice to that effect in the office of the county recorder of the county where such real estate be located.

(1) Such notice shall be signed by the Director of Motor Vehicles or by an officer or employee of the department authorized by the director pursuant to the provisions of Section 8 of this code, and the seal of the Department of Motor Vehicles placed thereon.

(2) Notwithstanding any other provision of law, the county recorder shall, without fee, record such notice.

(f) When a bond with individual sureties filed with the department is no longer required under this chapter, the department shall, upon written request, cancel the same as to liability for damage to property or injury to any person or persons thereafter caused.

(g) When such a bond has been canceled by the department, or otherwise, the department, upon written request, shall furnish a certificate of such cancellation signed by the Director of Motor Vehicles or by an officer or employee of the department authorized by the director, with the seal of the Department of Motor Vehicles thereon.

(h) Such a certificate, notwithstanding any other provision of law, may be recorded in the office of any county recorder without charge therefor.

(i) Upon satisfactory proof that such a bond has been canceled and that there are no claims or judgments against the principal in such bond on account of damage to property or injury to any person or persons resulting from the ownership, maintenance, use or operation of a motor vehicle of the principal caused while such bond was in force and effect, a court of record may make an order discharging the lien of such bond on the real estate of the sureties described therein.

(j) If a final judgment rendered against the principal on a bond filed with the department as provided in this chapter shall not be satisfied within 15 days after its rendition, the judgment creditor may, for his own use and benefit and at his sole expense, bring an action on said bond in the name of the State against the company or persons executing such bond.

(k) Where the sureties on said bond are individual sureties, the judgment creditor may maintain such action or actions on said bonds and for the foreclosure of the lien on the real estate of said sureties and for the sale thereof to satisfy said lien.

417. Money or Securities Deposited as Proof of Financial Responsibility

(a) A person may give proof of financial responsibility by filing with the department evidence that he has deposited with the State Treasurer eleven thousand dollars (\$11,000) in cash, or securities such as may legally be purchased by savings banks or trust funds, of a market value of eleven thousand dollars (\$11,000). The State Treasurer shall determine the sufficiency of such security.

(b) All moneys or securities so deposited with the State Treasurer shall be subject to execution to satisfy any judgment mentioned in this chapter within the limits of coverage and subject to the limits on amounts required by this chapter for motor vehicle liability policies, and if such moneys or securities shall be otherwise subjected to attachment or any execution, the depositor shall immediately furnish such additional moneys or securities, not otherwise subjected to attachment or execution, to meet the requirements of this section.

(c) The State Treasurer shall not accept such money or securities unless accompanied by evidence that there are no unsatisfied judgments filed in the office of the county clerk of the county where such person resides.

418. Owner May Give Proof for Chauffeur or Member of Family. Whenever the department determines that any person required to give proof or furnish security under this chapter is or later becomes a chauffeur or motor vehicle operator, however designated, in the employ of an owner of a motor vehicle, or is or later becomes a member of the immediate family or household of the owner of a motor vehicle, the department shall accept proof of financial responsibility given by such owner in lieu of proof by such person to permit such person to operate a motor vehicle for which the owner has given proof as herein provided. In case such person is one who is furnished proof of financial responsibility by his employer, he shall not be required to furnish security. The department shall designate the restrictions imposed by this section on the face of such person's operator's or chauffeur's license.

419. Substitution or Failure of Proof.

(a) The department shall cancel any bond or any certificate of insurance or direct the return of any money or securities deposited with the State Treasurer to the person entitled thereto, upon the substitution and acceptance of other adequate proof of financial responsibility pursuant to this code.

(b) Whenever any proof of financial responsibility filed by any person under the provisions of this code no longer fulfills the purpose for which required, the department shall, for the purpose of this code, require other proof of financial responsibility as required by this code, and shall suspend the operator's or chauffeur's license, and registration cards and license plates of such person pending such proof.

420. When Department May Release Proof

(a) The department shall upon request cancel any bond or any certificate of insurance or direct the return to the person entitled thereto of any money or securities deposited pursuant to this code as proof of financial responsibility, or the department shall waive the requirement heretofore or hereafter imposed of filing proof of financial responsibility in any of the following events:

(1) When such person is no longer required to maintain such proof under the provisions of this code, or

(2) In the event of the death of the person on whose behalf such proof was filed or the permanent incapacity of such person to operate a motor vehicle, or

(3) In the event the person who has given proof of his ability to respond in damages surrenders his operator's or chauffeur's license, registration cards and license plates to the department.

(b) The department shall not release such proof in the event any action for damages upon a liability referred to in this chapter is then pending, or any judgment upon any such liability is outstanding and unsatisfied, or in the event the department has received notice that such person has within the period of three months immediately preceding, been involved as a driver in any motor vehicle accident. An affidavit of the applicant of the nonexistence of such facts shall be

sufficient evidence thereof in the absence of evidence to the contrary in the records of the department.

(c) Whenever any person to whom proof has been surrendered, as provided in this section, applies for an operator's or chauffeur's license or the registration of a motor vehicle, any such application shall be refused unless the applicant shall reestablish proof of financial responsibility.

421. Surrender of License and Evidences of Registration.

(a) Any person whose operator's or chauffeur's license or registration have been suspended as provided in this chapter and have not been reinstated shall immediately return every such license, registration certificate and registration plates held by such person to the department. Any person wilfully failing to comply with this requirement is guilty of a misdemeanor.

421.1. Operating Without Giving Proof When Proof Required. Any person whose operator's or chauffeur's license or registration or other privilege to operate a motor vehicle have been suspended or revoked, restoration thereof or the issuance of a new license or registration being contingent upon the furnishing of proof of financial responsibility, and who during such suspension or revocation or in the absence of full authorization from the department shall drive any motor vehicle upon any highway or knowingly permits any motor vehicle owned by such person to be operated by another upon any highway except as permitted hereunder, shall be punished by imprisonment for not less than two days nor more than six months and there may be imposed in addition thereto a fine of not more than five hundred dollars (\$500).

421.2. Forging or Without Authority Signing Proof of Financial Responsibility.

Any person who shall forge, or without authority, sign any evidence of financial responsibility as required by the department in the administration of this chapter, and any nonresident who shall operate a motor vehicle in this State from whom the privilege of operating any motor vehicle has been withdrawn as provided herein, shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than 30 days or both.

421.3. Otherwise Violating Article.

Any person who violates any provision of this chapter for which another penalty is not prescribed by law shall be punished by imprisonment for not more than 90 days or by a fine of not less than one hundred dollars (\$100) or more than one thousand dollars (\$1,000) or both.

422. Application to Nonresidents.

(a) Whenever, by the laws of this State, the department has the power to suspend or revoke a license if the operator or chauffeur were a resident, the department shall have similar power to suspend or revoke the license or to forbid the operation of a motor vehicle in this State by such nonresident. Whenever by the laws of this State, the department has the power to suspend or revoke the registration card and license plates if the owner were a resident, the department shall have similar power to forbid the operation within this State of any motor vehicle of any owner who is a nonresident.

(b) All of the provisions of this chapter shall apply to any person who is not a resident of this State under the same circumstances as they would apply to a resident; and in such event, such a nonresident shall not operate any motor vehicle in this State nor shall any motor vehicle owned by him be operated in this State, unless and until such nonresident or the owner of the motor vehicle, if another person, has complied with the requirements of this chapter with respect to furnishing security and giving proof of financial responsibility.

(c) Upon the conviction of a nonresident or in case of any unsatisfied judgment rendered against a nonresident which conviction or unsatisfied judgment results in the suspension or revocation of such nonresident's driving privileges in this State and/or the prohibition of the operation within this State of any motor vehicle owned by such nonresident, or upon suspension or revocation of a nonresident's driving privileges in this State and/or the prohibition of the operation within this State of any motor vehicle owned by such nonresident pursuant to any other provision or provisions of this chapter, the department shall transmit a certified copy of any record of any such conviction or any such unsatisfied judgment or any other action pursuant to this article resulting in the suspension or revocation of a nonresident's driving privileges in this State and/or the prohibition of the operation within this State of any motor vehicle owned by such nonresident to the Director of Motor Vehicles or officer performing the functions of such director in the State, District of Columbia or Territory or lands in continental United States, exclusive of Alaska, under the exclusive jurisdiction of the United States or a province of Canada, in which such nonresident resides.

(d) The department shall take action as required anywhere in this chapter, upon receiving proper evidence that any person in another State, District of Columbia, or Territory or lands in continental United States, exclusive of Alaska, under the jurisdiction of the United States, or a province of Canada, has had his driving privilege suspended or revoked and/or the operation within such jurisdiction of any

motor vehicle owned by him prohibited pursuant to a law providing for such suspension, revocation or prohibition for causes which would require similar action under this code.

422.1. Proof of Financial Responsibility by a Nonresident.

(a) The nonresident owner of a foreign vehicle may give proof of financial responsibility by filing with the department a written certificate or certificates of an insurance carrier authorized to transact business in the State, District of Columbia, or Territory or lands in continental United States, exclusive of Alaska, under the exclusive jurisdiction of the United States, or a province of Canada, in which the motor vehicle or motor vehicles described in such certificate is registered or if such nonresident does not own a motor vehicle, a certificate or certificates issued as required herein otherwise conforming to the provisions of this chapter, and the department shall accept the same when said insurance carrier complies with the following provisions of this section:

(1) Said insurance carrier shall execute a power of attorney authorizing the Director of Motor Vehicles to accept service on its behalf of notice or process in any action arising out of a motor vehicle accident in this State.

(2) Said insurance carrier shall duly adopt a resolution which shall be binding upon it, declaring that its policies shall be deemed to be varied to comply with the law of this State relating to the terms of motor vehicle liability policies issued herein.

(3) Said insurance carrier shall also agree to accept as final and binding any judgment of any court of competent jurisdiction in this State duly rendered in any action arising out of a motor vehicle accident in this State.

(4) Said insurance carrier shall also agree to pay any assessment for expenses of administration of this chapter levied against it as provided in Section 424 of this chapter.

(b) If any insurance carrier which has qualified to furnish proof of financial responsibility as heretofore required defaults in any said undertakings or agreements, the department shall not thereafter accept any certificate of said carrier, whether theretofore filed or thereafter tendered as proof of financial responsibility so long as such default continues.

423. Expenses of Administering Chapter.

(a) The department and the State Department of Finance annually as soon as practicable after July 1st of each year shall ascertain the total amount of expenses incurred by the department during the preceding fiscal year in connection with the administration of this chapter.

(b) Such expenses, in addition to the direct costs of personal service, shall include the cost of maintenance and operation, the cost of retirement contributions made and workmen's compensation premiums paid by the State for or on account of personnel, rentals for space occupied in State-owned or State-leased buildings and all other direct or indirect costs.

(c) A statement of the expenses so ascertained shall be open to public inspection in the office of the Director of Motor Vehicles and of the Insurance Commissioner for 30 days after notice of those liable to be assessed for such expenses before the Insurance Commissioner shall make an assessment upon them as provided in this section.

(d) The Insurance Commissioner shall thereupon assess the total amount of such expenses, as so ascertained, pro rata upon all insurance carriers in proportion to the gross direct premiums, less return premiums thereon, written by them during the calendar year ending December 31st immediately preceding the fiscal year for which the assessment is made for policies or contracts of automobile bodily injury insurance covering risks resident or located in this State. The Insurance Commissioner shall levy and collect such assessments and pay the same into the State treasury, to reimburse the General Fund for moneys advanced to the department to finance the administration of the provisions of this chapter as hereinafter provided.

(e) Sufficient money not to exceed seven hundred fifty thousand dollars (\$750,000) shall be withdrawn from the General Fund from time to time and deposited in the Motor Vehicle Support Fund to meet the necessary expenses of the department, as given in subsection (b) of this section, in the administration of this chapter for each fiscal year.

423.1. Chapter Not to Repeal Other Motor Vehicle Laws.

This article shall in no respect be considered as a repeal of any of the provisions of this code or of other laws relating to the registration, numbering and regulation of motor vehicles; the licensing and regulation of chauffeurs and operators; the use of the public highways by motor vehicles and the accessories used upon them and their incidents; the speed of motor vehicles upon the public highways; or the punishment for the violations of such provisions, but shall be construed as supplemental thereto.

423.2. Uniformity of Interpretation.

This article shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those States, the District of Columbia, or territory or lands in continental United States (exclusive of Alaska) under the exclusive jurisdiction of the United States, or provinces of Canada, which enact it.

423.3. Short Title.

This chapter may be cited as the California Financial Responsibility Law.

423.4. Past Application of Chapter.

This chapter shall not apply to any judgment in a civil action or cause of action arising out of an accident occurring prior to the effective date of this chapter. Such judgments or causes of action shall be subject to and governed by the law in effect prior to the effective date of this act.

423.5. This Chapter Does Not Prevent Other Process.

This chapter shall not be construed to prevent the plaintiff in any action at law from relying for security upon the other processes provided by law.

423.6. Constitutionality.

If any part or parts of this chapter shall be held unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this chapter. The Legislature hereby declares that it would have passed the remaining parts of this chapter if it had known that such part or parts thereof would be declared unconstitutional.

423.7. This act shall be of full force and effect commencing on the first day of January, 1944.

SEC 3. Section 307 is added to Chapter 2 of Division 7 of the Vehicle Code, to read as follows:

307. The department upon receipt of a duly certified abstract of the record of any court showing that any person has been convicted of operating a motor vehicle while under the influence of intoxicating liquor, punishable as a misdemeanor, or of reckless driving resulting in personal injury under subdivision (b) of Section 505, shall suspend the privilege of such person to operate a motor vehicle upon a highway and any and all operator's or chauffeur's licenses issued to him until such person gives proof of ability to respond in damages as provided in this code."

Amendment No. 5

On page 2 of said bill, strike out lines 1 to 52; and strike out all of pages 3 to 17, inclusive; and on page 18, strike out lines 1 to 37, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1579—An act amending the title of and adding Section 6 to "An act authorizing and empowering any city and county, or county, or city operating under a freeholders' charter or otherwise, or any town, or any municipal corporation in the State of California to acquire land and construct and complete improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of hangars for storing aircraft; permitting use for said purposes or property owned for park purposes; providing for the incurring of indebtedness and issuing bonds; validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purposes and of the proceedings leading up to the issuance and the proposed issuance of any such purpose and to levy taxes for such purposes," approved April 28, 1927, relating to the acquisition of airspace and easements therein by counties, city and counties, and cities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 13, of the printed bill, after "to", insert a comma and "or in the vicinity of."

Amendment No. 2

On page 2, line 17, of the printed bill, after "height", insert "or character".

Amendment No. 3

On page 2, line 17, of the printed bill, following "with", insert a comma and "or be hazardous to,".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 158—An act to amend Sections 5016, 5016.3, 5017, 5017.6, 5018, 5030, 5031, and 5040 of, and to add Sections 5016.4, 5017.4, 5017.5, and 5017.7 to, the Business and Professions Code, relating to the practice of accountancy, and declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In lines 4 and 5 of the title of the printed bill, strike out "and declaring the urgency of this act, to take effect immediately".

Amendment No. 2

On page 2, line 32, of said bill, strike out "the effective date of this section", and insert "January 1, 1940".

Amendment No. 3

On page 4 of said bill, strike out lines 10 to 36, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1580—An act adding Sections 1239.2 and 1239.4 to the Code of Civil Procedure, relating to eminent domain for airport purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, after "height", insert "or character".

Amendment No. 2

On page 1, line 7, of the printed bill, after "with", insert "or be hazardous to".

Amendment No. 3

On page 1, line 12, of the printed bill, after "height", insert "or character".

Amendment No. 4

On page 1, line 12, of the printed bill, after "with", insert "or be hazardous to".

Amendment No. 5

On page 1, line 13, of the printed bill, after "to", insert a comma and "or in the vicinity of,".

Amendment No. 6

On page 1, line 16, of the printed bill, after "erection", insert "or maintenance".

Amendment No. 7

On page 1, line 16, of the printed bill, after "growth", insert "or maintenance".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 224—An act to add Sections 3211.2, 3211.4, 3211.6, 3211.7, 3211.8, and 3352.5 to, and Chapter 10, comprising Sections

4301 to 4439, inclusive, to Part 1 of Division 4, of the Labor Code, and to add Article 7, comprising Sections 1570 to 1573, inclusive, to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to civilian defense workers, including the limiting of the liability of the State of California, counties, cities, and civilian defense organizations for injuries arising out of and occurring in the course of activities as a civilian defense worker, authorizing the State Council of Defense to certify civilian defense organizations and to make rules and regulations for the classifying and registering of civilian defense workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 6, line 25, of the printed bill, as amended on January 27, 1943, after "workers.", insert "The reimbursement for cost of services rendered shall not exceed 12½ per cent of the total expenditures for medical treatment and disability and death payments made by the fund in the adjustment of claims arising under this chapter."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 993—An act empowering cities and counties to enact airport approach and turning area regulations for the protection of air approaches to, and turning areas of, airports, for the administration of the same, and for the compensation of owners of property whose property rights are taken or damaged by such regulations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1, line 17, of the printed bill, after "that", insert "aside from any provisions in this act".

Amendment No. 2

On page 1 of the printed bill, between lines 17 and 18, insert "legally".

Amendment No. 3

On page 1 of the printed bill, following line 24, insert "“Airport Approach Regulations” includes turning area regulations.”

Amendment No. 4

On page 2, line 8, of the printed bill, strike out "damages", and insert "compensation".

Amendment No. 5

On page 4, line 3, of the printed bill, strike out "four (4)", and insert "eight (8)".

Amendment No. 6

On page 4, line 5, of the printed bill, after "hearing", insert a comma and "in a newspaper of general circulation published in the township in which the airport to be protected is located, if there be any such paper, and also in a newspaper of general circulation published at the county seat of the county in which the airport to be protected is located, if there be any such paper, and otherwise in the manner provided in Sections 4458 and 4465.5 of the Political Code".

Amendment No. 7

On page 4, line 6, of the printed bill, strike out "30", and insert "60".

Amendment No. 8

On page 4, line 12, of the printed bill, strike out "30", and insert "60".

Amendment No. 9

On page 4, line 13, of the printed bill, after "persons", insert "appearing of record as".

Amendment No. 10

On page 4 of the printed bill, between lines 13 and 14, insert "or any interest therein".

Amendment No. 11

On page 4, lines 14, 15, and 16, of the printed bill, strike out "whose names and addresses appear on the last equalized assessment roll for city taxes, with respect to city property, or for county taxes, if rural property", and insert a comma and "addressed to such persons at their last address known to the administrative agency".

Amendment No. 12

On page 4, line 33, of the printed bill, strike out "damages", and insert "compensation".

Amendment No. 13

On page 4, line 36, of the printed bill, strike out "damages", and insert "compensation".

Amendment No. 14

On page 4, line 40, of the printed bill, strike out "damages", and insert "compensation".

Amendment No. 15

On page 4 of the printed bill, following line 49, insert

"(c) Its finding as to whether or not the area to be protected is an airport as defined in Section 3.

(d) Its finding as to whether or not the public interest, convenience, and necessity require the protection of the airport by the airport approach regulations proposed."

Amendment No. 16

On page 5, line 4, of the printed bill, following "(a)", insert

"It finds that the area to be protected is an airport as defined in Section 3, and that the public interest, convenience, and necessity require the protection of the airport by the enactment of the airport approach regulations.

(b)".

Amendment No. 17

On page 5, line 7, of the printed bill, strike out "b", and insert "c".

Amendment No. 18

On page 5, line 10, of the printed bill, strike out "c", and insert "d".

Amendment No. 19

On page 5, line 16, of the printed bill, strike out "d", and insert "e".

Amendment No. 20

On page 5, line 37, of the printed bill, after "regulation", insert a semicolon and "provided that, an airport approach regulation shall not require the removal or lowering or other change or alteration, or prohibit the repair of any structure or tree which was maintained, or the erection or planting of which was commenced in good faith prior to the date of the first publication of notice."

Amendment No. 21

On page 5 of the printed bill, following line 37, insert

"Sec. 67. No airport approach regulation transfers any airspace or easement therein, or affects in any way any title to, or rights in, any property of any kind, either real, personal, or mixed.

Sec. 68. An airport approach regulation shall only be effective while the airport for the protection of which such airport approach regulation was enacted remains an airport as defined in Section 3."

Amendment No. 22

On page 6, line 1, of the printed bill, after "claimed", insert "or a statement that it is not possible to make an estimate during the time available".

Amendment No. 23

On page 6, line 2, of the printed bill, strike out the period, and insert "insofar as the claimant can state such facts in the time available.

(g) The claimant may also state that in his opinion the area to be protected is not an airport as defined in Section 3, or that public interest, convenience, and necessity do not require the enactment of any airport approach regulations, or both."

Amendment No. 24

On page 6, line 11, of the printed bill, strike out "damages", and insert "compensation".

Amendment No. 25

On page 6, line 26, of the printed bill, strike out "against the others".

Amendment No. 26

On page 7 of the printed bill, strike out all of lines 7 to 17, inclusive.

Amendment No. 27

On page 9 of the printed bill, following line 39, insert "Sec. 1155. If any person requesting a variance proves that at the time when the airport approach regulations were initiated the owner of the property or interest therein now owned by such person, received no compensation because he did not file a claim within the proper time and that he did not file such claim because he had no actual notice of the proceedings in time to file such claim, then the administrative agency shall take such facts into consideration in deciding whether or not a variance should be granted, and the extent of the variance if one is granted."

Amendment No. 28

On page 11 of the printed bill, strike out lines 38 to 51, inclusive; and strike out all of pages 12 and 13.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 289—An act to amend Sections 4037, 4038, 4112, 4152 and 4178 of, to add Sections 4036½ and 4152a to, and to repeal Sections 4039, 4040 and 4179 of, the Political Code; to amend Section 1052 of the Code of Civil Procedure; and to add Section 12073 to the Insurance Code, relating to duties of county officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended on April 9, 1943, strike out "ordinances,".

Amendment No. 2

On page 1, line 17, of said bill, as amended on April 9, 1943, strike out the comma following "resolutions".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 6—An act to amend Sections 50 and 372 of the Vehicle Code, relating to the definition of "unladen weight" and the payment of weight fees for commercial vehicles.

Bill read second time, and ordered to third reading.

Senate Bill No. 232—An act providing for the taking of a census in cities.

Bill read second time, and ordered to third reading.

Senate Bill No. 468—An act to amend an act entitled "An act providing for the joint exercise of powers by counties, by municipalities,

or by municipalities and counties approved May 20, 1921," by amending the title and Section 1 thereof to extend the provisions of the act to other public agencies including the Federal Government, the State, a county, city and county, city, public corporation, municipal corporation and public district, and defining public agencies.

Bill read second time, and ordered to third reading.

Senate Bill No. 63—An act to amend Section 737kk of the Political Code, relating to the salary of superior judges in and for the County of San Diego.

Bill read second time, and ordered to third reading.

Senate Bill No. 33—An act to amend Section 182 of the Penal Code, relating to criminal conspiracy.

Bill read second time, and ordered to third reading.

Senate Bill No. 278—An act to amend Section 4532 of the Penal Code, relating to escapes.

Bill read second time, and ordered to third reading.

Senate Bill No. 280—An act to add Section 395.3 to the Military and Veterans Code, relating to public officers and employees, and providing for the rights of such officers and employees after service in the armed forces, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 105—An act to amend Section 5252 of the Welfare and Institutions Code, relating to the commitment of feeble-minded persons and epileptics.

Bill read second time, and ordered to third reading.

Senate Bill No. 139—An act to amend Section 231 of the Code of Civil Procedure, relating to the manner of summoning jurors for courts not of record.

Bill read second time, and ordered to third reading.

Senate Bill No. 799—An act to amend Section 329 of the Political Code, and to amend Section 9608 of the Government Code, relating to the termination or suspension of a law and the effect thereof upon penalties for violations committed during the operative period of the law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "to amend Section 329 of the Political Code and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 9, inclusive

Amendment No. 3

On page 1, line 11, of said bill, strike out "Sec. 2.", and insert "Section 1"

Amendment No. 4

On page 1 of said bill, strike out lines 21 to 25, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1059—An act to add Section 328.5 to the Political Code, and to add Section 9611 to the Government Code, relating to interpretation of statutes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "add Section 328.5 to the Political Code, and to"

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 11, inclusive.

Amendment No. 3

On page 1, line 12, of said bill, strike out "Sec 2.", and insert "Section 1."

Amendment No. 4

On page 1 of said bill, strike out lines 23 to 28, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1387—An act to add Sections 53.55 and 53.65 to the Alcoholic Beverage Control Act, relating to containers, cartons and bottles; And reports that the same has been correctly enrolled, and presented to the Governor on the fifteenth day of April, 1943, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1015

Assembly Bill No. 1415

Assembly Bill No. 1692

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1016

Assembly Bill No. 1017

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1011

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1019

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 50

Assembly Bill No. 1570

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1914—An act to repeal Sections 1060 and 1061 of, and to add Sections 1060, 1060.1, 1060.2, 1060.3, 1060.4, 1060.5, 1060.6, 1060.7, 1060.8, 1060.9, 1060.10, 1060.11, 1060.12, 1060.13, 1060.14 and 1062b to, the Code of Civil Procedure, relating to declaratory relief.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Doyle, Erwin, Field, Fourt, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Masson, McMillan, Miller, Niehouse, Pelletier, Price, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—Smith—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1915—An act to add Section 1066 to the Code of Civil Procedure, relating to the judicial review of administrative determinations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Doyle, Erwin, Field, Fourt, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Masson, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1917—An act relating to review of decisions of administrative boards, commissions and officers, providing for a thorough study and report thereon and the formulation of a comprehensive and detailed plan in respect thereto and defining the powers and duties of the Judicial Council in relation thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Dills, Clayton A., Doyle, Evans, Fourt, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Masson, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1484—An act to amend Section 575 of the Welfare and Institutions Code of the State of California by providing that in counties of the second class the compensation of the Referee of the Juvenile Court shall be three hundred fifty dollars (\$350) per month.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Denny, Dills, Clayton A., Evans, Fourt, Guthrie, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, Price, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—48.

NOES—Bashore, Debs, Hawkins, Massion, and Pelletier—5

Bill ordered transmitted to the Senate.

Assembly Bill No. 1047—An act to amend Section 4316 of the Political Code, relating to the privileges of public officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Fourt, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 531—An act to amend Section 108 of the Civil Code, relating to divorce actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dills, Clayton A., Doyle, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Bashore—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 1207—An act to repeal Section 2.2012 of the School Code and to repeal Section 4643 of the Education Code, relating to the annexation of school districts to unified school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dills, Clayton A., Doyle, Erwin, Evans, Fourt, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Roberson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Wollenberg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1360

Mr. Wollenberg moved that Assembly Bill No. 1360 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Social Welfare.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 1503—An act to amend Section 9176 of the Education Code, relating to the education of persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Fourt, Guthrie, Hastan, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1020—An act to amend Section 12003 of the Revenue and Taxation Code; to repeal Article 1 of Chapter 3, Part 7, Division 2 of said code; to add a new article, comprising Sections 12251 to 12264 inclusive, to Chapter 3, Part 7, Division 2 of said code, to be known as Article 1; to amend Sections 12402, 12403, 12404, 12405, 12431, 12434, 12438, 12461, 12462, 12464, 12622, 12623, 12626, 12801, 12978, 12996, 12997 and 12999 of said code; and providing that it shall take effect from and after December 31, 1943; all relating to the taxation of insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1015—An act to amend Sections 11502, 11505, 11507, 11510, 11512, and 11513 of, to add Sections 11512.1, 11512.2, 11512.3, and 11516.5 to, and to repeal Section 11497 of, the Insurance Code, all relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fout, Gannon, Guthrie, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1014—An act to add Sections 10176, 10206.5 and 10641.5 to, and to amend Sections 10202, 10203, 10206, 10270 5, 10270.55, 10270.9, and 10270.93 of, the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fout, Gannon, Guthrie, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1016—An act to add Chapter 6a to Part 2, Division 1, of the Insurance Code, relating to taxes on nonadmitted insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Fout, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Call and Heisinger—2.

Notice of Motion to Reconsider Assembly Bill No. 1016

Mr. Call gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1016 was this day passed.

Assembly Bill No. 1017—An act to add Section 11730x to, and to amend Sections 11561, 11699, and 11715 of, the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fout, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Massion, McCollister, McMillan,

Miller, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.
 NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 255—An act to amend Section 6301 of the Business and Professions Code, relating to boards of trustees of law libraries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Erwin, Field, Fourn, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Pelletier, Potter, Price, Robertson, Sargent, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1312—An act to amend Section 702 of the Probate Code, relating to notice in probate proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dill, Clayton A., Dilworth, Doyle, Field, Fourn, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B. Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1313—An act to amend Section 1023 of the Probate Code, relating to final distribution of estates in probate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B. Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 247—An act to add Section 1428b to the Penal Code, relating to the destruction of old records in municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourn, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, O'Day, Pelletier,

Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.
 NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 249—An act to amend Section 28a of an act entitled, "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to bail in municipal courts in cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourn, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 250—An act to amend Section 4300f of the Political Code, relating to jurors' fees in municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1011—An act to add Sections 838.5, 1710, 1691.3, 1831.6, 1831.7, 1831.8, and 1831.9 to the Insurance Code, to add Article 18, comprising Sections 1110 to 1113, to Chapter 1, Part 2, Division 1, thereof, and to amend Sections 382, 763, 1200, 1202, 1591, 1808 and 1831.5, and to repeal Section 1710 of the Insurance Code, all relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1127—An act to add Section 45.1 to the California Irrigation District Act, and Section 26232 to the Water Code, relating to the assessment and redemption of property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, Miller, O'Day, Pelletier, Potter, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 439—An act to amend Sections 69, 77 and 79a of the Civil Code, relating to marriage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Field, Fourn, Gannon, Guthrie, Haggerty, Hastan, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Potter, Price, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Wollenberg—61.

NOES—Pelletier and Robertson—2.

Bill ordered transmitted to the Senate.

Hon. T. Fenton Knight Presiding

At 10.55 a. m., Hon. T. Fenton Knight, Member of the Assembly from the Forty-eighth District, presiding.

Assembly Bill No. 1282—An act to amend Section 266 of the Political Code and Section 9300 of the Government Code, relating to compensation for Members of the Legislature.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1916—An act to add Section 1065 to the Code of Civil Procedure, relating to the judicial review of administrative determinations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley,

Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1019—An act to amend Sections 916 and 918 and repeal Section 10487 of, to add Sections 10150.1, 10478, 10479, 10488, 10489 and 10929 to, and to add Article 3a to Chapter 1 and Article 3a to Chapter 5 of Part 2, Division 2 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 653—An act to amend Section 2351 of the Labor Code, relating to conditions in places of employment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Consideration of House Resolution No. 164

House Resolution No. 164

WHEREAS, There has been called to the attention of the Members of this Legislature a new and cheaper method of building permanent pavement, sometimes designated as the "sub-oil paving method"; and

WHEREAS, It is claimed that the adoption of said method in the construction of highways, airports, or for any other purpose in which a permanent, inexpensive surface is required, will result in the saving to the State and agencies of the State of millions of dollars; and

WHEREAS, It is the duty of this Legislature to inquire into the merits of such process and its adaptability for use in California with a view to determining what legislative action, if any, should be taken in respect thereto; now, therefore, be it

Resolved, by the Assembly of the State of California, That the Interim Committee created by House Resolution No. 81 be instructed to consider the following:

The committee shall also consider, study, ascertain and appraise accurately and in detail all facts pertinent to the new method of pavement designated as a sub-oil paving method, and the adaption of said method in the construction of highways, airports, or for any other purpose in which a permanent, inexpensive surface is required, all for the purpose of recommending the use of said sub-oil paving method in proposing such legislation as may be deemed to be necessary in order to permit the use of said method should the same prove practical.

For the purposes of this resolution the committee shall have all the powers and privileges conferred upon an investigating committee by Rule 35 of the Joint Rules of the Senate and Assembly, as the same now exist or hereafter from time to time be amended.

Resolution read.

Motion to Re-refer House Resolution No. 164 to Committee

Mr. Call moved that House Resolution No. 164 be re-referred to the Committee on Roads and Highways.

Mr. Weber seconded the motion.

Withdrawal of Motion to Re-refer

Mr. Call withdrew his motion, with the consent of his second, Mr. Weber.

The question being on the adoption of House Resolution No. 164.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Berry, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C. Dilworth, Dunn, Erwin, Evans, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton, Kraft, Lowrey, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Potter, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Watson, Werdel, and Weybret—50.

NOES—Allen, Armstrong, Beck, Bennett, Burns, Call, Desmond, Doyle, Fourt, Johnson, Leonard, Lyons, Maloney, Pelletier, Sawallisch, Thurman, Waters, and Weber—18.

(Notice of motion to reconsider House Resolution No. 164 given later on this day.)

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 642 FROM COMMITTEE

Mr. Waters gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 642 from the Committee on Revenue and Taxation, and have it placed upon the file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON INTRODUCTION OF A BILL

At 11.57 a.m., on motion of Mr. Maloney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill granted to Mr. Erwin by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 1988: By Mr. Erwin—An act to amend Section 11010 of, and to add Section 11011.5 to, the Business and Professions Code, relating to real estate subdivision.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Haggerty:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 22.5 to the Fish and Game Code, to empower the State Fish and Game Commission to insure boats and personnel, declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

GERALD P. HAGGERTY

Request referred to Committee on Legislative Procedure.

By Mr. Debs:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 4029 of the Political Code, relating to supervisory districts.

Respectfully submitted.

ERNEST E. DEBS

Request referred to Committee on Legislative Procedure.

By Mr. Johnson:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation for the support of the California Commission on Interstate Cooperation, to take effect immediately.

Respectfully submitted.

GARDINER JOHNSON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Haggerty:

An act to add Section 22.5 to the Fish and Game Code, to empower the State Fish and Game Commission to insure boats and personnel, declaring the urgency thereof, to take effect immediately.

By Mr. Debs:

An act to amend Section 4029 of the Political Code, relating to supervisory districts.

By Mr. Johnson:

An act making an appropriation for the support of the California Commission on Interstate Cooperation, to take effect immediately.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Holibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelle-

tier, Potter, Price, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1989: By Mr. Haggerty—An act to add Section 22.5 to the Fish and Game Code, to empower the State Fish and Game Commission to insure boats and personnel, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

Assembly Bill No. 1990: By Mr. Debs—An act to amend Section 4029 of the Political Code, relating to supervisorial districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1991: By Mr. Johnson—An act making an appropriation for the support of the California Commission on Interstate Cooperation, to take effect immediately.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 45

And reports the same correctly re-engrossed.

PELLETIER, Chairman

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 45

Assembly Joint Resolution No. 45—Relative to facilitating the employment of Mexican citizens in agriculture.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Diekey, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Fourt, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

WITHDRAWAL OF ASSEMBLY BILL NO. 1021 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Maloney asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1021 from the Committee on Finance and Insurance for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1021

Assembly Bill No. 1021—An act to amend Sections 10490, 10491, 10492, 10493, 10494, 10495, 10497, 10498, 10499 and 10500, and to add Section 10498.5 to, the Insurance Code, relating to insurance.

Bill read second time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "10491,".

Amendment No. 1a

In line 2 of the title of the printed bill, strike out "10499 and 10500, and to add Section", and insert "10499 and 10501, and to add Sections 10494.5 and".

Amendment No. 2

On page 1 of the printed bill, strike out lines 4 and 5, and insert "insurance. Except as otherwise expressly permitted by this code or when transacted pursuant to or expressly exempted by this chapter, life or disability insurance shall not be transacted in".

Amendment No. 3

On page 1, line 12, of the printed bill, after "article", insert "Nothing in this article shall apply to any person expressly exempted by or subject to Chapter 10 of this part."

Amendment No. 4

On page 1 of the printed bill, strike out lines 14 to 20, inclusive; and in line 22, strike out "Sec. 3", and insert "Sec. 2".

Amendment No. 5

On page 2, line 5, of the printed bill, strike out "Sec. 4", and insert "Sec. 3".

Amendment No. 5a

On page 2, line 9, of the printed bill, strike out "church, lodge, labor union," and insert "church, lodge or labor union not otherwise exempted by this article,".

Amendment No. 6

On page 2, line 21, of the printed bill, strike out "Sec. 5.", and insert "Sec. 4."

Amendment No. 7

On page 2, line 23, of the printed bill, strike out "lodge,".

Amendment No. 8

On page 2, line 26, of the printed bill, after "members", insert "and does not provide for death benefits of more than two hundred fifty dollars (\$250) or for disability benefits of more than two hundred fifty dollars (\$250) to any one person in any one year".

Amendment No. 9

On page 2 of the printed bill, between lines 35 and 37, insert "Sec. 5. Section 10494.5 is hereby added to the Insurance Code, to read as follows:

10494.5. Any employer maintaining a plan for furnishing disability insurance benefits to his employees for nonindustrial and nonoccupational injuries or sickness, under which plan the employer defrays 50 per cent or more of the expense of such benefits, may secure a certificate of exemption from the commissioner under this article if such employer in respect to such plan otherwise complies with and is subject to the requirements of this article. Such compliance with this article need be only with respect to such plan and not in respect to other business of the employer."

Amendment No. 10

On page 3 of the printed bill, strike out lines 26 to 29, inclusive.

Amendment No. 11

On page 3 of the printed bill, strike out line 40.

Amendment No. 12

On page 3 of the printed bill, strike out line 48

Amendment No. 13

On page 5 of the printed bill, strike out lines 9 to 18, inclusive.

Amendment No. 14

On page 5 of the printed bill, after line 18, insert

"Sec. 11. Section 10501 of the Insurance Code is hereby amended to read as follows:

10501. Any person subject to this article who upon January 1, 1943, was paying, allowing, or promising to pay benefits in the event of death or disability, or otherwise transacting life or disability insurance without a valid and unrevoked certificate of authority so to do, may apply for a certificate of exemption under this article

After filing such application, or if such application has heretofore been filed, such person may continue to transact such insurance until the application is denied or such certificate of exemption is issued. Thereafter, if such certificate is issued, it remains in effect subject to the provisions of Sections 10499 and 10500."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1311 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Thurman asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1311 from the Committee on Judiciary, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1311

Assembly Bill No. 1311—An act to add Section 54.1 to the Civil Code, relating to the right of privacy of persons.

Bill read second time.

Motion to Amend

Mr. Thurman moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 54.1 to the Civil Code", and insert "amend Section 43.5 of the Civil Code and Section 340 of the Code of Civil Procedure."

Amendment No. 2

On page 1 of said bill, strike out line 1, and strike out the remainder of the bill, and insert

"SECTION 1. Section 43.5 of the Civil Code is amended to read:

43.5. No cause of action arises for:

- (a) Alienation of affection.
- (b) Criminal conversation.
- (c) Seduction of a person over the age of legal consent.
- (d) Breach of promise of marriage.
- (e) *Invasion without malice of the right of privacy.*

SEC. 2. Section 340 of the Code of Civil Procedure is amended to read:

340. Within one year:

1. An action upon a statute for a penalty or forfeiture, when the action is given to an individual, or to an individual and the State, except when the statute imposing it prescribes a different limitation;
2. An action upon a statute, or upon an undertaking in a criminal action for a forfeiture or penalty to the people of this State;
3. An action for libel, slander, assault, battery, false imprisonment, seduction of a person below the age of legal consent, or for injury to or for the death of one caused by the wrongful act or neglect of another, or by a depositor against a bank for the payment of a forged or raised check, or a check that bears a forged or unauthorized endorsement;
4. An action against a sheriff or other officer for the escape of a prisoner arrested or imprisoned on civil process;
5. An action against a municipal corporation for damages or injuries to property caused by a mob or riot.
6. *An action for the invasion of the right of privacy.*

SEC. 3. An action upon any cause of action arising before the effective date of this act for invasion of privacy without malice must be commenced within 60 days after the effective date of this act, but this provision does not revive an action

the time for the commencement of which has expired prior to the effective date hereof."

Amendments read and adopted.
Bill ordered reprinted and engrossed.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1334
FROM COMMITTEE**

Mr. Kraft gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 1334 from the Committee on Finance and Insurance, and have it placed upon the file.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1360 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Wollenberg asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1360 from the Committee on Social Welfare for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1360

Assembly Bill No. 1360—An act to amend Sections 103 and 113, and to repeal Sections 114 and 119 of, and to add Sections 113.5, 114, 114.5, 119, 119.3 and 125 to, the Welfare and Institutions Code, relating to the powers and duties of the State Department of Social Welfare, the State Board of Social Welfare and the Director of Social Welfare.

Bill read second time.

Motion to Amend

Mr. Wollenberg moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 103 and 113, and to repeal Sections"; and strike out all of lines 2 to 6, inclusive, of said title, and insert "add Sections 2021.1 and 2187.1 to the Welfare and Institutions Code, relating to public assistance, providing for the respective participation of the State and the counties in the cost of aid to the aged, and making an appropriation, declaring the urgency thereof, to take effect immediately and to become operative as therein provided."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23, inclusive; and strike out all of pages 2, 3, and 4, and insert

"SECTION 1. Section 2021.1 is added to the Welfare and Institutions Code, to read:

2021.1. There is hereby appropriated out of any moneys in the State treasury not otherwise appropriated to every county within this State for maintaining or supporting aged persons who come within the provisions of this chapter and not in excess of three hundred sixty dollars (\$360) per annum for each such aged person maintained or supported by such county.

There is hereby further appropriated to every county within this State for the purpose of maintaining or supporting aged persons who come within the provisions of this chapter and who have no county residence as provided in this chapter, and not in excess of four hundred eighty dollars (\$480) per annum for each such aged person.

Payments of aid shall be made in the manner provided in Sections 2187.1 to 2189, inclusive, of this code.

This section shall remain in effect until July 1, 1945. While this section is in effect it shall supersede Section 2021 of this code, and wherever in any provision of law reference is made to Section 2021, such reference shall be deemed to refer to this section; but Section 2021 is not repealed by this section and after this section is no longer effective Section 2021 shall have the same force and effect as though this section had not been enacted.

SEC. 2. Section 2187.1 is added to said code, to read:

2187.1. From the sums appropriated therefor by the State of California in Section 2021.1 of this chapter, the State Treasurer shall pay to each county an

additional amount which shall be used exclusively for aid to needy aged equal to three-fourth of the remainder of the sums expended by the county as aid to the needy aged under this chapter, after deducting from the sums so expended the amount paid to the county under subdivision (1) of Section 2186 of this code, except that the State shall pay the county the full amount of aid granted any person otherwise qualified who has resided in the State for the required period and who has no county residence, after deducting the amount paid with respect to such person under subdivision (1) of Section 2186 of this code.

This section shall remain in effect until July 1, 1945. While this section is in effect it shall supersede Section 2187 of this code, and wherever in any provision of law reference is made to Section 2187 such reference shall be deemed to refer to this section; but Section 2187 is not repealed by this section, and after this section is no longer effective Section 2187 shall have the same force and effect as though this section had not been enacted.

SEC. 3. This act shall become operative on July 1, 1943.

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The temporary assumption by the State of a portion of the cost of aid to the aged now borne by the counties will enable the counties to reduce their tax rates, and so relieve property taxpayers of a burden which has become excessive. The increases in the cost of living and in Federal taxation consequent upon the wars in which the United States is now engaged strain the resources of the county governments and of local taxpayers alike, and threaten the economic life of the community. To make the relief afforded by this act available at the commencement of the next fiscal year, it is necessary that this act take effect immediately."

Amendments read and adopted.

Bill ordered reprinted and engrossed

**WITHDRAWAL OF ASSEMBLY BILL NO. 300 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Johnson asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 300 from the Committee on Municipal and County Government, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 300

Assembly Bill No. 300—An act to repeal "An act relating to bids for the construction of public works and improvements," approved July 19, 1941.

Bill read second time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend Section 1 of an act entitled".

Amendment No. 2

In line 3 of the title of said bill, after "1941", insert ", relating to subcontracts for construction of public works and improvements".

Amendment No. 3

On page 1, line 1, of said bill, strike out "The act cited in the title hereof is repealed.", and insert "Section 1 of the act cited in the title hereof is amended to read:

SECTION 1. Any officer, department, board or commission taking bids for the construction of any public work or improvement shall provide in the specifications prepared for the work or improvement or in the general conditions under which bids will be received for the doing of the work incident to the public work or improvement that any person making a bid or offer to perform the work, shall, in his bid or offer, set forth the name and the location of the mill, shop or office of each subcontractor who will perform work or labor or render service to the contractor in or about the

construction of the work or improvement and the portion of the work which will be done by each subcontractor.

Any subcontractor who has submitted an estimate to any bidder must have on file with the office, department, board or commission taking bids for the construction, prior to 24 hours of the time set for closing of bids, a statement that the subcontractor has submitted an estimate on a subcontract for a portion of the work for which the bid is being received, said statement to also contain a general description of the portion of the work for which the estimate has been given to the contractor, and the statement must be accompanied with a certified check payable to the awarding authority in the amount of ten per cent (10%) of the estimate. If said subcontractor has given estimates on the same subcontract to two or more contractors, he need deposit only one certified check for ten per cent (10%) of the amount of the highest estimate given to any contractor and the statement shall designate the name and address of each contractor to whom the estimate has been furnished. If estimates are given for a subcontract for different portions of the contract, a separate certified check shall be deposited for each class of subcontract work.

Such certified check shall be deposited with the agreement and the statement shall provide that if the subcontractor so depositing the certified check and statement is named in the bid as a subcontractor, that he will enter into the subcontract in the event the bidder to whom the estimate for subcontract has been furnished is awarded the contract by the awarding authority; otherwise such check shall be forfeited to the awarding authority. All certified checks so deposited shall be immediately returned to the subcontractors depositing the same, excepting for those subcontractors who are named in the bid of the successful bidder. Certified checks deposited by subcontractors named in the bid of the successful bidder shall be retained by the awarding authority until the subcontract is entered into between the contractor and the subcontractor, and on proof of such subcontract being made, said certified check shall be returned.

If a contractor fails to specify a subcontractor for any portion of the work to be performed under the contract, he shall be deemed to have agreed to perform such portion himself, and he shall not be permitted to subcontract that portion of the work except under the conditions hereinafter set forth.

No contractor whose bid is accepted shall, without the consent of the awarding authority, either:

- (a) Substitute any person as subcontractor in place of the subcontractor designated in the original bid, or
- (b) Permit any subcontract to be assigned or transferred or allow it to be performed by anyone other than the original subcontractor, or
- (c) Sublet or subcontract any portion of the work as to which his original bid did not designate a subcontractor.

Subletting or subcontracting of any portion of the work as to which no subcontractor was designated in the original bid shall only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the awarding authority setting forth the facts constituting such emergency or necessity.

Should the contractor violate any of the provisions of this act, his so doing will be deemed a violation of his contract and the awarding authority shall have the right to cancel the contract. The contractor shall not, after any such violation, recover thereon for any of the work done or materials furnished on such public work or improvement.

The failure on the part of a contractor to comply with any provision of this act shall not constitute a defense to such contractor in any action brought against him by a subcontractor.

This act shall not apply to contracts for the construction or improvement or repair of State highways, including bridges, nor to city or county projects financed in whole or in part with motor vehicle fuel funds.

Nothing in this act contained shall be deemed to limit or diminish any rights or remedies, either legal or equitable, which either an original or substituted subcontractor may have against the contractor, his successors or assigns, nor any such rights or remedies (including the right to take over and complete the contract) which the State of California, or any municipal corporation, county, body politic, or public corporation, or public agency may have against the contractor, his successors or assigns."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 178 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Lyons asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 178 from the Committee on Governmental Efficiency and Economy, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 178

Assembly Bill No. 178—An act to amend Sections 1 and 5 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, and to amend Sections 18191 and 18202 of the Education Code, relating to the powers and duties of the State Division of Architecture with respect to protection from earthquake, fire and panic hazard.

Bill read second time.

Motion to Amend

Mr. Lyons moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 1 and 5 of an act entitled "An act"; and strike out all of lines 2 to 11, inclusive, of said title; and in line 12, strike out "18202 of", and insert "add Sections 18191.5 and 18202 5 to".

Amendment No. 2

In line 14 of the title of said bill, strike out "earthquake,".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 15, inclusive; and on page 2, strike out lines 1 to 20, inclusive; and in line 21, strike out "18191.", and insert "SECTION 1. Section 18191.5 is added to the Education Code, to read: 18191.5. In addition to the authority granted by Section 18191,".

Amendment No. 4

On page 2, line 26, of said bill, strike out "earthquake,".

Amendment No. 5

On page 2 of said bill, strike out lines 27 to 32, inclusive; and in line 33, strike out "Such rules and regulations", and insert "SEC. 2. Section 18202.5 is added to said code, to read: 18202 5. The rules and regulations of the Division of Architecture under Section 18202".

Amendment No. 6

On page 2, line 40, of said bill, strike out "33", and insert "41".

Amendment No. 7

On page 2 of said bill, strike out lines 42 to 47, inclusive

Amendments read and adopted.

Bill ordered reprinted and engrossed.

WITHDRAWAL OF ASSEMBLY BILL NO. 894 FROM COMMITTEE
BY UNANIMOUS CONSENT

Mr. Sawallsch asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 894 from the Committee on Revenue and Taxation, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 894

Assembly Bill No. 894—An act to amend Sections 9605 and 9779 of, and to add Section 965½ to Part 4, Division 2 of the Revenue and Taxation Code, relating to the taxation of the transportation of persons

or property upon the public highways by motor vehicle and providing that this act shall take effect immediately.

Bill read second time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill after "9605", strike out "and", and insert a comma; after "9779", insert ", 9877.5, 10251, 10255 and 10454"; and at the end of the line, add "s" to the word "Section".

Amendment No. 2

In line 2 of the title of the printed bill, after "9654", strike out "to", and insert ", 9914 and 10251.5 to, and to repeal Section 9901.5 of".

Amendment No. 3

On page 2 of the printed bill, between lines 5 and 7, insert

"SEC. 4. Section 9877.5 of the said code is hereby amended to read as follows: 9877.5. In making a determination the board may offset overpayments of tax and penalties for a [month or months] period or periods, together with interest on the overpayments of tax, against underpayments [month or months] period or periods, against penalties, and against the interest on the underpayments. The interest on overpayments shall be computed upon the amount of tax at the rate of one-half of 1 per cent per month, or fraction thereof, from the 20th day of the month after the close of the period for which the tax was due to the same date that interest is computed upon the amount of the tax against which the overpayment is applied.

SEC. 5. Section 9901.5 of the said code is hereby repealed.

SEC. 6. A new section number 9914 is hereby added to the said code, to read as follows:

9914. In making a jeopardy determination the board may offset overpayments of tax and penalties for a period or periods, together with interest on the overpayments of tax, against underpayments for another period or periods, against penalties, and against the interest on the underpayments. The interest on overpayments shall be computed upon the amount of tax at the rate of one-half of 1 per cent per month, or fraction thereof, from the twentieth day of the month after the close of the period for which the tax was due to the same date that interest is computed upon the amount of the tax against which the overpayment is applied.

SEC. 7. Section 10251 of the said code is hereby amended to read as follows:

10251. If the board determines that any amount not required to be paid under this part has been paid by any person, the board shall set forth in its records and certify to the State Board of Control the amount paid in excess of the amount legally due and the person from whom it was collected. If the State Board of Control approves, the excess shall thereupon be credited on any taxes then due from the operator under this part, and the balance shall be refunded to the operator, or his successors, administrators, executors, or assigns, or to the person from whom it was collected.

SEC. 8. A new section number 10251.5 is hereby added to the said code, to read as follows:

10251.5. Interest shall be allowed upon any overpayment of tax determined under Section 10251 at the rate of one-half of 1 per cent per month from the twentieth day of the month following the period for which the overpayment was made to the date upon which it is certified to the State Board of Control, but no refund or credit shall be made of any interest imposed upon the claimant with respect to the amount of tax being refunded or credited.

If the board determines that any overpayment has been intentionally made or made by reason of carelessness, it shall not allow any interest thereon.

SEC. 9. Section 10255 of the code is hereby amended to read as follows:

10255. No credit or refund shall be allowed under Section 10254 unless the operator files a verified claim therefor with the board within 90 days after the close of the year in which an excess was paid.

SEC. 10. Section 10454 of the said code is hereby amended to read as follows:

10454. All [remittances for] payments of taxes, [together with] interest and penalties [thereon] received by the board under this part shall be [transmitted daily to the Controller with the names of the operators who sent the remittances.] deposited by the board to the credit of the Controller in an approved State depository designated by him, and appropriate advices of such payments shall be transmitted

to him by the board. The Controller shall keep an appropriate record of the payments."

Amendment No. 4

On page 2, line 7, of the printed bill, after "Sec.", strike out "4", and insert "11".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 582—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in a primary election.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 12, of the printed bill, after "party", insert "which has previously qualified in a direct primary election".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1803—An act to amend Sections 132, 5901, 5931 and 5932 of, and to add Sections 5912, 5933 and 5934 to the Elections Code, relating to absentee registration and voting of members of the armed forces of the United States, or any auxiliary branch thereof.

Bill read third time.

Motion to Amend

Mr. O'Day moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 20, of the printed bill, as amended, after "any", insert "state-wide".

Amendment No. 2

On page 2, line 21, of said bill, as amended, strike out "shall", and insert "may".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1055—An act to amend Section 1908 of the Harbors and Navigation Code, relating to fire protection.

Bill read third time.

Motion to Amend

Mr. O'Day moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended, strike out "One-", and insert "San Francisco one-".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

COMMUNICATIONS

By Mr. Carey :

The following communication was received, read, and ordered printed in the Journal :

LIGGETT & MYERS TOBACCO Co.
SAN FRANCISCO, CALIFORNIA, April 15, 1943

Edward J. Carey, Assemblyman
Assembly Chamber, Sacramento, California

DEAR MR. CAREY. We acknowledge your card of April 12th inquiring relative to the rumor about saving red cellophane bands used to open cigarette packages. This is just another one of those vicious rumors, which from time to time sweep the country, and for which there is not the slightest foundation.

This rumor was originally supposed to be connected with the securing of seeing eye dogs for blind persons, and we considered it particularly cruel because of its tendency to raise the hopes of afflicted people, only to crush them when the truth of the matter became known.

If there is any circulation of this false rumor among your associates, we would greatly appreciate anything you may do to stop it, as it is not only disappointing to persons who are misled by it, but it is damaging to the best interests of any concern with whom it may be associated.

Thanking you for the inquiry.

Very truly,

I. K. BROWN, Department Manager

**ASSEMBLY JOINT RESOLUTION NO. 42 ORDERED PLACED
UPON THE INACTIVE FILE**

Mr. Sam L. Collins moved that Assembly Joint Resolution No. 42 be withdrawn from the third reading file, and placed upon the inactive file.

Motion carried.

RECESS

At 12.16 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 1.45 p.m.

REASSEMBLED

At 1.45 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RESOLUTIONS

The following resolution was offered :

By the Committee on Rules and House Functions :

House Resolution No. 184

Resolved, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly, to take effect upon the completion of work on Sunday, April 18, 1943 :

	<i>Per day</i>
William Rust, Chief Page-----	\$4 00
Stanley Mattox, Page-----	3 00

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 184, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny,

Dickey, Dills, Clayton A. Dunn, Erwin, Field, Guthrie, Haggerty, Heisinger, Holli-
 baugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft,
 Lowrey, Lyons, Maloney, McCollister, Middough, Miller, O'Day, Potter, Price, Sar-
 gent, Sheridan, Smith, Stream, Thompson, Weber, Werdel, Weybret, and Mr.
 Speaker—49.

NOES—None

By the Committee on Rules and House Functions:

House Resolution No. 185

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth, with the compensation set opposite their respective names payable weekly, on a 7-day per week basis, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

<i>Commencing Monday, April 19, 1943</i>	<i>Per day</i>
Assistant Clerk, William Rust.....	88 00
Chief Page, Louis Desmond.....	4 00
Assistant Chief Page, Stanley Mattox.....	4 00

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 185, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Doyle, Erwin, Field, Guthrie, Haggerty, Hastain, Heisinger, Holibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, McCollister, Middough, Miller, O'Day, Potter, Price, Sheridan, Smith, Stream, Thompson, Watson, Weber, Werdel, Weybret, and Mr. Speaker—48.

NOES—None.

By Mr. McCollister:

House Resolution No. 186

Relating to the committee investigating military affairs of the State

Resolved by the Assembly of the State of California, That the sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee created under House Resolution No. 47 for the purpose of investigating and reporting upon the military affairs of the State, and for the expenses of its members and for any charges, expenses or claims it may incur under House Resolution No. 47 or this resolution, to be paid and disbursed upon certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer; and be it further

Resolved, That the said committee is authorized to sit after the final adjournment of the Fifty-fifth Session of the Legislature and to exercise all of the powers granted to it under House Resolution No. 47 and the Rules of the Assembly and the Joint Rules of the Senate and Assembly as they now are, or as they may hereafter be amended, and to file its report and recommendations with the Fifty-sixth Session of the Legislature during the month of January, 1945

Resolution read, and referred to Committee on Rules and House Functions.

MOTION TO EXCUSE MEMBER

Upon motion of Mr. Clarke, Mr. Thorp was excused for the balance of the legislative day to attend a funeral.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
 Assembly Bill No. 1510
 Assembly Bill No. 1888
 And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
 Assembly Bill No. 1078
 And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
 Assembly Concurrent Resolution No. 50
 Assembly Concurrent Resolution No. 52
 And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
 Assembly Bill No. 1901
 And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
 Assembly Bill No. 388
 Assembly Bill No. 671
 Assembly Bill No. 731
 Assembly Bill No. 822
 Assembly Bill No. 860
 Assembly Bill No. 1444
 And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 76	Senate Bill No. 948
Assembly Bill No. 1748	Senate Bill No. 949
Assembly Bill No. 1935	Senate Bill No. 952
Senate Bill No. 203	Senate Bill No. 982
Senate Bill No. 588	Senate Bill No. 983
Senate Bill No. 945	Senate Bill No. 984
Senate Bill No. 946	Senate Bill No. 986
Senate Bill No. 947	Senate Bill No. 1085

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 1623

Senate Bill No. 731

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

RALPH C. DILLS, Chairman

Above reported bills re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 242

Senate Bill No. 985

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 1402

Assembly Bill No. 1411

Assembly Bill No. 1863

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 590

Assembly Bill No. 1957

Assembly Bill No. 615

Assembly Bill No. 1968

Assembly Bill No. 1028

Senate Bill No. 859

Assembly Bill No. 1058

Senate Bill No. 341

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BASHORE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 498

Senate Bill No. 685

Assembly Bill No. 687

Senate Bill No. 750

Assembly Bill No. 1825

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BASHORE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1955

Assembly Bill No. 1959

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BASHORE, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No 120

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

POTTER, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 900

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 136

Assembly Bill No. 440

Assembly Bill No. 1021

Assembly Bill No. 92

Assembly Bill No. 153

Senate Bill No. 904

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1978

Assembly Bill No. 672

Assembly Bill No. 1784

Assembly Bill No. 549

Assembly Bill No. 1844

Assembly Bill No. 441

Assembly Bill No. 209

Assembly Bill No. 1661

Assembly Bill No 1829

Senate Bill No 510

Assembly Bill No. 1033

Senate Bill No. 251

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1290

Assembly Bill No. 1383

Assembly Bill No. 1848

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DILWORTH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1075

Assembly Bill No. 1319

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DILWORTH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1259

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 1263

Assembly Bill No. 1603

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 680

Assembly Bill No. 1042

Assembly Bill No. 746

Assembly Bill No. 1043

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 1151

Assembly Bill No. 1152

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Judiciary.

NIEHOUSE, Chairman

Above reported bills re-referred to Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 22

Assembly Bill No. 486

Assembly Bill No. 432

Assembly Bill No. 1557

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bills re-referred to Committee on Ways and Means.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

Senate Bill No. 179

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HAWKINS, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 347

Assembly Bill No. 1231

Assembly Bill No. 1544

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1078 re-referred to Committee on Fish and Game.

Assembly Bill No. 1901 re-referred to Committee on Conservation, Natural Resources, and Planning.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 289

Senate Bill No. 315

J. A. BEEK, Secretary of the Senate

By BARTON B. BEEK, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 338

Senate Bill No. 742

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 15, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 501

Senate Bill No. 723

Senate Bill No. 454

Senate Bill No. 783

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 112

Senate Bill No. 656

Senate Bill No. 1079

Senate Bill No. 577

J. A. BEEK, Secretary of the Senate

By BARTON B. BEEK, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 14, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 33

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 501—An act to amend Sections 120 and 4372 of, to repeal Section 4371 and Article 2, consisting of Sections 4406 to 4409, inclusive, of Chapter 4 of Part 7, Division 1 of, and to add Section 4377.5 to the Revenue and Taxation Code, relating to the redemption of property.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 723—An act to add Section 3515.5 to the Revenue and Taxation Code, relating to transfer to the Veterans' Welfare Board of tax-deeded property.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 454—An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle

License Fee Fund for expenditures therein, and declaring the urgency thereof.

Referred to Committee on Municipal and County Government.

Senate Bill No. 785—An act to add Section 16904.5 to the Business and Professions Code, for the purpose of preventing evasion of resale price restrictions imposed with respect to any commodity by any contract entered into pursuant to the provisions of Section 16900 to 16905, both inclusive, of the Business and Professions Code.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Senate Bill No. 112—An act to amend Section 57.7 of the Unemployment Insurance Act, relating to unemployment benefits for persons who have served in the armed forces.

Referred to Committee on Finance and Insurance.

Senate Bill No. 656—An act to amend Section 6816 and to repeal Section 6817 of the Public Resources Code, relating to the disposition of moneys credited to the State Lands Act Fund.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 1079—An act to provide for the organization, incorporation and government of county water authorities, authorizing and empowering such authorities to acquire water and water rights, and to acquire, construct, operate and manage works and property, to incur bonded indebtedness therefor, to provide for the taxation of property therein, and the performance of certain functions relating thereto by officers of county within which any such authority may be located, to provide for addition of areas thereto, and the exclusion of areas therefrom.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Senate Bill No. 577—An act to amend Section 255 of the Probate Code, relating to inheritance by illegitimate children.

Referred to Committee on Judiciary.

Senate Concurrent Resolution No. 33—Approving an amendment to the charter of the City of Santa Clara, County of Santa Clara, State of California, voted for and ratified by the qualified electives of said city at a general municipal election held therein on the fifth day of April, 1943.

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Request for Unanimous Consent

Mr. Miller asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 33, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 33

Senate Concurrent Resolution No. 33—Approving an amendment to the charter of the City of Santa Clara, County of Santa Clara, State of California, voted for and ratified by the qualified electives of said city at a general municipal election held therein on the fifth day of April, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollbaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O Day, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—56.

NOES—None

Motion to Amend Title

Mr. Miller moved the adoption of the following amendment to the title:

Amendment No. 1

In line 4 of the title of the printed resolution, strike out "electives", and insert "electors".

Amendment read and adopted.

Resolution ordered reprinted, and transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 48: By Mr. Lyon—Relative to memorializing Congress to enact legislation creating a Federal agency to study tax structures.

Referred to Committee on Rules and House Functions.

Hon. Thomas M. Erwin Presiding

At 2.10 p.m., Hon. Thomas M. Erwin, Member of the Assembly from the Fiftieth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 269—An act to add Section 20.7 to the Personal Property Brokers Act as revised by Chapters 952 and 1044 of the Statutes of 1939, relating to licensees in military service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollbaugh, Johnson, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, and Weybret—57

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 140—An act to amend Section 8 and to repeal Section 4 of, and to add Sections 4, 10a, 10b, 10c, 11a, and 12a to, an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of

the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith." approved by the electorate November 2, 1920, relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to contracts for the use, leasehold or other interest in real property less than the fee, including cropping contracts, providing for escheats in certain cases, prescribing the procedure therein, defining the powers and duties of the Attorney General or the district attorney of the proper county in reference thereto, providing as to the duties, powers and authority of any alien appointed by any court as guardian of his native-born minor child or children, or as guardian of any other person, or persons, and prescribing the procedure in such cases, and to provide a penalty.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 22, of the printed bill, strike out "six months", and insert "year".

Amendment read.

Roll Call Demanded

Messrs. Johnson, Lowrey, and Weber demanded a roll call.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Anderson, Brown, Burkhalter, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Ralph C., Dunn, Haggerty, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Kraft, Maloney, Massion, McMillan, Middough, O'Day, Pelletier, Price, Sargent, Sheridan, Smith, Thomas, Waters, Watson, Weber, Werdel, and Mr. Speaker—35.

NOES—Armstrong, Bashore, Berry, Burns, Call, Denny, Erwin, Hastain, Heisinger, King, Lowrey, Lyons, McCollister, Miller, Robertson, Stream, and Thompson—17.

Bill ordered reprinted, and to third reading.

Speaker Presiding

At 2.20 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Senate Bill No. 59—An act to regulate, and to prohibit fraud and deception in, the sale of olive oil, imitation olive oil, and other edible oils, to repeal an act entitled "An act to regulate the sale of imitation olive oil, and to repeal an act entitled 'An act to regulate the sale of olive oil,' approved March 10, 1891." approved March 23, 1893, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Beck moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 41, of the printed bill, as amended, after the period, insert "Such licenses shall be issued free of charge."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 776—An act to amend Section 20 of the "Personal Property Brokers Act" as revised and set forth in Chapters 952 and

1044 of the Statutes of 1939, relating to personal property brokers and to persons who, as brokers, negotiate loans made by personal property brokers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Field, Fourn, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Sargent, Sheridan, Smith, Thompson, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—King, Robertson, and Werdel—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 777—An act to amend Section 19 of the "California Small Loan Act," relating to lenders engaged in the business of making loans of three hundred dollars (\$300) or less, and to persons who, as brokers, negotiate loans made by such lenders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourn, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Sargent, Sheridan, Smith, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1888—An act to add Section 1714.5 to the Civil Code, relating to negligence as a matter of law for acts or omissions complying with orders or proclamations of military authorities, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Sargent moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, after "omissions", insert "in".

Amendment No. 2

On page 2, line 23, of said bill, strike out "or", and insert "and".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY JOINT RESOLUTION NO. 31

Mr. Wollenberg moved that Assembly Joint Resolution No. 31 be withdrawn from the file, and re-referred to the Committee on Rules and House Functions.

Motion carried.

MOTION ON ORDER OF BUSINESS

Mr. Carlson moved that the order of business for Saturday, April 17, 1943, call for adjournment at 2 p.m., until Monday, April 19, 1943.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 110—An act to amend Section 1340.6 of the Fish and Game Code, relating to bear.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Sargent, Sawallisch, Sheridan, Smith, Thompson, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 154—An act to repeal Section 64.5 of, and to amend Section 1270 of, the Fish and Game Code, relating to deer seasons, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Price, Robertson, Sawallisch, Sheridan, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Price, Robertson, Sawallisch, Sheridan, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 347—An act to add Section 656.5 to the Fish and Game Code, relating to salmon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 444—An act to add Section 39.1 to the Fish and Game Code, relating to open seasons, and providing a penalty for the breach thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sawallisch, Sheridan, Smith, Stream, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Call—1.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 444

Mr. Thomas gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 444 was this day passed.

Hon. Michael J. Burns Presiding

At 2.50 p.m., Hon. Michael J. Burns, Member of the Assembly from the First District, presiding.

Senate Bill No. 591—An act to amend Sections 794, 799, and 800 of the Fish and Game Code, relating to abalones, and declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Potter, Price, Robertson, Sawallisch, Sheridan, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Potter, Price, Robertson, Sawallisch, Sheridan, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—63.

NOES—None.

Notice of Motion to Reconsider Senate Bill No. 591

Mr. Leonard gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 591 was this day passed.

Speaker Presiding

At 2.53 p. m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Senate Bill No. 673—An act to amend Section 1293 of the Fish and Game Code, relating to damage by animals and the taking of such animals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Bashore, Collins, Sam L., and Waters—3.

Bill ordered transmitted to the Senate.

RECESS

At 2.57 p.m., on motion of Mr. Gannon, the Assembly recessed until 3 p.m. to hear from Señor A. de Saboia, Consul General of Brazil, and to welcome Señor M. Wellisch, Vice Consul.

REASSEMBLED

At 3 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus, at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 629—An act to amend Sections 619.5 and 620 of the Fish and Game Code, relating to bag limits and to lake fishing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Caulson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Allen:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act relating to officers, deputies, assistants and employees of counties, cities and counties, and cities, and their rights and privileges in relation to their several public offices and employments during and after termination of their service in civilian defense, declaring the urgency of this act, to take effect immediately.

Respectfully submitted

DON A. ALLEN

Request referred to Committee on Legislative Procedure.

By Mr. Brown:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 338 of the Code of Civil Procedure, relating to limitation of actions.

Respectfully submitted.

RALPH BROWN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which were referred the following bills herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Allen:

An act relating to officers, deputies, assistants and employees of counties, cities and counties, and cities, and their rights and privileges in relation to their several public offices and employments during and after termination of their service in civilian defense, declaring the urgency of this act, to take effect immediately.

By Mr. Brown:

An act to amend Section 338 of the Code of Civil Procedure, relating to limitation of action

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton, Kratt, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1992: By Mr. Allen—An act relating to officers, deputies, assistants and employees of counties, cities and counties, and cities, and their rights and privileges in relation to their several public offices and employments during and after termination of their service in civilian defense, declaring the urgency of this act, to take effect immediately.

Without reference to committee.

Assembly Bill No. 1993: By Mr. Brown—An act to amend Section 338 of the Code of Civil Procedure, relating to limitation of actions.

Referred to Committee on Judiciary.

MEMBERS OF COMMITTEE EXCUSED BY UNANIMOUS CONSENT

At 3 p.m., Mr. T. Fenton Knight asked for, and was granted, unanimous consent that the members of the Committee on Civil Service and State Departments be excused for purpose of holding a committee meeting, at this time.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 878—An act to amend Section 62.5 of the Fish and Game Code, relating to Fish and Game District 1½.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kratt, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier,

Potter, Price, Robertson, Sheridan, Smith, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.
NOES—None.

Bill ordered transmitted to the Senate.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 44
FROM COMMITTEE**

Mr. Massion gave notice that on second legislative day he would move to withdraw Assembly Bill No. 44 from the Committee on Revenue and Taxation, and have it placed upon the file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 889—An act to amend Section 610 of the Fish and Game Code, relating to bag limits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Field, Fourn, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Potter, Price, Sheridan, Smith, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER HOUSE RESOLUTION NO. 164

Mr. Call gave notice that on the next legislative day he would move to reconsider the vote whereby House Resolution No. 164 was this day adopted.

RECONSIDERATION OF HOUSE RESOLUTION NO. 164

Mr. Werdel moved that the reconsideration of House Resolution No. 164 be taken up, at this time.

Motion carried.

House Resolution No. 164 refused reconsideration by the following vote:

AYES—Anderson, Armstrong, Bashore, Brown, Burkhalter, Clarke, Collins, Sam L., Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Guthrie, Heisinger, Hollibaugh, Kraft, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, Potter, Price, Robertson, Sheridan, Smith, Stream, Thomas, Waters, Werdel, Weybret, and Wollenberg—35

NOES—Brady, Burns, Collins, George D., Crichton, Desmond, Doyle, Haggerty, Johnson, Leonard, Middough, O'Day, Sawallsch, and Mr. Speaker—13.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 180

House Resolution No. 180

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant in favor of the respective person for the said respective amount, and the Treasurer is hereby directed to pay the same; said compensation to be upon a seven-day week basis:

Commencing Tuesday, April 13, 1943:

Per day

Leal Norton, Page-----\$3 00

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Kraft, Leonard, Lyons, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Waters, Weber, Werdel, Weybret, and Mr. Speaker—53.

NOES—None.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 348—An act to amend Sections 23, 23a, 23b, 24.1 and 24.5, and to repeal Sections 19, 25, 26, 26a, 26b, 26c, 27, 31, 31a, 31b, 31c, 31d, 31e, 31f, 31g and 32 of the Alcoholic Beverage Control Act and to add thereto new sections to be designated Sections 19, 23c, 23d, 26, 27 and 38.2, relating to the taxation of beer and wine and to provide that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, Kraft, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, Kraft, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate—

[On April 16, 1943, above action was rescinded, and the record ordered expunged whereby Senate Bill No. 348 was this day passed.]

Senate Bill No. 161—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code, relating to commitments to the Youth Correction Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Sargent, Sawallisch, Sheridan, Smith, Thomas, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 162—An act to add Section 1714.5 to the Welfare and Institutions Code, and to amend Sections 1717 and 1718 thereof,

relating to the Youth Correction Authority, and providing for the appointment of temporary members thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Sargent, Sawallisch, Sheridan, Smith, Thomas, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 163—An act to add Section 1767.3 to the Welfare and Institutions Code, relating to the Youth Correction Authority, and providing for the return to the custody of the authority of persons committed thereto who are at liberty on parole or otherwise.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Sargent, Sawallisch, Sheridan, Smith, Thomas, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 166—An act to add Section 1760.7 to the Welfare and Institutions Code, to amend Sections 112, 643, and 644 thereof, and to amend Section 1203.11 of the Penal Code, transferring the power of supervision over adult and juvenile probation and probation officers from the State Department of Social Welfare to the Youth Correction Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

[On April 16, 1943, above action was rescinded, and record ordered expunged whereby Senate Bill No. 166 was this day passed.]

Senate Bill No. 167—An act to amend Section 1554.2 of the Penal Code, relating to proceedings against fugitives from justice, and authorizing the Youth Correction Authority to apply to the Governor for requisitions for the return of persons committed thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

[On April 16, 1943, above action was rescinded and record ordered expunged whereby Senate Bill No. 167 was this day passed.]

Senate Bill No. 725—An act to repeal Section 20431 of the Education Code, relating to the admission of persons not residents of California to the State colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Denny, Dickey, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Hawkins, Heisinger, Hollibaugh, Johnson, King, Kraft, Leonard, Lowrey, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Watson, Weber, Werdel, Weybret, and Mr. Speaker—47.

NOES—Allen, Armstrong, Bashore, Carlson, Clarke, and Waters—6.

Bill ordered transmitted to the Senate.

Senate Bill No. 567—An act to amend Section 1346 of the Fish and Game Code, relating to antelope, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Sawallisch moved to expunge the record and rescind the action whereby Senate Bill No. 348 was this day passed.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—59.

NOES—None.

Senate Bill No. 348 ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 535—An act to amend Sections 528 and 540 of the Political Code, relating to State printing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Guthrie, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Massion, McMillan, Miller, Niehouse, O'Day, Potter, Price, Sargent, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Werdel, Weybret, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 631—An act to amend Section 25.1 of the Agricultural Prorate Act, relating to changes in proration zone boundaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 632—An act to amend Section 5 of the Agricultural Prorate Act, relating to meetings of the Agricultural Prorate Advisory Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 634—An act to amend Sections 18.1 and 19.1 of the Agricultural Prorate Act, relating to hearings on marketing program modifications and to functions of program committees under marketing programs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 635—An act to amend Section 21 of the Agricultural Prorate Act, relating to the disposition of funds collected under marketing programs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 636—An act to add Section 21.1 to the Agricultural Prorate Act, relating to proceedings for the collection of fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 637—An act to add a new section, to be numbered 25.2, to the Agricultural Prorate Act, relating to a periodic referendum.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 638—An act to repeal Section 12108 of the Business and Professions Code, relating to the construction and installation of heavy duty scales.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 160—An act to amend Sections 154, 159, 160, 161, 740, 741, 742, 743, 744, 745, 747, 749, 834, 835, 836, 869, 901, 903, 905, 906, 907, 908, 909, 910, 911, 1000, 1001, 1002, 1003, 1004, 1005, 1050, 1075, 1076, 1120, 1124, 1125, 1127, 1129, 1150, 1152, 1153, 1175, 1176, 1177, 1178, 1179, 1200, and 5252 of the Welfare and Institutions Code, to add Sections 1008, 1009, 1010, 1011, 1014, 1015, 1049, and 1077 thereto, to repeal Sections 1007 and 1202 thereof, to repeal Article 2 of Chapter 3 of Part 1 of Division 2 thereof, comprising Sections 1020, 1021, 1022, 1023, and 1024, and Article 5 of said chapter, comprising Sections 1100, 1101, and 1102, and to amend and renumber Section 155.5 of said code to be Section 1000.5, all relating to the Youth Correction Authority, providing for commitments thereto by the juvenile courts, transferring thereto the correctional schools and forestry camps now subject to the jurisdiction of the State Department of Institutions, and specifying the powers and duties of the Youth Correction Authority and its officers and employees in regard to the inmates of such institutions and to other persons committed to the authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Kilpatrick, King, Leonard, Lyons, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

[On April 16, 1943, above action was rescinded, and record ordered expunged whereby Senate Bill No. 160 was this day passed.]

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Middough moved to expunge the record, and rescind the action whereby Senate Bill No. 167 was this day passed.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Dickev, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—59.

NOES—None.

Senate Bill No. 167 ordered to third reading.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Middough moved to expunge the record, and rescind the action whereby Senate Bill No. 166 was this day passed.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Kraft, Lowrey, Lyons, Massion, McCollister, Middough, Miller,

Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—58
NOES—None.

Senate Bill No. 166 ordered to third reading.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Middough moved to expunge the record, and rescind the action whereby Senate Bill No. 160 was this day passed.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Kraft, Lowrey, Lyons, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—58.
NOES—None.

Senate Bill No. 160 ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 328—An act to add Sections 3066, 3066a, 3066b, 3066c, 3066d, 3066e, and 3066f to Chapter 6 of Title 14 of Part 4 of Division 3 of the Civil Code, to provide for liens in favor of hospitals in this State upon causes of action for damages accruing to injured persons therein for the reasonable charges for hospital service necessitated by the injuries giving rise to such causes of action, and providing for the rights and liabilities of interested persons in connection therewith.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 19, of the printed bill, as amended, after "action", insert "for damages".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 348—An act to amend Sections 23, 23a, 23b, 24.1 and 24.5, and to repeal Sections 19, 25, 26, 26a, 26b, 26c, 27, 31, 31a, 31b, 31c, 31d, 31e, 31f, 31g and 32 of the Alcoholic Beverage Control Act and to add thereto new sections to be designated Sections 19, 23c, 23d, 26, 27 and 38.2, relating to the taxation of beer and wine and to provide that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Heisinger, Hollibaugh, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier,

Potter, Price, Robertson, Sawallisch, Sheridan, Smith, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:
Senate Bill No. 666

J. A. BEEK, Secretary of the Senate
By BARTON B. BEEK, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:
Assembly Bill No. 1217
Assembly Bill No. 1218

Assembly Bill No. 1219
Assembly Bill No. 1220

J. A. BEEK, Secretary of the Senate
By J. ALLEN BEEK, JR., Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

- | | |
|----------------------|----------------------|
| Senate Bill No. 977 | Senate Bill No. 337 |
| Senate Bill No. 65 | Senate Bill No. 964 |
| Senate Bill No. 1076 | Senate Bill No. 60 |
| Senate Bill No. 528 | Senate Bill No. 362 |
| Senate Bill No. 29 | Senate Bill No. 1088 |
| Senate Bill No. 374 | Senate Bill No. 94 |
| Senate Bill No. 721 | Senate Bill No. 863 |
| Senate Bill No. 75 | Senate Bill No. 975 |

J. A. BEEK, Secretary of the Senate
By BARTON B. BEEK, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 977—An act to amend Section 10617 and to repeal Sections 10621 and 10622 of the Health and Safety Code, relating to registration of previously unregistered births, and making an appropriation therefor, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Public Health.

Senate Bill No. 65—An act to amend Section 7 of the Municipal Court Act of 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Senate Bill No. 1076—An act to add Section 6060.6 to the Business and Professions Code, relating to admission to the practice of law.

Referred to Committee on Judiciary.

Senate Bill No. 528—An act to amend Sections 4803 and 4804 of the Labor Code, relating to disability indemnities for members of the California Highway Patrol.

Referred to Committee on Finance and Insurance.

Senate Bill No. 29—An act to amend Sections 9202 and 9203 of the Health and Safety Code, relating to cemeteries.

Referred to Committee on Public Health.

Senate Bill No. 374—An act to add Section 485.5 to the Health and Safety Code, relating to contracts for local health administration.

Referred to Committee on Public Health.

Senate Bill No. 721—An act to add Sections 132.5, 293.5, 296.5, 5901.5, and 5931.5 to the Elections Code, relating to absentee registration and voting of members of the armed forces of the United States, or any auxiliary branch thereof.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 75—An act to add Section 555 to the Vehicle Code, relating to equestrian crossings.

Referred to Committee on Motor Vehicles.

Senate Bill No. 337—An act to add Sections 531.2 and 587.5 to the Vehicle Code, relating to the operation and the parking of vehicles.

Referred to Committee on Motor Vehicles.

Senate Bill No. 964—An act to add Section 276.5 to the Vehicle Code, relating to drivers' license.

Referred to Committee on Motor Vehicles.

Senate Bill No. 60—An act to add Section 258.1 to the Vehicle Code, relating to temporary chauffeurs' licenses for school bus drivers, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Motor Vehicles.

Senate Bill No. 362—An act to make an appropriation to carry into effect Article 4 of Chapter 8 of Title 1 of Part 3 of the Penal Code.

Referred to Committee on Ways and Means.

Senate Bill No. 1088—An act to add Section 123.1 to the Bank Act, relating to travel expense of the State Banking Department.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 94—An act to amend Sections 990, 990.1, and 990.5 of the Fish and Game Code, relating to commercial fishing licenses.

Referred to Committee on Fish and Game.

Senate Bill No. 863—An act to add Section 44.4 to the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Motor Vehicles.

Senate Bill No. 975—An act to amend Section 142 of the Vehicle Code, relating to exemptions from registration.

Referred to Committee on Motor Vehicles.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1512

And reports the same correctly re-engrossed

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1253

Assembly Bill No. 1807

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file and re-referred as follows:

Assembly Bill No. 388 re-referred to the Committee on Elections and Reapportionment.

Assembly Bill No. 822 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 731 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1807 re-referred to the Committee on Military Affairs.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Berry and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Richard McCarthy of San Francisco.

On request of Mr. Maloney and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Raup Miller and baby, Nicki, of Palo Alto.

On request of Mr. Beck and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private Edwin Schiele, William Reidy, Frank J. Koralsik, William Antonopolos, Lieutenant J. R. McNulty, Private P. Phillips, Privates Peter J. Jassitis, Ralph Nesticco, O. R. Pasonick, and Paul M. Olofsen of the United States Army Air Forces.

On request of Mr. Haggerty and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Don Maher of San Francisco.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mary Stone of San Francisco.

On request of Mr. Maloney and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Albert Ross of Shasta, former Member of the Assembly.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Myrtle Kalston and Mrs. Etolia Hardin, teachers, and the following pupils of the seventh and eighth grades of the Bates Joint Union School of Courtland: Betty Owyang, Carrie Lum, Arsuela Kilat, George Yim, Clarence Jang, Ben Kilot, Margaret Ow Fook, Saint Briones, Victor Ow, Bob Jang, Jr., Elizabeth Elliot, Sumner Bryan, George Prue, Norman Rose, Verne Hudson, Loran Harder, Arthur Chase, John Primasing, Vernon Simoni, Ralph Alspaw, Robert Finney, Arthur Plasencia, Dennis Hill, Billy Atkins, Wilson Stambaugh, Edison Schrader, Dennis Leary, Mary Ann Mendoza, Ferral Calhoun, Albina

Diaz, La Verne Rose, Lola Mae Hunter, Carla Mae Branden, Louise Schrimser, Shirley Meek, Barbara Buckley, Doris Marie Heringer, Margaret Anne Leary, Betty Jean Gibbons, Patsy Burch, Dorothy Shanks, Jean Meek, Elizabeth Larsen, Ruthie Phillips, Catherine Swan, and Eleanor Egbert.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. L. E. Blochman of Berkeley.

On request of Mr. Robertson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to District Attorney Parma of Santa Barbara.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private Leon Harrison and Private Leon Saks, Signal Corps, Camp Kohler.

On request of Messrs. Pelletier and Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Privates First Class Franklin G. Peltier, Clarence P. Phillips, Sylvester J. Btak, Newell Pryor, Corporals Francis M. Murphy, and Warner M. Phillips, United States Army.

On request of Mr. Erwin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. William P. Haughton of Los Angeles.

On request of Mr. Thomas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. R. L. Churchill of Los Angeles.

On request of Messrs. Gannon, Maloney, and the Sacramento Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Señor A. de Saboia, Consul General of Brazil and Señor M. Wellisch, Vice Consul of Brazil.

On request of Mr. King, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant Arthur Blockman of Marysville.

On request of Mr. Hastain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Supervisor and Mrs. Hugh Osborn of El Centro.

ADJOURNMENT

At 4.15 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 9.30 a.m., Saturday, April 17, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SIXTH LEGISLATIVE DAY
ONE HUNDRED FOURTH CALENDAR DAY

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IN ASSEMBLY
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ASSEMBLY CHAMBER, SACRAMENTO
Saturday, April 17, 1943

The Assembly met at 9.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Sam L. Collins suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Anderson, Bashore, Beck, Berry, Brown, Burns, Call, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Dilworth, Doyle, Dunn, Erwin, Fourt, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, Pelletier, Price, Sargent, Stream, Thompson, Waters, Watson, Werdel, Weybret, and Mr. Speaker—40.

Call of the Assembly

Mr. Sam L. Collins moved a call of the Assembly.

Motion carried. Time, 9.32 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON QUORUM CALL**

At 9.35 a.m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The roll was called, and the following answered to their names:

Anderson, Bashore, Beck, Berry, Brown, Burns, Call, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Dilworth, Doyle, Dunn, Erwin, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Sargent, Stream, Thompson, Waters, Watson, Werdel, Weybret, and Mr. Speaker—43.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Our Father in Heaven, hallowed be Thy name. Thou hast created us in Thine own image, help us keep the image of Thyself untarnished. Help us to meet whatever life has in store for us with unflinching trust in Thee. Give us courage to

stand against every evil that would deny to our Nation and to our brothers, life, liberty, and the pursuit of happiness.

Our Father,
Thy love and strength and mercy give,
To souls for whom Thy servants pray;
Grant unto all who seek to love
According to Thy Word and Way
The splendor of Thy presence, Lord,
Thy wonder of companionship.
Through Jesus Christ our Lord. AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mrs. Niehouse.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Thurman, on motion of Mr. Doyle.
Mr. Thorp, on motion of Mr. Desmond.
Mr. Thomas, on motion of Mr. Armstrong.
Mr. Gaffney, on motion of Mr. O'Day.
Mr. Wollenberg, on motion of Mr. O'Day.

COMMUNICATIONS

By Mr. Sargent:

The following communication was received, read, and ordered printed in the Journal:

LOS ANGELES, CALIFORNIA, April 14, 1943

*Honorable Willis Sargent, Member of the Assembly
State Capitol, Sacramento, California*

DEAR WILLIS: Arthur Ohnimus advised me of the resolution which you introduced on March 18th, just as I was leaving for Chicago. I had expected to be in Sacramento before now to thank you personally for the distinct honor reflected in the resolution, but I haven't been able to find a good excuse to come north. I certainly think that the Assembly and yourself were most courteous in its adoption.

Incidentally, the people of Southern California, every night in their prayers, include first, that we win the war and, second, that the Legislature adjourn.

With kindest personal regards, I remain

Sincerely yours,

LAWRENCE COBB

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 131	Assembly Bill No. 1540
Assembly Bill No. 604	Assembly Bill No. 1625
Assembly Bill No. 638	Assembly Bill No. 1627
Assembly Bill No. 1031	Assembly Bill No. 1865
Assembly Bill No. 1069	Assembly Bill No. 1940
Assembly Bill No. 1221	Assembly Bill No. 1967

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1888

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 347—An act to amend Section 7 of the Unemployment Insurance Act, relating to excluded employments under said act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1231—An act to amend Sections 55, 56, 57 and 57.5 and repeal Section 58 of the Unemployment Insurance Act, relating to eligibility for benefits under said act.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1544—An act to amend Section 7 of the Unemployment Insurance Act, relating to excluded employments under said act.

Bill read second time, and ordered engrossed

Assembly Bill No. 680—An act to amend Section 3473 of the Welfare and Institutions Code, and to repeal Section 3474 thereof, relating to aid to partially self-supporting blind residents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 746—An act to amend Section 3083 5 of the Welfare and Institutions Code, relating to aid to the blind.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1042—An act to add Section 17.1 to the Welfare and Institutions Code, relating to the residence of minor persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1043—An act to repeal Sections 834 and 835 of, and to add Section 833.5 to, the Welfare and Institutions Code, relating to proceedings in the juvenile court with respect to persons over the age of 18 years and under the age of 21 years.

Bill read second time, and ordered engrossed.

Assembly Bill No. 498—An act limiting the amount of taxes that may be imposed for county or city and county purposes upon real and personal property according to the valuation thereof, providing for the determination of the revenue deficiency resulting from the limitation hereby prescribed, and for the apportionment to each county and city and county of an amount equal to that deficiency, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 687—An act to amend Sections 6011, 6012, 6015, 6245, 6353, 6358, 6381, 6486, 6487, 6702, 6711, 6776, 6811, and 6812 of the Revenue and Taxation Code, to amend and renumber Section 6245, to add Sections 6095, 6245, 6363, 6364, and 6385 to said code, and repeal Section 6456 of said code, all relating to the taxation of the privilege of selling and of storing, using, or otherwise consuming tangible personal property and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1825—An act to add Article 4a (comprising Sections 970 to 978, inclusive) to Chapter 15 of Division 3 of the Probate Code, relating to the payment of Federal estate taxes.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1075—An act to add Article 3 to Chapter 1 of Part 1 of Division 3 of the School Code, and to add Chapter 3.5 to Division 4 of the Education Code, relating to the study of child growth and development.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1319—An act to repeal Sections 2244 and 2259 of the Political Code and to repeal Sections 20773 and 20923 of the Education Code, relating to the qualifications of certain teachers appointed or employed by the State Department of Education.

Bill read second time, and ordered engrossed.

Assembly Bill No. 76—An act to repeal Sections 9202, 9204, 9205, 9206, 9207, 9208, 9209, 9210, 9212, 9213, 9214, 9215, 9217, of, and to amend Sections 9164, 9200, and 9221, of the Public Resources Code, and to add Section 10058 to the Elections Code, relating to the general district elections held in soil conservation districts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1748—An act to amend Section 6833 of the Public Resources Code, relating to unit drilling plans.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1935—An act to amend Section 107 of the Revenue and Taxation Code, relating to the taxation of real and personal property, including the taxing of possessory interests and mining rights.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1978—An act to amend Section 901 of the Probate Code, relating to compensation for administration of estates.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1784—An act to amend Section 2 of an act entitled "An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses," approved May 14, 1927, relating to the Commission on Uniform State Laws.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1844—An act to amend Sections 422 and 423 of the Probate Code, relating to appointment of administrators.

Bill read second time, and ordered engrossed.

Assembly Bill No. 209—An act to amend Sections 423, 450 and 452 of the Probate Code, relating to administration of estates of decedents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1829—An act to amend Section 422 of the Probate Code, relating to the administration of estates.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1033—An act to add Section 261b to the Code of Civil Procedure, relating to phonographic reporters for superior courts in counties, or cities and counties, having a population of 900,000 or more, providing for the compensation and fees of such reporters, requiring the payment to the county clerk of such counties, or cities and counties, of certain filing and appearance fees, in addition to any other fees now required by law, requiring that such fees be deposited in the salary fund of such counties, or cities and counties.

Bill read second time, and ordered to third reading.

Assembly Bill No. 672—An act to add Section 375 to the Civil Code, relating to the award and assessment of expenses and attorneys' fees in actions or proceedings against directors, officers or employees of a corporation, brought by or on behalf of the corporation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 549—An act to add Section 1920b to the Code of Civil Procedure, relating to the preservation of documentary records by the preparation of photographic copies thereof and providing that such copies may be used in place of the original under certain conditions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 441—An act authorizing suit against the State of California to quiet title to lands in San Mateo County devised to the City and County of San Francisco, and to the State of California in the alternative, by the will of James M. Huddart, deceased, and regulating the procedure therein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1661—An act to add Section 885 to Article 2 of Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to appeals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1259—An act to amend Section 5.402 of the School Code, and to add Section 13003.1 to the Education Code, relating to persons employed by school districts in positions requiring certification qualifications.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1263—An act to amend Section 2160.5 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, after line 11, insert "or if the amount paid or deposited by such inmate to or with the home or institution for such care and maintenance, calculated at the rate of forty dollars (\$40) per month from the time of entrance, has been exhausted;"

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1603—An act to amend Sections 2350, 2351, 2353, and 2357 of the Welfare and Institutions Code, and to add Sections 2353.1, 2353.2, and 2354.1 thereto, relating to agreements for the care of aged persons, providing for regulation and supervision of organizations and persons entering into such agreements by the State Department of Social Welfare, and providing for the issuance of writs of attachment in actions for the enforcement thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "Sections", insert "2350.5".

Amendment No. 2

On page 1 of said bill, between lines 11 and 12, insert

"SEC. 15. Section 2350.5 is added to said code, to read:

2350.5. Before issuing the certificate of authority, the State Department of Social Welfare may, if it deems it necessary to safeguard the interests of the aged in the State, require any applicant for a certificate to file with the department a bond executed by an admitted surety insurer, in an amount satisfactory to the department, conditioned that the principal will faithfully perform all obligations undertaken by him pursuant to the certificate of authority, to and for the use and benefit of all persons who may be injured or aggrieved by the failure of the principal to perform any such obligation, and any person so injured or aggrieved may bring suit on such bond, in his own name, without an assignment thereof.

This section shall not apply to any charitable, religious, benevolent, fraternal, educational, or other nonprofit organization or society maintaining a home for the aged."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 590—An act to add Sections 9606.5 and 9606.7 to, and to amend Section 9651 of, the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 9606.5 and", and insert "Section"; after "to", strike out ", and to amend"; and in line 2 of said title, strike out "Section 9651 of,".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 7, inclusive.

Amendment No. 3

On page 1, line 8, of the printed bill, strike out "Sec. 2.", and insert "Section 1".

Amendment No. 4

On page 1 of the printed bill, strike out lines 15 to 18, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 615—An act to amend Section 3476 and to repeal Sections 3511.3, 3571, 3571.3, 3571.5, 3572, 3573, 3574, 3575, 3576, 3577 and 3578 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "postpone and suspend the operation of".

Amendment No. 2

On page 1, line 23, of the printed bill, strike out "Sections", and insert "The operation of sections".

Amendment No. 3

On page 1, line 25, of the printed bill, strike out "are hereby repealed", and insert "shall be postponed and suspended until June 1, 1945".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1028—An act to add Section 3656.5 to the Revenue and Taxation Code, relating to rental by State of tax deeded property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 4, of the printed bill, after "lessee", insert a comma

Amendment No. 2

On page 1, line 12, of said bill, after the period, insert "Any consideration already paid under the lease, which has not been appropriated for other purposes, may be credited against the redemption amount."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1058—An act to amend Sections 7, 7305, 7306, 7307, 7308, 7351, 7352, 7353, 7401, 7454, 7457, 7481, 7485, 7493, 7507, 7508, 7651, 7652, 7701, 7702, 7703, 7704, 7727, 7728, 7730, 7891, 7892, 7895, 7934, 7935, 7981, 8191, 8253, 8303, 8304, 8306, 8403, and 50007 of the Revenue and Taxation Code, to add Sections 28, 7407, 7660, 7661, 7662, 7663, 7698, 7699, 7700, 7706, 8193, 8194, to amend the headings of Articles 1, 2, and 3 of Chapter 5 of Part 2 of Division 2, and of Article 5 of Chapter 7 of said part, to add Article 2.5 consisting of Sections 7670 to 7675, inclusive, and Article 3.5 consisting of Sections 7710 to 7716, inclusive, to Chapter 5 of said part, and to repeal Sections 7653, 7654, 7676, 7677, and 7678 of said code, relating to the scope of, returns under, payments under, administration of, and collection of the motor vehicle fuel license tax, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on April 9, 1943, strike out "7454".

Amendment No. 2

On page 4, line 29, of said bill, after "sold to", insert ", or exchanged with,".

Amendment No. 3

On page 6, lines 49 and 50, of said bill, strike out "schedules of taxable sales", and insert "taxable distributions".

Amendment No. 4

On page 7, line 2, of said bill, after "tax", insert "in like amount".

Amendment No. 5

On page 7, line 43, of said bill, strike out "The determination of the amount of the tax of any dis-"; and strike out all of lines 44 to 50, inclusive.

Amendment No. 6

On page 13, line 42, of said bill, strike out "to the fifteenth day of the"; and strike out all of lines 43 to 46, inclusive, and insert "if the claimant files a claim on his own initiative or within 30 days after he is notified by the board that a claim may be filed, to the tenth day after the date upon which the claim is certified to the State Board of Control; otherwise to the thirtieth day after the date upon which claimant is notified by the board that the claim may be filed."

Amendment No. 7

On page 15, line 32, of said bill, strike out "Article 1", and insert "Articles 2 and 2.5".

Amendment No. 8

On page 16, lines 17 and 18, of said bill, strike out "to the credit of", and insert "for".

Amendment No. 9

On page 16, lines 18 and 19, of said bill, strike out "an approved State depository designated by him", and insert "the State treasury".

Amendment No. 10

On page 16, line 42, of said bill, strike out "by", and insert "but"; and after "amending", insert " , adding to, and repealing certain provisions of".

Amendment No. 11

On page 16, line 43, of said bill, strike out "which", and insert "shall".

Amendment No. 12

On page 16, line 44, of said bill, after "code", insert "and not before that time".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1957—An act to add Chapter 9, consisting of Sections 3900 to 3922, inclusive, to Part 6, Division 1, of the Revenue and Taxation Code, relating to actions by purchasers of tax deeded property to determine adverse claims to or clouds upon that property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended, strike out "3919", and insert "3922".

Amendment No. 2

On page 1, line 5, of said bill, after "Rights", insert "of".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1968—An act to add Section 209.5 to the Revenue and Taxation Code, relating to exemptions from taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 5. of the printed bill, after "Coast Guard", insert "Auxiliary".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1290—An act to amend Section 3.493 of the School Code, relating to continuation education classes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 3 493 of the School Code", and insert "add Section 9034.1 to the Education Code".

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 5, both inclusive, and insert

"SECTION 1. Section 9034.1 is added to the Education Code, to read:
9034.1. The Governor may issue a permit authorizing the governing board of a school district to maintain continuation education classes between hours other than those set forth in this article.

An application for such a permit shall be filed with the Superintendent of Public Instruction by the governing board of any district desiring such permit. The Superintendent of Public Instruction shall within 15 days after the filing of the application, recommend to the Governor the issuance or denial of such permit. If he recommends the issuance of such a permit, he shall incorporate the terms and conditions upon which it is recommended that the permit be issued. After receipt of the recommendation from the Superintendent of Public Instruction, the Governor shall within five days either issue or deny the permit requested. If a permit is issued, the Governor shall specify therein the terms and conditions fixed by him upon which the permit is granted.

The Governor may at any time revoke, suspend or modify such permit. Upon proof being made that the terms and conditions of any such permit have been violated, the Superintendent of Public Instruction may recommend to the Governor that the permit be suspended, modified or revoked.

This section shall remain in effect until the ninety-first day after the final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this act and after this section is no longer effective shall have the same force as though this act had not been enacted."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1383—An act to add Section 5.30 to the School Code and to add Section 20355 to the Education Code, relating to dormitories, cafeterias and student stores.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5 30 to the School Code and to add".

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 8, both inclusive.

Amendment No. 3

On page 1, line 10, of the printed bill, strike out "Sec. 2.", and insert "Section 1."

Amendment No. 4

On page 1, line 16, of the printed bill, strike out "under such conditions as may be"; and strike out line 17, and insert a period.

Amendment No. 5

On page 1 of the printed bill, strike out lines 19 to 23, both inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1848—An act to add Sections 2.306, 2.448, and 4.724 to the School Code, relating to changes in boundaries of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2 306, 2.448, 2 724 to the School"; and strike out all of line 2, and insert "2533.1 and 2585.1 to the Education Code, relating to elementary school districts."

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 25, both inclusive; and on page 2, strike out all of lines 1 to 28, both inclusive, and insert

"SECTION 1. Section 2533.1 is added to the Education Code, to read:

2533.1. When all the area of a county is located within three union or joint union high school districts, one of which contains more than three-fourths of the area of the county and four times the average daily attendance, and seven times the assessed valuation, of any other high school district located in whole or in part in the county, the board of supervisors of such county may not order any change in the boundaries of any elementary school district which would affect the boundaries of any of such high school districts except by the unanimous vote of all the members of the board of supervisors.

SEC. 2. Section 2585.1 is added to the Education Code, to read:

2585.1. When all the area of a county is located within three union or joint union high school districts, one of which contains more than three-fourths of the area of the county and four times the average daily attendance, and seven times the assessed valuation, of any other high school district located in whole or in part in the county, the board of supervisors of such county may not annex the territory of any suspended or lapsed elementary school district to an elementary school district in a high school district other than that in which such elementary school district is located except by the unanimous vote of all the members of the board of supervisors."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 242—An act to add Section 6879 to the Public Resources Code, relating to State lands, to permit drilling of oil and gas wells under certain conditions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "but the commission acting", and insert a period.

Amendment No. 2

On page 1 of said bill, strike out lines 11 to 15, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 136—An act to amend Section 9 of the Municipal Court Act 1925, relating to the constitution of the court and to compensation of officials.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 17, of the printed bill, strike out "fifty dollars (\$350)", and insert "twenty-five dollars (\$325)".

Amendment No. 2

On page 1, line 19, of said bill, strike out "a minimum of two hun-"; and strike out lines 20 and 21, and insert "two hundred ninety dollars (\$290) per month;".

Amendment No. 3

On page 1 of said bill, strike out lines 23 to 25, inclusive, and insert "shall receive two hundred and thirty dollars (\$330) per month;".

Amendment No. 4

On page 2, line 5, of said bill, strike out "Seven", and insert "Four".

Amendment No. 5

On page 2 of said bill, strike out lines 6 to 8, inclusive, and insert "receive one hundred ninety dollars (\$190) per month;".

Amendment No. 6

On page 2, line 9, of said bill, strike out "Five", and insert "Eight".

Amendment No. 7

On page 2 of said bill, strike out lines 10 to 12, inclusive, and insert "shall receive one hundred seventy dollars (\$170) per month;".

Amendment No. 8

On page 2, line 13, of said bill, strike out "Six", and insert "Four".

Amendment No. 9

On page 2, line 13, of said bill, strike out "a"; and strike out all of lines 14 to 16, inclusive, and insert "one hundred fifty dollars (\$150) per month;".

Amendment No. 10

On page 2, lines 18 and 19, of said bill, strike out "fifty dollars (\$350)", and insert "twenty-five dollars (\$325)".

Amendment No. 11

On page 2, line 21, of said bill, strike out "a minimum of".

Amendment No. 12

On page 2 of said bill, strike out lines 22 to 24, inclusive, and insert "hundred sixty-five dollars (\$265) per month;".

Amendment No. 13

On page 2, line 25, of said bill, strike out "a minimum of".

Amendment No. 14

On page 2 of said bill, strike out lines 26 to 28, inclusive, and insert "two hundred forty dollars (\$240) per month;".

Amendment No. 15

On page 2 of said bill, strike out lines 30 to 32, inclusive, and insert "receive two hundred twenty dollars (\$220) per month;".

Amendment No. 16

On page 2 of said bill, strike out lines 34 to 36, inclusive, and insert "two hundred dollars (\$200) per month".

Amendment No. 17

On page 2, line 37, of said bill, strike out "a"; and strike out all of lines 38 to 40, inclusive, and insert "one hundred sixty dollars (\$160) per month;"

Amendment No. 18

On page 2, line 42, of said bill, strike out "a minimum of one"; and strike out all of lines 43 to 45, inclusive, and insert "one hundred seventy-five dollars (\$175) per month;"

Amendment No. 19

On page 2 of said bill, strike out lines 46 to 52, inclusive.

Amendment No. 20

On page 3, line 17, of said bill, strike out "50", and insert "30".

Amendment No. 21

On page 1, line 13, of said bill, strike out "dollars (\$6,000)", and insert "seven hundred fifty dollars (\$6,750)".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1621—An act to amend Sections 736 and 736a of the Political Code, relating to the salaries of justices of the Supreme Court and the district courts of appeal.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "fifteen thousand dollars (\$15,000)", and insert "fourteen thousand dollars (\$14,000)".

Amendment No. 2

On page 1, lines 6 and 7, of the printed bill, strike out "fourteen thousand dollars (\$14,000)", and insert "thirteen thousand dollars (\$13,000)".

Amendment No. 3

On page 1, lines 12 and 13, of the printed bill, strike out "thirteen thousand dollars (\$13,000)", and insert "twelve thousand dollars (\$12,000)".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 153—An act to amend Section 103½ of the Code of Civil Procedure, relating to justices' clerks in cities and towns.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 33, of the printed bill, after "thousand", strike out "three", and insert "six".

Amendment No. 2

On page 2, line 34, of the printed bill, strike out "(\$3,300)", and insert "(\$3,600)".

Amendment No. 3

On page 2, line 35, of the printed bill, strike out "one thousand eight", and insert "two thousand one".

Amendment No. 4

On page 2, line 36, of the printed bill, strike out "(\$1,800)", and insert "(\$2,100)".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 440—An act to amend Sections 758 and 759, and to repeal Section 758a, of the Political Code, all relating to officers and employees of the district courts of appeal.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 46, of the printed bill, as amended, after "Code", insert ", as added by Chapter 414, Statutes of 1907,".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 92—An act to amend Section 1425 of the Penal Code, relating to criminal jurisdiction of justices' courts, and to add a new section to said code to be numbered Section 1425a, relating to justices of the peace acting as court commissioners of juvenile courts in misdemeanor cases involving traffic violations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend Section 1425 of the Penal Code, relating to"; strike out lines 2 and 3 of said title; and in line 4, strike out "bered Section 1425A", and insert "add Section 1425a to the Penal Code".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 1, line 8, of said bill, strike out "Sec. 2", and insert "Section 1".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1955—An act to add Chapter 3.5, comprising Sections 3490 and 3491, to Part 6, Division 1 of the Revenue and Taxation Code, relating to tax sales, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 3491", and insert ", 3491 and 3492".

Amendment No. 2

On page 1, lines 1 and 2, of said bill, strike out "and 3491", and insert ", 3491 and 3492".

Amendment No. 2.5

On page 1 of said bill, strike out line 9

Amendment No. 3

On page 1, line 10, of said bill, strike out "be sold at public auction", and insert ", sold or deeded to the State from July 1, 1943, to July 1, 1945, shall be sold at public auction or to any taxing agency other than the State".

Amendment No. 4

On page 1, line 11, of said bill, strike out "June", and insert "July".

Amendment No. 5

On page 1, line 14, of said bill, after "property", insert ", sold or deeded to the State from July 1, 1943, to July 1, 1945,".

Amendment No. 6

On page 1, line 15, of said bill, strike out "June", and insert "July".

Amendment No. 7

On page 1 of said bill, between lines 15 and 16, insert "3492. The provisions of this chapter shall not prevent the sale to an irrigation district and the termination of the right of redemption of property to which the irrigation district holds a separate tax deed, and from which there is no right of redemption, provided that the sale is not prohibited by the Soldiers and Sailors Civil Relief Act of 1940."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1959—An act to add Sections 2904.1, 2904.2, 2909.1, and 2910.1 to, and to amend Section 2906 of the Revenue and Taxation Code, relating to taxation and the collection of taxes on the unsecured roll.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", strike out "2904.1, 2904.2", and insert "134, 1651, 2902".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "Section", and insert "Sections 2901, 2903, 2904, 2905,"; and after "2906", insert ", 2908 and 2914".

Amendment No. 3

In line 3 of the title of the printed bill, strike out "taxation and the collection of taxes on"; and in line 4, strike out "the unsecured roll" and insert "the assessment and collection of taxes which are not a lien on real property sufficient to secure payment of such taxes".

Amendment No. 4

On page 1, line 1, of the printed bill, strike out "2904.1", and insert "134".

Amendment No. 5

On page 1 of the printed bill, strike out all of lines 3 to 5, inclusive, and insert "134 "Unsecured property" is property the taxes on which are not a lien on real property sufficient, in the opinion of the assessor, to secure payment of the taxes."

Amendment No. 6

On page 1, line 7, of the printed bill, strike out "2904.2", and insert "1651".

Amendment No. 7

On page 1 of the printed bill, strike out lines 9 to 13, inclusive, and insert "1651. Immediately upon completion of his duties under Section 1646, the auditor shall transmit the unsecured roll to the assessor, unless the duty of making unsecured property tax collections has been transferred to the tax collector, in which event, the unsecured roll shall be transmitted to him.

SEC. 3. Section 2902 is hereby added to the Revenue and Taxation Code, to read as follows:

2902. The assessment of unsecured property shall be deemed complete for the purpose of enforcing the collection thereof when the assessor has made a record in writing of the assessment in such form as the board may prescribe.

SEC. 4. Section 2901 of the Revenue and Taxation Code is hereby amended to read as follows:

2901. Taxes on *unsecured* property [on the unsecured roll] are due on the lien date.

SEC. 5. Section 2903 of the Revenue and Taxation Code is hereby amended to read as follows:

2903. The assessor may collect taxes on [the] unsecured [roll] *property*.

SEC. 6. Section 2904 of the Revenue and Taxation Code is hereby amended to read as follows:

2904. If so ordered by a four-fifths vote of the board of supervisors, the tax collector, *in lieu of the assessor*, shall collect [any unpaid] taxes on [the unsecured roll after the last business day in July] *unsecured property*. The order of the board of supervisors shall specify the date on which the duty of collecting such taxes shall be transferred annually to the tax collector, who shall continue to collect such taxes in accordance with this order each year until ordered to discontinue the collection thereof by a four-fifths vote of the board of supervisors.

SEC. 7. Section 2905 of the Revenue and Taxation Code is hereby amended to read as follows:

2905. In collecting taxes on [the] unsecured [roll] *property* the tax rate to be used is the rate for property of the same kind on the secured roll last fixed before the lien date for the taxes to be collected. The taxes on [the] unsecured [roll] *property* shall be computed in dollars and cents, rejecting the fractions of a cent"

Amendment No. 8

On page 1, line 15, of the printed bill, strike out "3", and insert "8"

Amendment No. 9

On page 1, line 18, of the printed bill, strike out the quotation marks around "unsecured property".

Amendment No. 10

On page 1, line 19, of the printed bill, strike out "auditor", and insert "board".

Amendment No. 11

On page 1, line 21, of the printed bill, strike out "the"; and strike out "roll", and insert "property".

Amendment No. 12

On page 1 of the printed bill, between lines 22 and 23, insert

"SEC. 9. Section 2908 of the Revenue and Taxation Code is hereby amended to read as follows:

2908. Unless taxes on the unsecured roll are to be collected thereafter by the tax collector, the auditor shall then furnish the assessor with blank ["unsecured property["] receipts, and charge the assessor with the number of receipts furnished."

Amendment No. 13

On page 1, line 24, of the printed bill, strike out "4", and insert "10".

Amendment No. 14

On page 1, line 26, of the printed bill, after "taxes on", strike out "the".

Amendment No. 15

On page 1, line 27, of the printed bill, strike out "roll", and insert "property"; strike out "and", and insert "or".

Amendment No. 16

On page 2, line 1, of the printed bill, strike out "the unsecured roll, or parts thereof as prepared,".

Amendment No. 17

On page 2, line 2, of the printed bill, after "collector" insert a comma; and after "date", insert ", a record in writing of the assessment of the unsecured property in such form as the board may prescribe".

Amendment No. 18

On page 2, line 4, of the printed bill, strike out "5", and insert "11".

Amendment No. 19

On page 2, line 6, of the printed bill, after "taxes on", strike out "the"; strike out "roll", and insert "property".

Amendment No. 20

On page 2, line 7, of the printed bill, strike out "and", and insert "or".

Amendment No. 21

On page 2, line 9, of the printed bill, after "collect", insert "in pursuance of the records of assessment delivered to him by the assessor".

Amendment No. 22

On page 2 of the printed bill, after line 9, insert "Sec. 12. Section 2914 of the Revenue and Taxation Code is hereby amended to read as follows:

2914. Taxes due on [the] unsecured [roll] *property* may be collected by seizure and sale of any of the following property belonging or assessed to the assessee:

- (a) Personal property.
- (b) Improvements.
- (c) Possessory interests.

SEC. 13. The substitution of the term "unsecured property" for the term "unsecured roll" in the sections of the Revenue and Taxation Code amended hereby shall not be construed as changing the intent and meaning of said sections but the use in this act of the term "unsecured property" is hereby declared to be a positive expression of a continuing legislative intent with respect to the matters set forth in said sections and of the sections of the Political Code from which the contents of said sections of the Revenue and Taxation Code were drawn in the process of codification."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 900—An act to amend Sections 224m and 226 of the Civil Code, relating to the adoption of children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 224m and", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 27, inclusive.

Amendment No. 3

On page 2 of said bill, strike out all of lines 1 to 9, inclusive.

Amendment No. 4

On page 2 of said bill, strike out line 11, and insert "SECTION 1. Section 226 of the Civil Code is amended to read:".

Amendment No. 5

On page 2 of said bill, strike out line 22, and insert "joins in the petition for adoption, the consent of the natural parent or parents for the adoption".

Amendment No. 6

On page 2, line 26, of said bill, strike out " , provided that if such"; and strike out lines 27 to 32, inclusive, and insert a period.

Amendment No. 7

On page 2, line 41, of said bill, before "child", insert "said".

Amendment No. 8

On page 2 of said bill, strike out lines 47 to 52, inclusive.

Amendment No. 9

On page 3 of said bill, strike out lines 1 to 4, inclusive.

Amendment No. 10

On page 3 of said bill, strike out line 5, and insert "In all cases in which the consent of the natural parent or parents is not necessary and a society".

Amendment No. 11

On page 3, line 6, of said bill, after "is", insert "not".

Amendment No. 12

On page 3, line 7, of said bill, strike out "must", and insert "shall".

Amendment No. 13

On page 3 of said bill, strike out line 19, and insert "180 days after the filing of the petition; provided, however, that the court may allow such additional time for the filing of said report as in its discretion it may see fit. The report".

Amendment No. 14

On page 3, line 34, of said bill, strike out "may", and insert "must".

Amendment No. 15

On page 3, line 35, of said bill, strike out "and filed", and insert "a county clerk or probation officer of any county of this State on a form prescribed by the State Department of Social Welfare and the county clerk or probation officer before whom such consent is signed shall immediately file said consent".

Amendment No. 16

On page 3 of said bill, strike out line 36, and insert "of the county where the petition is filed and said clerk shall immediately file".

Amendment No. 17

On page 3, lines 40, 41, and 42 of said bill, strike out "or if the child to be adopted is illegitimate and his mother resides in California, the consent of the parent", and insert "his or her consent".

Amendment No. 18

On page 3 of said bill, after line 48, insert

"If for a period of 180 days from the date of filing the petition, or upon the expiration of any extension of said period granted by the court, the Department of Social Welfare fails or refuses to accept the consent of the natural parent or parents to the adoption, or if said department fails or refuses to file or to give its consent to an adoption in those cases where its consent is required by this chapter, either the natural parent or parents or the petitioner may appeal from such refusal to the superior court of the county in which the petition is filed, in which event the clerk shall immediately notify the Department of Social Welfare of such appeal and the department shall within 10 days file a report of its findings and the reasons for its failure or refusal to consent to the adoption or to accept the consent of the natural parent. After the filing of said findings, the court may, if it deems that the welfare of the child will be promoted by said adoption, allow the signing of the consent by the natural parent or parents in open court, or if the appeal be from the refusal of said department to consent thereto, grant the petition without such consent."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1402—An act to add Section 8705 to, and to amend Sections 8712, 8725, 8726, 8727, 8729, 8731, 8732, 8760, 8761, 8762, 8767, 8769, 8772, and 8802, and repeal Sections 8705, 8730, and 8804, of the Business and Professions Code, relating to the practice of land surveying.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, line 20, of the printed bill, strike out "residences".

Amendment No. 2

On page 2, lines 15 and 16, of said bill, strike out "or specifically exempted from licensing under this chapter".

Amendment No. 3

On page 3, lines 10 and 11, of said bill, strike out "or the determination of horizontal or vertical distances", and insert ", section line, geodetic position or triangulation point of any system".

Amendment No. 4

On page 4, line 7, of said bill, strike out "any civil engineer registered under Chapter 7 of"; and strike out lines 8 to 14, inclusive, and insert "Any registered civil engineer who held a license as a land surveyor issued pursuant to the provisions of an act repealed by Chapter 506, Statutes of 1933, entitled "An act to define the

duties of and to license land surveyors," approved March 16, 1907, or any registered civil engineer who submits evidence satisfactory to the board that he has practiced land surveying, as defined in this chapter for not less than ten (10) years, shall upon application and the payment of five dollars (\$5) before January 1, 1944, have issued to him a license provided for in Section 8747. A license issued under this section shall not be valid after June 30, 1944, unless it has been renewed as provided in Section 8802."

Amendment No. 5

On page 4, line 48, of said bill, strike out ", under oaths,".

Amendment No. 6

On page 4, line 49, of said bill, after "surveyor", insert "and shown upon any record of survey map".

Amendment No. 7

On page 6, line 7, of said bill, strike out "or", and insert a comma.

Amendment No. 8

On page 6, line 8, of said bill, after "engineer", insert ", or public corporate officer,".

Amendment No. 9

On page 6, lines 9 and 10, of said bill, strike out ", or public or corporate officer,".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1863—An act to add Sections 307, 307.1, 307.2, 307.3, 307.4 and 307.5 to the Political Code, to create a Legislative Committee on Postwar Economic and Social Planning and define its powers and duties, including the conduct of studies and investigations in aid of prospective legislation and the making of recommendations to the Legislature in respect thereto, and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "post-war economic and social", and insert "conservation and".

Amendment No. 2

On page 1, lines 3 and 4, of said bill, strike out "post-war economic and social", and insert "conservation and".

Amendment No. 3

On page 1, line 12, of said bill, after "war.", insert "The committee is authorized to collaborate with and assist any other Interim Committee of the Legislature, or of either house, in the accomplishment of the purposes of such other committee, upon the request of the latter."

Amendment No. 4

On page 2, lines 22 and 23, of said bill, strike out "secretary", and insert "Research Director".

Amendment No. 5

On page 2, line 25, of said bill, strike out "Research Director", and insert "Auditor".

Amendment No. 6

On page 2, line 26, of said bill, after "and", insert ", in accordance with the provisions of Section 356a of the Political Code,".

Amendment No. 7

On page 3, line 44, of said bill, strike out "of -----dollars (\$-----)", and insert "of fifty thousand dollars (\$50,000)".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1411—An act to amend Section 2 of the Planning Act, relating to planning commissions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 2 of", and insert "provide for the establishment of master and official plans in cities, cities and counties, and counties and for the adoption of ordinances pursuant thereto; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and the composition and effects thereof; providing for the appointment of planning commissions by cities, cities and counties, and counties, and for the creation of regional planning districts and the establishment of regional planning commissions and the State Conservation and Planning Board; providing the powers and duties of such commissions and the State Conservation and Planning Board; providing for the levy of a special tax for the support of a planning commission and making certain expenditures legal charges against the funds of cities, cities and counties, and counties, making certain acts misdemeanors; and repealing Chapter 331, Statutes of 1935, and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"Article 1. State Conservation and Planning Board

SECTION 1. Every city and every county shall adopt and establish as herein provided a master plan of said city or county, and official plans based thereon. Such plans are hereby declared to be established to conserve and promote the public health, safety and general welfare."

Amendment No. 3

On page 2 of said bill, after line 17, insert

"SEC. 25. There is hereby created the State Conservation and Planning Board to be appointed by the Governor, with the consent of the Senate.

The members of the State Conservation and Planning Board shall, so far as practicable, be persons who by their broad experience in life, and by professional and business experience, and because of freedom from financial dependence are qualified, when supported by a limited staff of experts, to fulfill the duties prescribed for them.

The chairman, or a member or members of the board, may but are not required to be members of the Economic Planning Commission.

The members of the board shall receive no compensation other than for their reasonable expenses incurred in the performance of their duties. The responsible executive, or representative appointed by the board, of each State department and institution shall constitute an advisory committee to such State Conservation and Planning Board.

SEC. 3. The term of each appointive member of the board begins January first of the year of appointment and shall be three (3) years, except that of the first five (5) members appointed the Governor shall designate their respective terms as follows: One (1) member for one (1) year; two (2) members for two (2) years and two (2) members for three (3) years. In case of a vacancy in the office of an appointive member, the Governor shall appoint a successor to serve the unexpired term.

SEC. 4. The board shall adopt rules for the transaction of its business and shall keep a record of its official actions, making reports as may be requested to the Governor and the Director of Finance. It shall annually select a chairman from its appointive members and a secretary who need not be a member of the board.

SEC. 5. The board shall employ a Director of Planning who shall be qualified by special training, experience and demonstrated ability in the field of planning and may employ subject to the approval of the Governor such other persons as may be necessary for its work.

SEC. 6. The State Conservation and Planning Board shall have authority to cooperate with any persons or organizations interested, for devising means to develop the natural and economic resources of the State, and it is authorized to accept grants from the Federal or State Governments or their agencies, and may accept gifts for the purposes of State planning. The State Conservation and Planning Board shall encourage the extension and correlation of State planning by agencies of the State Government and participate in interstate and National planning efforts, both with a view to benefit to be derived by the larger region or Nation, and by the State.

The State Conservation and Planning Board with the approval of the Governor or the Legislature may join with agencies of the Federal Government and other States in preparation and adoption of interstate regional plans which shall be submitted to the Legislature for approval.

The State Conservation and Planning Board shall aid in the coordination of all State, regional, county and city plans and shall prepare uniform rules and outlines for the drawing up of annual reports of the several planning commissions.

In order to provide coordinated planning administration the Governor may from time to time submit recommendations for adoption by the State Conservation and Planning Board, the several city, county and regional planning commissions, and the local legislative authorities in order to promote and effectuate the orderly development of the State and to expedite the adoption of coordinated policies by local legislative authorities acting upon their own discretion.

The board shall transmit the recommendations of the Governor to the proper agencies.

SEC. 7. The State Conservation and Planning Board shall ascertain from each department, board or other agency of the State, and where possible, from agencies of the Federal Government, all contemplated public improvements or projects and where necessary shall implant upon the master regional and county plans those things which it considers pertinent to such master plans. Any agency of the State concerned with any public improvement or project may request the imposition of such improvement or project on any regional or county master plan. The State Conservation and Planning Board shall make available to each State department, board or other agency all regional and county master plans, as well as information concerning other State projects. Each State department, board or agency shall give consideration to such other State projects and to the regional and county master plans, to the end that, where in the judgment of such State department, board or other agency it is practical and feasible, its projects may be properly coordinated with those of all other governmental agencies.

SEC. 8. For the purpose of providing State coordinated regional planning, the State Conservation and Planning Board shall divide the State into regional planning districts. These districts shall be established so far as possible so as to include:

(a) Natural geographical regions containing complete watersheds of major stream systems, together with the land upon which the waters of such watersheds are put to beneficial use;

(b) Areas having mutual social and commercial interests, as exemplified by radiating and connecting routes of transportation, by trade, and by common use of recreation areas within the region.

SEC. 9. A regional planning commission shall be established for each regional planning district. All members of the regional planning commission shall be appointed by the Governor from nominees selected by the board of supervisors of each county or portion of county lying within the regional district from the membership of the county planning commission of such county, so that the regional planning commission shall always consist of an odd number of members. Nomination and appointment shall be as follows:

(a) If the regional district consists of but one county, the county planning commission for that county shall be ex officio the regional planning commission.

(b) If the regional district consists of all or part of two counties, two nominees shall be selected by each board of supervisors and the Governor shall appoint them and one additional member from either of the county planning commissions.

(c) If the regional district consists of all or part of three counties, two nominees shall be selected by each board of supervisors and the Governor shall appoint five members from the six thus nominated.

(d) If the regional district consists of all or part of four or more counties, one nominee shall be selected by each board of supervisors and shall be appointed by the Governor, except that if there are an even number of counties the Governor shall appoint one additional member from one of the county planning commissions.

(e) Each county or portion of county lying within a regional planning district shall be represented by at least one member on the regional planning commission, except that in special cases the board of supervisors may waive this right.

(f) The terms of office of the members of the regional planning commission shall correspond with their terms as members of their respective county planning commissions.

SEC. 10. Any counties or municipalities which are included in a regional planning district may enter into contracts with any other counties or municipalities in this district for the preparation of master and official plans or the performance of other planning functions, as provided in an act entitled "An act providing for the joint exercise of powers by counties, by municipalities or by municipalities and counties," approved May 20, 1921.

The regional planning commissions shall prepare, adopt and submit to the county and city planning commissions in their respective regions, plans, features of plans, and findings in matters pertaining to regional and State welfare.

Before adopting the master plan or any part of it or substantial amendment thereto the regional planning commission shall hold at least one public hearing thereon, notice of time and place of which shall be given, which notice shall be published at least once in a newspaper of general circulation in each county within the regional district, or if there be no newspaper of general circulation in any such county, then in a newspaper of general circulation in the nearest county

having such newspaper, the publication to appear at least 10 days before the day of hearing.

Each regional planning commission shall render an annual report on such matters and in such form as may be prescribed by the State Conservation and Planning Board.

SEC. 11. Any appointee member of a planning commission may be removed by the appointing official, at his pleasure, but each removal in the case of the planning commission of a city or a county shall be subject to approval of the legislative body. All members of the commission shall serve as such without compensation, except reasonable traveling expenses to and from their usual place of business to the place of meeting of the commission.

It shall be the duty of members of the commission, including ex officio members and members of its staff, to inform themselves on matters affecting the functions and duties of the commission, and, to that end, when authorized by the commission, they may attend planning conferences, or meetings of planning executives, hearings on planning legislation or matters affecting the master plan or any part thereof, and the reasonable traveling expenses incidental to such attendances shall be charges upon the funds allocated to such commission.

Article 2 City, County, Regional and State Plans

SEC. 12 It shall be the function and duty of the planning commission to prepare and adopt a comprehensive, long-term, general plan for the physical development of the city, county or region, and of any land outside the boundaries thereof which in the commission's judgment bears relation to the planning thereof. Such plan shall be known as the master plan and shall be so prepared that all or portions thereof may be adopted by the legislative body, as hereinafter provided, as a basis for the development of the city, county or region for such reasonable period of time next ensuing after the adoption thereof as may practically be covered thereby. The master plan, whether for State, region, county, or city, with the accompanying maps, diagrams, charts, descriptive matter and reports shall include such of the following subjects matter or portions thereof as are appropriate to the city, county or region, and as may be made the basis for the physical development thereof.

Conservation Plan—For the conservation, development and utilization of natural resources, including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wild life, minerals and other natural resources. Such plan shall also cover the reclamation of land and waters, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan, prevention, control and correction of the erosion of soils, beaches and shores, and protection of watersheds.

Land Use Plan—An inventory and classification of natural land types and of existing land cover and uses, and comprehensive plans for the most desirable utilization of land.

Recreation Plan—Showing a comprehensive system of recreation areas, including natural reservations, parks, parkways, beaches, playgrounds and other recreation areas, including, when practicable, the locations and proposed development thereof.

Streets and Highways Plan—Showing the general locations and widths of a comprehensive system of major traffic thoroughfares and other traffic ways and of streets and the recommended treatment thereof.

Transportation Plan—Showing a comprehensive transportation system, including locations of rights of way, terminals, viaducts and grade separations. Such a plan may also include port, harbor, aviation and related facilities.

Transit Plan—Showing a proposed system of transit lines, including rapid transit, street car, motor coach and trolley coach lines and related facilities.

Public Services and Facilities—Showing general plans for sewerage, drainage and utilities, and rights of way, easements and facilities therefor.

Public Buildings—Showing locations and arrangement of civic centers and all other public buildings, including the architecture thereof and the landscape treatment of the grounds thereof.

Community Design—Standards and principles governing the subdivision of land and recommended patterns for community design and development.

Housing—Survey of housing conditions and needs, and plans and procedure for improvement of housing standards and for provision of adequate housing.

The commission may prepare and adopt, as part of the master plan, other and additional plans and reports dealing with such other subjects as may in its judgment relate to the physical development of the city, county or region, and nothing contained in this act shall be deemed to prohibit the preparation and adoption of any such subject as a part of the master plan.

The commission may prepare and adopt all or any part of the master plan or any subject thereof for all or any part of the city, county or region; provided, however, that master regional plans shall be coordinated with similar plans of adjoining regions and that master county and city plans within each region shall be coordinated so as to fit properly into the master plan for the region.

SEC. 13. The planning commission may from time to time prepare precised sections of master plans or detailed or precise plans based thereon and may recommend such plans to the legislative body for adoption as official plans. Such precise plans may include proposed regulations limiting the uses of land, the uses of buildings, the height and bulk of buildings, the open spaces about buildings, the location of buildings and other improvements with respect to existing or planned rights of way and such other matters as will accomplish the purposes of this act, including procedure for the administration of such regulations.

SEC. 14. The commission shall endeavor to promote public interest in and understanding of the master plan and of official plans and regulations relating thereto. It shall be part of its duties to consult and advise with public officials and agencies, public utility companies, civic, educational, professional and other organizations, and with citizens generally with relation to the carrying out of such plans. All public officials shall upon request furnish to the commission within a reasonable time such information as they may have which the commission may require for its work. The commission, and its members, officers and employees in the performance of their functions, may enter upon any land and make examinations and surveys and place and maintain necessary monuments and marks thereon. In general the commission shall have such power as may be necessary to enable it to fulfill its functions and carry out the purposes of this act.

SEC. 15. Each commission appointed pursuant to the provisions of this act shall elect its chairman from among the appointed members for a term of one year and, subject to other provisions of law, may create and fill such other offices as it may determine. The commission shall hold at least one regular meeting in each month; except that each regional planning commission shall hold at least one regular meeting every three months. The commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record. The commission may appoint such officers and employees as it may deem necessary for its work, whose appointment, promotion, demotion and removal shall be subject to the same provisions of law as govern other corresponding civil employees. The commission may also employ or contract with planning consultants and other specialists for such services as it may require. The legislative body of the city or county shall provide the funds, equipment, and accommodations necessary for the work of the planning commission of such city or county and such appropriation may include funds to be appropriated for the work of the regional planning commission of the regional planning district within which such city or county is situated. The expenditures of the commissions, exclusive of gifts, shall be within the amounts appropriated for the respective purposes. Each city and each county which has established a planning commission, may, in making its annual tax levy and as a part thereof, levy and collect a tax, not to exceed in any fiscal year the sum of two mills on the dollar of assessed valuation, for the purpose of defraying the lawful expenditures incurred by the planning commission in carrying out the purposes of this act, and may make appropriations from other funds therefor. The planning commission is hereby authorized to accept gifts for any work of the commission which is authorized by law.

SEC. 16. The county and city planning commissions in the various regions shall accept and embody in the respective master plans under their control the features and findings of the respective regional planning commissions in matters pertaining to the regional and State welfare. When such features and findings have been accepted and embodied in the plans of any county or city planning commission and such plans have been adopted by the legislative body of the county or city as herein-after provided, such features and findings shall have the same force and effect as other portions of any such plan and shall be carried out by the legislative bodies of such counties and cities in accordance with their police powers as provided in this act.

SEC. 17. The body creating such planning commission may, by general or special rule, provide for the reference of any other matter or class of matters to the planning commission before final action thereon by the public body or officer of said city, county, or city and county, having final authority thereon, with the provision that final action thereon shall not be taken until said planning commission has submitted its report thereon or has had reasonable time, to be fixed in said rule, to submit the report. The planning commission shall have full power and authority to make such investigations, maps and reports, and recommendations in connection therewith relating to the planning and development of the city, county, or city and county as it deems desirable, provided, the total expenditures of said board shall not exceed the funds available therefor.

SEC. 18. Each officer, department, board or commission of the city or county whose functions include recommending, preparing plans for or constructing major public works, and each other governmental body, commission or board having such functions and the scope of whose jurisdiction lies entirely within such city or county, shall, at least three months before the end of each fiscal year, submit to the planning commission of such city or county a list of the proposed public works recommended by such body, officer, department, board or commission for planning, initiation or construction during the ensuing fiscal year. The planning commission shall list and

classify all such recommendations and shall prepare a coordinated program of proposed public works for such ensuing fiscal year, which program shall be recommended by the planning commission to the legislative body of such city or county and to such other bodies, officers, departments, boards or commissions as have jurisdiction over the recommending, planning or constructing of such public works. A copy of such recommended program of public works shall be included in the annual report of the planning commission as hereinbefore provided.

SEC. 19. Before adopting the master plan or any part of it, or any substantial amendment thereof, the commission shall hold at least one public hearing thereon, notice of the time and place of which shall be given by at least one publication in a newspaper of general circulation in the city or county or in the case of a regional planning commission by one publication in a newspaper in each county within the regional district, at least 10 days before the day of said hearing. The adoption of the master plan, or of any amendment, extension or addition thereof, shall be by resolution of the commission carried by the affirmative votes of not less than two-thirds of the total membership of the commission. The resolution shall refer expressly to the maps and descriptive and other matter intended by the commission to constitute said plan or any amendment, addition or extension thereof, and the action taken shall be recorded on the map and plan and descriptive matter by the identifying signatures of the secretary and chairman of the commission. No plan or map, hereafter, shall have indicated thereon that it is a part of the master plan until it shall have been adopted as part of the master plan by the commission as herein provided. The commission may from time to time amend, extend or add to the master plan or part thereof, as herein provided for the adoption thereof, whenever changed conditions or further studies by the commission require such amendment, extension or addition.

An attested copy of any part, amendment, extension of or addition to the master plan adopted by the planning commission of any city or county shall be certified to the legislative body of such city or county. An attested copy of any part, amendment, extension of or addition to the master plan adopted by any regional planning commission shall be certified to the county planning commission and to the board of supervisors of each county within the regional district.

SEC. 20. After the adoption of the master plan or any part thereof by the planning commission of any city or county, such commission shall render an annual report to the legislative body of such city or county on the status of the plan and progress in its application. The annual report of the commission shall be prepared in accordance with such outlines and uniform rules as may be established by the State Conservation and Planning Board and shall include:

(a) A statement of any changes made in the master plan and of any additions thereto, with copies of all plans and reports adopted as part of the master plan by the commission;

(b) Copies of portions of the master plan and reports relative thereto, adopted by the legislative body, as hereinafter provided;

(c) A list of improvements and accomplishments resulting from adoption of the master plan and official plans, as hereinafter provided, or from the work of the commission;

(d) A program of proposed public works, improvements and development based on the master plan and official plans and recommended to the legislative body of the city or county for execution during the ensuing year, prepared as hereinafter provided; and

(e) Such other information and data as may be pertinent to the work of the commission.

A copy of the annual report of the commission as made to the legislative body shall be filed with the State Conservation and Planning Board.

Article 3. The Legislative Body

SEC. 21. Upon receipt of a certified copy of the master plan, or of any part thereof, as adopted by the planning commission, the legislative body shall adopt such parts thereof as may practically be applied to the development of the city or county for a reasonable period of time next ensuing. Such parts shall thereupon be endorsed and certified as master plans thus adopted for the territory covered and are hereby declared to be established to conserve and promote the public health, safety and general welfare. Before adopting any such plan or part thereof, the legislative body shall hold at least one public hearing thereon, notice of the time and place of which shall be published at least once in a newspaper of general circulation in the city or county at least 10 days before the day of such hearing. No change in or addition to the master plan or any part thereof, as adopted by the planning commission, shall be made by the legislative body in adopting the same until the said proposed change or addition shall have been referred to the planning commission for a report thereon and an attested copy of such report shall have been filed with the legislative body. Failure of the planning commission so to report within 40 days, or such longer period as may be designated by the legislative body, after such reference shall be deemed to be approval of the proposed change or addition.

SEC. 22. Whenever the legislative body of any city or county shall have adopted a master plan or part thereof for such city or county, or for any major section or

district thereof, it shall be the duty of such legislative body, upon recommendation of the planning commission, to determine upon reasonable and practical means for putting into effect such master plan or part thereof, in order that the same will serve as a pattern and guide for the orderly physical growth and development of such city or county and as a basis for the efficient expenditure of the funds thereof relating to the subject of such master plan. Such legislative body may adopt and use such procedure as may be necessary for this purpose.

SEC. 23 The planning commission may from time to time prepare precised sections of master plans or detailed or precise plans based thereon and may recommend such plans to the legislative body for adoption as official plans. Such precise plans may include proposed regulations limiting the uses of land, the uses of buildings, the height and bulk of buildings, the open spaces about buildings, the location of buildings and other improvements with respect to existing or planned rights of way and such other matters as will accomplish the purposes of this act, including procedure for the administration of such regulations. Before recommending to the legislative body any such plan or any amendment thereto, the planning commission shall hold at least two public hearings thereon, at least 10 days apart, notice of the time and place of each of which shall be given by at least one publication in a newspaper of general circulation in the city or county, and by such other means as the commission may deem necessary. A copy of any plan recommended pursuant to the provisions of this section shall be certified to the legislative body and shall be accompanied by a report of findings, summaries of hearings and recommendations of the planning commission. Upon receipt of such certified copy the legislative body may, by ordinance, adopt such plan in such form as the legislative body may determine. Before adopting any such plan the legislative body shall hold at least one public hearing thereon, notice of the time and place of which shall be published at least once in a newspaper of general circulation in the city or county at least 10 days before the day of such hearing. No change shall be made by the legislative body in any such plan as recommended by the planning commission until said proposed change shall have been referred to the planning commission for a report thereon and an attested copy of such report shall have been filed with the legislative body, and no ordinance or resolution establishing any of the regulations specified in this section shall be adopted by the legislative body until such ordinance or resolution shall have been referred to the planning commission for a report thereon and an attested copy of such report shall have been filed with the legislative body; provided, however, that failure of the planning commission so to report in any such case within 40 days, or such longer period as may be designated by the legislative body, after such reference shall be deemed to be approval of the proposed change.

SEC. 24. Whenever the legislative body of the city or county shall have adopted a master plan for the city or county, or for any major section or district thereof, no road, street, highway, square, park or other public way, ground or open space shall be acquired by dedication or otherwise, and no road, street, highway or public way shall be closed or abandoned, and no public building or structure shall be constructed or authorized in the area for which such master plan shall have been adopted by the legislative body, until the location, character and extent thereof shall have been submitted to and shall have been reported upon by the planning commission. If the authorization, acquisition, financing or acceptance of such road, street, highway, square, park or other public way, ground or open space, or the construction or authorization of such public building or structure, be vested by law or charter provisions in some governmental body, commission or board other than the legislative body of such city or county, then such other governmental body, commission or board having such jurisdiction shall first submit to the planning commission the location, character and extent of such proposed public improvement for report thereon. In the event that the planning commission shall disapprove the same, its disapproval may be overruled by such other governmental body, board or commission only by a vote of not less than two-thirds of its entire membership. Failure of the planning commission to act within 40 days, or such longer period as may be designated by the legislative body or such other governmental body, board or commission, after the date of the official submission of any matter to it by the legislative body or by such other governmental body, board or commission, shall be deemed to be approval of such matter by the planning commission.

SEC. 25 The legislative body is authorized and empowered whenever, and as often as, it may deem it to be for the public interest, to change or add to the master plan or any part thereof, as adopted by the legislative body, or to change or add to the official plan or any part thereof. The legislative body shall first refer the proposed change or addition to the planning commission for a report thereon. Before making any such report, the planning commission shall hold hearings on the proposed change or addition and shall give notice of such hearings, in accordance with the procedure hereinbefore specified for the adoption by the planning commission of the master plan or any part or amendment thereof or for the recommendation by the planning commission of any official plan or any part or amendment thereof, as the case may be. Failure of the planning commission to report to the legislative body on any such proposed change or addition within 90 days, or such longer period as may be designated by the legislative body, after receipt by the

planning commission of the request of the legislative body for such report shall be deemed to be approval of such proposed change or addition by the planning commission. After the receipt of such report, or after the expiration of such 90 days or longer designated period, the legislative body shall hold at least one public hearing on the proposed change or addition, notice of the time and place of which shall be published at least once in a newspaper of general circulation in the city or county at least 10 days before the day of such hearing. Proceedings for any change or addition to the master plan or any official plan, or any part thereof, may also be initiated by the planning commission.

Sec. 26. Whenever the city, city and county, or county, shall have established a planning commission pursuant to and in accordance with the provisions of this act and shall have adopted regulations governing subdivisions, which regulations thereafter have been officially adopted by ordinance by the governing body of said city, city and county, or county, such planning commission shall have such control over subdivisions as is granted to it by such regulations and by the statutes of the State of California.

Sec. 27. No city or county shall improve any street, or lay or authorize sewers or connections or other improvements to be laid in any street or right of way within any territory for which an official street and highway plan shall have been adopted by the legislative body unless such street (a) has been accepted, opened or has otherwise received the legal status of a public street prior to the adoption of such plan; or (b) corresponds with streets shown on such official plan; or (c) corresponds with a street shown on a subdivision plat approved by the legislative body; or (d) corresponds with a street shown on a subdivision map theretofore approved by the planning commission in accordance with the provisions of law; until such matter shall have been referred to the planning commission for a report thereon and an attested copy of such report shall have been filed with the legislative body. Failure of the commission so to report within 40 days, or such longer period as may be designated by the legislative body, after such reference, shall be deemed to be approval of such matter.

Sec. 28. For the purpose of this act, certain terms are defined as provided in this section. Whenever appropriate the singular includes the plural, and the plural includes the singular. The term "street" includes streets, highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and rights of way, and other ways. The term "right of way" shall include all public and private rights of way and shall include all areas required for public use in accordance with any master plan or official plans. The word "county" includes city and county. The word "board" means the "State Conservation and Planning Board."

Sec. 29. The State Conservation and Planning Board shall have possession and control of all records, books, papers, offices, equipment, moneys, funds, appropriations and real and personal property now or hereafter held for the benefit or use of the State Planning Board necessary and convenient to the use and benefit of the State Conservation and Planning Board.

Sec. 30. All employees of the State Planning Board, who are in State civil service on the effective date hereof, engaged in the administration of any provision of law hereby committed to the jurisdiction of the State Conservation and Planning Commission, shall continue to serve as officers and employees of the State Conservation and Planning Commission subject to the provisions of Article XXIV of the Constitution and statutes continued in force thereby or adopted pursuant thereto.

Sec. 31. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed each provision of this act irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or provisions be declared unconstitutional.

Sec. 32. Violation of any of the provisions of this act shall upon conviction be punishable as a misdemeanor.

Sec. 33. This act shall be known and shall be cited as the State Conservation and Planning Act.

Sec. 34. The Planning Act is repealed.

Sec. 35. Chapter 331, Statutes of 1935 is repealed.

Sec. 36. Nothing in this act shall affect or impair the validity of any plans, actions or proceedings taken before the effective date of this act except as such plans, actions or proceedings may be hereafter modified or affected by the State Conservation and Planning Board or any planning commission pursuant to the powers granted by this act."

Amendments read and adopted
Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 179—An act to amend Section 3070 of the Labor Code, relating to the Apprenticeship Council.

Bill read second time, and ordered to third reading.

Senate Bill No. 685—An act to validate certain acts of counties, cities and counties and of their officers, relating to taxation of property.

Bill read second time, and ordered to third reading.

Senate Bill No. 750—An act to amend Sections 2190 and 3001 of the Revenue and Taxation Code, relating to real property taxes.

Bill read second time, and ordered to third reading.

Senate Bill No. 268—An act to amend Section 2 of an act entitled "An act creating a reclamation district to be called and known as 'Reclamation District No. 1500'; providing for the management and control thereof and dissolving all levee districts, swamp land districts and reclamation districts, lying wholly within the boundaries of said Reclamation District No. 1500; providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500," approved April 30, 1913, as amended, relating to the election, appointment, powers, and duties of the trustees of said district, and to the office and principal place of business of the said district, and relating to the management and control thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 588—An act to add Section 12.5 to the Water Conservation Act of 1929, relating to the offices of the directors of water conservation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 945—An act to establish a Water Code, thereby consolidating and revising the law relating to water, including the use of water, the acquisition and regulation of water rights, the control and utilization of water, the distribution of water, the supervision of dams, the use of and rights in streams, wells, pumping plants, and conduits, the establishment and operation of public districts relating to water, and to repeal certain acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 946—An act to add Division 5 and Section 150005 to the Water Code, relating to flood control by cities, counties, and the State, including provisions relating to the Reclamation Board, the Sacramento and San Joaquin Drainage District, and to repeal certain acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 947—An act to add Division 6 to the Water Code, relating to the conservation, development and utilization of the water resources of the State, including provisions relating to the State Water

Plan, the Central Valley Project, the San Luis Rey Water Authority, the Colorado River Board, and to repeal certain acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 948—An act to add Division 10 and Section 150010 to the Water Code, thereby revising and consolidating the law relating to the financial supervision of irrigation and other public districts, including provisions relating to the approval and certification of bonds of such districts as legal investments and as security for the deposit of public money, provisions relating to the obligations and finances of such districts, and provisions relating to the California Districts Securities Commission and other State agencies having powers similar to said commission, and to repeal certain acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No 949—An act to add Division 11 to the Water Code, thereby revising and consolidating the law relating to irrigation districts, including provisions for the supervision, regulation, and conduct of such districts, and to repeal certain acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 952—An act to add Sections 202, 203, 1050.5 and 1050.6 to, to amend Sections 228 and 275 of and to repeal Article 5, of Chapter 1 of Part 2 of Division 2 of the Water Code, relating to the administration of the provisions of said code.

Bill read second time, and ordered to third reading.

Senate Bill No. 982—An act to add Section 8710.5 to the Water Code, relating to approval of works of reclamation proposed by public districts within the Sacramento and San Joaquin Drainage District.

Bill read second time, and ordered to third reading.

Senate Bill No. 983—An act to add Section 4028.5 to the Water Code, relating to distribution of water in watermaster service areas.

Bill read second time, and ordered to third reading.

Senate Bill No. 984—An act to add Section 1252 5 to the Water Code, relating to appropriation of water.

Bill read second time, and ordered to third reading.

Senate Bill No. 986—An act to amend Section 11102 and to repeal Section 11600 of the Water Code, relating to the Central Valley Project.

Bill read second time, and ordered to third reading.

Senate Bill No. 1085—An act to amend Section 40 of, and to add Section 19c to, the California Water Storage District Act, relating to water storage districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 510—An act to amend Section 737c of the Political Code, relating to salaries of judges of the superior court.

Bill read second time, and ordered to third reading.

Senate Bill No. 251—An act relating to claims against, the liability of public officers and employees, and providing for insurance with respect thereto, amending Sections 1956 and 1981 of the Government Code, and repealing an act entitled "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers and/or liability in damages of such officers in the case of injuries to persons or property resulting from the negligence or carelessness of such officers, prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931.

Bill read second time, and ordered to third reading.

Senate Bill No. 859—An act to add Section 9603.5 to the Revenue and Taxation Code, relating to the taxation of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, after "\$600", insert " and provided that such transportation shall constitute the sole transportation of persons or property for hire or compensation".

Amendment No. 2

On page 1, line 15, of the printed bill, as amended, after the period, strike out "If such person"; and strike out lines 16 to 18, inclusive, and insert "If during any month of a calendar year the sum of the gross receipts of any farmer derived from transportation operations defined in this section shall exceed six hundred dollars (\$600) for the calendar year, the farmer shall not be entitled to the exemption herein provided but shall be an operator as defined in Section 9603 (a) of this part. The entire sum of his gross receipts earned during that year shall be subject to the tax imposed in this part and the amount of the gross receipts earned in prior months of the year shall be added to the gross receipts of the month in which the sum of the gross receipts for the year exceeded six hundred dollars (\$600) and shall be deemed to be gross receipts of that month for the purpose of computing the amount of the tax due under this part."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 341—An act to amend Sections 4a and 23 of the Bank and Corporation Franchise Tax Act, relating to the rate and method of determining the rate of tax on National banking associations, banks and financial corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 3 of the printed bill, as amended in the Senate on April 1, 1943, strike out all of line 35 after the comma; and strike out lines 36 and 37, both inclusive, and insert "of such National banking associations, banks and financial corporations, computed in the manner hereafter provided."

Amendment No. 2

On page 3, line 39, of said bill, after "or", insert "financial".

Amendment No. 3

On page 3, line 42, of said bill, strike out "that legally authorized.", and insert "the rate set forth under subdivision (3) of Section 4 of this act."

Amendment No. 4

On page 3, line 43, of said bill, strike out "5", and insert "2".

Amendment No. 5

On page 4 of said bill, after line 22, insert "SEC. 3 This act shall be applicable only to the computation of taxes for taxable years beginning after December 31, 1943. Sec. 4(a), as it read prior to amendments thereto by this act, shall remain in effect for all taxable years beginning prior to January 1, 1944."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 985—An act to amend Section 2500 of the Water Code, relating to statutory adjudication of water rights.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning :

Amendment No. 1

On page 1, line 4, of the printed bill, after "stream," insert "stream system,".

Amendment No. 2

On page 1 of the printed bill, following line 7, insert "SEC 2. The foregoing section strikes out the words 'and tributaries and contributory sources' solely for the reason that said words do not appear in Section 25 of the Water Commission Act from which Section 2500 of the Water Code is derived. Whatever the words 'stream, stream system, lake, or other body of water' include as used in Section 25 of the Water Commission Act they shall continue to include under the codification as made in Section 2500 of the Water Code."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 120—An act to amend Section 4951 of, and to add Sections 4659, 4865 and 4866 to, the Health and Safety Code, relating to the powers of sewer maintenance districts and districts formed under Chapter 2, Part 3, Division 5 of said code.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health :

Amendment No. 1

On page 1, line 4, of the printed bill, after "sewers", insert ", within a district'".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 904—An act to add Chapter 3 5, comprising Sections 4852.01 to 4852.2, inclusive, to Title 6 of Part 3 of the Penal Code, relating to persons convicted of felony, providing a procedure whereby such persons may, after completion of their sentences, demonstrate their rehabilitation, obtain restoration of rights of citizenship, and apply for

pardon; prohibiting the solicitation or acceptance of fees for representing such persons in such proceedings and in applications for pardon; declaring the urgency of this act and providing that it shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, strike out "release", and insert "released".

Amendment No. 2

On page 3, line 24, of said bill, after the comma, insert "to the district attorney of each county in which the petitioner was convicted of a felony."

Amendment No. 3

On page 3, line 30, of said bill, after "petitioner", insert "may be represented by counsel of his own selection; if he has no such counsel he".

Amendments read and adopted.

Bill ordered reprinted. and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 213
 Assembly Bill No. 461
 Assembly Bill No. 1007
 Assembly Bill No. 1128
 Assembly Bill No. 1527

Assembly Bill No. 1552
 Assembly Bill No. 1559
 Assembly Bill No. 165
 Assembly Bill No. 619
 Assembly Bill No. 1799

J. A. BEEK, Secretary of the Senate
 By J. ALLEN BEEK, JR., Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 934
 Assembly Bill No. 1526
 Assembly Bill No. 1631
 Assembly Bill No. 1224
 Assembly Bill No. 768

Assembly Bill No. 471
 Assembly Bill No. 201
 Assembly Bill No. 569
 Assembly Bill No. 570
 Assembly Bill No. 571

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
 By J. ALLEN BEEK, JR., Assistant Secretary

Above bills ordered to unfinished business file.

MOTION TO PRINT REMARKS IN JOURNAL

Mr. Leonard moved that the following remarks by Mr. Thompson be printed in the Journal:

A few weeks ago we distributed some Prune Recipe Books and thought we should have the prunes to go with them. Therefore, the prunes are on the desks this morning.

These prunes are the gift of Mr. R. V. Garrod, and he asked that Mr. Miller and I distribute them to the members.

Mr. Garrod raised these prunes on his ranch, and they were packed by the California Prune and Apricot Growers Association of San Jose. Mr. Garrod says the best prunes in the world are raised in California, and the best prunes in California in Santa Clara Valley, and the best prunes in Santa Clara Valley on his ranch, and it is hoped that these few prunes will cause the members to eat a great many prunes in the future.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 835—An act to amend Section 737d of the Political Code, relating to salary of the judge of the superior court in and for the County of Butte.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brown, Burns, Call, Clarke, Collins, Sam L., Crichton, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Hollibaugh, King, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Price, Robertson, Sargent, Smith, Stream, Thompson, Waters, Watson, Werdel, Weybret, and Mr. Speaker—41.

NOES—Anderson, Bashore, Burkhalter, Debs, Heisinger, Knight, T. Fenton; Massion, and Pelletier—8.

Bill ordered transmitted to the Senate.

Assembly Bill No. 359—An act to add Section 1752.6 to the Welfare and Institutions Code, relating to the powers of the Youth Correction Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Smith, Stream, Thompson, Waters, Watson, Werdel, Weybret, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1310—An act to add Sections 1603, 1604, 1605, 1606, 1607, 1608, and 1609 to the Education Code, relating to the transfer of territory from one school district to another school district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Smith, Stream, Thompson, Waters, Watson, Werdel, Weybret, and Mr. Speaker—51.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Consideration of House Resolution No. 152

House Resolution No. 152

Relative to memorializing Congress to make an adequate appropriation to the Farm Security Administration

WHEREAS, One of the primary factors in the successful operation of the war is the ability of the Nation's farmers to increase the production of food; and

WHEREAS, A report released by Honorable Claude E. Wickard, Secretary of Agriculture, indicates that the small farmers who borrowed from the Farm Security Administration are responsible for a good portion of the increased food production in 1942; namely, 36 per cent of the increased production of milk, 27 per cent of the dry bean increase, 10 per cent of the egg increase, 10 per cent of the chicken increase, and 7 per cent of the sugar beet increase; and

WHEREAS, Every consideration should be given to small farmers to stimulate them to further increase during 1943; and

WHEREAS, Many small farmers are dependent upon the Farm Security Administration in order to make necessary purchases of equipment, fertilizer and feed; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States be respectfully memorialized to make an adequate appropriation to the Farm Security Administration; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Secretary of Agriculture, the Farm Security Administration, the Speaker of the House of Representatives of the United States and to each Senator and Representative from California in the Congress of the United States.

Resolution read.

Motion to Re-refer House Resolution No. 152 to Committee on Rules and House Functions

Mr. Bashore moved that House Resolution No. 152 be re-referred to the Committee on Rules and House Functions.

Mr. Desmond seconded the motion.

Motion Withdrawn

Mr. Bashore withdrew his motion with the consent of his second.

Motion to Refer House Resolution No. 152 to Committee on Agriculture

Mr. Lowrey moved that House Resolution No. 152 be referred to the Committee on Agriculture.

Mr. Dilworth seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Bashore, Beck, Brown, Burns, Call, Carlson, Clarke, Collins, Sam L., Desmond, Dilworth, Field, Fout, Guthrie, Hastam, King, Lowrey, McCollister, Miller, Price, Waters, and Werdel—21.

NOES—Anderson, Bennett, Berry, Brady, Burkhalter, Carey, Crichton, Debs, Dills, Clayton A., Dunn, Erwin, Evans, Haggerty, Hawkins, Heisinger, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, Pelletier, Robertson, Sargent, Smith, Stream, Thompson, Watson, Weybret, and Mr. Speaker—33.

The question being on the adoption of House Resolution No. 152.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Burkhalter, Debs, Dills, Clayton A., Dunn, Evans, Haggerty, Hawkins, Heisinger, Massion, McMillan, Pelletier, Robertson, and Rosenthal—17.

NOES—Bashore, Beck, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Desmond, Dilworth, Erwin, Field, Guthrie, Hastam, Hollibaugh, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, Sargent, Smith, Stream, Thompson, Waters, Watson, Werdel, Weybret, and Mr. Speaker—36.

Assembly Bill No. 851—An act to amend Section 1106.2 of the Agricultural Code, relating to eggs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Fout, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Werdel, Weybret, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 869—An act to add Chapter 7 to Division 6 of the Agricultural Code, relating to contracts for the sale of agricultural products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Smith, Stream, Thomas, Waters, Watson, Werdel, Weybret, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1507—An act to amend Section 1300.1 of the Agricultural Code, relating to processors of farm products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1509—An act to amend Sections 122 and 123 of, and to add Sections 123.55, 123.56, 123.57, and 123.58 to, the Agricultural Code, relating to inspection and certification of nursery stock.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO WRITE LETTERS OF APPRECIATION

Mr. Sam L. Collins moved that the Chief Clerk be instructed to write letters of appreciation to those responsible for the entertainment at the dinner dance last evening, and to the film stars appearing on the program.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1963—An act to amend Sections 802.6, 803, 823, 828.15, 828.25, 828.4 and 829.2 of the Agricultural Code, relating to

standard containers for deciduous fruits and grapes, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 699—An act to amend Section 108.5 of the Agricultural Code, relative to host-free periods and host-free districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Watson, Weber, Werdel, Weybret, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1931—An act authorizing any city, county, or city and county to acquire property and to construct, operate and maintain parking facilities in connection with any stadium or coliseum maintained by such city, county, or city and county, and to make such parking facilities available to the use of the public and to make a charge therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Crichton, Debs, Dills, Clayton A., Doyle, Dunn, Evans, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 849—An act to amend Sections 761, 762, 762.5 and 763 of, and to add Sections 761.1, 762.6, 762.7, 762.8, 762.9, 763.1,

763.2, and 763.3 to, the Agricultural Code, relating to tomato standards, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—59.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 30—Relative to an increase of pay for employees of the Department of Employment.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Debs, Desmond, Dills, Clayton A., Dunn, Erwin, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Weber, Werdel, Weybret, and Mr. Speaker—53.

NOES—None.

Resolution ordered transmitted to the Senate.

Vote on Assembly Joint Resolution No. 30 Changed by Unanimous Consent

Mr. Carlson asked for, and was granted, unanimous consent to change his vote on Assembly Joint Resolution No. 30 from "No" to "Aye."

RECESS

At 10.55 a.m., on motion of Mr. Robertson, the Assémbly recessed until 11 a m., to hear from Hon. Geoffrey Morgan, former Member of the Assémbly.

REASSEMBLED

At 10.59 a.m., the Assémbly reconvened.

Hon. Charles W. Lyon, Speaker of the Assémbly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 490—An act to provide for the compilation, publication, and distribution by the Secretary of State of a Roster of Public Officials of California and to make an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fount, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—58.
NOES—None.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF ASSEMBLY BILL NO. 127

Mr. Call moved that Assembly Bill No. 127 be withdrawn from the file, and re-referred to the Committee on Civil Service and State Departments.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1591—An act to add Parts 8 and 9, comprising Sections 13301 to 16652, inclusive, to Division 2 of the Revenue and Taxation Code, and to add Section 50014 thereto, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Inheritance Tax Act of 1935, the Gift Tax Act of 1939, and Section 445 of the Political Code, and repealing acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dunn, Erwin, Evans, Field, Fount, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1362—An act to amend Section 30 of the State Employees' Retirement Act, relating to the membership of the Retirement System established thereunder.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Debs, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fount, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Weber, Werdel, Weybret, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1687—An act to amend Section 956 and 957 of the Fish and Game Code, relating to drag nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Smith, Stream, Thompson, Waters, Weber, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1555—An act to add Section 499c to the Penal Code, relating to theft of automobile tires, and fixing the time when the section shall no longer be effective.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Brady, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Massion, McMillan, Middough, Niehouse, Potter, Price, Robertson, Sargent, Stream, Thompson, Watson, Weber, Weybret, and Mr. Speaker—45.

NOES—Anderson, Berry, Brown, Call, Collins, George D., Haggerty, Heisinger, Lowrey, Maloney, Miller, O'Day, Pelletier, Smith, Waters, and Werdel—15.

Notice of Motion to Reconsider Assembly Bill No. 1555

Mr. O'Day gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1555 was this day passed.

Assembly Bill No. 1452—An act to add Section 26.5 to the Fish and Game Code, relating to stocking of waters of the State with fish and providing for the acquisition of public easements over private property for the purpose of taking fish from waters stocked by the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Smith, Stream, Thompson, Waters, Weber, Werdel, Weybret, and Mr. Speaker—54.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 738—An act to add Section 2715 to the Penal Code to authorize the State Board of Prison Directors to establish a prison farm.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 401—An act to add Section 19.1 to the Bank Act, relating to the suspension of the provisions of the Bank Act, relating to the ratio of capital and surplus of banks to their deposit liabilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Weber, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1377—An act to add Section 786.6 to the Fish and Game Code, relating to lobsters and shellfish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Weybret, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

**WITHDRAWAL OF ASSEMBLY BILL NO. 316 FROM INACTIVE FILE
BY UNANIMOUS CONSENT**

Mr. Rosenthal asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 316 from the inactive file for consideration, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 316

Assembly Bill No. 316—An act to amend Section 270a of the Penal Code, relating to nonsupport of a wife.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse.

O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Weybret, and Mr. Speaker—54.
 NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 261—An act to amend Sections 19484 and 19562 of the Business and Professions Code, relating to horse racing meetings.

Bill read third time.

The bill was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dunn, Erwin, Field, Fourn, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Helsing, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, and Weybret—51.
 NOES—None.

Bill ordered transmitted to the Senate.

Hon. John F. Thompson Presiding

At 11.55 a m., Hon. John F. Thompson, Member of the Assembly from the Twenty-ninth District, presiding.

Assembly Bill No. 867—An act to amend Section 453 of, and to add Section 453.1 to, the Agricultural Code, relating to milk and cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Helsing, Hollibaugh, Johnson, King, Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, and Weybret—52.
 NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1488—An act to amend Section 469 of the Agricultural Code and to repeal Section 472, relating to milk and cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourn, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Helsing, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, and Weybret—55.
 NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1253—An act to add Section 5903 to and amend Sections 661, 3711, 3712, 3814, 3818, 3819, 3822, 3872, 3873, 3879, 3921, 3922, 3924, 3929, 3938, 3939, 3941, 3944, 4536, 5503, 5505, 5507, 5508, 5511, 5557, 5560, 5563, 5565, 5699, 5707, 5708, 5724, 5737, 5802, 5803, 5804, 5809, 5931, 7003, 7005, 7007, 7008, 7011, 7020, 7074, 7204, 7881,

9102, and 9754 and to repeal Section 5562 of the Elections Code, relating to elections.

Bill read third time.

Motion to Amend

Mr. Hollibaugh moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "and", and insert "and to".

Amendment No. 2

On page 2, line 42, of said bill, strike out "faced", and insert "face".

Amendment No. 3

On page 3, line 23, of said bill, strike out "faced", and insert "face".

Amendment No. 4

On page 4, line 44, of said bill, strike out "faced", and insert "face".

Amendment No. 5

On page 4, line 48, of said bill, strike out "faced", and insert "face".

Amendment No. 6

On page 5, line 3, of said bill, strike out "faced", and insert "face".

Amendment No. 7

On page 5, line 10, of said bill, strike out "faced", and insert "face".

Amendment No. 8

On page 5, line 12, of said bill, strike out "faced", and insert "face".

Amendment No. 9

On page 6, line 2, of said bill, after "event", insert a comma.

Amendment No. 10

On page 6, line 20, of said bill, strike out "faced", and insert "face".

Amendment No. 11

On page 6, line 42, of said bill, strike out "faced", and insert "face".

Amendment No. 12

On page 8, line 16, of said bill, strike out "to".

Amendment No. 13

On page 8, line 35, of said bill, after "city", strike out the comma.

Amendment No. 14

On page 8, line 47, of said bill, strike out "the Election", and insert "said".

Amendment No. 15

On page 9, line 40, of said bill, strike out "stituted", and insert "stitutes".

Amendment No. 16

On page 11, line 5, of said bill, after "booth", insert "and".

Amendment No. 17

On page 11, line 20, of said bill, strike out "or (of)", and insert "of".

Amendment No. 18

On page 13, line 51, of said bill, after "of", insert "a".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Concurrent Resolution No. 50—Relative to providing for a full year State-wide celebration in 1950 commemorating admission of California to the Union and the end of the war and providing for a Joint Committee to plan for the celebration.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Armstrong, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Fourn, Guthrie, Haggerty, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Maloney,

Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Waters, Weber, and Weybret—42.
 NOES—Carlson, Collins, George D., Hawkins, and Heisinger—4.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 671—An act to provide for dispensing with the giving of notice to persons who are enemies or allied with enemies of the United States as defined in the Trading With the Enemy Act.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to provide for", and insert "to add Section 1020 5 to Chapter 5, Title 14, Part 2 of the Code of Civil Procedure, relating to".

Amendment No. 2

In line 4 of the title of said bill, after "Act", insert " , declaring the urgency thereof, to take effect immediately"

Amendment No. 3

On page 1, line 1. of said bill, after "Section 1.", insert "Section 1020 5 is added to Chapter 5, Title 14, Part 2 of the Code of Civil Procedure, to read: 1020 5."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Concurrent Resolution No. 52—Relative to the Joint Rules.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourn, Gannou, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Waters, Watson, Weber, and Weybret—52.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 52

Relative to the Joint Rules.

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Joint Rules be amended as follows:

First: That Rule 6 be amended to read:

6. Constitutional amendments, concurrent and joint resolutions shall be treated in all respects as bills; except that they shall be given only one formal reading in each house and that they shall not be deemed bills within the meaning of Section 2 of Article IV of the Constitution, and shall not be referred to the committee on introduction of bills, and shall not require a vote to authorize their introduction, and except as provided in Rule 24. As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon.

Second: That Rule 24 be amended to read:

24. After a bill has passed both houses it shall be printed in enrolled form, omitting symbols indicating amendments, and shall be compared by the Engrossing and Enrolling Clerk and the proper committee of the house where it originated to determine that it is in the form approved by the houses. The enrolled bill shall thereupon be signed by the presiding officers of both houses and the Secretary of the Senate and Chief Clerk of the Assembly and presented without delay to the Governor. The committee shall report the time of presentation of the bill to the Governor to the house and the record shall be entered in the Journal. After enrollment and signature by the officers of the Legislature, constitutional amendments, concurrent and joint resolutions shall

be filed without delay in the office of the Secretary of State and the time of filing shall be reported to the house and the record entered in the Journal.

Third: That subdivision (e) of Rule 32 be amended to read:

(e) One or more rooms shall be assigned for the exclusive use of correspondents during the legislative session, which rooms shall be known as the press room. The press room shall be under the control of the Chief of the Bureau of Buildings and Grounds; provided, that all rules and regulations shall be approved by the Senate Committee on Rules and the Speaker of the Assembly.

Consideration of House Resolution No. 178

House Resolution No. 178

Amendment to Rule 84

Add a new paragraph at the end of Rule 84, to read as follows:

Notwithstanding anything to the contrary in these Rules, it shall require a two-thirds vote of the entire elected membership to reconsider the vote on any matter originally requiring a two-thirds vote for its passage or adoption.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dunn, Evans, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Waters, Watson, Weber, Werdel, and Weybret—52.

NOES—Dills, Ralph C., and Dilworth—2.

Assembly Bill No. 426—An act to amend Sections 177 and 178 of the Vehicle Code, relating to motor vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Waters, Watson, Weber, Werdel, and Weybret—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1032—An act to amend Sections 28, 43.5 and 43.6 of the County Employees Retirement Act of 1937, relating to retirement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Weber, Werdel, and Weybret—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1420—An act to amend Sections 3 and 626 of, and add a new Section 633 to the District Organization Act (Statutes of 1933, page 2280), relating to the improvement district acts made applicable to the provisions for the dissolution of such districts in the manner provided in said District Organization Act.

Bill read third time.

Motion to Amend

Mr. Hollibaugh moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 16 to 18, inclusive, and insert
 "SEC. 3. Section 633 is hereby added to the District Organization Act, to read as follows:".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1221—An act to amend Section 5362 of the Streets and Highways Code, relating to notices of filing of and hearings on assessments under the Improvement Act of 1911.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, and Weybret—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1795—An act to add Section 13 $\frac{3}{4}$ to the Los Angeles County Flood Control Act, relating to storm drain improvements and drainage system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Collins, George D., Collins, Sam L., Crichton, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, and Werdel—53

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1888—An act to add Section 1714.5 to the Civil Code, relating to negligence as a matter of law for acts or omissions in complying with orders or proclamations of military authorities, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Robertson, Waters, Debs, Werdel, and Desmond demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 1888.

The roll was called, and urgency clause adopted by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton,

Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Maloney, Massion, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Waters, Watson, Weber, Werdel, and Weybret—56.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Maloney, Massion, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Waters, Watson, Weber, Werdel, and Weybret—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1940—An act to amend Section 4247 of the Political Code, relating to salaries and expenses of officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, King, Lowrey, Lyons, Maloney, Miller, Niehouse, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, and Weybret—46.

NOES—Bashore, Burkhalter, Debs, Dilworth, Heisinger, Massion, and Pelletier—7.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1069—An act to amend Section 359b of the Political Code, relating to the Governor's Council.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, and Weybret—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1195—An act to amend Sections 7051, 7058, 7069 and to add Section 7058.1 and to repeal Section 7051.5 of the Welfare and Institutions Code, relating to defective and psychopathic delinquents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Bennett, Burkhalter, Call, Carey, Carlson, Collins, Sam L., Crichton, Debs, Dilworth, Doyle, Dunn, Erwin, Fourt, Gannon, Guthrie, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, McMillan, Miller, Niehouse, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, and Weybret—41.

NOES—Anderson, Beck, Berry, Brady, Brown, Burns, Clarke, Collins, George D., Desmond, Dills, Clayton A., Dills, Ralph C., Evans, Haggerty, Hawkins, King, Lyons, Massion, O'Day, and Pelletier—19.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 1.28 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Allen:

Resolved, That Assembly Bill No. 1992 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—62.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 1992

Assembly Bill No. 1992—An act relating to officers, deputies, assistants and employees of counties, cities and counties, and cities, and their rights and privileges in relation to their several public offices and employments during and after termination of their service in civilian defense, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1992—An act relating to officers, deputies, assistants and employees of counties, cities and counties, and cities, and their rights and privileges in relation to their several public offices and employments during and after termination of their service in civilian defense, declaring the urgency of this act, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Miller, Niehouse, O'Day,

Pelletier, Potter, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 50.	Senate Bill No. 591.
Assembly Bill No. 1570.	Senate Bill No. 444.
Assembly Bill No. 1016.	

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1510—An act to add Section 1152.5 to the Agricultural Code, relating to cooperative agreements to effectuate the purposes of marketing laws.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1512—An act to amend Sections 1261, 1268, 1269, 1271 and 1273, and to repeal Sections 1268.5 and 1270 of the Agricultural Code, relating to produce dealers and brokers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Messrs. Fourt, Kellems, and Mrs. Niehouse.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, we request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 2005, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2222 and 2224 of the Welfare and Institutions Code, and to add Sections 2008 5,

2014, 2015, 2016, 2020.01, 2021 01, 2163.1, 2163 2, 2166, 2181.1, 2182.1, 2183 1, and 2187.01 thereto, relating to aid to the aged, to take effect immediately, and to become operative as therein provided.

Respectfully submitted.

WALTER J. FOUNT
 JESSE RANDOLPH KELLEMS
 KATHRYN T. NIEHOUSE

Request referred to Committee on Legislative Procedure.

By Mr. Sargent :

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows :

An act to increase the statutory salary and the statutory compensation of State officers and State employees, and making an appropriation.

Respectfully submitted.

WILLIS SARGENT

Request referred to Committee on Legislative Procedure.

By Mr. Call :

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows .

An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fifth Session of the Legislature including committee expenses, to take effect immediately.

Respectfully submitted.

HARRISON W. CALL

Request referred to Committee on Legislative Procedure.

By Mr. McMillan :

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows :

An act prohibiting black market transactions in any rationed commodity, declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

LESTER A. McMILLAN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Messrs. Fount, Kellems, and Mrs. Niehouse :

An act to amend Sections 2005, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2222 and 2224 of the Welfare and Institutions Code, and to add Sections 2008.5, 2014, 2015, 2016, 2020.01, 2021 01, 2163.1, 2163.2, 2166, 2181.1, 2182.1, 2183.1, and 2187.01 thereto, relating to aid to the aged, to take effect immediately, and to become operative as therein provided.

By Mr. Sargent :

An act to increase the statutory salary and the statutory compensation of State officers and State employees, and making an appropriation.

By Mr. Call :

An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fifth Session of the Legislature including committee expenses, to take effect immediately.

By Mr. McMillan :

An act prohibiting black market transactions in any rationed commodity, declaring the urgency thereof, to take effect immediately.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Feuton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Werdel, Wehbret, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1994: By Messrs. Fourt, Kellems, and Mrs. Niehouse—An act to amend Sections 2005, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2222 and 2224 of the Welfare and Institutions Code, and to add Sections 2008.5, 2014, 2015, 2016, 2020.01, 2021.01, 2163.1, 2163.2, 2166, 2181.1, 2182.1, 2183.1, and 2187.01 thereto, relating to aid to the aged, to take effect immediately, and to become operative as therein provided.

Referred to Committee on Social Welfare.

Assembly Bill No. 1995: By Mr. Sargent—An act to increase the statutory salary and the statutory compensation of State officers and State employees, and making an appropriation.

Referred to Committee on Ways and Means.

Assembly Bill No. 1996: By Mr. Call—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fifth Session of the Legislature including committee expenses, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1997: By Mr. McMillan—An act prohibiting black market transactions in any rationed commodity, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 819

Mr. Clarke moved that Senate Bill No. 819 be withdrawn from the Committee on Civil Service and State Departments, and re-referred to the Committee on Governmental Efficiency and Economy.

Motion carried.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Maloney, Desmond, Call, O'Day, and Lyon:

House Resolution No. 187

WHEREAS, On Sunday, April 18, 1943, the Pacific Coast Baseball League will open its gates for the coming season to the public of California; and

WHEREAS, The great American game of baseball offers to the Nation good, clean amusement that redounds with credit to the morale and good citizenship of the youth of our Nation, and enjoyment of our adults; and

WHEREAS, And while many of our outstanding stars will be missing when the umpire shouts, "Play ball," due to their entrance into the armed forces of this Country, their places will be filled by both younger men, who are anxiously awaiting call into the armed services eager and ready to answer the call, and by older men who still have many years of their baseball careers still before them; and

WHEREAS, The United States Government recognizing the necessity of maintaining the morale of those who are not called into active service with our military service will designate high officials in the military service to open the ceremonies on all baseball fields in California so that the boys in the armed forces of the Allied Nations, in this Country and in foreign countries may receive baseball news, and radio broadcasts during the baseball season; and

WHEREAS, The baseball management of the Pacific Coast League has pledged its full cooperation to the United States Government, to carry into effect any rules, regulations and orders issued by the United States Government in support of the war effort; now, therefore, be it

Resolved, That the Members of the Assembly of the State of California do hereby extend their best wishes for a successful baseball season to the management of the Pacific Coast League, with the thought in mind of carrying on in a manner that will assure the citizens of this Country, and our boys in the armed forces a clean, wholesome sport through news and broadcasts that has for centuries been established as "The Great American Pastime," and also with the thought in mind, that whatever request made by the military authorities will be adhered to.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 187, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs. Heisinger, Stream, and Weber:

House Resolution No. 188

WHEREAS, Many bills have been introduced in the Legislature pertaining to gas taxes, fees or other charges upon motor vehicles, also to provide funds to survey or procure rights of way for highways for financing construction and reconstruction at this time and also for postwar purposes; and

WHEREAS, A Fact-Finding Committee from the State Senate states at page 690 of the Senate Journal of March 20, 1943 that State maintenance of highways is many millions of dollars in arrears; also it is generally known that the highways of State, counties and cities are all in need of millions of dollars to bring such highways to normal condition; and

WHEREAS, There have been introduced in the Assembly, bills which would extend the State Highway System more than 400 miles, some of which might cost \$2,000,000 per mile and as it appears some of these highways should be a part of the State highway, a factual study could greatly assist the Legislators; and

WHEREAS, A Fact-Finding Committee might be able to reveal to the Legislature that certain motor vehicle taxes could be reduced, or at least equalized so that more equitable taxes could be placed upon the motoring public; and

WHEREAS, There is very little correlation between the State and county or city highways' building plans, which is not conducive to the best interests of all the people; and

WHEREAS, It is generally known that the highways of the State, the counties, and the cities are receiving destructive damage from war traffic, while at the same time highway funds have decreased by many millions of dollars; and

WHEREAS, The reports of the State Engineer and the county supervisors do not fully reveal the full damage suffered by the highways under war conditions; and

WHEREAS, The Legislature should be in possession of more factual and accurate information upon all matters referred to in this resolution; therefore, be it

Resolved, That a Committee of Three Members of the Assembly be appointed by the Speaker of the Assembly to make investigation of all matters referred to in this resolution.

Resolved, That the committee shall be empowered and requested to gather all facts possible from such departments of the State as may possess information on the subjects, also from the political subdivisions and to consult with State, county and city engineers.

Resolved, further, That the committee is instructed to make investigations at such places and at such times as may best serve it in securing facts upon which to make its report and recommendations to the Assembly not later than March 15, 1945.

There is hereby appropriated from the Contingent Fund of the Assembly the sum of fifteen hundred dollars (\$1500), which may be expended by the committee to carry out the purposes of the resolution.

For the purposes of this resolution the committee shall have all the powers and privileges conferred upon an investigating committee by Rule 35 of the Joint Rules of the Senate and Assembly, as the same now exists or as hereafter from time to time be amended.

Resolution read, and referred to Committee on Rules and House Functions.

**SPECIAL MEETING OF COMMITTEE ON SOCIAL WELFARE
BY UNANIMOUS CONSENT**

Mrs. Niehouse asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Social Welfare on Monday afternoon, April 19, 1943, upon adjournment.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1571—An act to amend Section 1203.6 of, and to add Sections 1203.7, 1203.8, 1203.9, 1203.10, 1203.11, 1203.12, 1203.13, 1203.14, 1203.15 and 1203.16 to, the Fish and Game Code, relating to pheasants.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of said bill, strike out "six", and insert "four".

Amendment No. 2

On page 1, line 6, of said bill, strike out "four", and insert "two".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1842—An act to add Section 19311 to the Education Code, relating to cafeterias.

Bill read third time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, after "thereof," insert "and".

Amendment No. 2

On page 1 of said bill, strike out lines 14 to 16, inclusive, and insert "provided, however, that nothing herein contained shall prohibit the use of the cafeteria facilities by any work or harvest camp maintained by or within the district, and by persons entitled to use the school under the Civic Center Act."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 125—An act to add Section 842.5 to the Fish and Game Code, relating to the use of nets, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Thomas moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended, strike out “, declaring the urgency of this act, to take effect immediately”.

Amendment No. 2

On page 2 of said bill, strike out lines 6 to 20, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 604—An act to amend Section 5.751 of the School Code, and to amend Section 13842 of the Education Code, relating to salaries of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, between lines 12 and 13, insert

“The provisions of this section shall not be construed as applying to substitute employees of a school district.”

Amendment No. 2

On page 2 of said bill, between lines 44 and 45, insert

“The provisions of this section shall not be construed as applying to substitute employees of a school district.”

Amendment No. 3

On page 3, line 8, of the printed bill, strike out “or”, and insert “and”.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 57 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Bennett asked for, and was granted, unanimous consent to withdraw Assembly Bill No 57 from the Committee on Military Affairs, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 57

Assembly Bill No. 57—An act to add Sections 3211.2, 3211.4, 3211.6, and 3352.5 to, and Chapter 10, comprising Sections 4301 to 4436, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 7, comprising Sections 1570 to 1573, inclusive, to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen’s compensation benefits to civilian defense workers, including the limiting of the liability of the State of California, counties, cities, and civilian defense organizations for injuries arising out of and occurring in the course of activities as a civilian defense worker, authorizing the State Council of Defense to certify civilian defense organizations and to make rules and regulations for the classifying and registering of civilian defense workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen’s compensation benefits.

Bill read second time.

Motion to Amend

Mr. Bennett moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, strike out all of lines 1 to 15, inclusive.

Amendment No. 2

In line 16 of the title of the printed bill, strike out "tion for the furnishing of", and insert "An act making an appropriation to meet the deficiency in the appropriation for".

Amendment No. 3

In line 16 of the title of the printed bill, after "benefits", insert "of State officers and employees and providing that this act shall take effect immediately."

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 1 to 18, inclusive, and insert "SECTION 1. The sum of twenty-five thousand dollars (\$25,000) is hereby appropriated out of any money in the State treasury not otherwise appropriated to meet a deficiency in the appropriation of workmen's compensation benefits of State officers and employees during the Ninety-fourth Fiscal Year. The amount hereby appropriated shall be in addition to, and in augmentation of, the appropriation contained in Item 215 in Section 2 of the "Budget Act of 1941."

SEC. 2. This act, inasmuch as it provides an appropriation for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately."

Amendment No. 5

Strike out all of pages 2 to 9, inclusive, of the printed bill.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1974 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Fourt asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1974 from the Committee on Conservation, Natural Resources, and Planning, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1974

Assembly Bill No. 1974—An act to create a flood control and water conservation and development district, to be called "Ventura County Conservation District"; to provide for the control, conservation and storage of flood and storm waters, the purchase and importation of water, and for the protection of water courses, watersheds, public highways, life and property in said district from damage or destruction from such waters; to provide for the use, sale, leasing and distribution of such waters for irrigation, fire protection and domestic purposes and the development and sale of electric and other mechanical power; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood, and other waters and to save and conserve all or any of such water for beneficial use in said district; to provide for development of oil and hydrocarbon products and to make leases concerning the same; to authorize the incurring of indebtedness and the voting, issuing, and selling of bonds and the levying and collecting of taxes and assessments by said district; and providing certain limitations on taxes, assessments, bonded indebtedness and expenditures with respect to said district; to provide for State approval of such bonds and exempting such bonds from taxation: and to define the powers of said district, including the

right of the district to sue and to be sued in all matters pertaining to the powers and duties of said district and any part thereof and the officers thereof, including the right to sue and defend in eminent domain; to provide for the government, management, and control of said district; to provide for the construction of works and the acquisition of property by the district to carry out the purposes of this act; to declare that this is not a case where a general law can be made applicable; and to declare this act to be an urgency measure which shall go into effect immediately.

Bill read second time.

Motion to Amend

Mr. Fourt moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 10 and 11 of the title of the printed bill, and insert “; to prevent the waste of water or the diminution”.

Amendment No. 2

Strike out lines 34 and 35, inclusive, of the title of said bill, and insert “applicable.”

Amendment No. 3

On page 2 of said bill, strike out lines 45 to 50, inclusive, and insert “of water from said district; to provide for the use, sale, leasing and distribution of such waters for irrigation, fire protection and domestic purposes; to authorize the incurring of”.

Amendment No. 4

On page 3, line 13, of said bill, after “applicable”, strike out “; to declare this act”; and strike out lines 14 and 15, and insert a period.

Amendment No. 5

On page 3, lines 44 and 45, of said bill, strike out “or other governing body of the district,”.

Amendment No. 6

On page 4 of said bill, strike out lines 49 and 50; and in line 51, strike out “thereof”.

Amendment No. 7

On page 5 of said bill, strike out lines 36 and 37, and insert “highways, life and property in said district.”

Amendment No. 8

On page 5 of said bill, strike out lines 42 to 44, inclusive, and insert “this act, and to condemn any existing works or improvements”.

Amendment No. 9

On page 6, line 12, of said bill, strike out “power lines, plants and stations,”

Amendment No. 10

On page 6, line 17, of said bill, strike out “and electrical development”.

Amendment No. 11

On page 6, line 20, of said bill, strike out “and electrical or other mechanical power,”.

Amendment No. 12

On page 6, line 25, of said bill, strike out “power plants,”.

Amendment No. 13

On page 6 of said bill, strike out lines 35 and 36, and insert “in any reservoir; to acquire the right to carry water through any tunnel,”.

Amendment No. 14

On page 6 of said bill, strike out lines 38 to 41, inclusive, and insert “to grant to any owner or lessee the”.

Amendment No. 15

On page 6 of said bill, strike out lines 42 and 43, and insert “right to the use of any water for irrigation, fire protection, or domestic purposes; the right to store such water in any reservoir in the”.

Amendment No. 16

On page 6 of said bill, strike out lines 45, 46, and 47, and insert "or conduits of the district; to enter into".

Amendment No. 17

On page 7 of said bill, strike out all of lines 8 to 19, inclusive, and insert "ment";.

Amendment No. 18

On page 7 of said bill, strike out all of line 20, and insert "to cooperate with, to contract with, and to act in conjunction with the State of Cali-".

Amendment No. 19

On page 7 of said bill, strike out all of lines 29 and 30, and insert "trict, or in any other works, acts or purposes".

Amendment No. 20

On page 7, line 36, of said bill, strike out "poles, posts, wires, lamps, power plants,".

Amendment No. 21

On page 7, lines 43 and 44, of said bill, strike out "development of electrical and other mechanical power,".

Amendment No. 22

On page 9, line 5, of said bill, strike out "of supervisors".

Amendment No. 23

On page 9, line 11, of said bill, after the period, insert "Each member of the board of supervisors of this district shall receive as compensation for his services hereunder the sum of fifty dollars (\$50) per month, in addition to his salary as a member of the board of supervisors of Ventura County."

Amendment No. 24

On page 12, line 14, of said bill after "10.", insert "(a)".

Amendment No. 25

On page 12, line 17, of said bill, strike out "For the", and insert "(b) The board shall have power of its own motion or upon petition therefor signed by a majority in assessed valuation of property owners in any area in said district described in such petition to establish special improvement areas. A special improvement area is defined to be any portion of such district which would receive special benefit from any improvement not specifically beneficial to the entire area of the district. Any such petition shall be in writing and verified by one of the petitioners and shall allege facts sufficient to show such special benefit to an area of said district described in said petition, and that such special benefit is not specifically beneficial to any other area of the district.

(c) For the".

Amendment No. 26

On page 12, line 44, of said bill, strike out "county", and insert "district".

Amendment No. 27

On page 12, line 46, of said bill, strike out "county", and insert "district".

Amendment No. 28

On page 12, line 47, of said bill, strike out "of supervisors", and insert ", in cases of proposed improvements which affect the entire district; or in cases of proposed improvements in special improvement areas, written protest against the proposed project signed by registered voters residing within such special improvement area owning and holding real property in amount exceeding 51 per cent of the total value of assessed property in such proposed special improvement area be filed with the board".

Amendment No. 29

On page 13, line 15, of said bill, after "district", insert "or in the special improvement area, as the case may be,".

Amendment No. 30

On page 13, line 16, of said bill, strike out "thereof", and insert "of the district or special improvement area, as the case may be,".

Amendment No. 31

On page 13, line 20, of said bill, strike out "by", and insert "in".

Amendment No. 32

On page 13, line 21, of said bill, after "district", insert "in the case of general district bonds, or in such special improvement areas in the case of special area improvement bonds".

Amendment No. 33

On page 13, line 25, of said bill, after "district", insert "or of the special improvement area, as the case may be,".

Amendment No. 34

On page 13, line 43, of said bill, after "district", insert "or any such special improvement area,".

Amendment No. 35

On page 14, line 49, of said bill, after the period, insert "Each of such special improvement area bonds shall be distinguished from general district bonds by endorsement on such bonds of the words "Special Improvement Area No. -----.""

Amendment No. 36

On page 15, line 10, of said bill, insert "(Special Improvement Area No. -----)".

Amendment No. 37

On page 15, line 12, of said bill, strike out "itself", and insert "(itself or Special Improvement Area No. -----)".

Amendment No. 38

On page 16, line 12, of said bill, after "district", insert "or of such special improvement areas, as the case may be,".

Amendment No. 39

On page 16, line 16, of said bill, after "district", insert "or of such special improvement areas, as the case may be,".

Amendment No. 40

On page 16, line 17, of said bill, after "district", insert "or of such special improvement areas, as the case may be,".

Amendment No. 41

On page 16, line 20, of said bill, after "district", insert "and special improvement areas".

Amendment No. 42

On page 16, lines 25 and 26, of said bill, strike out "of the county".

Amendment No. 43

On page 19, line 13, of said bill, after "trict", insert "or by any special improvement area".

Amendment No. 44

On page 19, line 19, of said bill, after "district", insert "or of such special improvement area".

Amendment No. 45

On page 19, line 25, of said bill, after "district", insert "or any such special improvement area".

Amendment No. 46

On page 19, line 34, of said bill, after "district", insert "or in any special improvement area".

Amendment No. 47

On page 19, line 41, of said bill, after "embankments," insert "and".

Amendment No. 48

On page 19, line 42, of said bill, strike out ", power lines, and power stations".

Amendment No. 49

On page 20 of said bill, strike out lines 40 to 44, inclusive, and insert "Sec 33."

Amendment No. 50

On page 20 of said bill, strike out lines 49 and 50; and on page 21, line 1, strike out "of this district may proceed without delay", and insert "crops".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No 224 re-referred to the Committee on Ways and Means,

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 214—An act to amend Sections 675, 684, 685, 686, 687 and 695 of the Elections Code, relating to precinct boards;

And reports that the same has been correctly enrolled, and presented to the Governor on the seventeenth day of April, 1943, at 12 m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 796

Assembly Bill No. 1055

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 224

Assembly Bill No. 328

Assembly Bill No. 289

Assembly Bill No. 582

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1067

Assembly Bill No. 1068

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Public Utilities, Manufacturing, and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which were referred:

Assembly Bill No. 759

Assembly Bill No. 1853

Assembly Bill No. 1854

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which was referred:

Assembly Bill No. 1839

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-fer to the committee.

ALLEN, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 642

Assembly Bill No. 1396

Assembly Bill No. 902

Assembly Bill No. 1399

Assembly Bill No. 903

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BASHORE, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1265

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DILWORTH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1132

Assembly Bill No. 1906

Assembly Bill No. 1909

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DILWORTH, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1308

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

FIELD, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 461

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEYBRET, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1975

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

WEYBRET, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Joint Resolution No 46

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

WEYBRET, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1983

Senate Bill No. 430

Senate Bill No. 481

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 924	Assembly Bill No. 32
Assembly Bill No. 635	Assembly Bill No. 463
Assembly Bill No. 1551	Assembly Bill No. 644
Assembly Bill No. 593	Assembly Bill No. 1317

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No 35

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 594	Assembly Bill No. 1490
Assembly Bill No. 595	Assembly Bill No. 710
Assembly Bill No. 596	Assembly Bill No. 711
Assembly Bill No. 886	Assembly Bill No. 524
Assembly Bill No. 350	Assembly Bill No. 6
Assembly Bill No. 850	Assembly Bill No. 592
Assembly Bill No. 1487	Assembly Bill No. 940
Assembly Bill No. 1489	Assembly Bill No. 1314

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Price and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain Kenneth A. Magnuson and Private Larry Sidor, United States Army.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private Warren Banks and Sergeant George A. Svolos, United States Army.

On request of Mr. McMillan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. J. Louis Luppi and Mr. Samuel H. Robinson of Los Angeles.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Mary Hurley of Worcester, Massachusetts.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Claire Lindray of San Francisco, Mrs. Genevieve H. Dedeon, and Miss May E. Lucas of Sacramento.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Paul Scharrenberg of San Francisco and Mr. John Dalton of Los Angeles.

On request of Messrs. Robertson and Middough and the the Los Angeles County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Geoffrey F. Morgan of Los Angeles.

On request of Mr. Thompson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Betty Lou Hunt of San Jose.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Paul Burns, son of Assemblyman Burns, of Eureka.

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Agler Ellis and Meredith of Stockton.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. William J. Byrne of Los Angeles.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Arthur I. Winters and Denzil Sayers of Modesto.

ADJOURNMENT

At 2 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 11 a.m. Monday, April 19, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SEVENTH LEGISLATIVE DAY

ONE HUNDRED SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, April 19, 1943

The Assembly met at 11 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMullan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, and Mr. Speaker—61.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

O God of patience and consolation, we thank Thee for committing unto us the trust of this new day. Grant a blessing for our Nation, our President, our Governor, and the Speaker of this Assembly. Bless, guard, and keep our defenders and those who serve the cause of righteousness and freedom.

"Lord God of hosts, whose mighty hand
Dominion holds on sea and land,
In peace and war Thy will we see
Shaping the larger liberty;
Nations may rise and nations fall,
Thy changeless purpose rules them all"

We ask it in our Saviour's name.

AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the Pledge of Allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Thomas.

MOTION TO EXCUSE MEMBER

Upon motion of Mr. Stream, Mr. Kraft was excused for this legislative day, on account of illness.

COMMUNICATIONS

By Speaker Lyon:

A communication from the California Federation of Women's Clubs of Los Angeles County, relative to a resolution adopted concerning pending legislation, was received and referred to the Committee on Rules and House Functions.

By the Chief Clerk:

A communication from the California Federation of Women's Clubs of Los Angeles County, relative to a resolution adopted concerning pending legislation, was received and referred to the Committee on Rules and House Functions.

Also:

The following communication was received and ordered printed in the Journal:

UNITED STATES MARITIME COMMISSION
WASHINGTON, April 13, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature Assembly, Sacramento, California*

DEAR MR. OHNIMUS: This will acknowledge receipt of a resolution adopted by the California Legislature Assembly on March 15, 1943, proposing that a Liberty ship be named for Sequoia, leader of the Cherokee Indian Nation.

The Maritime Commission appreciates this proposal and will be glad to place the name *Sequoia* on the list of names from which names for Liberty ships to be constructed in the Pacific area may be selected.

Very truly yours,

CARROLL PERRY, JR.
Committee on Launchings

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1571	Assembly Bill No. 1420
Assembly Bill No. 1603	Assembly Bill No. 1842

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1107	Assembly Bill No. 1702
Assembly Bill No. 1266	Assembly Bill No. 1803
Assembly Bill No. 1335	Assembly Bill No. 1857

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 441 | Assembly Bill No. 1544 |
| Assembly Bill No. 680 | Assembly Bill No. 1661 |
| Assembly Bill No. 746 | Assembly Bill No. 1748 |
| Assembly Bill No. 1042 | Assembly Bill No. 1784 |
| Assembly Bill No. 1043 | Assembly Bill No. 1829 |
| Assembly Bill No. 1075 | Assembly Bill No. 1844 |
| Assembly Bill No. 1259 | Assembly Bill No. 1978 |
| Assembly Bill No. 1319 | |

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 33 | Assembly Bill No. 1021 |
| Assembly Bill No. 66 | Assembly Bill No. 1070 |
| Assembly Bill No. 158 | Assembly Bill No. 1189 |
| Assembly Bill No. 178 | Assembly Bill No. 1287 |
| Assembly Bill No. 209 | Assembly Bill No. 1311 |
| Assembly Bill No. 300 | Assembly Bill No. 1360 |
| Assembly Bill No. 347 | Assembly Bill No. 1501 |
| Assembly Bill No. 736 | Assembly Bill No. 1579 |
| Assembly Bill No. 776 | Assembly Bill No. 1580 |
| Assembly Bill No. 894 | Assembly Bill No. 1984 |
| Assembly Bill No. 993 | |

And reports the same correctly engrossed

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 57 | Assembly Bill No. 1383 |
| Assembly Bill No. 153 | Assembly Bill No. 1863 |
| Assembly Bill No. 242 | Assembly Bill No. 1955 |
| Assembly Bill No. 590 | Assembly Bill No. 1959 |
| Assembly Bill No. 615 | Assembly Bill No. 1968 |
| Assembly Bill No. 1028 | |

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 350—An act to amend Section 611 of the Agricultural Code, relating to oleomargarine;

And reports the same has been correctly enrolled, and presented to the Governor on the seventeenth day of April, 1943, at 6 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 46

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1930	Assembly Bill No. 284
Assembly Bill No. 1350	Assembly Bill No. 331
Assembly Bill No. 559	Assembly Bill No. 348
Assembly Bill No. 386	Assembly Bill No. 484
Assembly Bill No. 399	Assembly Bill No. 578
Assembly Bill No. 442	Assembly Bill No. 580
Assembly Bill No. 540	Assembly Bill No. 581
Assembly Bill No. 707	Assembly Bill No. 584
Assembly Bill No. 801	Assembly Bill No. 585
Assembly Bill No. 1025	Assembly Bill No. 661
Assembly Bill No. 1026	Assembly Bill No. 662
Assembly Bill No. 1254	Assembly Bill No. 967
Assembly Bill No. 1260	Assembly Bill No. 1395
Assembly Bill No. 1261	Assembly Bill No. 1549
Assembly Bill No. 1380	Assembly Bill No. 643
Assembly Bill No. 1862	Assembly Bill No. 669
Assembly Bill No. 1936	Assembly Bill No. 771
Assembly Bill No. 1902	Assembly Bill No. 830
Assembly Bill No. 264	Assembly Bill No. 144

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 357	Assembly Bill No. 516
Assembly Bill No. 1000	Assembly Bill No. 444
Assembly Bill No. 240	Assembly Bill No. 766
Assembly Bill No. 281	Assembly Bill No. 772
Assembly Bill No. 910	

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 17, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 2

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered enrolled.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1983—An act to add Section 15159 to the Health and Safety Code, relating to application of the State Housing Act, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 759—An act to amend Section 30 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their

operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1853—An act to provide for the limiting or defining of electric service areas by the Railroad Commission of the State of California between utilities and irrigation districts engaged in the sale or distribution of electric power, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1854—An act to provide for the limiting or defining of electric service areas by the California Districts Securities Commission between utilities and irrigation districts engaged in the sale of electric power, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 642—An act to repeal Part 4 of Division 2 of the Revenue and Taxation Code, relating to motor vehicle transportation license taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Part 4 of Division 2 of", and insert "add Section 9651.5 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 3, inclusive, and insert "SECTION 1. Section 9651.5 is added to the Revenue and Taxation Code, to read:

9651.5. While this section is in effect no license tax shall be imposed upon operators under this part.

This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this is no longer effective shall have the same force as though this section had not been enacted."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 902—An act to amend Section 8, and to add Section 8.1 to the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, as amended on April 3, 1943, after "8", insert "of", and strike out "and to add Section 8.1 to".

Amendment No. 2

On page 2, line 15, of said bill, insert a comma after "district", and strike out the comma after "of".

Amendment No. 3

On page 7, line 22, of said bill, insert a comma after "and", and in line 23, strike out "however,".

Amendment No. 4

On page 9, line 32, of said bill, before "corporation", insert "bank or".

Amendment No. 5

On page 10, line 49, of said bill, insert a comma after "bondholder".

Amendment No. 6

On page 11, line 37, of said bill, strike out "his", and insert "its".

Amendment No. 7

On page 11, line 48, of said bill, strike out "him", and insert "it".

Amendment No. 8

On page 14 of said bill, strike out lines 45 to 51, inclusive; on page 15, strike out lines 1 to 51, inclusive; on page 16, strike out lines 1 to 52, inclusive; on page 17, strike out lines 1 to 50, inclusive; on page 18, strike out lines 1 to 51, inclusive; and on page 19, strike out lines 1 to 4, inclusive.

Amendment No. 9

On page 1 of said bill, strike out lines 3 and 4

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 903—An act to amend Section 7, and to add Section 7.1 to the Corporation Income Tax Act, relating to corporation taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, as amended on April 3, 1943, after "7", insert "of", and strike out ", and to add Section 71"; and in line 2, strike out "to the", and insert "The".

Amendment No. 2

On page 1, line 1, of said bill, strike out "the", and insert "The".

Amendment No. 3

On page 1 of said bill, strike out lines 3 and 4.

Amendment No. 4

On page 2, line 20, of said bill, insert a comma after "District", and strike out the comma after "of".

Amendment No. 5

On page 7, line 25, of said bill, after "was", insert "actually"; in line 28, insert a comma after "and"; and in line 29, strike out "however,".

Amendment No. 6

On page 11, line 11, of said bill, strike out "an", and insert "An"; in line 19, strike out "any", and insert "Any"; in line 30, strike out "in", and insert "In"; and in line 42, strike out "any", and insert "Any".

Amendment No. 7

On page 13, line 35, of said bill, insert a comma after "bondholder".

Amendment No. 8

On page 14, line 20, of said bill, after "any", insert "bank or".

Amendment No. 9

On page 14, line 28, of said bill, strike out "his", and insert "its"; in line 40, strike out "him", and insert "it"; and in line 41, after "necessary", insert a comma.

Amendment No. 10

On page 14 of said bill, strike out lines 43 to 50, inclusive; on page 15, strike out lines 1 to 52, inclusive; on page 16, strike out lines 1 to 52, inclusive; on page 17, strike out lines 1 to 50, inclusive; on page 18, strike out lines 1 to 50, inclusive, and on page 19, strike out lines 1 to 6, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1396—An act to amend Section 4 of the Corporation Income Tax Act of 1937, relating to corporation taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, line 2, of the printed bill, after "members", insert a semicolon.

Amendment No. 2

On page 2, line 3, of the printed bill, after the semicolon, strike out "and", and insert "or".

Amendment No. 3

On page 2 line 3, of the printed bill, strike out "solely for burial", and insert "for cemetery".

Amendment No. 4

On page 2, line 4, of the printed bill, strike out "as a cemetery corporation and not", and insert "and".

Amendment No. 5

On page 2, line 5, of the printed bill, strike out "not necessarily incident", and insert "related".

Amendment No. 6

On page 2, line 7, of the printed bill, strike out "private shareholder or individual", and insert "shareholder or member thereof".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1399—An act to amend Section 4 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, line 38, of the printed bill, after "members", insert a semicolon.

Amendment No. 2

On page 2, line 39, of the printed bill, after the semicolon, strike out "and", and insert "or".

Amendment No. 3

On page 2, line 39, of the printed bill, strike out "solely for burial", and insert "for cemetery".

Amendment No. 4

On page 2, line 40, of the printed bill, strike out "as a cemetery corporation and not", and insert "and".

Amendment No. 5

On page 2, line 41, of the printed bill, strike out "not necessarily incident", and insert "related".

Amendment No. 6

On page 2, line 43, of the printed bill, strike out "private shareholder or individual", and insert "shareholder or member thereof".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 7

On page 3 of the printed bill, between lines 17 and 18, insert
 "(7) Taxes under this section and under Sections 1 and 2 of this act shall accrue on the [first] last day of the "[taxable] income year," as defined in Section 11 hereof.

Taxes under this section shall be in lieu of all ad valorem taxes and assessments of every kind and nature upon the general corporate franchises of the corporations taxable hereunder but shall not be in lieu of any taxes or assessments upon special franchises owned, held or used by said corporations. All such special franchises shall be assessed annually by the State Board of Equalization (at their actual value) in the same manner as is provided for the assessment of other property to be assessed by said board under Section 14 of Article XIII of the Constitution of this State, and shall be subject to taxation to the same extent and in the same manner as other property so assessed by said board. Said board is hereby authorized and directed to assess said special franchises as of the first Monday in March of 1935 and annually thereafter."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1265—An act to add Article 9 to Chapter 7 of Part 3 of Division 5 of the School Code comprising Sections 5.725 to 5.725g, inclusive, and to add Article 8 to Chapter 11 of Division 7 of the Education Code comprising Sections 13701 to 13718, inclusive, relating to the placing on emergency leaves of absence, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "Code", insert a comma.

Amendment No. 2

In line 4 of the title of said bill, after "Code", insert a comma

Amendment No. 3

In lines 5 and 6 of the title of said bill, strike out "the placing on".

Amendment No. 4

On page 5, line 16, of said bill, after "substitute," insert "or".

Amendment No. 5

On page 6, line 40, of said bill, strike out "60", and insert "65".

Amendment No. 6

On page 8, line 31, of said bill, strike out "service", and insert "serve".

Amendment No. 7

On page 9, line 47, of said bill, strike out "60", and insert "65".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1308—An act to repeal Chapter 8 comprising Sections 6850 and 6955, inclusive, of Division 3 of the Business and Professions Code, and to add Chapter 8 comprising Sections 6850 to 6991, inclusive, to Division 3 of the Business and Professions Code, providing for the regulation, bonding, supervision and licensing of collection agencies and penalizing violations thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 18, line 29, of the printed bill, as amended, after "continuation", insert "fee, file with the board a request for a continuation".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1132—An act to amend Section 3.140 of the School Code and Section 8406 of the Education Code, relating to kindergartens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3.140 of the School Code and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 12, inclusive.

Amendment No. 3

On page 1, line 14, of said bill, strike out "Sec. 2.", and insert "Section 1."

Amendment No. 4

On page 1 of said bill, strike out lines 24 and 25, and insert "shall be counted as attendance upon a kindergarten."

Amendment No. 5

On page 1 of said bill, strike out lines 27 to 31, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1906—An act to add Section 4.104 to the School Code and to add Section 5806 to the Education Code, relating to the Vocational Rehabilitation Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 4.104 to the School Code and to add".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 1, line 8, of said bill, strike out "Sec. 2", and insert "Section 1".

Amendment No. 4

On page 1, line 10, of said bill, strike out "Any", and insert "The unexpended balance of any".

Amendment No. 5

On page 1 of said bill, strike out lines 15 to 19, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1909—An act to add Section 6814 to the School Code, relating to the maintenance classes outside the boundaries of the district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 6.184 to the School Code", and insert "Article 8 to Chapter 8, Division 4, of the Education Code, consisting of Section 9501".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert "SECTION 1. Article 8 is hereby added to Chapter 8 of Division 4 of the Education Code, consisting of Section 9501, to read:

9501. In connection with any student harvest camp maintained by a school district under the provisions of an act of the Legislature adopted at the Second Extraordinary Session 1943, approved March 29, 1943, known as the "California Food and Fiber Production Act", and subject to the provisions of said act, the district maintaining such camp may maintain and conduct such classes, and on such hours and days, as the governing board of the district may authorize and provide, and may assign employees of the district as instructors in such classes. Classes so maintained shall be deemed regular classes of the district maintaining same, whether conducted within or without the boundaries of such district."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1839—An act to amend Section 1720 of the Labor Code, relating to public works.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities, Manufacturing, and Corporations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1720 of", and insert "add Section 1944 1 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "public works", and insert "the employment of certain aliens and declaring the urgency of this act, to take effect immediately."

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 20, inclusive, and insert

"SECTION 1. Section 1944 1 is added to the Labor Code, to read:

1944.1. The nationals of nations allied with the United States in the present war or the nationals of nations with which the United States is at peace, may be employed by the State of California or by any county, city and county, city, town, district or any other political subdivision thereof. No such employee shall acquire civil service or other permanent status because of such employment. No such employee may be employed on new construction.

This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this act is in effect it shall supersede any existing provisions of law which are in conflict with this act; but such provisions are not repealed by this act and after this act is no longer effective shall have the same force as though this act had not been enacted, and such employees shall be discharged within six (6) months after the termination of this section.

Sec. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore take effect immediately. The facts constituting such necessity are as follows:

Wartime conditions have created a serious shortage of manpower. As the war progresses this condition will become more and more acute while the needs of

war production increase; therefore it becomes exceedingly necessary at this time in order to maintain essential public services that have been established that the manpower shortage therein be corrected. It is therefore imperative that this act take effect immediately."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 430—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, and horticultural products; to provide for the issuance, administration and enforcement of State marketing agreements and marketing orders in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that State marketing agreements and marketing orders shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State marketing agreements and marketing orders; to declare the urgency of this act and that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 481—An act relating to bases for allocation of money to county and district agricultural fairs.

Bill read second time, and ordered to third reading.

Senate Bill No. 461—An act to add Section 77 to the Agricultural Code, relating to the powers of the State Agricultural Society.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "join and by such".

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "representation as it chooses," and insert "pay membership fees, join, and".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

RE-REFERENCE OF ASSEMBLY BILL NO. 638

Mr. Stream moved that Assembly Bill No. 638 be withdrawn from the file, and re-referred to the Committee on Roads and Highways.

Motion carried.

CONSIDERATION OF DAILY FILE (OUT OF ORDER)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1259—An act to amend Section 5.402 of the School Code, and to add Section 13003.1 to the Education Code, relat-

ing to persons employed by school districts in positions requiring certification qualifications.

Bill read third time.

Motion to Amend

Mr. Stream moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to amend Section 5.402 of the School Code, and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 21, inclusive.

Amendment No. 3

On page 1, line 23, of said bill, strike out "SEC. 2.", and insert "SECTION 1."

Amendment No. 4

On page 1 of said bill, strike out lines 25 to 26, inclusive, and on page 2, strike out lines 1 to 6, inclusive.

Amendment No. 5

On page 2, line 7, of said bill, before "if", insert "13003.1".

Amendment No. 6

On page 2 of said bill, strike out lines 19 to 23, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

MOTION TO CONTINUE CONSIDERATION OF GOVERNOR'S VETO

Mr. Waters moved that consideration of the Governor's veto to Assembly Bill No. 290 be continued until April 24, 1943.

Motion carried.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Senate Bill No. 591	Assembly Bill No. 1016
Assembly Bill No. 1570	Assembly Bill No. 1555
Assembly Bill No. 50	

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 444 WAIVED

Mr. Thomas waived his notice of motion to reconsider the vote whereby Senate Bill No. 444 was passed.

Senate Bill No. 444 ordered transmitted to the Senate.

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 1631—An act to amend Section 1 of an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts," approved July 1, 1937, relating to retirement of judges.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1631?

Amendment No. 1

On page 1, line 22, of the printed bill, as amended, strike out "to have", and insert "who has".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1631 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Masson, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1631 ordered enrolled.

Assembly Bill No. 1224—An act to amend Section 791 of the Political Code and Section 8200 of the Government Code, relating to notaries public.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1224?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, strike out "211", and insert "222".

Amendment No. 2

On page 1, line 15, of said bill, as amended, strike out "211", and insert "222".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1224 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Carey, Clarke, Collins, Sam L., Debs, Denny, Desmond, Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Masson, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 1224 ordered enrolled.

Assembly Bill No. 768—An act to repeal an act entitled "An act making an appropriation for the administrative expenses of the State Department of Social Welfare and establishing a revolving fund for the purposes of distributing goods and commodities in accordance with Federal goods and commodities distribution plans by the State Department of Social Welfare, declaring the urgency thereof, to take effect immediately," approved July 1, 1941, relating to the operation of Federal stamp and surplus commodities distribution plans by the State Department of Social Welfare, transferring to the State Department of Finance all powers, duties, responsibilities, and jurisdiction, and all records, books, papers, moneys, and property of the Department of Social Welfare in connection therewith for the purpose of termination thereof, and providing for the disposition of the commodities and other properties transferred.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 768?

Amendment No. 1

On page 2, line 21, of the printed bill, strike out "Sec. 3.", and insert "Sec. 4. (a) The commitments made by the State Department of Social Welfare on or before April 8, 1943, with respect to the distribution of articles of finished clothing to the various counties are hereby validated and approved.

(b) The distribution to the various counties in accordance with the ratio of contribution of each county to the Work Projects Administration Sewing Projects as

such bears to the total contributions of all counties of the State to the Work Projects Administration Sewing Projects of not more than 48 per cent of the finished garments in the custody of the State Department of Social Welfare on April 9, 1943, after distribution under the commitments ratified by subdivision (a) is hereby validated.

(c) The transfer by the State Department of Social Welfare to the State Department of Finance of all textiles and unfinished garments in the possession of the Department of Social Welfare on April 9, 1943, and an amount of finished clothing of not less than 52 per cent of the garments in the possession of the State Department of Social Welfare on April 9, 1943, after the distribution in accordance with commitments ratified by subdivision (a) is hereby validated.

Sec. 5."

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 768 by the following vote:

AYES—Bashore, Burkhalter, Desmond, Evans, and Leonard—5.

NOES—Anderson, Armstrong, Beck, Berry, Brown, Burns, Carey, Clarke, Collins, Sam L. Debs, Denny, Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Lowrey, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—51.

Appointment of Committee on Conference Concerning Assembly Bill No. 768

The Speaker announced the appointment of Messrs. Bashore, Erwin, and Leonard as a Committee on Conference concerning Assembly Bill No. 768.

Assembly Bill No. 201—An act to add Sections 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, and 1661 to Article 3 of Chapter 1 of Part 6 of Division 2 of the Labor Code, relating to artists' managers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 201?

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "and 1661 to Article 3 of Chapter 1 of Part 6 of Division 2", and insert "1661, 1662 and 1663".

Amendment No. 2

On page 1, lines 1 and 2, of said bill, strike out "Article 3 of Chapter 1 of Part 6 of Division 2 of".

Amendment No. 3

On page 1, line 4, of said bill, strike out "firm or corporation".

Amendment No. 4

On page 1, line 6, of said bill, strike out "; and who, as an element of"; and strike out lines 7, 8, and 9, and insert "and who procures, offers, promises or attempts to procure employment or engagements for an artist only in connection with and as a part of the duties and obligations of such person under a contract with such artist by which such person contracts to render services of the nature above mentioned to such artist."

Amendment No. 5

On page 1, line 21, of said bill, strike out ", firm or corporation".

Amendment No. 6

On page 1, line 23, of said bill, after the period, insert "Such license shall be posted in a conspicuous place in the office of the licensee."

Amendment No. 7

On page 2 of said bill, strike out lines 2 to 10, inclusive, and insert "1652. Every artists' manager shall pay to the Labor Commissioner annually at the time the license is issued or renewed a license fee of fifty dollars (\$50)."

Amendment No. 8

On page 2 of said bill, strike out lines 13, 14, and 15, and insert "1653. A person may apply for both an employment agency license and an artists' manager license, as provided for in this code, and in such event shall pay

a single license fee at the rate applicable under Section 1588 or under Section 1652 of this code, whichever is highest, and such single license fee shall cover the issuance or renewal of both the employment agency license and the artists' manager license."

Amendment No. 9

On page 2 of said bill, strike out lines 18 to 28, inclusive, and insert "1654. In the event that an artists' manager shall collect from an artist a fee or expenses for obtaining employment for the artist, and the artist shall fail to procure such employment, such artists' manager shall, upon demand therefor, repay to the artist the fee and expenses so collected. Unless repayment thereof is made within forty-eight (48) hours after demand therefor, the artists' manager shall pay to the artist an additional sum equal to the amount of the fee."

Amendment No. 10

On page 2, line 31, of said bill, strike out "pay to the Labor Com-"; and strike out lines 32 and 33, and insert "submit to the Labor Commissioner a form or forms of contract to be utilized by such artists' manager in entering into written contracts with artists for the employment of the services of such artists' manager by such artists, and secure the approval of the Labor Commissioner thereof. Such approval shall not be withheld as to any proposed form of contract unless such proposed form of contract is unfair, unjust and oppressive to the artist. Each such form of contract, except under the conditions specified in Section 16475 of this code, shall contain an agreement by the artists' manager to refer any controversy between the artists and the artists' manager relating to the terms of the contract to the Labor Commissioner for adjustment. There shall be printed on the face of the contract in prominent type the following: "This artists' manager is licensed by the Labor Commissioner of the State of California." "

Amendment No. 11

On page 2 of said bill, strike out lines 36 to 43, inclusive, and insert "1656. Every person engaged in the occupation of an artists' manager shall file with the Labor Commissioner a schedule of fees to be charged and collected in the conduct of such occupation, and shall also keep a copy of said schedule posted in a conspicuous place in the office of such artists' manager. Changes in the schedule may be made from time to time, but no change shall become effective until seven days after the date of filing thereof with the Labor Commissioner, and until posted for not less than seven days in a conspicuous place in the office of such artists' manager."

Amendment No. 12

On page 2 of said bill, strike out lines 46 to 49, inclusive, and insert "1657. In cases where an artist is sent by an artists' manager beyond the limits of the city in which the office of such artists' manager is located upon the representation of such artists' manager that employment of a particular type will there be available for the artist and the artist does not find such employment available, such artists' manager shall reimburse the artist for any actual expenses incurred in going to and returning from the place where the artist has been so sent."

Amendment No. 13

On page 3 of said bill, strike out lines 2 to 8, inclusive, and insert "1658. Every artists' manager shall post in a conspicuous place in the office of such artists' manager a printed copy of this chapter and of such other statutes as may be specified by the Labor Commissioner. Such copies shall also contain the name and address of the officer charged with the enforcement of this chapter. The Labor Commissioner shall furnish to artists' managers printed copies of any statute required to be posted under the provisions of this section."

Amendment No. 14

On page 3 of said bill, strike out lines 11 to 14, inclusive, and insert "1659. The Labor Commissioner may revoke or suspend any license when it is shown that:

- (a) The licensee or his agent has violated or failed to comply with any of the provisions of this chapter, or
- (b) the licensee has ceased to be of good moral character, or
- (c) the conditions under which the license was issued have changed or no longer exist."

Amendment No. 15

On page 3 of said bill, strike out lines 23 to 27, and insert "1661. Every artists' manager shall keep records approved by the Labor Commissioner, in which shall be entered: (1) The name and address of each artist employing such artists' manager; (2) the amount of fee received from such artist; (3) the employment in which such artist is engaged at the time of employing such artists' manager, and the amount of compensation of the artist in such employment, if any, and the employment subsequently secured by such artist during the term of the contract between the artist and the artists' manager, and the amount of

compensation received by the artist pursuant thereto; and (4) other information which the Labor Commissioner requires.

No artists' manager, its agent or employees, shall make any false entry in any such records."

Amendment No. 16

On page 3 of said bill, after line 27, insert

"Sec. 13. Section 1662 is added to said code, to read:

1662. The definitions of "theatrical engagement," "motion picture engagement," "emergency engagement," as now contained in Section 1553 of this code; the definition of "fee," as now contained in Section 1554 of this code; and the definitions of "registration fee," "license" and "licensee," as now contained in Section 1555 of this code, shall be applicable to artists' managers with the same force and effect as though said definitions had been enacted with express reference to artists' managers.

Sec 14. Section 1663 is added to said code, to read:

1663. No part of the provisions of Part 6, Chapter 1 of this code shall be applicable to an artists' manager, except as expressly provided in Sections 1650 to 1663, inclusive, of this code, and except that the following sections, in the terms thereof now in effect, shall be so applicable, to wit: Sections 1550, 1582, 1583, 1584, 1585, 1586, 1587, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1597, 1598, 1599, 1620, 1621, 1623, 1630, 1636, 1637, 1638, 1639, 1640, 1640.5, 1642, 1643, 1644, 1646, 1647, 1647.5 and 1648; and for such purpose, each of said sections, in the terms thereof now in effect, shall be read, applied, administered and enforced as though expressly made applicable to an artists' manager."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 201 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, Sam L., Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 201 ordered enrolled.

Assembly Bill No. 635—An act to add Sections 453.5, 453.6, 453.7, 453.8, and 453.9 to the Fish and Game Code, relating to storage locker plants.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 635?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "453.8, and 453.9", and insert "and 453.8".

Amendment No. 2

On page 2 of said bill, strike out lines 17 to 20, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 635 by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Call, Carey, Denny, Doyle, Dunn, Erwin, Field, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Niehouse, Pelletier, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Stream, Watson, Werdel, Wollenberg, and Mr. Speaker—42

NOES—Bashore, Brown, Burkhalter, Burns, Clarke, Collins, George D., Collins, Sam L., Debs, Desmond, Dills, Ralph C., Evans, Haggerty, O'Day, Potter, Price, Thomas, Thompson, Thorp, Waters, and Weber—20.

Assembly Bill No 635 ordered enrolled.

Assembly Bill No. 924—An act to add Section 663.8 to the Political Code, transferring certain powers, duties, jurisdiction, property

and personnel from the Department of Finance to the State Board of Control.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 924?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "transferring"; and strike out all of lines 2 to 4, inclusive, of said title, and insert "relating to State purchases of supplies, equipment, and other personal property."

Amendment No. 2

On page 1, line 3, of said bill, strike out "succeed to and is"; and strike out all of lines 4 to 10, inclusive, and insert "have the power and authority to make rules and regulations governing the".

Amendment No. 3

On page 1, line 14, of said bill, after the period, strike out the balance of line 14; strike out all of lines 15 to 25, inclusive; and strike out all of page 2.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 924 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 924 ordered enrolled.

Assembly Bill No. 1526—An act to add Section 359e to the Political Code, relating to sick leave for employees exempt from civil service.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1526?

Amendment No. 1

On page 1, in line 4, of the printed bill, as amended, strike out "Sundays and holidays", and insert "time during which they are not regularly assigned to work,".

Amendment No. 2

On page 1, in line 11, of the printed bill, as amended, beginning with "For", strike out the remainder of line 11, and all of lines 12 and 13.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1526 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Thomas, Thompson, Waters, Watson, Weber, Weydel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1526 ordered enrolled.

Assembly Bill No. 1551—An act to amend Section 41 of the Probate Code, relating to bequests to charity and charitable use.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1551?

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "devices", and insert "devises".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1551 by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawalliseh, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None

Assembly Bill No. 1551 ordered enrolled. •

Assembly Bill No. 32—An act to amend Sections 595 and 1054 of the Code of Civil Procedure, relating to extensions of time and continuances.

The question being: Shall the Assembly concur in the following Senate Amendments to Assembly Bill No. 32?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "continuances", insert "in any civil or criminal action or proceeding in a court, or in any administrative proceeding before a State board, commission or officer".

Amendment No. 2

On page 1, line 3, of said bill, strike out "action", and insert "civil or criminal action or proceeding in a court, or of any administrative proceeding before a State board or commission or officer".

Amendment No. 3

On page 1, line 7, of said bill, strike out "referee", and insert "officer".

Amendment No. 4

On page 1, line 8, of said bill, after "therein", insert "(whether he became an attorney of record before or after the commencement of a Legislative session or before or after his appointment to a Legislative committee)".

Amendment No. 5

On page 1, line 10, of said bill, after "recess", insert "(not exceeding a recess of 35 days)".

Amendment No. 6

On page 1, line 11, of said bill, strike out "interim".

Amendment No. 7

On page 1, line 17, of said bill, strike out "; when", and insert "or the commencement of a recess of more than thirty-five (35) days. When".

Amendment No. 8

On page 1, line 17, of said bill, strike out "interim".

Amendment No. 9

On page 1, line 19, of said bill, after "days", insert a comma.

Amendment No. 10

On page 1, line 22, of said bill, strike out "interim".

Amendment No. 11

On page 1, line 22, of said bill, after "committee", insert ", unless said 15-day period will expire when the Legislature is to be in session in which case the action or proceeding shall not without such consent be brought on for trial or hearing before the expiration of thirty (30) days next following final adjournment or the commencement of a recess of more than thirty-five (35) days".

Amendment No. 12

On page 2, line 30, of said bill, as amended, strike out "including", and insert ", including notices".

Amendment No. 13

On page 4, line 38, of said bill, strike out "the", and insert "an".

Amendment No. 14

On page 2, line 41, of said bill, after "recess", insert "(not exceeding a recess of thirty-five (35) days)".

Amendment No. 15

On page 2, line 41, of said bill, strike out "interim".

Amendment No. 16

On page 2, line 47, of said bill, strike out "; when", and insert "or the commencement of a recess of more than thirty-five (35) days When".

Amendment No. 17

On page 2, line 47, of said bill, strike out "interim".

Amendment No. 18

On page 2, line 50, of said bill, strike out "interim".

Amendment No. 19

On page 2, line 51, of said bill, after "mittee", insert ", unless said 15-day period will expire when the Legislature is to be in session in which case the extension shall be to a date not less than thirty (30) days following the final adjournment of the Legislature or the commencement of a recess of more than thirty-five (35) days".

Amendment No. 20

On page 3 of said bill, after line 9, insert

"SEC. 3. If any provision of Section 595 or of Section 1054 of the Code of Civil Procedure, or the application thereof to any person or circumstance, is held invalid, the remainder of the section, or the application of such provision to other persons or circumstances, shall not be affected thereby."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 32 by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wehret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 32 ordered enrolled.

Assembly Bill No. 644—An act to add Section 9 to the Community Recreation Enabling Act of 1939 and to add Section 24409.1 to the Education Code, relating to facilities of community recreation centers maintained solely by school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 644?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Section 9 to the Community Recreation Enabling Act of 1939 and to add".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Section 9 is added to the said act, to read:"; and strike out lines 2 to 6, inclusive.

Amendment No. 3

On page 1, line 7, of said bill, strike out "SEC. 2."

Amendment No. 4

On page 1 of said bill, strike out lines 15 to 18, inclusive

Amendment No. 5

On page 1 of said bill, strike out line 10, and insert "persons, other than students, or organizations desiring to use the recreational facilities on school grounds or belonging to a school or the facilities provided by".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 644 by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargeut, Sawallisch, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 644 ordered enrolled.

Assembly Bill No. 1317—An act to add Section 5.45-1 to the School Code and to add Section 20379 to the Education Code, relating to employees of State colleges not serving in the State civil service.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1317?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "20379", and insert "20380".

Amendment No. 2

On page 1, line 24, of the printed bill, as amended, strike out "20379", and insert "20380".

Amendment No. 3

On page 1, line 26, of the printed bill, as amended, strike out "20379", and insert "20380".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1317 by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargeut, Sawallisch, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1317 ordered enrolled.

Assembly Bill No. 934—An act to amend Section 643 of the Agricultural Code, relating to the definition for insanitary dairy farms.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 934?

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 643.2 to,".

Amendment No. 2

In line 2 of the title of the printed bill, strike out the period, and insert ", declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 2 of the printed bill, strike out all of lines 6 to 13, inclusive, and insert "wise caring for the milk or cream. Said milk house or room shall not be located in or be a part of any dwelling house, barn, or poultry house, and shall not be used for any other purpose."

Amendment No. 4

On page 2 of the printed bill, after line 41, insert "SEC. 2. Section 643.2 is added to said code, to read: 643.2. Notwithstanding the provisions of Section 643, until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or

until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs, it shall be lawful to handle, wash, and sterilize milk containers and milk handling equipment in the same room where milk is separated, cooled, mixed, canned, or kept.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California, and as such shall take effect immediately. The following is a statement of the facts constituting such necessity:

A serious shortage of market milk and market cream during the summer months of 1943 is threatened because of an increase in the wartime population of the State and a shortage of producing dairy cows. The Milk Products Act of 1941 requires that separate rooms be provided for the handling of milk and the sterilization of containers and equipment on dairy farms producing market milk. This act, by modifying this limitation so as to permit the sterilization of containers and equipment in the same room where milk is handled for the duration of the war or until the ninety-first day after the adjournment of the Fifty-sixth Regular Session of the Legislature will aid to increase the number of dairies which can qualify for the production of market milk. In order to offset as far as possible the prospective shortage of market milk and cream during the coming summer months in the interest of preserving and protecting human health, it is necessary that this act become effective immediately."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 934 by the following vote:

AYES—Burns, Clarke, Dills, Ralph C., Evans, Field, Knight, T. Fenton; and Potter—7.

NOES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

Appointment of Committee on Conference Concerning Assembly Bill No. 934

The Speaker announced the appointment of Messrs. Thorp, Desmond, and Dills, Ralph C., as a Committee on Conference concerning Assembly Bill No. 934.

MOTION TO SET SPECIAL ORDER

Mr. Field moved that Assembly Bill No. 1107 be made a special order of business for Tuesday, April 20, 1943, at 10 a.m.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Stream, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—62

NOES—None.

ASSEMBLY BILL NO. 590 ORDERED PLACED UPON THE INACTIVE FILE

Mr. Desmond moved that Assembly Bill No. 590 be withdrawn from the third reading file, and placed upon the inactive file.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1540—An act to add Section 1005 to the Political Code and Section 1779 to the Government Code, relating to appointments by the Governor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXCUSE MEMBER

Mr. Maloney moved that Mr. Lowrey be excused for Wednesday, April 21, 1943.

Motion carried.

RECESS

At 12.10 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnumus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Civil Service and State Departments

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which were referred:

Assembly Bill No. 258

Senate Bill No. 478

Assembly Bill No. 520

Senate Bill No. 497

Assembly Bill No. 1834

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

T. FENTON KNIGHT, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 92

Assembly Bill No. 671

Assembly Bill No. 125

Assembly Bill No. 1253

Assembly Bill No. 440

Assembly Bill No. 1263

Assembly Bill No. 604

Assembly Bill No. 1957

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Dunn:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 12a of the County Water District Act, relating to agreements between county water districts and municipal utility districts and payments under such contracts.

Respectfully submitted.

FRANCIS DUNN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Dunn:

An act to amend Section 12a of the County Water District Act, relating to agreements between county water districts and municipal utility districts and payments under such contracts.

PELLETIER, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Heisinger moved a call of the Assembly.

Motion carried. Time, 1.33 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON INTRODUCTION OF BILL

At 2.07 p.m., on motion of Mr. Heisinger, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill granted to Mr. Dunn by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastan, Heisinger, Hollibaugh, Johnson, Kelless, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMullan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. King:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation to the Reclamation Board for the purpose of acquiring by purchase, condemnation or other legal means, property, lands, rights of way and easements for the construction, completion and operation of the Yolo By-Pass and for the construction of incidental works and for settlement and payment of claims for damages done to property by the flood waters of the Yolo By-Pass; and declaring the urgency hereof, to take effect immediately.

Respectfully submitted.

ALBERT M. KING

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. King:

An act making an appropriation to the Reclamation Board for the purpose of acquiring by purchase, condemnation or other legal means, property, lands, rights of way and easements for the construction, completion and operation of the Yolo By-Pass and for the construction of incidental works and for settlement and payment of claims for damages done to property by the flood waters of the Yolo By-Pass; and declaring the urgency hereof, to take effect immediately

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastan, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1998: By Mr. Dunn—An act to amend Section 12a of the County Water District Act, relating to agreements between county water districts and municipal utility districts and payments under such contracts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1999: By Mr. King—An act making an appropriation to the Reclamation Board for the purpose of acquiring by purchase, condemnation or other legal means, property, lands, rights of way and easements for the construction, completion and operation

of the Yolo By-pass and for the construction of incidental works and for settlement and payment of claims for damages done to property by the flood waters of the Yolo By-pass; and declaring the urgency hereof, to take effect immediately.

Referred to Committee on Ways and Means.

RE-REFERENCE OF ASSEMBLY BILLS NOS. 440 AND 1621

Mr. Sam L. Collins moved that Assembly Bill No. 1621 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

Mr. Call moved that Assembly Bill No. 440 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 164—An act to add Section 1752.7 to the Welfare and Institutions Code, relating to the collection of statistics and other information by the Youth Correction Authority, and requiring public officers and employees to furnish statistics and other information to the authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 166—An act to add Section 1760.7 to the Welfare and Institutions Code, to amend Sections 112, 643, and 644 thereof, and to amend Section 1203.11 of the Penal Code, transferring the power of supervision over adult and juvenile probation and probation officers from the State Department of Social Welfare to the Youth Correction Authority.

Bill read third time.

Motion to Amend

Mr. Middough moved the adoption of the following amendments:

Amendment No. 1

In line 6 of the title of the printed bill, as amended, strike out "Correction".

Amendment No. 2

On page 2, line 2, of said bill, strike out "Correction".

Amendment No. 3

On page 2, line 14, of said bill, strike out "Correction".

Amendment No. 4

On page 2, line 29, of said bill, strike out "Correction".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 167—An act to amend Section 1554.2 of the Penal Code, relating to proceedings against fugitives from justice, and authorizing the Youth Correction Authority to apply to the Governor for requisitions for the return of persons committed thereto.

Bill read third time.

Motion to Amend

Mr. Middough moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "Correction".

Amendment No. 2

On page 1, line 21, of said bill, strike out "Correction".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Speaker Presiding

At 2.37 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Senate Bill No. 140—An act to amend Section 8 and to repeal Sections 4 and 10 of, and to add Sections 4, 10a, 10b, 10c, 11a, and 12a to, an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," approved by the electorate November 2, 1920, relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to contracts for the use, leasehold or other interest in real property less than the fee, including cropping contracts, providing for escheats in certain cases, prescribing the procedure therein, defining the powers and duties of the Attorney General or the district attorney of the proper county in reference thereto, providing as to the duties, powers and authority of any alien appointed by any court as guardian of his native-born minor child or children, or as guardian of any other person, or persons, and prescribing the procedure in such cases, and to provide a penalty.

Bill read third time.

Motion to Amend

Mr. O'Day moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "to amend Section 8 and".

Amendment No. 2

In lines 16 and 17 of the title of said bill, strike out "providing for escheats in certain cases,".

Amendment No. 3

On page 3 of said bill, strike out lines 14 to 52, inclusive; and on page 4, strike out lines 1 to 28, inclusive.

Amendments read.

Demand for Previous Question

Messrs. Armstrong, Bashore, Debs, King, and Thompson demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. O'Day to Senate Bill No. 140.

Roll Call Demanded

Messrs. Heisinger, Collins, George D., and Call demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Carey, Collins, George D., Dunn, Gaffney, Haggerty, Kilpatrick, Maloney, McMillan, O'Day, Pelletier, Rosenthal, Sheridan, Weber, Werdel, and Wollenberg—19.

NOES—Allen, Armstrong, Bashore, Beck, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L. Crichton, Debs, Denny, Desmond, Dilworth, Erwin, Evans, Fout, Gannon, Guthrie, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Massion, Middough, Miller, Niehouse, Potter, Price, Sargent, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, and Mr. Speaker—49.

The question being on the passage of Senate Bill No. 140.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gannon, Guthrie, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, Potter, Price, Rosenthal, Sawallsch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Berry, Brady, Collins, George D., Haggerty, McMillan, O'Day, Pelletier, Sargent, and Werdel—9.

Bill ordered transmitted to the Senate.

Explanations of Vote

My vote in opposition to Senate Bill No. 140 was occasioned by the inclusion in its provisions of others than Japanese. Chinese and others who are our allies in this war are also included, and I do not approve of such treatment for those who are fighting with us in this world conflict.

WILLIS SARGENT

Married women and children in their inheritance can be prejudiced by Senate Bill No. 140. The bill is so worded, I contend, that a husband may lose his wife's community property for less than one year in defiance of Senate Bill No. 140 (possibly in collusion with the alien) and lose the property which should go to his widow and children upon his death. Assemblyman O'Day's amendment would have corrected this situation, and enabled all of us to vote for the bill, but the amendments were refused passage.

BERNARD R. BRADY

**WITHDRAWAL OF ASSEMBLY BILL NO. 159 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Waters asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 159 from the Committee on Finance and Insurance, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 159

Assembly Bill No. 159—An act to revise an act entitled “An act defining industrial loan companies; providing for their incorporation, powers and supervision; and regulating the rates of interest and other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies,” approved May 18, 1917, as amended and revised, so as to define industrial loan companies, provide for their incorporation, powers and supervision and regulate the rates of interest and all other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies; to prohibit devices and subterfuges to evade this act; to provide for exemptions from this act; to provide for the administration of this act and the issuance of rules and regulations thereunder; to authorize the making of examinations and investigations; to provide for the suspension, surrender and revocation of permits; and to prescribe penalties for the violation of this act.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 27, of the printed bill, as amended, strike out “, and such purchase, sale or”; and strike out lines 28 to 30, inclusive, except the period.

Amendment No. 2

On page 5, line 34, of said bill, strike out “publication charges,”.

Amendment No. 3

On page 5, line 35, of said bill, strike out “witnessing,”.

Amendment No. 4

On page 5, line 36, of said bill, strike out “publishing,”.

Amendment No. 5

On page 5 of said bill, strike out lines 38 and 39, and insert “of insurance of tangible personal or real property offered as”.

Amendment No. 6

On page 5, line 43, of said bill, after “debtor”, insert “on a loan originally in excess of three hundred dollars (\$300)”.

Amendment No. 7

On page 5, line 45, of said bill, strike out “10”, and insert “5”.

Amendment No. 8

On page 5, line 47, of said bill, after “loan”, insert “of an amount originally in excess of three hundred dollars (\$300)”.

Amendment No. 9

On page 5, line 52, of said bill, strike out the period, and insert a colon.

Amendment No. 10

On page 7, line 40, of said bill, strike out “of”; and in line 41, strike out “rates or charges or limitations”.

Amendment No. 11

On page 12, line 45, of said bill, strike out “thereunder”, and insert “hereunder”.

Amendment No. 12

On page 13, line 4, of said bill, strike out “No industrial loan company shall transact such busi-”; and strike out all of lines 5 to 13, inclusive.

Amendment No. 13

On page 13 of said bill, between lines 26 and 27, insert “Any contract of loan of three hundred dollars (\$300) or less, in the making or collection of which an amount in excess of the charges permitted by this act,

including interest, is charged, contracted for or received, shall be void, and neither the industrial loan company nor any other person shall have any right to collect or receive any principal, interest or charges whatsoever."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RECESS

At 3.10 p m., on motion of Mr. Sam L. Collins, the Assembly recessed until 3.12 p m. to hear from Mr. Willard Keith, newly appointed Director of the California War Council.

REASSEMBLED

At 3.12 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (OUT OF ORDER)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1865—An act to amend the title and Section 1 of an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts," approved July 1, 1937, relating to retirement of judges.

Bill read third time.

Motion to Amend

Mrs. Niehouse moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend the title and Section 1 of", and insert "add Section 1.5 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23, inclusive; and on page 2, strike out lines 1 to 44, inclusive, and insert

"SECTION 1. Section 1.5 is added to the act cited in the title hereof, to read:

Sec. 1.5. In computing the number of years a person has been a justice or judge for the purposes of retirement under Section 1 of this act, there shall be included such number of years as the justice or judge shall have presided as a justice of a court which was superseded by a municipal court, if such person became a judge of such municipal court upon its creation."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 17, 1943, adopted:

Senate Concurrent Resolution No. 35

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 35—Relative to approving certain amendments to the charter of the City of Vallejo, a municipal

corporation of the County of Solano, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on April 6, 1943.

Request for Unanimous Consent

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 35, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 35

Senate Concurrent Resolution No. 35—Relative to approving certain amendments to the charter of the City of Vallejo, a municipal corporation of the County of Solano, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on April 6, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Massion, McMillan, Middough, Miller, Nichouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

**NOTICES OF MOTION TO WITHDRAW BILLS FROM
COMMITTEE WAIVED**

Mr. Kraft waived his notice of motion to withdraw Assembly Bill No. 1334 from committee.

Mr. Waters waived his notice of motion to withdraw Assembly Bill No. 642 from committee.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 785

Mr. Call moved that Senate Bill No. 785 be withdrawn from the Committee on Public Utilities, Manufacturing, and Corporations, and re-referred to the Committee on Judiciary.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Beck, Bennett, Berry, Brady, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Cuchton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, King, Kraft, Leonard, Lowrey, Maloney, Middough, Miller, Nichouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sawallisch, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—52.

NOES—Armstrong, Evans, Field, Kellems, and Potter—5.

**Notice of Motion to Reconsider Withdrawal and Re-reference of
Senate Bill No. 785**

Mr. Potter gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 785 was this day withdrawn from the Committee on Public Utilities, Manufacturing, and Corporations, and re-referred to the Committee on Judiciary.

**WITHDRAWAL OF ASSEMBLY BILL NO. 177 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Kraft asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 177 from the Committee on Revenue and Taxation, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 177

Assembly Bill No. 177—An act to add Section 6365 to the Revenue and Taxation Code, relating to sales and use taxes, and exemption therefrom.

Bill read second time.

Motion to Amend

Mr. Kraft moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6365", and insert "6901.5".

Amendment No. 2

In line 2 of the title of said bill, strike out "and exemption therefrom", and insert "and refunds thereof".

Amendment No. 3

On page 1, line 1, of said bill, strike out "6365", and insert "6901.5".

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 9, inclusive, and insert "6901.5. Every retailer in this State who makes a sale of tangible personal property or a sale of tangible personal property for storage, use, or other consumption in this State, not exempted under Chapter 4 of this part, to a county, city, city and county or to their officers and agents acting in their official capacity, shall collect the tax from the purchaser and give to the purchaser a receipt therefor in the manner and form prescribed by the board. Any payment of the sales or use taxes by a county, city, city and county or by their officers and agents acting in their official capacities to the retailer who gives the purchaser a receipt therefor, shall be credited or refunded by the State to the purchaser."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

RESOLUTIONS

The following resolutions were offered:

By Mr. Ralph C. Dills:

House Resolution No. 189

Relating to the birthday of Chester F. Gannon

WHEREAS, Reports from usually reliable sources indicate that this the nineteenth day of April is the birthday of Chester F. Gannon; and

WHEREAS, Each time our distinguished colleague avails himself of the privilege of introducing to this Assembly the glowingly red-cheeked children of some Sacramento Valley school, he draws from them new youth and vitality to such an extent that the years simply pass but do not touch him; and

WHEREAS, Because of that fact many Members of this Assembly are inclined to treat a report that he has any birthdays as merely exaggerated rumor; nevertheless, it is hereby

Resolved by the Assembly of the State of California, That by this resolution the Members of this Assembly extend to their friend and colleague, Chester F. Gannon, felicitations and hearty good wishes upon his birthday; and be it further

Resolved, That the Chief Clerk of the Assembly is requested to transmit a suitably engrossed copy of this resolution to Chester F. Gannon.

Request for Unanimous Consent

Mr. Ralph C. Dills asked for, and was granted, unanimous consent to take up House Resolution No. 189, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr. T. Fenton Knight:

House Resolution No. 190

Relative to the creation of an Assembly Interim Committee on Postwar Rehabilitation

WHEREAS, Upon the termination of the present armed conflict there will be an immediate need for employment of thousands of California citizens now engaged in war time efforts, military and otherwise; and

WHEREAS, It is sound economy now to plan and promulgate a program designed to absorb and assimilate into civilian business, pursuits, and employment the men and women demobilized from the armed forces and the men and women released from war industries; and

WHEREAS, It is desirable:

(a) That ways and means be devised tending to assure the continuous operation of industries, businesses and projects, presently situated in this State;

(b) That a program or plan be designed to induce and encourage the establishment of new industries and businesses within the State;

(c) That liaison be established and maintained with Federal, State and local officials and agencies having duties and responsibilities relating to postwar planning; and

WHEREAS, Many privately owned enterprises in this State have suspended or drastically reduced their activities during the present emergency in order that the war may be prosecuted to an early and successful conclusion; and

WHEREAS, Many of these enterprises will need financial assistance to rehabilitate them to their full productive capacity upon the cessation of hostilities; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on Postwar Rehabilitation, consisting of a chairman and six other members to be appointed by the Speaker of the Assembly, and that the powers, duties, and responsibilities of said committee shall include the following:

1. To make a thorough study and investigation of the resources of the State and of the problems of agriculture, industry and allied matters as they pertain to the postwar period problems of unemployment and reemployment in private enterprise;

2. To make or cause to be made studies of labor supply, war time population movements or changes, and such other social factors as define the extent of the postwar employment problem;

3. To formulate plans to develop the fuller postwar use of the facilities of the ports of the State for foreign and domestic commerce;

4. To prepare plans and to recommend measures to rehabilitate disabled veterans and provide immediate employment and civilian readjustment for the men and women honorably discharged from the armed forces of the United States;

5. To formulate plans for and to assist in the establishment of agricultural and other industries for postwar employment of persons otherwise unemployed because of age, physical incapacity, or otherwise, in the manufacture of useful and necessary products from raw materials;

6. To investigate and recommend to what extent, if any, the State of California can help to restore the men and women now in the armed forces, or otherwise engaged in the war effort, to private industry;

7. To investigate all fields of private industry, including agriculture, manufacturing and mining, for the purpose of devising ways and means of supplying the maximum of postwar employment in private enterprises.

8. To devise ways and means of financing, either through public or private agencies, enterprises within this State that may, with such aid, create employment for our returning soldiers and others; and be it further

Resolved, That said committee shall have and may exercise all of the powers conferred upon Legislative Committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code and by the Joint Rules and Assembly Rules; and be it further

Resolved, That said committee shall have power:

(1) To select a vice chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any wise bearing on the subject matter of this resolution;

(7) To meet at any time during this session of the Legislature or after the final adjournment thereof;

(8) To report to this Assembly at any time prior to final adjournment of the Fifty-sixth Regular Session of the Legislature;

(9) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and procure testimony;

(10) To do any and all things necessary to carry out the purposes and intent of this resolution; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly or other officers designated by him, are hereby directed to serve any and all subpoenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of ten thousand dollars (\$10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Burns and Waters:

House Resolution No. 191

Relating to the appointment of the Assembly Committee on Motor Vehicle Legislation

WHEREAS, Experience has shown that proper and effective motor vehicle legislation can best be based on a thorough and intensive study and investigation of the subject by a competent and active legislative committee; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Motor Vehicle Legislation is hereby created to consist of three members appointed by the Speaker of the Assembly, which committee shall study, investigate and survey accurately and in detail, either independently or in cooperation with interested persons or organizations, all matters within the scope of legislative control relating to motor vehicles and the safe operation thereof on the public highways, with a view to discovering and recommending to the Legislature such legislation as may appear necessary or desirable at the Fifty-sixth Regular Session of the Legislature.

Upon the appointment of its members the committee may organize, appoint a secretary, and employ such clerical and technical assistants and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein.

The committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records, of every kind and description, and to take all necessary means to compel the attendance of witnesses and to procure testimony. The members of the committee may each administer oaths, and all of the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it.

The committee may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter, defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The committee may hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee. The committee may also meet in executive session. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-sixth Legislature. The committee may report to any session of this Legislature or to the Regular Session of the Fifty-sixth Legislature, on or before March 15, 1945.

Every department, commission, board, agency, officer, and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee upon request, any and all assistance and information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of ten dollars (\$10) per day for accommodations and meals.

The sum of one thousand five hundred dollars (\$1,500) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee hereby created and its members, and for any other charges, expenses or claims it may incur under this resolution to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 1844—An act to amend Sections 422 and 423 of the Probate Code, relating to appointment of administrators.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 18, of the printed bill, before "entitled", insert "such relatives are".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 664 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Potter asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 664 from the Committee on Public Health, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 664

Assembly Bill No. 664—An act to add Chapter 5.6, comprising Sections 2600 to 2631, inclusive, to Division 2 of the Business and

Professions Code, relating to the practice of physical therapy, schools of physical therapy, and the registration of physical therapy technicians.

Bill read second time.

Motion to Amend

Mr. Potter moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, strike out line 27; and in line 28, strike out "(including a course in physics and biology)", and insert "or has had two years of approved college or university training including satisfactory courses in biology and other sciences".

Amendment No. 2

On page 4, lines 32 and 33, of said bill, strike out "who practice physical therapy, or to "drugless practitioners,"" and insert ", physicians, surgeons, chiropractors, drugless practitioners, chiroprodists".

Amendment No. 3

On page 4, line 36, of said bill, after "certificates", insert ", or to paid assistants employed by them who use therapeutic measures under the direct order and supervision of such licensed persons in their offices or places of business".

Amendment No. 4

On page 4, lines 39 and 40, of said bill, strike out "not qualified as physical therapy technicians, or not licensed as "drugless practitioners,"" and insert "not specifically exempted by this section or not registered as psychotherapy technicians".

Amendment No. 5

On page 4, line 41, of said bill, strike out "electrotherapy", and insert "electro".

Amendment No. 6

On page 4, line 45, of said bill, strike out "This chapter shall not apply to registered"; and strike out lines 46 to 50, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolutions were offered:

Assembly Joint Resolution No. 49: By Mr. Lyon—Relative to memorializing Congress to appropriate additional funds to provide for payment to student nurses during their training to become trained nurses a monthly wage in keeping with the high and noble nature of their profession.

Referred to Committee on Rules and House Functions.

Assembly Concurrent Resolution No. 55: By Mr. Allen—Relative to requesting the Department of Finance to make a survey of sleeping cots, beds, mattresses, and bedding which the State has on hand, with the view of making the same available to cities, counties, cities and counties, for use of the armed forces of the United States when on leave.

Referred to Committee on Rules and House Functions.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 160—An act to amend Sections 154, 159, 160, 161, 740, 741, 742, 743, 744, 745, 747, 749, 834, 835, 836, 869, 901, 903, 905, 906, 907, 908, 909, 910, 911, 1000, 1001, 1002, 1003, 1004, 1005, 1050, 1075, 1076, 1120, 1124, 1125, 1127, 1129, 1150, 1152, 1153, 1175,

1176, 1177, 1178, 1179, 1200, and 5252 of the Welfare and Institutions Code, to add Sections 1008, 1009, 1010, 1011, 1014, 1015, 1049, and 1077 thereto, to repeal Sections 1007 and 1202 thereof, to repeal Article 2 of Chapter 3 of Part 1 of Division 2 thereof, comprising Sections 1020, 1021, 1022, 1023, and 1024, and Article 5 of said chapter, comprising Sections 1100, 1101, and 1102, and to amend and renumber Section 155.5 of said code to be Section 1000.5, all relating to the Youth Correction Authority, providing for commitments thereto by the juvenile courts, transferring thereto the correctional schools and forestry camps now subject to the jurisdiction of the State Department of Institutions, and specifying the powers and duties of the Youth Correction Authority and its officers and employees in regard to the inmates of such institutions and to other persons committed to the authority.

Bill read third time.

Motion to Amend

Mr. Middough moved the adoption of the following amendments:

Amendment No. 1

In line 13 of the title of the printed bill, strike out "Correction".

Amendment No. 2

In line 18 of the title of said bill, strike out "Correction".

Amendment No. 2.5

In line 21 of the title of said bill, after "Authority", insert ", and providing for the transfer of funds".

Amendment No. 3

On page 3, line 32, of said bill, strike out "Correction".

Amendment No. 4

On page 3, line 48, of said bill, strike out "Correction".

Amendment No. 5

On page 4, line 8, of said bill, strike out "Correction".

Amendment No. 6

On page 4, line 22, of said bill, strike out "Correction".

Amendment No. 7

On page 4, line 28, of said bill, strike out "Correction".

Amendment No. 8

On page 5, line 12, of said bill, strike out "Correction".

Amendment No. 9

On page 5, line 18, of said bill, strike out "Correction".

Amendment No. 10

On page 5, line 35, of said bill, strike out "Correction".

Amendment No. 11

On page 6, line 27, of said bill, strike out "Correction".

Amendment No. 12

On page 7, line 4, of said bill, strike out "Correction".

Amendment No. 13

On page 7, line 17, of said bill, strike out "Correction".

Amendment No. 14

On page 7, line 44, of said bill, strike out "Correction".

Amendment No. 15

On page 7, line 49, of said bill, strike out "Correction".

Amendment No. 16

On page 8, lines 19 and 20, of said bill, strike out "Correction".

Amendment No. 17

On page 8, line 22, of said bill, strike out "Correction".

Amendment No. 18

On page 8, line 41, of said bill, strike out "Correction".

Amendment No. 19

On page 8, line 50, of said bill, strike out "Correction".

Amendment No. 20

On page 9, line 6, of said bill, strike out "Correction".

Amendment No. 21

On page 9, line 10, of said bill, strike out "Correction".

Amendment No. 22

On page 9, line 26, of said bill, strike out "Correction".

Amendment No. 23

On page 9, line 33, of said bill, strike out "Correction".

Amendment No. 24

On page 9, line 36, of said bill, strike out "Correction".

Amendment No. 25

On page 9, line 42, of said bill, strike out "Correction".

Amendment No. 26

On page 9, line 48, of said bill, strike out "Correction".

Amendment No. 27

On page 10, line 2, of said bill, strike out "Correction".

Amendment No. 28

On page 10, line 14, of said bill, strike out "Correction".

Amendment No. 29

On page 10, line 17, of said bill, strike out "Correction".

Amendment No. 30

On page 11, line 10, of said bill, strike out "Correction".

Amendment No. 31

On page 11, line 16, of said bill, strike out "Correction".

Amendment No. 32

On page 11, line 32, of said bill, strike out "Correction".

Amendment No. 33

On page 12, line 4, of said bill, strike out "Correction".

Amendment No. 34

On page 12, line 16, of said bill, strike out "Correction".

Amendment No. 35

On page 13, line 13, of said bill, strike out "Correction".

Amendment No. 36

On page 13, line 25, of said bill, strike out "Correction".

Amendment No. 37

On page 14, line 9, of said bill, strike out "Correction".

Amendment No. 38

On page 14, line 25, of said bill, strike out "Correction".

Amendment No. 39

On page 14, line 34, of said bill, strike out "Correction".

Amendment No. 40

On page 14, line 44, of said bill, strike out "Correction".

Amendment No. 41

On page 14, line 48, of said bill, strike out "Correction".

Amendment No. 42

On page 15, line 18, of said bill, strike out "Correction".

Amendment No. 43

On page 15, line 28, of said bill, strike out "Correction".

Amendment No. 44

On page 15, line 38, of said bill, strike out "Correction".

Amendment No. 45

On page 15, line 41, of said bill, strike out "Correction".

Amendment No. 46

On page 15, line 44, of said bill, strike out "Correction".

Amendment No. 47

On page 16, line 7, of said bill, strike out "Correction".

Amendment No. 48

On page 16, line 34, of said bill, strike out "Correction".

Amendment No. 49

On page 16, after line 39, of said bill, insert "Sec. 63. The State Board of Control may, upon recommendation of the Youth Authority and the Director of Finance, authorize the transfer of unneeded funds appropriated for the support or construction, improvement or equipment for an institution within the jurisdiction of the Youth Authority to another institution within the jurisdiction of the Youth Authority."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES**Committee on Civil Service and State Departments**

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which was referred:

Senate Bill No. 745

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

T. FENTON KNIGHT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which was referred:

Assembly Bill No. 83

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

T. FENTON KNIGHT, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 6—An act to amend Sections 2493 and 2494 of the Business and Professions Code, relating to license fees of the Board of Osteopathic Examiners;

And reports that the same has been correctly enrolled, and presented to the Governor on the nineteenth day of April, 1943, at 11.30 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1411

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 1621
And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 1290
Assembly Bill No. 1848
And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1501 re-referred to the Committee on Motor Vehicles.

Assembly Bill No. 1579 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 158 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1580 re-referred to the Committee on Judiciary.

Assembly Bill No. 993 re-referred to the Committee on Military Affairs.

Assembly Bill No. 1021 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1311 re-referred to the Committee on Judiciary.

Assembly Bill No. 1360 re-referred to the Committee on Social Welfare.

Assembly Bill No. 300 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 894 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 178 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1955 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1959 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1411 re-referred to the Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1863 re-referred to the Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 57 re-referred to the Committee on Ways and Means.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mary Desmond of Sacramento and Pat Burns of Eureka.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was

unanimously extended to Supervisor Adolph Uhl of San Francisco and Senator John Shelley of San Francisco.

On request of Mr. Anderson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Edward J. Parker of Hawthorne.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. David Burcham of Long Beach.

On request of Mr. Dunn, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Corporals Robert Cogan of Chicago, Albert Murray Endicott of New York, and Private Peter Lamayos, of New York.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Bob Peebles, United States Navy.

On request of Mr. Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. James R. Lormey and James R. Lormey, Jr., of San Mateo.

On request of Mr. Smith, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. E. T. Casey of Alhambra.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Martin L. Moxley, William J. Brunton, Charles Vickers, and David Olmsted of Long Beach.

On request of Mr. McCollister, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Charles Reindollar and Mrs. Harry Henderson of San Rafael.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Governor Frank F. Merriam of Long Beach.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private Raymond Gould, United States Army.

On request of Messrs. Sargent, Weybret, and Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Willard Keith and Senator and Mrs. Thomas H. Kuchel of Orange.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John Hurley of Sacramento.

ADJOURNMENT

At 3.35 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, April 20, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-EIGHTH LEGISLATIVE DAY
ONE HUNDRED SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, April 20, 1943

The Assembly met at 9.30 a.m.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names :

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher :

O God, the Source of Truth and Knowledge, Thy kingdom is an everlasting kingdom. Enlighten our souls with the brightness of Thy presence that we may more perfectly know Thy will and be enabled to perform it.

"We pray Thee for the stalwart faith,
Which gives unto us, whilst still we live here amongst men,
The facts and substance of eternal life
In a reality far beyond all other reality,
In a knowledge far transcending the knowledge of the touch and sight "

In Jesus' name. AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Debs.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day :

Mr. Weber, on motion of Mr. Burns.

Mr. Hawkins, on motion of Mr. Pelletier.

COMMUNICATIONS

By Speaker Lyon :

A communication from the California Federation of Women's Clubs, Los Angeles District, relative to a resolution adopted on pending legislation, was received and referred to the Committee on Rules and House Functions.

By the Committee on Rules and House Functions :

The following explanations of Assembly bills were received and ordered printed in the Journal :

Explanation of Assembly Bill No. 639, as Amended April 3, 1943, Proposing Amendments to the Corporation Income Tax Act
By CHAS. J. MCCOLGAN, Franchise Tax Commissioner

Amendment No. 1

(Page 1, lines 13-16)

This amendment is intended to clarify existing law. See *Fifth Street Building vs. McColgan*, 19 Cal. (2) 143.

Amendment No. 2

(Page 2, lines 15-17)

The amendment is self-explanatory—merely defines "State" to include Territories of Alaska and Hawaii, District of Columbia and possessions of the United States. Will allow reciprocal exchange of information under Section 22 of the act with these governments.

Amendment No. 3

(Page 2, lines 18-22)

Provides that Attorney General will be chief attorney in court litigation. In all other matters commissioner for counsel handles the legal work of the commissioner's office.

Amendment No. 4

(Page 2, lines 35-42)

This amendment protects both the taxpayer and the State in case the former pays or the latter assesses a tax under the Franchise Tax Act which should have been assessed or paid under the Corporation Income Tax Act, i.e., the amendment treats the assessment or payment as having been made under the proper act.

Amendment No. 5

(Page 3, lines 27-32)

The proposed amendment conforms to Section 110A of Revenue Act of 1942. This amendment allows a transferee in a nontaxable exchange to pick up the same exemption of insurance, endowment, or annuity proceeds which was available to his transferor before the exchange. For example: A corporation transfers an insurance policy to another corporation in a tax-free reorganization. The proceeds received by the transferee corporation will be exempt if they would have been exempt if received by the transferor. Correlated to Section 12 (a) (5) and (6). Effective date—January 1, 1943.

Amendment No. 6

(Page 3, lines 36-39)

The proposed amendment conforms to Section 115 (a) of Revenue Act of 1942. Amendment provides that upon the termination of a lease the lessor will not have to include the income attributable to the value of improvements, other than rent, made by lessee in his gross income. This changes the law established in *Helvering vs. Bruun*, 309 U. S. 461 (1940), which held that improvements made by lessee constitute income to lessor to the extent of the value of the improvements at the

time the lease is forfeited and lessor secures control and possession of property (except in case improvements are part of rent).

(See Amendment No. 46, post.)

Effective date—January 1, 1943.

Amendment No. 7

(Page 3, lines 40-52, and page 4, lines 1-12)

The proposed amendment conforms to Section 116(a) of the Revenue Act of 1942. Prior to the 1942 act, the Federal rule as to taxation of recoveries of amounts previously deducted in loss years was that the recovery was income and taxable. (G.C.M. 22163 C.B. 1940—2.76) This is also our rule. See S(f) -1 of 1941 regulations. This amendment provides that recoveries of bad debts, taxes, and delinquency amounts are not taxable as income to the extent that prior deduction of such amounts did not reduce taxpayer's income tax liability.

Effective date—Retroactive, see Section 25(b) of Assembly Bill No. 639.

Amendment No. 8

(Page 4, lines 13-31)

Adopts provisions of Section 114(a) of the Revenue Act of 1942 to the effect that a taxpayer is not in receipt of income attributable to the discharge of indebtedness of taxpayer insofar as such income is attributable to the amortized discount with respect to such indebtedness provided the indebtedness was evidenced by a security. Unamortized premium not included in income and unamortized discount not deductible.

Effective date—January 1, 1943.

Amendment No. 9

(Page 4, lines 32-50)

The proposed amendment conforms to Section 114B of Revenue Act of 1942. Amendment provides that indebtedness of railroad company discharged in proceedings under the National Bankruptcy Act shall not constitute income. Unamortized premium not included in income, and unamortized discount not deductible.

Effective date—January 1, 1943.

Amendment No. 10

(Page 5, line 49)

Amendment consists of a rewording of the language relating to taxable stock dividends. What was formerly set forth in the negative is now set forth in the affirmative. See *Helvering vs. Griffiths*, U. S. (March 1, 1943).

Amendment No. 11

(Page 6, lines 50-52, page 7, and page 8, lines 1-10)

This amendment would give taxpayers relief from the possibility of double taxation resulting from treating the gain from the sale or exchange of property as "earnings or profits" at the time a "tax-free exchange" is made and also when the property received in such exchange is sold. The same is true in case of a stock dividend that was exempted from taxation. The amendment provides in effect, that gain or loss, resulting from transactions, which is not recognized for the purpose of computing *net income* shall not be recognized for the purpose of computing "earnings and profits." This was copied from Section 501 of the Second Revenue Act of 1940 (Title V, thereof). This amendment clarifies our act to conform to our present administrative and the Federal bureau's interpretation of the Federal and our act. The Federal provision contained in Section 146 of Revenue Act of 1942 is adopted which provides that loss from wash sales disallowed under our act shall not be recognized for computing earnings and profits. The Federal made this change effective as if part of 501 of Second Revenue Act of 1940. Our effective date is January 1, 1943.

Amendment No. 12

(Page 8, lines 39-44)

The proposed amendment conforms to Section 121(a) of Revenue Act of 1942. Amendment is self-explanatory merely states existing law. Our provision is made retroactive.

Amendment No. 13

(Page 8, lines 45-49)

The proposed amendment conforms to Section 121(c) (2) of Revenue Act of 1942. This amendment allows deductions for expenses incurred for production or collection of income, or the management, conservation or maintenance of property held for production of income. These expenses were previously disallowed as not incurred in carrying on a business as defined in *Higgins vs. Commissioner*, 312 U. S. 212, 61 S. Ct. 475.

Effective date—January 1, 1943.

Amendment No. 14*(Page 9, lines 19-32)*

The proposed amendments conform to Section 122 of Revenue Act of 1942. This amendment allows the deduction by purchaser of retail sales taxes, if tax is separately stated, formerly allowed only to retailer.

Effective date—January 1, 1943.

Amendment No. 15*(Page 14, lines 19, 24-28, and 32)*

The proposed amendment conforms to Section 124(a)(1) of Revenue Act of 1942, changes the test to "worthlessness" rather than "ascertained and charged off." The reason for this change is that the two requirements of the present law (1) debt must be ascertained and (2) must be charged off during the taxable year have caused difficulty especially the requirement of charge off where the taxpayer keeps inadequate records. The new test of the fact of worthless appears to be a better criterion. Provides special rule for debt which became worthless prior to January 1, 1943.

Effective date—January 1, 1943.

(See Amendment No. 56, post.)

Amendment No. 16*(Page 14, line 36)*

The proposed amendment conforms to Section 121(c) of Revenue Act of 1942. Amendment allows depreciation deduction for property held for the purpose of carrying on activities which were formerly determined to be of a nontrade or business character in *Higgins vs. Commissioner*, 312 U. S. 212, 61 S. Ct. 475.

Amendment No. 17*(Page 14, lines 40-43)*

Amendment provides for allowance of depreciation on emergency facilities. Our section differs from Federal in merely providing generally for the deductions while Federal Act describes deduction in detail (See Section 124 of Internal Revenue Code.)

Effective date—See Section 25(d) of Assembly Bill No. 639.

(See Amendment No. 43, post.)

Amendment No. 18*(Page 15, lines 11, 12, 47, 48, and page 16, lines 4-6, and elimination of language in line 6)*

Adopts Section 145(b) of the Revenue Act of 1942. Provides for basis of depletion for taxable years ending after December 31, 1942, in connection with "fluorspar, ball, and sagger clay, rock, asphalt" mines. Adopts Section 145(a) of the Revenue Act of 1942. Provides that for taxable years beginning after December 31, 1942, percentage depletion is extended to fluorspar, ball, sagger clay, or rock asphalt mines. Deletes that requirement that taxpayer making his first return under this act in respect of a property state whether he elects to have the depletion allowance computed with or without regard to percentage depletion.

Effective date—January 1, 1943.

Amendment No. 19*(Page 16, lines 49-51 and page 17, lines 1-26)*

The proposed amendment conforms to Section 125 of Revenue Act of 1942. Amendment allows contributions to the United States, State, etc., and provides that for the duration of war contributions can be made which are to be used without the United States; also adopts provision that payment of gifts or contributions must be made within the taxable year.

Effective date—January 1, 1943.

Amendment No. 20*(Page 17, lines 27-52, page 18, page 19, and page 20, lines 1-12)*

Amendment provides for a deduction for amounts paid by an employer to or under a plan creating an employees' trust or pension system, or a profit-sharing or annuity plan. Sets forth specifications of those plans which qualify and places limitations on the deductible amounts under such plans. Conforms to Section 162(b) of the Revenue Act of 1942.

Effective date—See Section 25(e) of Assembly Bill No. 639.

Amendment No. 21*(Page 20, lines 13-52, and page 21, lines 1-20)*

Proposed amendment conforms to Section 126(a) and (b) of the Revenue Act of 1942, would allow a bondholder, at his election, a deduction for amortization of bond premium and contains rules relative to the termination of the amortizable

premium, method of amortization and amounts attributable to any income year. (See Amendment No 44, post.) Item formerly treated as a capital account.

Effective date—January 1, 1943

Amendment No. 22

(Page 21, lines 24-52, pages 22, 23, 24 and page 25, lines 1-32)

Proposed amendment conforms to Section 156(a) of the Revenue Act of 1942 relative to allowance of loss incurred by reason of property seized or situated in a country under enemy control or in enemy country on or after December 7, 1941, in the course of military or naval operations incident to the present war. Contains detailed provisions relative to the basis of property so destroyed or seized and an adjustment to such basis, and provides method of computing income realized upon the recovery of any property so destroyed or seized. Establishes a convenient method of determining date of such loss.

Effective date—See Section 25(e) of Assembly Bill No 639.

Amendment No. 23

(Page 25, lines 51-52, and page 26, lines 1-6)

The proposed amendment conforms to Section 129 of the Revenue Act of 1942 Amendment disallows any deduction for amounts paid on indebtedness incurred to purchase life insurance or endowment contract of the single premium type, includes contracts in which substantially all the premiums are paid within four years from purchase.

Effective date—January 1, 1943.

Amendment No. 24

(Page 26, lines 7-11)

By adopting Section 130(a) of the Revenue Act of 1942, we would allow a taxpayer to capitalize taxes and carrying charges under regulations prescribed by the commissioner, in which event no deduction is allowable in respect to payments of such taxes or charges.

The effect of this proposed amendment is to permit a taxpayer to treat as chargeable to the capital account (either as a component or original cost, for the purposes of Section 12(a) or as an adjustment to basis for the purposes of Section 12(b)(1)(A) notwithstanding that they are expressly deductible under Section 7(c)) such taxes and carrying charges with respect to property if, under regulations prescribed by the commissioner are so chargeable, but expressly to prohibit the deductibility of the amounts thus charged to capital account in the exercise of such an election.

The clause with respect to unimproved and unproductive real property is proposed to be deleted from Section 12(b)(1)(A) so as to make it clear that the provisions of that subparagraph, to the effect that no adjustment of basis under that section shall be made for taxes or other carrying charges for which deductions have been taken by the taxpayer in determining net income for the taxable year or prior taxable years, are not limited to the case of taxes and carrying charges on unimproved and unproductive real property, but apply with equal force whether the property, to which accounts the items are properly chargeable, is real or personal, improved or unimproved, productive or unproductive.

Effective date—January 1, 1943.

Amendment No. 25

(Page 26, lines 29, 31, 32, 33, and 39-42)

In 1939, Section 9(f) of the act was added, and incorporated verbatim, the provisions of Section 24(c) of the Internal Revenue Code. Amendments made to have provisions conform to our other taxing acts. Lines 39-42 would prohibit deduction for interest and expenses between closely held corporations.

Effective date—January 1, 1943.

Amendment No. 26

(Page 26, lines 43-52, page 27, and page 28, lines 1-27)

Adds new section to cover situation and reflect income or loss attributable thereto by virtue of "renegotiations" effected under provisions of the "Sixth Supplemental National Defense Appropriation Act" (Public 528, Seventy-seventh Congress, Second Session). The provisions of this amendment which were adopted from Section 508 of the Revenue Act of 1942 are believed self-explanatory. It is our opinion that by rule and regulation, the commissioner may make this section flexible enough to meet any situation which may arise involving this problem.

Effective date—Retroactive (See Section 25(b) of Assembly Bill No. 639)

Amendment No. 27

(Page 28, lines 36-50, page 29, page 30, and page 31, lines 1-37)

The proposed amendment conforms to Section 118(a) and (b) of the Revenue Act of 1942.

Besides the ordinary method of keeping inventories, taxpayers are given the option of using the so-called "last in-first out" method. Federal act adopted this provision in 1938 and clarified same to its present form by Section 219 of the Revenue Act of 1939.

The 1942 amendment (page 29, lines 5-10) provides that if such an election is made, all *annual reports* have to be based on the same inventory method (formerly all reports had to be so made) and also provides (page 28, lines 38-51, page 30, and page 31, lines 1-37) under prescribed conditions that relief will be granted to taxpayers who have made an election to use such inventory method and thereafter are forced, by war conditions to involuntarily liquidate, that is, adjustments are allowed to be made for the year of involuntary liquidation within three years of the war's termination if the goods so liquidated are replaced.

Taxpayers may use this alternative method of keeping their books to show profits and losses, receiving credit and making reports to shareholders, etc. They would be given this privilege for tax purposes as well. If adopted, it will tend to stabilize the revenue and will not reduce or increase the revenue. Makes the administration of our act easier, as it will conform to the Federal Act.

Effective date—January 1, 1943.

Amendment No. 28

(Page 32, lines 23-30)

Amendment No. 32

(Page 35, lines 28-32)

Amendment No. 34

(Page 36, lines 10-35)

Amendment No. 37

(Page 37, lines 32-38)

These four amendments were copied from the 1939 amendments to Sections 112(b)(5), 112(g), 112(i) and 113(a)(6) of the Internal Revenue Code. To avoid the unjust and inequitable result effected by *U. S. vs. Hendler*, 58 S. Ct. 655, these amendments were made. In effect, the amendments provide that transferor will not have recognized gain where transferee in a tax-free exchange or reorganization assumes a liability of the transferor. Provides for an adjustment in transferor's basis to assure recognition of gain in future disposal of property received in exchange. Assures that what would otherwise be considered a tax-free exchange or reorganization will be considered such even though transferee assumes such liability.

Effective date—Retroactive.

Amendment No. 29

(Page 33, lines 45-50)

This amendment conforms to Section 112(b)(8) of the 1938 Revenue Act. It provides for nonrecognition of gain or loss from distributions ordered by the Securities Exchange Commission.

Effective date—January 1, 1943.

Amendment No. 30

(Page 34, lines 1-14)

The proposed amendment conforms to Section 142(a) of the Revenue Act.

Amendment provides for nonrecognition of loss if the property of a railroad is transferred in pursuance of a court order in a receivership proceeding or in a proceeding under Section 77 of the Bankruptcy Act.

Effective date—January 1, 1943.

Amendment No. 31

(Page 35, lines 14-20)

The proposed amendment conforms to Section 151(d) and (e) of the Revenue Act.

Amendment provides that in the case of involuntary conversion, the loss shall be recognized but not the gain. If the money is not expended the gain, if any, shall be recognized to the extent of the money not expended (regardless of when received and whether the money which is not expended constitutes gain). Prior rule as held in *Wilmore Steamship Co., Inc. vs. Commissioner*, 78 Fed. 2d 667, was that if the money received in the taxable year is so expended, the gain in such taxable year will not be recognized, even though the money received in previous taxable years (and not treated as gain since not in excess of the basis of the converted property) was not so expended.

Effective date—January 1, 1943.

Amendment No. 33

(Page 36, lines 2 and 3)

Merely changes wording to emphasize fact that section applies only to foreign corporation created or organized in a foreign country.

Amendment No. 35

(Page 36, lines 45-49)

The proposed amendment conforms to Section 143(a) of the Revenue Act of 1942. This amendment merely clarifies existing law.

Effective date—January 1, 1943.

Amendment No. 36

(Page 37, line 11)

The proposed amendment conforms to 143(b) of Revenue Act. Amendment provides basis for *gift in trust* to be computed in the same manner as in case of other gifts.

Effective date—January 1, 1943.

Amendment No. 38

(Page 39, lines 47-52, and page 40, lines 1-28)

Amendment to conform with Section 113(a) (19) of Internal Revenue Code (added in 1939). Provides that stock rights received in 1937 and subsequent years and constituting income will take a basis of fair market value as of the date of their distribution. Those acquired in prior years (except those acquired prior to 1937 which constitute income) and those not constituting income will share in the basis of old stock in respect to which they were issued. Breaks away from former administrative practice where taxpayer was given choice as to method of reporting gain or loss on sale of stock right. However, taxpayers who relied upon former practice are fully protected.

Effective date—January 1, 1943.

Amendment No. 39

(Page 40, lines 29-43)

The proposed amendment conforms to Section 142(b) of Revenue Act. This amendment is a change related to Section 11(b) (8) and permits the basis of property of railroad corporation in receivership or proceedings under National Bankruptcy Act to permit the basis of the property to be carried over undiminished to the reorganized corporation.

Effective date—January 1, 1943.

Amendment No. 40

(Page 40, lines 44-52, and page 41, lines 1-9)

The proposed amendment conforms to Section 142(c) of Revenue Act. This amendment same as preceding except it is applicable only to enumerated special types of railroad corporations.

Effective date—January 1, 1943.

Amendment No. 41

(Page 41, lines 10-14)

Amendment is complementary to Amendment No. 29, *supra*. Provides for a carry-over of stock received in liquidation of a corporation pursuant to orders of the Federal Securities and Exchange Commission.

Amendment No. 42

(Page 41, line 22, elimination of language after the word "capital account")

The proposed amendment conforms to Section 130(b) of Revenue Act of 1942. This amendment merely complements the new Section 8(d) (2) relating to the election of capitalizing taxes and other charges by deleting language allowing an adjustment to basis for such charges. See explanation of Amendment No. 24.

Effective date—January 1, 1943.

Amendment No. 43

(Page 41, lines 29-33)

Provides for adjustment to basis of emergency facilities where amortization thereof has not been claimed.

Effective date—See Section 25(d) Assembly Bill No. 639.

Amendment No. 44

(Page 41, lines 44-50)

The proposed amendment conforms to Section 126(c) of Revenue Act of 1942. Complement amendment to new Section 7(n) relating to allowance of deduction for amortization of bond premiums and provides for adjustment of basis of said bonds. See Amendment No. 21.

Effective date—January 1, 1943.

Amendment No. 45*(Page 42, lines 16-33)*

The proposed amendment conforms to Section 215(b) of Revenue Act of 1939. Amendment provides that amounts excluded from gross income on discharge of indebtedness shall be applied to reduce the basis of the property held.

Effective date—January 1, 1943.

Amendment No. 46*(Page 42, lines 34-45)*

The proposed amendment conforms to Section 115(b) of Revenue Act of 1942. This is complement section to new Section 6(b) (4) and provides that basis of property of lessor is not affected by value of improvement which lessor acquires on termination of lease and the value thereof is excludible from gross income. See Amendment No. 6.

Effective date—January 1, 1943.

Amendment No. 47*(Page 43, lines 32, and 38-45)*

Section 14 of the act is amended to have the third paragraph conform to the first paragraph, i.e. not necessary to find that corporation has made inter-corporate contract to allocate income outside State. The commissioner has always had this power under paragraph 1 of Section 14 and therefore no change is effected and the act is merely clarified. To prevent evasion of taxes and consistent with the recent decision of the Supreme Court in *Butler Bros. vs. McColgan*, 62 S. Ct. 701.

Amendment No. 48*(Page 44, lines 8-29)*

Allows a binding election to be made by taxpayer to report increment in certain noninterest bearing bonds to be reported annually. Conforms to Section 114 of the Revenue Act of 1941. Formerly treated as a capital item.

Effective date—January 1, 1943.

Amendment No. 49*(Page 45, lines 39 and 40)*

The proposed amendment is self-explanatory. See Amendment No. 4.

Amendment No. 50*(Page 46, lines 42, 43, and 47)*

Section 18(c) amended to provide for interest on stayed jeopardy assessments.

Effective date—January 1, 1943.

Amendment No. 51*(Page 47, lines 17-52, and page 48, lines 1-9)*

Section 18.1 is added to the act to specifically cover the issuance of *jeopardy* assessments where tax collection is endangered. Taxpayers given opportunity of filing bond to stay collection and right to hearing on petition for reassessment.

Effective date—January 1, 1943.

Amendment No. 52*(Page 48, line 16)*

"Or notices" added to allow commissioner to issue more than one notice.

(Page 48, line 19)

"Each" added to conform to above amendment.

Effective date—January 1, 1943.

Amendment No. 53*(Page 48, lines 45-51)*

Provides for new dates for finality of Board of Equalization opinions.

Effective date—January 1, 1943.

Amendment No. 54*(Page 49, lines 16-26)*

Commissioner given more time to assess where taxpayer gives Federal Revenue Department a waiver. We may then have benefit of Federal audit.

Effective date—January 1, 1943.

Amendment No. 55*(Page 49, line 30)*

Eliminated the requirement that commissioner had to sign waivers.

Effective date—January 1, 1943.

Amendment No. 56*(Page 50, lines 8-34)*

Amendment to protect taxpayers where commissioner has certified refund within time but Board of Control does not approve within time allowed. Extends statute of limitations for refund claims to the period given to commissioner to propose additional assessments where waivers have been filed by taxpayer. Extends to seven years the period within which a taxpayer may claim a refund based upon bad debts, worthless stock, and recoveries of taxes, bad debts, etc. Conforms to Section 169(a) of the Revenue Act of 1942.

Effective date—January 1, 1943.

Amendment No. 57*(Page 51, lines 3-9)*

Proposed amendment provides for new dates for finality of Board of Equalization opinions.

Effective date—January 1, 1943.

Amendment No. 58*(Page 51, lines 37-40)*

Proposed amendment allows commissioner to cancel illegal assessments.

Amendment No. 59*(Page 51, lines 43-51, and page 52, lines 1-3)*

Present Section 28 eliminated and new section added. Deals with fraud and gives commissioner the right, at any time, to require supplementary returns or a return where none was filed. Further, commissioner can, in case of fraud, make an estimate of tax due and levy same without requiring returns.

Effective date—January 1, 1943

Amendment No. 60*(Page 52, lines 39-40, 43-51, and page 53, lines 1-3 and 24-25)*

Provides that lien "for tax disclosed on return" shall attach on the last day of the taxable year in question. Lien for taxes assessed where no return was filed or for deficiency assessments shall attach as of the date the commissioner records a certificate with the county recorder. Under the present act, the lien for all taxes attached as of the last day of the taxable year in question. Also, clarifies type of certificate commissioner may file in case corporation desires to dissolve. Impossible for commissioner to certify that "all taxes which have become payable have been paid."

Effective date—January 1, 1943.

Amendment No. 61*(Page 53, line 33 and page 54, lines 9-11)*

Section 23 of act amended to refer to new Section 18.1, and to prescribe method of service of complaint and summons on commissioner.

Effective date—January 1, 1943

Amendment No. 62*(Page 56, lines 32-52, and page 57, lines 1-14)*

Section 24 of the act is amended to provide for suspension, within 40 days, where a corporation does not pay a *jeopardy* or *fraud* assessment, i.e. puts "teeth" into the section and gives commissioner a powerful weapon to help prevent tax evasion.

Effective date—January 1, 1943.

Amendment No. 63*(Page 57, lines 15-26)*

Proposed amendment provides that when a party other than the original taxpayer becomes liable for taxes of taxpayer, the commissioner may proceed against such other party in collection of tax with the same force and effect as though the other party were the original taxpayer. (Makes sections of the act applicable to transferees.)

Effective date—January 1, 1943.

Amendment No. 64*(Page 58, lines 9-22)*

Section 25(c) of the act is amended to insure that persons served with withholding notices will turn money over to the State without resorting to court proceedings. Necessary for efficient administration and taxpayers and agents fully protected under refund and action sections of the act. Grammatical error corrected i.e. word "refundable" substituted for "refunded". Allows interpleader action to be commenced where there is a dispute between the commissioner and a Federal agency relative to priorities.

Effective date—January 1, 1943.

Amendment No. 65*(Page 59, lines 37-43, 48-52, and page 60, lines 1-3)*

Clarifies reciprocal information section of the act and is self-explanatory. Provides for reimbursement to commissioner for cost of furnishing such reciprocal information.

Effective date—January 1, 1943.

Effective Date Clause*(Page 60, lines 12-51, and page 61, lines 1-18)*

Provides generally that proposed 43 amendments are applicable to taxable years beginning after December 31, 1942, but certain exceptions are made for retroactive provisions.

**Explanation of Assembly Bill No. 640, as Amended April 3, 1943, Proposing
Amendments to the Bank and Corporation Franchise Tax Act**

By CHARLES J. MCCOLGAN, Franchise Tax Commissioner

Amendment No. 1*(Page 2, lines 38-40)*

Proposed amendment accrues tax on "last" day of "income" year, whereas present tax accrues the same on the "first" day of the "taxable" year. (See Amendment No. 63, post.)

Amendment No. 2*(Page 3, lines 23, 26, 27, and 29-33)*

Provides that within 30 days after the determination of the rate, the commissioner shall mail notice of such determination to all banks and financial corporations which are then classified on his records as banks or financial corporations. Provides that the data used by the commissioner in determining the rate shall be available to the taxpayers affected by such determination, in manner prescribed by regulations adopted by the commissioner. Does not affect present rights and remedies of taxpayer for recovery of, or relief from tax erroneously assessed.

Amendment No. 3*(Page 3, lines 48-51)*

Enlarges definition of "bank" and "corporation" in accordance with principle announced in *Fifth Street Building vs. McColgan*, 19 C. 2d 143. Restates existing law.

Amendment No. 4*(Page 4, lines 4-8)*

Provides that Attorney General will be chief attorney in court litigation. In all other matters commissioner for counsel handles the legal work of the commissioner's office.

Amendment No. 5*(Page 4, lines 37-42)*

Conforms to Section 10(a) of the Revenue Act of 1942 and provides a transferee in a tax-free exchange of an insurance endowment, or annuity contract who has the same basis thereof as the transferor in whole or in part shall have the transferor's basis to that extent in determining the portion of the proceeds of the transferred contract which are exempt.

Amendment No. 6*(Page 4, lines 43-46)*

The proposed amendment conforms to Section 115(a) of the Revenue Act of 1942. Amendment provides that upon the termination of a lease the lessor will not have to include the income attributable to the value of improvements, other than rent, made by lessee in his gross income. This changes the law established in *Helvering vs. Bruun*, 309 U. S. 461 (1940) which held that improvements made by lessee constitute income to the lessor to the extent of the value of the improvements at the time the lease is forfeited and lessor secures control and possession of property (except in case improvements are part of rent)

(See Amendment No. 52, post.)

Effective date—January 1, 1943.

Amendment No. 7*(Page 4, lines 47-48, page 5, lines 1-22)*

The proposed amendment conforms to Section 116(a) of the Revenue Act of 1942. Prior to the 1942 act, the Federal rule as to taxation of recoveries of amounts previously deducted in loss years was that the recovery was income and taxable. (G. C. M.

22163 C. B. 1940 2:76.) This is also our rule. This amendment provides that recoveries of bad debts, taxes, and delinquency amounts are not taxable as income to the extent that prior deduction of such amounts did not reduce taxpayer's income tax liability.

Effective date—Retroactive.

Amendment No. 8

(Page 5, lines 23-41)

Adopts provisions contained in Section 114(a) of the Revenue Act of 1942 to the effect that a taxpayer is not in receipt of income attributable to the discharge of indebtedness of taxpayer insofar as such income is attributable to the amortized discount with respect to such indebtedness provided the indebtedness was evidenced by a security.

Effective date—January 1, 1943.

Amendment No. 9

(Page 5, lines 42-52, page 6, lines 1-8)

Proposed amendment conforms to Section 114(b) of the Revenue Act of 1942. Amendment provides that indebtedness of railroad corporations discharged in proceeding under the National Bankruptcy Act shall not constitute income.

Effective date—January 1, 1943

(See Amendment No. 36, post.)

Amendment No. 10

(Page 7, line 9)

Amendment consists of a rewording of the language relating to taxable stock dividends. What was formerly set forth in the negative is now set forth in the affirmative. See *Helvering vs. Griffiths*.

U.S. (March 1, 1943).

Amendment No. 11

(Page 8, lines 9-52, page 9, lines 1-18)

This amendment would give taxpayers relief from the possibility of double taxation resulting from treating the gain from the sale or exchange of property as "earnings or profits" at the time a "tax-free exchange" is made and also when the property received in such exchange is sold. The same is true in case of a stock dividend that was exempted from taxation. The amendment provides in effect that gain or loss, resulting from transactions, which is not recognized for the purpose of computing *net income* shall not be recognized for the purpose of computing "earnings and profits." This was copied from Section 501 of the Second Revenue Act of 1940 (Title V, thereof). This amendment clarifies our act to conform to our present administrative and the Federal bureau's interpretation of the Federal and our act. The Federal provision contained in Section 146(a) of the Revenue Act of 1942 is adopted which provides that loss from wash sales disallowed under our act shall not be recognized for computing earnings and profits. The Federal made this change effective as if part of 501 of Second Revenue Act of 1940.

Our effective date—January 1, 1943.

Amendment No. 12

(Page 9, lines 47-52)

Incorporates provisions of Section 121(a) of the Revenue Act of 1942 which provides that charitable contributions unallowable by virtue of other provisions of the act may not be claimed as business expenses. This is merely in clarification of the act as it now exists.

Effective date—January 1, 1943.

Amendment No. 13

(Page 10, lines 22-35)

Follows Section 122 of the Revenue Act of 1942 in allowing retail sales tax paid as a deduction from income if the tax is separately stated.

Effective date—January 1, 1943.

Amendment No. 14

(Page 15, lines 20, 25-29, and 33)

Follows Section 124(a) (1) of Revenue Act of 1942 by removing the requirements of "ascertainment" and "charge-off" within the taxable year as a prerequisite to allowance of deduction for bad debts. The amendment provides that the test of whether or not the deduction is allowable is dependent upon the year in which the debt "became" worthless. Provides special rule for deduction which became worthless prior to January 1, 1943.

Effective date—January 1, 1943.

(See Amendment No. 60, post.)

Amendment No. 15*(Page 15, lines 40-43)*

Permits a taxpayer an election to claim a deduction for amortization of emergency facilities (as defined by Section 124 of the Internal Revenue Code, as amended) under regulations prescribed by the commissioner.

Retroactive—See Section 27(d) of Assembly Bill No. 640.
(See Amendment No. 49, post.)

Amendment No. 16*(Page 16, lines 11, 12, 48-49, and page 17, lines 4-6, elimination of language at end of line 6)*

Conforms to Section 114(b)(2) of the Revenue Code by providing for basis of depletion for income years ending after December 31, 1942, in connection with "fluorspar, ball, and sagger clay, rock asphalt" mines. Adopts Section 114(b)(4) of the Revenue Code and provides that for income years beginning after December 31, 1942, percentage depletion is extended to fluorspar, ball, and sagger clay or rock asphalt mines. Deletes requirement that a taxpayer making his first return under this act in respect of a property state whether he elects to have the depletion allowance computed with or without regard to percentage depletion.

Amendment No. 17*(Page 17, lines 13-40)*

By adopting provisions of Section 125 of the Revenue Act, a corporation would be entitled to claim a deduction for contribution to a charitable trust, fund, etc., which contributions are to be used without the United States; provided, that such a deduction is limited to payments made during an income year beginning within a period prior to cessation of hostilities in the present war. Present law provides that such contributions or gifts are only allowable if the contributions or gifts are to be used within the United States.

Effective date—January 1, 1943.

Amendment No. 18*(Page 18, lines 32-51, and page 19, lines 1-34)*

Proposed amendment conforms to Section 126(a) and (b) of the Revenue Act of 1942. Would allow a bondholder, at his election, a deduction for amortization of bond premium and contains rules relative to the termination of the amortizable premium, method of amortization and amounts attributable to any income year. Formerly, gains and losses were capitalized.

Effective date—January 1, 1943.

(See Amendment No. 50, post.)

Amendment No. 19*(Page 19, lines 35-52, page 20, page 21, and page 22, lines 1-17)*

Amendment provides for a deduction for amounts paid by an employer to or under a plan creating an employee's trust or pension system, or a profit sharing or annuity plan. Sets forth specifications of those plans which qualify and places limitations on the amounts paid under such plans which are deductible by the employer. Conforms to Section 162(b) of the Revenue Act of 1942.

Effective date—See Section 26(e) of Assembly Bill No. 640.

Amendment No. 20*(Page 22, lines 31-52, pages 23-25, and page 26, lines 1-37)*

Conforms to Section 156(a) of the Revenue Act of 1942 relative to allowance of loss incurred by reason of property being destroyed or seized on or after December 7, 1941, in the course of military or naval operations incident to the present war. Contains detailed provisions relative to basis of property so destroyed or seized and adjustments to such basis, and provides method of computing income realized upon the recovery of any property so destroyed or seized.

Effective date—See Section 27(d) of Assembly Bill No. 640.

Amendment No. 21*(Page 27, lines 4-11)*

Conforms to Section 129 of the Revenue Act of 1942 by disallowing any deductions paid or accrued on indebtedness incurred to purchase life insurance or endowment contracts of the single premium type, and also includes contracts in which substantially all of premiums are paid within four years from purchase.

Effective date—January 1, 1943.

Amendment No. 22*(Page 27, lines 12-16)*

By adopting Section 130(a) of the Revenue Act of 1942 would allow the taxpayer to capitalize taxes and carrying charges, under regulations prescribed by the commissioner, in which event no deduction would be allowable in respect to payments of such taxes or charges.

The effect of this proposed amendment is to permit a taxpayer to treat as chargeable to the capital account (either as a component or original cost, for the purpose of Section 21(a), or as an adjustment to basis for the purpose of Section 21(b)(1)(A), notwithstanding that they are expressly deductible under Section 8(c)) such taxes and carrying charges with respect to property if, under regulations prescribed by the commissioner are so chargeable, but expressly to prohibit the deductibility of the amounts thus charged to capital account in the exercise of such an election.

The clause with respect to unimproved and unproductive real property is proposed to be deleted from Section 21(b)(1)(A) so as to make it clear that the provisions of that subparagraph, to the effect that no adjustment of basis under that section shall be made for taxes or other carrying charges for which deductions have been taken by the taxpayer in determining net income for the taxable year or prior taxable years, are not limited to the case of taxes and carrying charges on unimproved and unproductive real property, but apply with equal force, whether the property to which accounts the items are properly chargeable is real or personal, improved or unimproved, productive or unproductive.

Effective date—January 1, 1943.

Amendment No. 23

(Page 27, lines 34, 36, 37, and 44-46)

If amended, would disallow deductions for expenses incurred or interest accrued if the corporation to which payment is to be made owns, or is owned by, the taxpayer to the extent of more than 50 per cent in value of the outstanding stock and payee is on cash basis.

Effective date—January 1, 1943.

Amendment No. 24

(Page 28, lines 3-52 and page 29, lines 1-34)

Adds new section to cover situation and reflect income or loss attributable thereto by virtue of "renegotiations" effected under provisions of the "Sixth Supplemental National Defense Appropriation Act" (Public 528, Seventy-seventh Congress, Second Session). The provisions of this amendment which were adopted from Section 508 of the Revenue Act of 1942 are believed self-explanatory. It is our opinion that by rule and regulation the commissioner may make this section flexible enough to meet any situation which may arise involving this problem.

Effective date—Retroactive.

Amendment No. 25

(Page 30, lines 2-5)

Technical amendment which merely adds definition of the word "State."

Amendment No. 26

(Page 30, lines 20-42)

Adopts provisions of Revenue Code, Section 42(b) and allows holder of non-interest bearing obligations issued at a discount and redeemable for fixed amounts increasing at stated intervals, to treat, when its method of accounting does not reflect such increase as income, such increase as income in the year in which it occurs. Once election is made it shall be binding in reporting income for subsequent years and in respect to similar obligations acquired.

Effective date—January 1, 1943.

Amendment No. 27

(Page 31, lines 19, 20, 22, and 29-51, and page 32, lines 1-7)

Mere change in wording of Section 12(c), and adds new subsection covering computation of refunds under certain circumstances where tax for "short" periods is placed on an annual basis. Affects financial corporations only. Conforms to Sections 135(a) of the Internal Revenue Code.

Amendment No. 28

(Page 32, lines 48-51 and page 33, lines 1-10)

Amendment protects taxpayers who erroneously file returns under this act instead of the Corporation Income Tax Act, i.e., treats return as having been filed under latter. Affords same relief if taxes have been paid under one act when payment should have been made under other.

Effective date—Retroactive.

Amendment No. 29

(By elimination of language after the word "occurs" in line 34 and 50 on page 34, page 35, lines 1-12)

Provides for the computation of taxes, where one corporation, pursuant to a reorganization, transfers all of its business and property to another corporation, i.e., provides that the transferee shall within the time specified file a return and pay a tax for the transferor in the same manner that the transferor would have if the transfer had not occurred and the transferor had continued operations.

Amendment No. 30

(Page 37, lines 41, 46-51, and page 38, lines 1 and 2)

Section 14 of the act is amended to have the third paragraph conform to the first paragraph, i.e., not necessary to find that corporation has made intercorporate contract to allocate income outside State. The commissioner has always had this power under paragraph 1 of Section 14 and therefore no change is effected and the act is merely clarified. To prevent evasion of taxes and consistent with the recent decision of the Supreme Court in *Butler Bros. vs. McColgan*, 62 S. Ct. 701.

Amendment No. 31

(Page 38, lines 5-15)

Covers instances where no returns are filed. Provides in effect that the commissioner may, at any time, require a return or make an estimate of tax due, i.e., makes it clear that there is no statute of limitations where a return is not filed.

Effective—Retroactive.

Amendment No. 32

(Page 38, lines 24-52, page 39, page 40, and page 41, lines 1-24)

The proposed amendment conforms to Sections 118 and 119 of Revenue Act of 1942, Section 22(d) of the code, effective January 1, 1939.

Besides the ordinary method of keeping inventories, taxpayers are given the option of using the so-called "last in-first out" method. Federal act adopted this provision in 1938, and clarified same to its present form in Section 219 of the Revenue Act of 1939.

The 1942 amendments (page 38, lines 40-48) provide that if such an election is made all *annual* reports have to be based on the same inventory method (formerly all reports had to be so made) and also provides that relief, (page 39, lines 24-51, pages 30 and 41, lines 1 to 24) under prescribed conditions will be granted to taxpayers who have made an election to use such inventory method and thereafter are forced by war conditions to involuntarily liquidate; that is, adjustments are allowed to be made for *the year of involuntary liquidation* within three years of the war's termination, if the goods so liquidated are replaced.

Some taxpayers use this alternative method of keeping their books to show profits and losses, receiving credit and making reports to shareholders, etc. They would be given this privilege for tax purposes as well. If adopted it will tend to stabilize and will not reduce or increase the revenue. Makes the administration of our act easier, as it will conform to the Federal act.

Effective date—January 1, 1943.

Amendment No. 33

(Page 42, lines 9-17)

Amendment No. 37

(Page 45, lines 16-20)

Amendment No. 39

(Page 45, lines 50-52 and page 46, lines 1-23)

Amendment No. 42

(Page 47, lines 20-25)

These four amendments were copied from the 1939 amendments to Sections 112(b)(5), 112(g), 112(i) and 113(a)(6) of the Internal Revenue Code. To avoid the unjust and inequitable result effected by *U. S. vs. Hendler*, 58 S. Ct. 653, these amendments were made. In effect, the amendments provide that transferor will not have recognized gain where transferee in a tax-free exchange or reorganization assumes a liability of the transferor. Provides for an adjustment in transferor's basis to assure recognition of gain in future disposal of property received in exchange. Assures that what would otherwise be considered a tax-free exchange or reorganization will be considered such even though transferee assumes such liability.

Amendment No. 34

(Page 43, lines 34-39)

Adopts provisions of Section 112(b)(8) of the Revenue Act of 1938 in providing for nonrecognition of gain or loss from distributions ordered by the Securities Exchange Commission.

Effective date—January 1, 1943.

Amendment No. 35

(Page 43, lines 40-51 and page 44, lines 1 and 2)

The proposed amendment conforms to Section 142(a) of the Revenue Act and 112(b)(9) of the code.

Amendment provides for nonrecognition of loss if the property of a railroad is transferred in pursuance of a court order in a receivership proceeding or in a proceeding under Section 77 of the Bankruptcy Act.

Effective—January 1, 1943.

(See Amendment No. 9, *supra.*)

Amendment No. 36

(Page 45, lines 3-7)

The proposed amendment conforms to Section 151(d) and (e) of the Revenue Act. Amendment to conform to Section 151(d) (e) of the Revenue Act of 1942. Provides that in the case of involuntary conversion, the gain shall not be recognized but the loss shall be recognized and that the money received constitutes gain, regardless of when received and whether the money which is not expended constitutes gain. Prior rule as held in *Wilmore Steamship Company, Inc vs Commissioner*, 78 Fed. 2d 567, was that if the money received in the taxable year is so expended, the gain in such taxable year will not be recognized even though the money received in previous taxable years (and not treated as gain since not in excess of the basis of the converted property) was not so expended.

Effective date—January 1, 1943.

Amendment No. 38

(Page 45, lines 41-42)

Merely changes wording to emphasize fact that section applies only to foreign corporations created or organized in a foreign country.

Amendment No. 40

(Page 46, lines 33-37)

Adopts provisions of Section 143(a) of the Revenue Act of 1942 relating to basis for computing loss on sale or exchange of property acquired by gift. Amendment one of clarification.

Effective date—January 1, 1943.

Amendment No. 41

(Page 46, line 51)

Conforms to Section 143(b) of the Revenue Act of 1942 by providing basis of gift in trust to be computed in same manner as that of a gift.

Effective date—January 1, 1943.

Amendment No. 43

(Page 49, lines 29-37)

Adds a new subsection to protect taxpayers who relied upon Attorney General's opinion N.S. 44 which held that no gain or loss was to be recognized upon a liquidation of a wholly owned subsidiary, i.e. was a tax-free reorganization. Section 20(b) (6) was added in 1939 to provide for this nonrecognition. Recently, the Attorney General in Opinion N.S. 3119 ruled that such liquidation constituted a reorganization but that prior to Section 20(b) (6) gain or loss was to be recognized. This amendment will protect the State and taxpayers who relied upon Opinion N.S. 44, i.e. State will eventually receive tax but its collection is temporarily postponed.

Amendment No. 44

(Page 49, lines 45-51 and page 50, lines 1-28)

Amendment to conform with Section 113(a) (19) of Internal Revenue Code (added in 1939). Provides that stock rights received in 1937 and subsequent years and constituting income will take a basis of fair market value as of the date of their distribution. Those acquired in prior years (except those acquired prior to 1928 which constitute income) and those not constituting income will share in the basis of old stock in respect to which they were issued. Breaks away from former administrative practice where taxpayer was given choice as to method of reporting gain or loss on sale of stock right. However, taxpayers who relied upon former practice are fully protected.

Effective date—January 1, 1943.

Amendment No. 45

(Page 50, lines 29-44)

The proposed amendment conforms to Section 142(b) of the Revenue Act, 113(a) (20) of the code.

This amendment is a change related to Section 11(b) (8) and permits the basis of property of railroad corporation in receivership or proceedings under National Bankruptcy Act to permit the basis of the property to be carried over undiminished to the reorganized corporation.

Effective date—January 1, 1943.

(See Amendment No. 9, *supra.*)

Amendment No. 46*(Page 50, lines 45-52, and page 51, lines 1-10)*

The proposed amendment conforms to Section 142(c) of the Revenue Act, and Section 113(a) (21) of the code.

This amendment same as preceding except that it is applicable only to enumerated special types of railroad corporations.

Amendment No. 47*(Page 51, lines 11-15)*

Complementary section to Section 20(b) (7) and provides for carry-over basis for stocks received in Securities and Exchange Commission transfer.

Amendment No. 48*(Deletion of language on page 51, line 23, between words "capital account" and "but no such adjustment")*

Conforms to Section 130(b) of the Revenue Act of 1942. This amendment merely complements the new Section 9(d) (2) relating to the election of capitalization of taxes and other charges by deletion of language allowing an adjustment to basis for such charges.

(See explanation to Amendment No. 22, *supra*.)

Effective—January 1, 1943.

Amendment No. 49*(Page 51, lines 36-39)*

Provides for adjustment to basis of emergency facilities where amortization thereof has not been claimed.

Effective date—See Section 26(d) of Assembly Bill No. 640.

(See Amendment No. 15, *supra*.)

Amendment No. 50*(Page 51, lines 50-52)*

Complements amendment to new Section 8(o) (1) (A) relating to allowance of deduction for amortization of bond premiums and provides for adjustment of basis of said bonds.

Effective date—January 1, 1943.

Amendment No. 51*(Page 52, lines 17-35)*

Conforms to Section 215(b) of the Revenue Act of 1939, and Section 113(b) (3) of the code, and provides that amounts excluded under Section 6(d) (1) on account of discharge of indebtedness shall reduce basis of property held.

Amendment No. 52*(Page 52, lines 36-47)*

Conforms to Section 115(b) of the Revenue Act of 1942 and complements Section 6(b) (3) by providing that the basis of property of lessor is not affected at termination of lease by reason of improvements made by lessor.

Amendment No. 53*(Page 53, lines 43, 44, and 48)*

Amended to make clear that when collection of tax levied under a jeopardy assessment is stayed under Section 24.1, interest on such tax shall be collected at the rate of 6 per cent per annum from date tax should have been paid if collection not stayed.

Amendment No. 54*(Page 54, lines 32-51, and page 55, lines 1-25)*

Adds new section to the act to specifically cover the issuance of jeopardy assessments where tax collection is endangered. Taxpayers are afforded opportunity to file bond staying collection with the right to a hearing on petition for reassessment.

Amendment No. 55*(Page 55, line 3)*

"Or notices" added to allow commissioner to issue more than one notice.

(Page 55, line 35)

"Each" added to conform to above.

Amendment No. 56*(Page 56, lines 9-15)*

Provides determination of the Board of Equalization on appeals thereto shall become final within 30 days unless within such period a petition for rehearing is

filed by taxpayer or the commissioner in which event the determination shall not become final until 30 days from the time the board acts on such petition.

Amendment No. 57

(Page 56, lines 31-41)

Extends period of time for proposing assessments to four years from date return filed or six months from the expiration of an extended period for proposing Federal deficiencies, whichever expires later.

Amendment No. 58

(Page 56, line 45)

As amended, provides that it is only necessary for taxpayer to consent to extension of time for proposing deficiencies. At present, consent of the commissioner is also required.

Amendment No. 59

(Page 58, lines 19-20, and 27-31)

Amended to insure that persons served with withholding notices will turn money over to the State without resorting to court proceedings, necessary for efficient administration—taxpayers and agents fully protected under refund provisions and other sections of the act. Allows interpleader actions to be brought where dispute arises as to priority between commissioner and Federal agency.

Amendment No. 60

(Page 59, lines 4-30, 51, and 52, and page 60, lines 1-5)

Amendment to protect taxpayers where commissioner has certified refund within time but board of control does not approve within time allowed. The proposed amendment also affects the period upon which the determination of the Board of Equalization which becomes final as set forth in Amendment No. 56. Extends period for filing refund claims to time allowed commissioner for proposing additional assessments. Extends time within which refund claims based on bad debts may be filed to seven years.

Amendment No. 61

(Page 60, lines 33-36)

Authorizes commissioner to correct his records by canceling illegally levied tax.

Amendment No. 62

(Page 60, lines 39-50)

Present Section 28 eliminated and new section added. Deals with fraud and gives commissioner the right, at any time to require supplementary returns or a return where none was filed. Further, commissioner can, in case of fraud, make an estimate of tax due and levy same without requiring returns.

Amendment No. 63

(Page 61, lines 3, 4, 6, 7, and 13-23, and 47 and 48)

Provides that lien "for tax disclosed on return" shall attach on the last day of the income year in question. Lien for taxes assessed where no return was filed or for deficiency assessments shall attach as of the date the commissioner records the certificate referred. Under the present act, the lien for all taxes attached as of the first day of the taxable year in question. Also clarifies type of certificate commissioner may file in case corporation desires to dissolve. Impossible for commissioner to certify that "all taxes which have become payable have been paid."

(See Amendment No. 1.)

Amendment No. 64

(Page 62, lines 42-44)

Requires two copies of complaint in action against commissioner be served upon commissioner or assistant commissioner. Requirement of second copy not jurisdictional.

Amendment No. 65

(Page 64, lines 32-43)

Provides that where a party, other than the original taxpayer, becomes liable for taxes of taxpayer, the commissioner may proceed against such other party in collection of tax with the same force and effect as though the other party were the original taxpayer. (Makes sections of the act applicable to transferees.)

Amendment No. 66

(Page 65, lines 40-47, and page 66, lines 3 and 4)

Amendment provides for suspension of corporations for nonpayment of *jeopardy* or *fraud* assessments within 40 days. Expedites collections and prevents tax evasion.

Amendment No. 67

(Page 67, lines 37-51)

Clarifies section of act relating to reciprocal exchange of information with other tax authorities Provides commissioner may charge for cost of securing information.

Effective Date Clause

(Page 68, lines 9-52, and page 69)

Generally provides that all amendatory provisions are effective as to income years beginning on and after December 31, 1942. Several specific exceptions are noted, wherein provisions are made retroactive.

**Explanation of Assembly Bill No. 641, as Amended April 3, 1943, Proposing
Amendments to the Personal Income Tax Act**

By CHAS. J. MCCOLGAN, Franchise Tax Commissioner

Amendment No. 1

(Page 3, lines 3-12)

Definition of "wife" and "husband", if divorced, for purposes of new alimony provisions. Conforms to Section 120(f) of the Revenue Act of 1942

Effective date—See Section 20(b) of Assembly Bill No. 641.

Amendment No. 2

(Page 3, lines 13-17)

Definition of military or naval forces of the United States for purposes of proposed Sections 7(b)(10) and 34.2. Conforms to Section 511 of the Revenue Act of 1942. Effective retroactively.

Amendment No. 3

(Page 3, lines 18-23)

Provides that Attorney General will be chief attorney in court litigation. In all other matters commissioner for counsel handles the legal work of the commissioner's office.

Amendment No. 4

(Page 4, lines 27-31)

Proposed amendments eliminate alimony payments, within the provisions of Section 7(k) from the exemptions prescribed by Sections 7(b)(1)(2).

Effective date—See Section 20(b) of Assembly Bill No. 641. Conforms to Section 120(d) of the Revenue Act of 1942.

Amendment No. 5

(Page 4, lines 32-50, and page 5, lines 1-4)

Proposed amendment treats amounts received under an *annuity contract* plan (which would meet the requirements of Section 12(f) if the trust device had been used instead of the annuity plan) in same way as amounts received under pension trusts as provided by Section 12(f), i.e. not taxable to employee until he receives payments under the plan or such payments are made available to him

If the annuity contract is not purchased under such plan and the employees' rights are nonforfeitable (except for failure to pay premiums) the amount paid by the employer each year shall be included in the income of the employee

However, if the employee's rights are forfeitable at the time of the contributions, it is not treated as employee's income until the employee receives the same.

Effective date—See Section 20(c) of Assembly Bill No. 641.

Amendment No. 6

(Page 5, lines 5-15)

Proposed amendment to Section 7(b)(3) to conform to Section 111(a) of the Revenue Act of 1942.

Merely clarifies Section 7(b)(3) because we have interpreted our act in this manner relying on *Duin vs. Garit*, 268 U. S. 161, and the 1937 amendment to Section 12(d)(2).

Effective retroactively.

Amendment No. 7*(Page 5, lines 16-18, and lines 22-25)*

Proposed amendments would (1) exclude from exemption amounts received under an accident or health insurance act which are attributable to deductions taken under Section 8(q) for medical care expenses, (lines 16-18); and (2) would grant exemption to pension, etc., received for personal injuries resulting from service in the armed forces of any country (lines 22-25).

Conforms to Sections 113 and 17(d) of the Revenue Act of 1942.

Effective date—January 1, 1943.

Amendment No. 8*(Page 5, lines 44-47)*

The proposed amendment conforms to Section 115(a) of the Revenue Act of 1942. Amendment provides that upon the termination of a lease the lessor will not have to include the income attributable to the value of improvements, other than rent, made by lessee in his gross income. This changes the law established in *Hieberling vs. Bruun*, 309 U. S. 461 (1940) which held that improvements made by lessee constitute income to lessor to the extent of the value of the improvements at the time the lease is forfeited and lessor secures control and possession of property (except in case improvements are part of rent).

(See Amendment No. 43, post, for complementary basis provision.)

Effective date—January 1, 1943.

Amendment No. 9*(Page 5, lines 48-50, and page 6, lines 1-24)*

The proposed amendment conforms to Section 116(a) of the Revenue Act of 1942. Prior to the 1942 act, the Federal rule as to taxation of recoveries of amounts previously deducted in loss years was that the recovery was income and taxable. (G. C. M. 22163 C. B. 1940 2:76.) This is also our rule. See 8(f)-1 of the 1941 Regulations. This amendment provides that recoveries of bad debts, taxes, and delinquency amounts are not taxable as income to the extent that prior deduction of such amounts did not reduce taxpayer's income tax liability.

Effective date—Retroactive.

Amendment No. 10*(Page 6, lines 51-52, page 7, lines 1-4, 21-25, and 34-49, page 8 and page 9, lines 1-36)*

Conforms to Section 118(a) (b) and 119 of the Revenue Act of 1942 relating to "last in-first out" method of keeping inventories which we first provided for in 1941.

First amendment (page 6, lines 51-52 and page 7, lines 1-4 and 21-25) provides if election, to use such inventory method, is made, a taxpayer must make all annual reports on the basis of such method (formerly all reports had to be so made). See Section 118(a) (b) of Revenue Act of 1942.

Second amendment (page 7, lines 32-49, page 8, and page 9, lines 1-36) provides relief, under prescribed conditions, to taxpayers who have made such an election and thereafter are forced, by war conditions, involuntarily, to liquidate, that is, adjustment may be made, for the year of involuntary liquidation, within three years of the war's termination—if the goods so liquidated are replaced. See Section 119 of the Revenue Act of 1942.

Effective date—January 1, 1943.

Amendment No. 11*(Page 9, between lines 47 and 48)*

Language purporting to treat royalty, etc., income as California income, which was added in 1941, is deleted. Matter was litigated in the superior court (Sacramento County) in *Hazeltine Case*, and court held such income, in absence of business situs, was out of State income. Conclusion reached that California could not constitutionally tax such income to a nonresident and thus this deletion.

Effective date—Retroactive.

Amendment No. 12*(Page 10, lines 6-7 and 9-12)*

This amendment is merely a rewording of the existing section to clarify the meaning thereof. Conforms to Article 7(f) (6) (d) of 1941 regulations.

Effective date—Retroactive.

Amendment No. 13*(Page 10, line 36, after the words "recognized only to the extent provided in Section 92")*

Eliminated language which treated losses by stockholders in partial liquidation as limited capital losses. Under proposed language they would be 100 per cent deductible. Conforms to Section 147 of the Revenue Act of 1942.

Amendment No. 14*(Page 11, lines 12-16)*

Amendment consists of a rewording of the language relating to taxable stock dividends. What was formerly set forth in the negative is now set forth in the affirmative. See *Helvering vs. Griffiths*, U. S. (March 1, 1943).

Amendment No. 15*(Page 12, lines 29-33)*

This proposed amendment conforms to Section 146(a) of the Revenue Act of 1942 and provides that loss from wash sales disallowed under our corporation tax acts shall not be recognized in computing earnings and profits. Liberalizes 1941 amendment.

Amendment No. 16*(Page 14, lines 6-45)*

Recipient of alimony, payable periodically, is taxable thereon if paid pursuant to court decree divorcing or separating spouses. Lump sums excepted unless payable in installments extending over more than 10 years. Child support—payments taxable to payor. If trust annuity, life insurance, etc., device used, payor excludes amounts from gross income. Conforms to Section 120(a) of the Revenue Act of 1942.

Effective date—Section 20(b) of Assembly Bill No. 641 (generally effective on or after January 1, 1943).

(See Amendments Nos. 27, 49, and 53.)

Amendment No. 17*(Page 14, lines 48-52, and page 15, lines 1-28)*

The proposed amendment liberalizes the existing provision as to reporting sums received in one year for services performed over a period of years and provides that if at least 80 per cent of the total compensation for personal services (covering a period of 36 calendar months) is received in one year, it shall not be taxed higher than if received yearly.

Effective date—January 1, 1943.

Conforms to Section 139 of the Revenue Act of 1942.

Amendment No. 18*(Page 15, lines 31-52, page 16, page 17, lines 1-14)*

Proposed amendment conforms to Section 134(e) of the Revenue Act of 1942. This amendment changes existing law that income of a decedent be accrued as of date of death and provides that the income shall be taxed to the beneficiary in the same manner as if the decedent had received the income. Deductions will be treated in the same manner as described for the treatment of income. Deduction granted for inheritance taxes, *Helvering vs. Enright*, 312 U.S. 636, nullified.

(See Amendments Nos. 31 and 55, post.)

Effective date—January 1, 1943.

Amendment No. 19*(Page 17, lines 37-42)*

Proposed amendment incorporates provisions of Section 121(a) of the Revenue Act of 1942. Provides that charitable contributions which are not allowable by virtue of Section 8(1) of the act may not be claimed as business expenses. This is merely in clarification of the act as it now exists.

Effective date—Retroactive.

Amendment No. 20*(Page 17, lines 43-46)*

Proposed amendment conforms to Section 121(a)(2) of the Revenue Act of 1942. This amendment allows deduction for expenses incurred for the production or collection of income for the management, conservation or maintenance of property held for the production of income. These expenses were previously disallowed as not incurred in carrying on a trade or business as defined in accordance with *Higgins vs. Commissioner*, 312 U.S. 212.

Effective date—January 1, 1943.

Amendment No. 21*(Page 18, lines 29-42)*

Proposed amendment follows Section 122 of the Revenue Act of 1942. Allows retail sales taxes, etc., to be deducted from income if the tax is separately stated by the purchaser.

Effective date—January 1, 1943.

Amendment No. 22*(Page 23, lines 20, 25-30, 33 and 39)*

Follows Section 12(a) (1) of the Revenue Act of 1942 by removing the requirements of "ascertainment" and "charge-off" within the taxable year as a prerequisite to allowance of deduction for bad debts. The amendment provides that the test of whether or not the deduction is allowable is dependent upon the year in which the debt "became" worthless. Page 23, lines 25-30, provides special rule for debts which were worthless prior to January 1, 1943.

(See Amendment No. 59, post.)

Effective date—January 1, 1943

Amendment No. 23*(Page 24, lines 30 and 31)*

The proposed amendment conforms to Section 121(c) of the Revenue Act of 1942. Amendment allows depreciation deduction for property held for purpose of carrying on activities which were formerly determined to be of a nontrade or nonbusiness character in *Higgins vs. Commissioner*, 312 U.S. 212, 61 S Ct 475.

Effective date—January 1, 1943.

Amendment No. 24*(Page 24, lines 32-35)*

Amendment provides for allowance of depreciation on emergency facilities. Our section differs from Federal in providing generally for the deductions while the Federal act describes deduction in detail. (See Section 124 of the Internal Revenue Code.)

Effective date—See Section 20(e) of A B 641 (partially retroactive).

*(See Amendment No. 41, post)***Amendment No. 25***(Page 25, line 50)*

Provides that limitation on charitable contributions are to be computed without reference to medical expense deduction allowed by Section 8(q). Conforms to Section 127(c) of the Revenue Act of 1942

Effective date—January 1, 1943.

Amendment No. 26*(Page 26, lines 17-52, and pages 27 and 28)*

Amendment provides for a deduction for amounts paid by an employer to or under a plan creating an employees' trust or pension system, or a profit sharing or annuity plan. Sets forth specifications of those plans which qualify and places limitations on the deductible amounts under such plans. Conforms to Section 162(b) of the Revenue Act of 1942.

Effective date—See Section 20(c) of Assembly Bill No. 641 (generally prospective).

Amendment No. 27*(Page 29, lines 10-16)*

This amendment conforms to Section 120(b) of the Revenue Act of 1942 and allows a husband, in the case described in Section 7(k), to deduct the amount paid as alimony which is includible in the wife's income as a result of the proposed amendments regarding alimony.

(See Amendment No. 16, supra.)

Effective date—See Section 20(b) of Assembly Bill No. 641.

Amendment No. 28*(Page 29, lines 17-52, page 30, lines 1-21)*

Proposed amendment conforms to Section 126(a) (b) of the Revenue Act of 1942 and will allow a bondholder, at his election, to take a deduction for amortization of bond premium and contains rules relative to the termination of the amortizable premium, a method of amortization and amounts attributable to any taxable year.

(See Amendment No. 42, post)

Effective date—January 1, 1943.

Amendment No. 29*(Page 30, lines 22-47)*

Proposed amendment conforms to Section 127(a) of the Revenue Act of 1942 and provides for a deduction for extraordinary medical expenses in excess of 5 per cent of net income limited to \$2,500 in the case of a husband and wife, and \$1,250 in the case of a single person.

Effective date—January 1, 1943.

Amendment No. 30*(Page 30, lines 48-52, page 31, lines 1-32)*

Defines cooperative apartment corporation and provides that payments made by stockholders thereof occupying the premises may claim a deduction for that portion of the payment made by them to the corporation which represents a proportionate part of the real estate taxes on the building and the land of the corporation, and interest paid or incurred by the corporation on its indebtedness incurred in construction or maintenance of the building. Proportionate amounts so paid under the present law do not constitute allowable deductions. Conforms to Section 128 of the Revenue Act of 1942.

Effective date—January 1, 1943.

Amendment No. 31*(Page 31, lines 33-38)*

Complements the amendments to Section 7.2(b) by not allowing deductions on the final return of the decedent which accrued during the taxable period prior to death, if, in fact, the income which accrued during such period is not included on the final return of decedent. Conforms to Section 134(d) of the Revenue Act of 1942.

(See Amendment No. 18, *supra*.)

Effective date—January 1, 1943.

Amendment No. 32*(Page 31, lines 41-52, page 32, page 33, lines 1-22)*

Adds new section to cover situation and reflect income or loss attributable thereto by virtue of "renegotiations" effected under provisions of the "Sixth Supplemental National Defense Appropriation Act" (Public 528, Seventy-seventh Congress, Second Session). The provisions of this amendment which were adopted from Section 508 of the Revenue Act of 1942 are believed self-explanatory. It is our opinion that by rule and regulation the commissioner may make this section flexible enough to meet any situation which may arise involving this problem.

Effective date—Retroactive.

Amendment No. 33*(Page 33, lines 25-50, page 34, page 35, page 36, and page 37, lines 1-38)*

Proposed amendment conforms to Section 156(a) of the Revenue Act of 1942 relative to allowance of loss incurred by reason of property seized on or after December 7, 1941, in the course of military or naval operations incident to the present war. Contains detailed provisions relative to the basis of property so destroyed or seized and an adjustment to such basis, and provides method of computing income realized upon the recovery of any property so destroyed or seized.

Effective date—See Section 20(f) of Assembly Bill No. 641.

Amendment No. 34*(Page 37, lines 43 and 44)*

Allows expenses of an extraordinary medical nature, as defined in Section 8(g) to be deducted. Conforms to Section 127(b) of the Revenue Act of 1942.

Effective date—January 1, 1943.

Amendment No. 35*(Page 38, lines 8-15)*

Amendment conforms to Section 129 of the Revenue Act of 1942. Disallows any deduction for amounts paid on indebtedness incurred to purchase life insurance or endowment contracts of the single premium type and also includes contracts in which substantially all the premiums are paid within four years of the date of purchase.

Effective date—January 1, 1943.

Amendment No. 36*(Page 38, lines 16-20)*

By adopting Section 130(a) of the Revenue Act of 1942, we would allow a taxpayer to capitalize taxes and carrying charges under regulations prescribed by the commissioner in which event no deduction is allowable in respect to payments of such taxes or charges.

The effect of this proposed amendment is to permit a taxpayer to treat as chargeable to the capital account (either as a component or original cost, for the purpose of Section 93(a), or as an adjustment to basis for the purpose of Section 93(b)(1)(A), notwithstanding that they are expressly deductible under Section 8(c)) such taxes and carrying charges with respect to property if, under regulations prescribed by the commissioner are so chargeable, but expressly to prohibit the deductibility of the amounts thus charged to capital account in the exercise of such an election.

The clause with respect to unimproved and unproductive real property is proposed to be deleted from Section 93(b)(1)(A) so as to make it clear that the provisions of that subparagraph, to the effect that no adjustment of basis under that section shall be made for taxes or other carrying charges for which deductions have been taken by the taxpayer in determining net income for the taxable year or prior taxable years, are not limited to the case of taxes and carrying charges on unimproved and unproductive real property, but apply with equal force, whether the property to which accounts the items are properly chargeable is real or personal, improved or unimproved, productive or unproductive.

(See Amendment No. 40, post.)

Effective date—January 1, 1943.

Amendment No. 37

(Page 41, lines 30-36)

Amendment to conform to Section 151(d)(e) of the Revenue Act of 1942. Provides that in the case of involuntary conversion, the gain shall not be recognized but the loss shall be recognized and that the money received constitutes gain, regardless of when received and whether the money which is not expended constitutes gain. Prior rule as held in *Wilmore Steamship Company, Inc. vs. Commissioner*, 78 Fed. 2d 567, was that if the money received in the taxable year is so expended, the gain in such taxable year will not be recognized even though the money received in previous taxable years (and not treated as gain since not in excess of the basis of the converted property) was not so expended.

Effective date—January 1, 1943.

Amendment No. 38

(Page 43, lines 10-14)

Adopts provisions of Section 143(a) of the Revenue Act of 1942. Relates to basis for computing loss on sale or exchange of property acquired by gift. Amendment one of clarification.

Effective date—January 1, 1943.

Amendment No. 39

(Page 43, line 28)

Conforms to Section 143(b) of the Revenue Act of 1942. Provides basis of gift in trust to be computed in same manner as that of a gift.

Effective date—January 1, 1943.

Amendment No. 40

(Page 46, line 22, and eliminates language formerly found between the words "capital account" and "by no such adjustment")

Conforms to Section 130(b) of Revenue Act of 1942. This amendment merely complements the new Section 9(a)(7) relating to the election of capitalization of taxes and other charges.

(See explanation to Amendment No. 36, *supra*.)

Effective date—January 1, 1943.

Amendment No. 41

(Page 46, lines 29-32)

Provides for adjustment to basis of emergency facilities where amortization thereof has not been claimed.

Effective date—See Section 20(e) of Assembly Bill No. 641.

Amendment No. 42

(Page 46, lines 43-49)

Proposed amendment conforms to Section 126(c) of the Revenue Act of 1942 and complements the new Section 8(p) relating to an allowance of deduction for amortization of bond premiums and provides for an adjustment of basis of said bonds. (See Amendment No 28, *supra*.)

Effective date—January 1, 1943.

Amendment No. 43

(Page 47, lines 16-26)

Proposed amendment conforms to Section 115(b) of the Revenue Act of 1942. It is a complementary section to new Section 7(b)(8) and provides that basis of the property of lessor is not affected by the value of improvements which the lessor acquires on the termination of a lease and the value thereof is excludible from gross income.

(See Amendment No. 8, *supra*.)

Effective date—January 1, 1943.

Amendment No. 44*(Page 48, lines 1 and 2)*

This amendment changes definition of "capital assets" to exclude real property used in the trade or business. Conforms to Section 154(a) of the Revenue Act of 1942.

Effective date—January 1, 1943.

Amendment No. 45*(Page 48, lines 10-13)*

Conforms to Section 151(c) of the Revenue Act of 1942. Provides for "tacking on" of holding period of property involuntarily converted to the holding period of the replacement property.

Effective date—January 1, 1939.

Amendment No. 46*(Page 48, lines 37-41)*

Proposed amendment conforms to Section 152 of the Revenue Act of 1942. Provides that the holding period of stock acquired through the exercise of stock rights shall start from the date the right to acquire stock was exercised.

Effective date—January 1, 1943.

Amendment No. 47*(Page 49, lines 8-40)*

Section 9.4(b) is proposed to be amended to exclude "real property used in the trade or business of the taxpayer" from the term "capital assets" as used in the act. If no other amendment was proposed, gains and losses from such property would thus be 100 per cent taxable or deductible. This proposed amendment provides special rules for such property which is subject to an allowance for depreciation and is not property includible in the inventory of a taxpayer or held by him primarily for sale. Gains and losses from such property are only to be taxable or deducted fully in cases where the gains from the sale or exchanges of the same, plus the gains from the sale of capital assets, do not exceed the losses from the sale or exchanges of such property.

Effective date—January 1, 1943.

Amendment No. 48*(Page 50, lines 3 and 4, line 38, and elimination of language formerly contained in line 48)*

Adopts Section 145(b) of the Revenue Act of 1942. Provides for basis of depletion for taxable years ending after December 31, 1942, in connection with "fluorspar, ball, and sagger clay, rock, asphalt" mines. Eliminates the necessity for an election between cost and percentage depletion formerly contained in the act.

Effective date—January 1, 1943.

Amendment No. 49*(Page 51, lines 18-22)*

The proposed amendment conforms to Section 120(e)(1) of the Revenue Act of 1942. Provides that payments made to a wife as alimony and which must be included in the wife's income shall not be considered as payment for the support of any dependent.

Effective date—See Section 20(b) of Assembly Bill No. 641.

(See Amendments Nos. 16 and 27, *supra*.)

Amendment No. 50*(Page 51, lines 23-27)*

This amendment conforms to 25(b)(2)(B) of the code adopted by Section 113 of the Revenue Act of 1941, and provides where a taxpayer occupies a status of head of family by virtue of having one or more dependents, then the credit under this section shall be disallowed with respect to one of such dependents.

Effective date—January 1, 1943.

Amendment No. 51*(Page 53, lines 13, 15, and 44)*

Words added and stricken are merely in clarification of existing law.

Effective date—Retroactive.

Amendment No. 52*(Page 53, lines 44-52, page 54, page 55, lines 1-27)*

Amendment proposed to completely revise Section 12(f) to conform to Section 162(a) of the Revenue Act of 1942.

(a) Establishes the exemption of an employee's trust if:

(1) The plan covers 70 per cent or more of all employees and is found by the commissioner not to be discriminatory in favor of the officers, shareholders, etc.

(2) Contributions or benefits not discriminatory in favor of officers, etc.

(b) Provides that distributions to beneficiaries are taxed to them as annuities except that a total payment, upon separation from service, is taxable as sale or exchange of a capital asset.

(c) Provides that if trust is not exempt, and the beneficial interests of employees are nonforfeitable, contributions of employer are taxable to employee in the year the contribution is made.

(See Amendment No. 5, *supra*.)

Effective date—See Section 20(c) of Assembly Bill No. 641.

Amendment No. 53

(Page 56, lines 17-41)

Provides for taxation of alimony trust income to wife rather than husband.

Amendment No. 54

(Page 56, lines 44-47, page 57, lines 4-8)

Provides that returns need not, other than fiduciary returns, be verified by other than written declaration that they are made under the penalty of perjury. Also, provides that an individual who wilfully makes a return which he does not believe to be true is guilty of felony and subject to penalty prescribed for perjury.

Effective date—January 1, 1943.

Conforms to Section 136(a) of the Revenue Act of 1942.

Amendment No. 55

(Page 58, lines 8, 9, 11, 13, and lines 14-43)

(1) Amendment changes language (but not meaning) of Section 16b2.

(2) Provides for method of adjusting tax computed for "short period" and allows refund if necessary.

Conforms to Section 135(a) of Revenue Act of 1942.

Effective date—January 1, 1943.

Amendment No. 56

(Page 59, lines 4-10)

Conforms to Section 134(a) of the Revenue Act of 1942. Eliminates from gross income of decedent (for year of death) amount includible, under Section 7.2, in the gross income of decedents' estate (except amounts included in computing a partner's net income under Section 22).

Effective date—January 1, 1943.

Amendment No. 57

(Page 59, lines 17-23)

Conforms to Section 134(b) of the Revenue Act of 1942. Refers to "deductions" in the same manner that Amendment No. 56 refers to "gross income."

Amendment No. 58

(Page 60, lines 3-8)

Provides that in the case the taxpayer is not in existence for the whole of the year, his income is not to be placed on an "annual" basis. Conforms to Section 135(c) of the Revenue Act of 1942.

Effective date—January 1, 1943.

Amendment No. 59

(Page 60, lines 9-30)

Allows a binding election to be made by taxpayer to report increment in certain noninterest-bearing bonds to be reported annually. Conforms to Section 114 of the Revenue Act of 1941.

Effective date—January 1, 1943.

Amendment No. 60

(Page 61, lines 19-24)

Provides for new dates for finality of Board of Equalization opinions.

Amendment No. 61

(Page 62, lines 39-51, and page 63, lines 1-14)

Proposed amendment would make the following changes:

(1) If the time within which the commissioner may propose an additional assessment is extended by a written waiver filed with the commissioner or the Federal bureau by the taxpayer, the taxpayer's time to claim a refund is automatically extended to the same period.

(2) Statute of limitations within which a claim for refund, based upon worthlessness of a debt, or stock, or recoveries of bad debts, etc., is extended to seven years. Effective date—January 1, 1943.

Amendment No. 62

(Page 63, lines 35-41)

Provides for new dates for finality of Board of Equalization opinions.

Amendment No. 63

(Page 64, lines 23-52, page 65, page 66, lines 1-46)

Extends moratorium to members of the armed forces, and others, outside the boundaries of the United States for 90 days. Sets up specific rules to cover returns, payment of tax, assessments, etc.

Effective Date Clause

(Page 67, lines 5-52, and page 68, lines 1-22)

Section 20 of Assembly Bill No. 641 provides that this act would become effective immediately, and generally speaking would be applicable to taxable years beginning after December 31, 1942. However, it sets up specific exceptions to this rule.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 136

Assembly Bill No. 1402

Assembly Bill No. 759

Assembly Bill No. 1974

Assembly Bill No. 900

Assembly Bill No. 1983

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1217—An act to add Division 16, comprising Sections 25000 to 25551, inclusive, to the Streets and Highways Code, and to add Sections 50005 to Division 50 of said code, thereby consolidating and revising the law relating to the creation, organization and government of joint highway districts composed of two or more counties of the State of California, and providing for the issuance of bonds and the levy and collection of all taxes, assessments and other moneys necessary for the retirement and payment thereof, and for the payment of the costs of all acquisitions and improvements and all other expenses hereunder;

Assembly Bill No. 1218—An act to add Part 2, comprising Sections 26000 to 26263, inclusive, to Division 16 of the Streets and Highways Code, and to add Section 50006 to Division 50 of said code, thereby consolidating and revising the law relating to the formation, establishment and government of boulevard districts, and the construction, acquisition, maintenance, control and use of boulevards by such districts, and providing for the voting, issuing and selling of bonds and the levying of taxes to finance such boulevards;

Assembly Bill No. 1552—An act to amend Section 1 of an act entitled "An act to provide for the establishing and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, relating to destruction of such records as the result of enemy action or from any other cause; And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of April, 1943, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 213—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to motor vehicles, and declaring the urgency of this act;

Assembly Bill No. 619—An act to add Section 7154.1 to the Labor Code, relating to scaffolding;

Assembly Bill No. 1007—An act to amend Section 1a of an act entitled "An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the Chairman of the Judicial Council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments," approved May 20, 1927, as amended.

relating to expenses of judges and justices of the peace sitting under assignment from the Judicial Council;
And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of April, 1943, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 165—An act to amend Section 3212.5 of the Labor Code, relating to workmen's compensation benefits for members of the State Highway Patrol;

Assembly Bill No. 461—An act to amend Section 4808 of the Penal Code, relating to the membership of the Advisory Pardon Board;

Assembly Bill No. 1128—An act to amend Section 96 of the State Civil Service Act, relating to reemployment lists;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of April, 1943, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1260—An act making an appropriation for legislative printing, binding, etc., to take effect immediately;

Assembly Bill No. 1261—An act making an appropriation to the Printing Fund, to take effect immediately;

Assembly Bill No. 1992—An act relating to officers, deputies, assistants and employees of counties, cities and counties, and cities, and their rights and privileges in relation to their several public offices and employments during and after termination of their service in civilian defense, declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of April, 1943, at 8 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1527—An act to add Section 152 6 to the State Civil Service Act, relating to the effect of time spent in the military service by civil service employees;

Assembly Bill No. 1559—An act to amend Sections 501, 502, 503, 504, and 505 of the Elections Code, relating to election precincts;

Assembly Bill No. 1799—An act to add Section 1290.5 to the Fish and Game Code, relating to deer skins, declaring the urgency of this act, to take effect immediately; And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of April, 1943, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1058
And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Joint Resolution No. 47
Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Bill No. 1504

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SAM L. COLLINS, Chairman

Above reported bill ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1994

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be-re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Public Utilities, Manufacturing, and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which was referred:

Assembly Bill No. 1988

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 83—An act to amend Section 664a of the Political Code, relating to the payment of State officers and employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 258—An act to add Section 57.2 to the State Civil Service Act, relating to guards at the State prisons.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1, line 5, of the printed bill, immediately following "include", strike out "such State officers, and employees, not including the wardens of the State prisons, as are appointed, or employed for the purpose of guarding the persons imprisoned in the State prisons.", and insert "State officers and employees presently exempt from civil service and who are directly appointed or employed by the State Board of Prison Directors or any warden of a State prison except:

(1) One person holding a confidential position to the State Board of Prison Directors.

(2) The warden or person holding a similar position of any State prison or correctional institution.

(3) One person holding a confidential position to each such warden or person holding a similar position.

(4) Inmate help in any correctional institution subject to the jurisdiction of the State Board of Prison Directors.

Persons who left such employment subsequent to January 1, 1940, or who hereafter may leave to enter the military service of the United States but who, had they

remained in such employment, would have been entitled to probationary status under this act shall be accorded the full protection of Section 152.5 of this act."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 520—An act to add Section 87.5 to the State Civil Service Act, relating to promotions and promotional examinations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "is eligible and has the right to take any promo-", and strike out lines 8 to 13, inclusive, and insert "shall not be disqualified in a promotional examination solely because of the physical disability incurred in the line of duty, unless the duties of the higher position require a greater degree of physical agility or proficiency than that required to perform the duties of his present position."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1834—An act to add Section 83.1 to the State Civil Service Act, relating to oral examinations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "The board by rule shall provide for standardiza-"; strike out all of lines 4 and 5, and in line 6, strike out "fications permit."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 745—An act to add Section 59.5 to the State Civil Service Act, providing for the creation of a clerical pool to make available clerical services to all State appointing powers.

Bill read second time, and ordered to third reading.

Senate Bill No. 478—An act to add a new section to the State Civil Service Act, to be numbered 57.1, relating to the officers and employees of the Railroad Commission of the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1, line 7, of the printed bill, immediately following "California", strike out the period, and insert ", except the phonographic reporters and transcribers of it proceedings. Persons who left the employment of the commission, or who hereafter may leave to enter military service of the United States but who, had they remained

in such employment, would have been entitled to permanent or probationary status under this act shall be accorded the full protection of Section 152.5 of this act."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 497—An act to add Sections 3e, 3f, 38f, 38g, 101b, 101c, 103a and 114 to, and to amend Sections 8, 9, 28, 28a, 38c, 38e, 46, 47, 49, 51, 58b, 84, 85, 90, 92, 94, 100, 101 and 111 of, the State Employees' Retirement Act, relating to a retirement system for public officers and employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "3f," insert "8d."

Amendment No. 2

In line 3 of the title of said bill, after "58b," insert "65a, 65b, 65e, 79, 83."

Amendment No. 3

On page 2 of said bill, between lines 4 and 5, insert:

"SEC. 3.5. Section 8d is added to said act, to read:

Sec. 8d. "Fire service" and "police service" shall mean service rendered as a city fireman or a city policeman, respectively, and for the purpose of this act, a member shall be considered as being in "fire service" or "police service", as the case may be, while he is receiving compensation from a city for such service, except as provided in Section 47."

Amendment No. 4

On page 3, line 36, of said bill, before the period, insert ", or by an ordinance adopted by a majority vote of the electorate of the city voting thereon".

Amendment No. 5

On page 3, line 40, of said bill, strike out "(2) Said", and insert

"(2) If the contract was approved by an ordinance adopted by the legislative body, said".

Amendment No. 6

On page 3, line 45, of said bill, after the period, insert "If the contract was approved by an ordinance adopted by a majority vote of the electorate voting thereon, the legislative body may terminate said contract in the manner provided in this subdivision but only under authority granted by ordinance adopted by such a majority vote of the electorate of the contracting city."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 7

On page 11 of said bill, between lines 30 and 31, insert

"SEC. 15.1. Section 65a of said act is amended to read:

Sec. 65a. The normal rates of contribution of each member, who is also a member of the California Highway Patrol, shall be based on his age at July 1, 1935, or at his later entrance into the retirement system, and his age when he entered Highway Patrol service, both ages being taken to the next lower completed quarter year. The age at entrance into the Highway Patrol service, if said entrance was prior to July 1, 1935, shall be determined by deducting the total of such service credited to the member at July 1, 1935, from his age at that date. The normal rates of contribution of each such member who entered Highway Patrol service at or below age 45 shall be such as, on the average, for such member, if his service on full salary be uninterrupted and when accumulated with regular interest, added to the equal accumulated contributions of the State and applied according to the tables adopted by the board will provide a retirement allowance upon retirement for service at the age of 60 years, or upon completion of 20 years of *Highway Patrol* service at an age higher than 60 years, equal to one-half of his final compensation, less that part of the retirement allowance set forth in Section 83a, which is to be provided by contributions of the State on

account of *Highway Patrol* service rendered prior to January 1, 1932, if such member affirmatively exercises the option in Section 65d, otherwise, less a pension calculated in the same manner as the pension in Section 83a, but on the basis of Highway Patrol service rendered by him prior to July 1, 1935. If such member entered Highway Patrol service at an age greater than 45 years, then his normal rate of contribution shall be such as will provide an average annuity at age 65 equal to one-eightieth of his final compensation, according to tables adopted by the board, for each year of *Highway Patrol* service after July 1, 1935, or after entrance into the retirement system if he affirmatively exercises the option in Section 65d. The normal rate of contribution of any member who received credit for service rendered as a member of the Highway Patrol of a county in California, shall be adjusted in such manner as may be necessary to comply with this section.

SEC. 15.2. Section 65b of said act is amended to read:

Sec. 65b. If a member ceases to be a member of the California Highway Patrol or a city fireman or city policeman and continues to be a member of the retirement system in a different employment status, or if the reverse be true, then the accumulated contributions standing to his credit or redeposited by him shall remain in his individual account, and the rate of his contribution thereafter shall be the normal rate provided herein for persons in his new group or class of employment and at his *then attained* age. [When he first became a member, subject to Section 70 hereof in the event he did not redeposit accumulated contributions withdrawn from the system.]

SEC. 15.3. Section 65e of said act is amended to read:

Sec. 65e. *The normal rates of contribution of each member who is also a city fireman or city policeman shall be based on his age at his entrance into the retirement system and his age when he entered fire or police service, both ages being taken to the next lower completed quarter year. The age at entrance into fire or police service shall be determined by deducting the total of such service from his age at his entrance into the retirement system.* The normal rates of contribution of each member who is a city policeman or city fireman and who entered the *fire or police* service of the city, or became a member of the retirement system, if no credit for prior service is granted, at or below age 45 shall be such as, on the average for such member, if his service on full salary be uninterrupted and when accumulated with regular interest, added to the annual accumulated contributions of the contracting city and applied according to the tables adopted by the board will provide a retirement allowance upon retirement for service under Section 79, at the minimum age at which said retirement is permitted, or upon completion of 20 years of service at an age higher than said minimum age, equal to one-half of his final compensation. If such member entered the *fire or police* service of the city, or became a member of the retirement system, if no credit for prior service is granted, at an age greater than 45 years, then his normal rate of contribution shall be such as will provide an average annuity at age 65 equal to one-eightieth of his final compensation, according to tables adopted by the board, for each year of *fire or police* service as a member.

SEC. 15.4. Section 79 of said act is amended to read:

Sec. 79. Upon attaining the age of 60 or more years and completing 20 years of continuous State service credited under this act, among which must be included one year of service after becoming a member of the retirement system, any member, who is not a member of the California Highway Patrol, city fireman or city policeman, shall be retired upon his written application to the board.

A member who is also a member of the California Highway Patrol and who has completed 20 years of continuous State [Highway Patrol] service credited under this act and attained the age of 50 or more years shall be retired upon his written application to the board.

A city fireman or city policeman who has completed at least 20 years of continuous State service credited under this act, and who has attained at least the minimum optional retirement age, which shall be not less than 55 years or more than 60 years, specified in the contract provided by Section 38c, in lieu of 60 years required of other members, shall be retired upon his written application to the board. Any member, other than members employed by a contracting city and members of the California Highway Patrol, who is separated from State service because of a curtailment of such service or a change in the manner of performing such service, but not because of resignation or dismissal under charges, and who has attained the age of 50 years and is credited with 15 or more years of State service, shall be retired upon his written application to the board; provided, said board determines said separation to be of an extended and uncertain duration, and not the separation normally experienced by members in positions known at the time of employment to be of limited duration or employed on a seasonal or intermittent basis.

SEC 15.5. Section 83 of said act is amended to read:

Sec 83. An additional pension, purchased by the contributions of the State, for members other than [members of the California Highway Patrol,] persons who are employees of the university at the time of becoming members, and members employed by a contracting city. Such additional pension shall be equal to one-seventieth of the average annual compensation earnable by him during the three years ending December 31, 1931, multiplied by the number of years of prior service *other than*

Highway Patrol service credited to him, except that if a member retires before attaining the age of 65 years, the additional pension shall be reduced to that amount which the value of the pension computed as provided in this paragraph as deferred to age 65, will purchase at the actual age of retirement."

Amendment No. 8

On page 7, line 37, of said bill, strike out the last "in", and insert "On ships operated by or for the United States Government".

Amendment No. 9

On page 7, line 38, of said bill, strike out "the Merchant Marine of the United States".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1929

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

Senate Bill No. 348

Senate Bill No. 725

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 508

Senate Bill No. 527

Senate Bill No. 612

Senate Bill No. 664

Senate Bill No. 734

Senate Bill No. 853

Senate Bill No. 1003

Senate Bill No. 1026

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 19, 1943, adopted:

Senate Concurrent Resolution No. 36

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 508—An act to add Sections 1.94 and 1.95 to the School Code and to add Sections 16276 and 16277 to the Education Code, relating to the lease of busses owned by, or under lease to, school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 527—An act to amend Section 101 of and to add Section 103a to the State Employees' Retirement Act, relating to retirement benefits for members of the California Highway Patrol.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 612—An act to amend Section 696 of the Political Code, relating to the Revolving Fund for State Purchases.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 664—An act to include in the State civil service certain persons appointed or employed by or under the State Board of Prison Directors or any warden of a State prison and to provide disciplinary procedures governing such employees:

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 734—An act to amend Sections 2 $\frac{1}{2}$ and 50 $\frac{1}{2}$ of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act and repealing Title 15 of Part 4 of Division 1 of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, relating to the definition of and regulation of passenger stage corporations.

Referred to Committee on Public Utilities, Manufacturing, and Corporations.

Senate Bill No. 853—An act to amend Section 1233 of the Probate Code, and Section 2009 of the Code of Civil Procedure, relating to rules of pleading and practice in judicial proceedings, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 1003—An act to amend Section 7 of the Unemployment Insurance Act, relating to excluded employments under said act.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1026—An act to amend Section 7 of the "Unemployment Insurance Act," relating to exemptions.

Referred to Committee on Finance and Insurance.

Senate Concurrent Resolution No. 36—Relative to recognition of entertainers who appeared at dinner given Members of the Legislature on April 16, 1943.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 36, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 36

Senate Concurrent Resolution No. 36—Relative to recognition of entertainers who appeared at dinner given Members of the Legislature on April 16, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Johnson, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 306

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 306—An act to establish a Postwar Construction Fund in the State Treasury for postwar construction of public works and necessary planning and surveys therefor in advance thereof, to make an appropriation thereto, and to declare the purpose for which said fund is intended.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Construction Fund in the State"; and strike out lines 2 and 6, inclusive, of said title, and insert "Reserve for the construction and reconstruction of State buildings and institutions; defining the powers and duties of State officers in connection therewith, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 26, inclusive; and on page 2, strike out lines 2 to 33, inclusive, and insert

"SECTION 1. In order to meet the needs of the State for construction and rehabilitation of buildings and facilities when materials and skilled labor are once more available, there is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of thirty-three million dollars (\$33,000,000) as a Postwar Reserve for State Building Construction and Reconstruction which, upon written authorization of the Department of Finance and the approval of the State Board of Control, shall become available for expenditure for construction, reconstruction, rehabilitation and replacement of buildings and other facilities for State institutions, prisons, reformatories or custodial schools, homes, colleges, including the Woman's Relief Corps Home and the Veterans' Home of California, schools, the University of California, and for buildings and other facilities for other State agencies, for necessary equipment and furnishings in connection therewith, and for investigations, plans and specifications therefor. Aggregate expenditures authorized for investigations, plans, and specifications shall not exceed 4½ per cent of the amount herein appropriated, after deducting allocations to the University of California.

SEC. 2. The appropriation made by this act shall be exempt from the provisions of Section 435 of the Political Code and shall constitute a reserve within the General Fund in the State treasury not available for expenditure except as provided for herein. Any balance in such Postwar Reserve for State Building Construction and Reconstruction which has not been authorized for expenditure as provided in

Section 1 hereof shall be excluded in determining the surplus, excess, deficit or deficiency of the General Fund in any balance sheet or other statement of financial condition of the State of California.

SEC. 3. The moneys appropriated by this act shall be invested and reinvested by the Director of Finance in bonds or other obligations of the United States, or for which the full faith and credit of the United States are pledged, having maturity dates not more than three years from the date of investment, and such securities may be sold or exchanged by the Director of Finance if in his opinion such sale or exchange is in the best interests of the State in effectuating the purposes of this act. The increment from such investments shall be paid into the General Fund.

SEC. 4. The Postwar Reserve for State Building Construction and Reconstruction and any amounts authorized for expenditure therefrom may be augmented by any money granted, donated or otherwise contributed to the State or any agency, political subdivision or municipal corporation thereof, from any source for the purposes of this act or for any project authorized hereunder.

SEC. 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows: One of the purposes of this act is to authorize the investment of a portion of the present surplus moneys in the State treasury in bonds or other obligations of the United States Government in order to assist said government in the successful prosecution of the war. The need of said government for money is urgent and should not await the time this act would normally take effect if it were not an urgency measure."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

RECONSIDERATION OF SENATE BILL NO. 591

In compliance with a notice given on a previous day, Mr. Leonard moved that the vote whereby Senate Bill No. 591 was passed be reconsidered.

Senate Bill No. 591 reconsidered by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Dickey, Doyle, Erwin, Field, Fourn, Guthrie, Haggerty, Hastain, Heisinger, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massouh, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Thurman, Watson, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Further Consideration of Senate Bill No. 591

Senate Bill No. 591—An act to amend Sections 794, 799, and 800 of the Fish and Game Code, relating to abalones, and declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Leonard moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "and 800", and insert "800 and 801".

Amendment No. 2

On page 1, line 19, of said bill, strike out "19,".

Amendment No. 3

On page 1, lines 21 and 22, of said bill, strike out "when the abalones are taken in water less than 20 feet in depth".

Amendment No. 4

On page 2 of said bill, between lines 2 and 3, insert

"SEC. 4. Section 801 of said code is amended to read:

801. In District 18 the bag limit is 10 abalones per day, in District 19 the bag limit is 10 abalones per day and 20 per week, and in District 10 the bag limit is five abalones per day, when the abalones are taken in water less than 20 feet in depth. Abalones so taken may not be sold."

Amendment No. 5

On page 2, line 4, of said bill, strike out "4", and insert "5".

Amendment No. 6

On page 1, line 6, of the printed bill, as amended, strike out "10".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

**RECONSIDERATION OF WITHDRAWAL AND RE-REFERENCE
OF SENATE BILL NO. 785**

In compliance with a notice given on a previous day, Mr. Potter moved that the vote whereby Senate Bill No. 785 was withdrawn from the Committee on Public Utilities, Manufacturing, and Corporations and re-referred to the Committee on Judiciary be reconsidered.

Demand for Previous Question

Messrs. Heisinger, Robertson, Waters, Bashore, and Anderson demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider the vote whereby Senate Bill No. 785 was withdrawn from the Committee on Public Utilities, Manufacturing, and Corporations, and re-referred to the Committee on Judiciary.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Potter moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Brown, Burns, Carey, Carlson, Clarke, Collins, George D. Debs, Denny, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Guthrie, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Maloney, Massion, Middough, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weybret, and Wollenberg—46.

NOES—Beck, Berry, Call, Collins, Sam L., Crichton, Dickey, Dills, Clayton A., Gaffney, Haggerty, Lyons, McCollister, McMillan, Miller, O'Day, Sheridan, Thomas, Thurman, and Werdel—18.

Time, 10.07 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1112—An act to amend Section 385 of the Political Code, relating to the appointment of secretaries, assistants and

employees of the Governor, and to repeal Section 386 of the Political Code.

Bill read third time.

Motion to Amend

Mr. Wollenberg moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, after "office.", insert "No salary fixed under this section shall be in excess of eight thousand dollars (\$8,000) per year."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 66—An act adding to the Political Code Section 790, relating to the powers of attorneys at law.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "adding to the Political Code Section 790", and insert "to add Section 282 to the Code of Civil Procedure".

Amendment No. 2

On page 1 of said bill, strike out lines 1, 2, and 3; and in line 4, strike out "790", and insert

"SECTION 1. Section 282 is added to the Code of Civil Procedure, to read: 282".

Amendment No. 3

On page 1 of said bill, between lines 12 and 13, insert

"An attorney administering an oath or affirmation under this section shall keep a record of the person to whom he administers the oath or affirmation, the pleading or affidavit with respect to which the oath or affirmation is administered and the date of its administration.

The attorney need not impress a seal upon the affidavit or pleading. The affidavit or pleading shall contain a notation substantially as follows: "Subscribed and sworn (or affirmed) to before me this _____ day of _____, 19____, _____ Attorney-at-law."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Rush Order for Printing

The Speaker ordered a rush order placed upon the printing of Assembly Bill No. 66.

RECONSIDERATION OF ASSEMBLY BILL NO. 1555

In compliance with a notice given on a previous day, Mr. O'Day moved that the vote whereby Assembly Bill No. 1555 was passed be reconsidered.

Assembly Bill No. 1555 refused reconsideration by the following vote:

AYES—Anderson, Berry, Collins, George D., Gaffney, Haggerty, King, Maloney, Miller, O'Day, Sawallisch, and Smith—11.

NOES—Armstrong, Bashore, Beck, Burns, Carey, Carlson, Clarke, Collins, Sam L., Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fout, Gannon, Guthrie, Hastain, Heisinger, Hollibaugh, Kellems, Knight, John B., Leonard, Lowrey, Lyons, Massion, McCollister, Middough, Potter, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—45.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 471—An act to amend Section 1203.2a of the Penal Code, relating to probation and terms of imprisonment.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 471?

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 16, inclusive, and insert "If any defendant who has been released on probation is committed to a prison in this State for another offense, the court which released him on probation shall have jurisdiction to impose sentence, if no sentence has previously been imposed for the offense for which he was granted probation, in the absence of the defendant.

The probation officer may, upon learning of such defendant's imprisonment, and must within 30 days after being notified in writing by the defendant or his counsel, or the warden or superintendent or clerk of the prison in which the defendant is confined, report such commitment to the court which released the defendant on probation.

Upon being informed by the probation officer of the defendant's confinement, or upon receipt from the warden, superintendent or clerk of any prison in this State of a certificate showing that the defendant is confined in prison, the court shall issue its commitment if sentence has previously been imposed, or shall impose sentence and issue its commitment if sentence has not previously been imposed, or shall make other final order terminating its jurisdiction over the defendant in the case in which the order of probation was made, and if no such order is made within 30 days after the court has been notified as herein provided of the defendant's confinement, then the court shall be deprived thereafter of any jurisdiction over the defendant in the case on which he was granted probation."

Amendment No. 2

On page 1, line 24, of the printed bill, strike out "for his subsequent offense.", and insert "for his subsequent offense, unless the court shall order that the sentence for the prior offense shall commence upon termination of the sentence for said subsequent offense."

Amendment No. 3

On page 1, line 14, of the printed bill, as amended, before "if", insert "1203 2a".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 471 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hagertr, Heisinger, Hollibaugh, Johnson, Kilpatrick, Kung, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 471 ordered enrolled.

Assembly Bill No. 569—An act to add Section 2710.2 to the Penal Code, relating to the California Institution for Men Working Revolving Fund, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 569?

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, as amended, strike out "including an inmate wage as set by the board,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 569 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Clayton A.,

Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 569 ordered enrolled.

Assembly Bill No. 570—An act to add Section 2710.1 to the Penal Code, relating to the Folsom Working Revolving Fund, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 570?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, strike out "including an inmate wage as set by the board."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 570 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 570 ordered enrolled.

Assembly Bill No. 571—An act to amend Section 2710 of the Penal Code, relating to working revolving funds for the State prisons, declaring the urgency hereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 571?

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, as amended, strike out "including an inmate wage as set by the board."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 571 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 571 ordered enrolled.

Assembly Bill No. 593—An act to amend Sections 701, 777 and 778 of the Welfare and Institutions Code, relating to minors who should be declared free from parental control, and relating to the procedure in such cases.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 593?

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "such parent or parents", and insert "the parent or parents abandoning him".

Amendment No. 2

On page 1, line 25, of said bill, after "such", insert "cruel or neglectful".

Amendment No. 3

On page 2, line 7, of said bill, after "such", insert "habitually intemperate or morally depraved".

Amendment No. 4

On page 2, line 29, of said bill, after "parents", insert "so declared to be feeble-minded or insane".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 593 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 593 ordered enrolled.

Assembly Bill No. 463—An act to add Section 3041a to the Penal Code and to amend Sections 3043 and 3045 of the Penal Code, relating to paroles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 463?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "add Section 3041a to the Penal Code and", and insert "and to add Article 4 to Chapter 8 of Title 1 of Part 3 of the Penal Code, to permit paroles of men from State prison, county jails and city jails into the armed forces of the United States during the war emergency and to create a new form of parole for such persons to be known as special service parole, declaring the urgency of this measure and providing that it should take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 14, inclusive, and insert "SECTION 1. Article 4 is hereby added to Chapter 8 of Title 1 of Part 3 of the Penal Code, to read:

Article 4. Special Service Paroles

3100. In order to assist in meeting the growing crisis in manpower in the present war emergency and also to further the rehabilitation of men in the several prisons and jails in this State, there is hereby created for the duration of said war emergency a system or form of parole to be known as special service parole for release of such men into the armed forces of the United States through the facilities of National Selective Service.

3101. The agencies charged with administering the provisions of this article shall at all times work in cooperation with National Selective Service and be familiar with the rules and regulations thereof and with the type of men acceptable thereto.

3102. The agencies charged with administering the provisions of this article shall make such rules and regulations, not inconsistent with law, as it may deem necessary in relation to the granting of selective service paroles in order to effectuate the purposes of this article.

3103. The Division of Prison Terms and Paroles is hereby charged with the administration of the provisions of this article with respect to selective service paroles of prisoners in State prisons. The board of parole commissioners of each county is hereby charged with similar duties with respect to prisoners under their control. Said county boards, however, shall in the exercise of said duties cooperate with and conform to the pattern or system of selective service parole prescribed by the rules and regulations of the Division of Prison Terms and Paroles to the end that the functions of all said agencies shall be coordinated into a uniform system that will best meet the needs of National Selective Service.

3104. Special service paroles are paroles granted by the Board of Prison Terms and Paroles or by a county board of parole commissioners, as the case may be, to men in State prisons and county or city jails, who are qualified for service in the armed forces according to the National Selective Service Act and rules and regulations made pursuant thereto. Persons given this parole shall go directly from custody into the hands of military authorities and shall in no case be paroled to civilian life.

3105. Special service paroles shall be conditional in nature and shall continue in force, unless sooner revoked, for a period of time equal to the maximum term of imprisonment theretofore fixed for the parolee.

3106. Such persons given such paroles who complete their service in some branch of the armed forces and receive an honorable discharge therefrom may then be eligible for full pardon from the Governor even though they have not served their full period of parole by the end of their period of service, or such person may petition the authority granting his parole for a full discharge from parole and the paroling authority may consider the honorable discharge from any branch of the armed services as ground for granting such discharge.

Should no pardon or discharge be granted then the parole shall continue according to law.

3107. The names and records of all men granted special service paroles shall be kept in the confidential files of the administrative agency, but shall be available to the Governor, the Attorney General, the Advisory Pardon Board, National Selective Service and the military authorities, including the commanding officer of any such parolee.

3108. With respect to State prisoners, no prisoner who has had imposed upon him two or more cumulative or consecutive sentences shall be eligible for special service parole, until he has served, at least one calendar year, of the aggregate of such cumulative or consecutive sentences.

3109. No prisoner confined in the State prison, and no prisoner under sentence to the State prison, who is convicted of an escape or an attempt to escape from the prison or the guards shall be eligible for special service parole, until he has served at least one calendar year from and after the date of his return to the prison after such conviction.

3110. No prisoner who has served a previous sentence in a State prison, in this or any other State, or in a Federal penitentiary, shall be eligible for special service parole, until he has served at least one calendar year.

3111. No prisoner under a life sentence shall be eligible for special service parole, until he has served at least five calendar years.

3112. In all other cases not specially provided for in the sections immediately preceding, no prisoner shall be eligible for special service parole until he has served in a State prison either the minimum term of imprisonment provided by law for the crime of which he was convicted, or one year, whichever may be deemed best within the discretion of the paroling authorities. In special meritorious cases special service parole may be granted a prisoner who has served nine months with benefit of credits.

3113. The Board of Prison Terms and Paroles and the Governor shall have, over persons granted special service paroles, the same rights and powers of revocation as are now possessed in all other paroles as provided under this title.

3114. The dishonorable discharge of a special service parolee from the armed forces shall be sufficient cause for revocation of parole, whether such dishonorable discharge occurs either during or after the present war.

3115. All persons granted special service paroles shall report in writing by mail directly to the agency which paroled him at such intervals as that agency may prescribe. Such report shall consist of a statement that said parolee is still serving in the armed forces, and, so far as military regulations will permit, shall designate the particular military organization with which he is serving together with such other matters as the paroling agency shall prescribe. Such report shall be approved by the unit commander of the parolee.

3116. It shall be permissible for any and all men who, at the time this article becomes law, are on parole from any State prison or county jail in California, to apply to the authority which placed them on parole for permission to be placed on the special service parole for the purpose of entering the armed forces. Any and all such persons who then enter the armed forces become subject to all of the duties, obligations, and rights embodied in the article in relation to discharge, pardon, reporting, and revocation of parole."

Amendment No. 3

On page 2 of said bill, after line 8, insert

"Sec. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the State Constitution and shall therefore go into immediate effect. The facts constituting urgency are as follows:

There are now many able-bodied men serving time in State prisons, county jails and city jails who, if given an opportunity to serve in the armed forces could

materially assist the military manpower needs of this Nation. This legislation would not only provide men for armed service but would also provide a method of rehabilitation. Time is of the essence in providing manpower for the armed forces and this act should therefore go into effect immediately."

Amendment No. 4

On page 4, line 1, of the printed bill, as amended, strike out "nine", and insert "six".

Amendment No. 5

On page 4, line 14, of said bill, as amended, strike out "Sec."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 463 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Clayton A., Dill, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 463 ordered enrolled.

Assembly Bill No. 357—An act to add Section 174 to the State Civil Service Act, relating to reinstatement of persons who leave the civil service to serve as seamen on vessels of the United States in time of war.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 357?

Amendment No. 1

On page 1, line 10, of the printed bill, after "earlier", insert "; provided, however, that any such officer or employee whose service shall be terminated in a foreign country and who shall leave the foreign country to return to the United States within 90 days after termination of service shall have 90 days after return to the United States within which to make application".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 357 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 357 ordered enrolled.

Assembly Bill No. 1000—An act to amend Section 4295 of the Political Code and to amend Section 6103 of the Government Code, relating to payment of fees to State, county and township officers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1000?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "Section 6103", and insert "Sections 6103 and 6107".

Amendment No. 2

On page 2, line 15, of said bill, strike out "verified", and insert "certified".

Amendment No. 3

On page 2, line 21, of said bill, after "ance", insert "or any other act of Congress granting claims for pensions, allotments, allowances, compensation insurance, or automatic insurance to any person by reason of service of that person or any other person in the Army, Navy, or Marine Corps".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 3, line 12, of said bill, strike out "2", and insert "6107 of the Government Code is amended to read:

6107. Neither the State nor any county, or city, nor any public officer or body acting in his official capacity on behalf of the State, any county, or city, including notaries public, shall demand or receive any fee or compensation for:

(a) Recording or indexing any discharge of a soldier, sailor, or marine of the United States Army, Navy, or Marine Corps, or of a nurse who served in the American Red Cross or in the Army or Navy Nursing Corps.

(b) Issuing certified copies of such discharges.

(c) Any service whatever rendered in the matter of a pension claim, application, affidavit, voucher, or any claim to be presented to the Administrator of Veterans' Affairs under the World War Veterans' Act, 1924.

(d) Furnishing a [verified] *certified* copy of the public record of marriage, death, birth or divorce, deed of trust, mortgage, or property assessment, or making the search for them, when they are to be used in a claim for pension, or a claim for allotment, allowance, compensation, insurance, automatic insurance, or otherwise under the World War Veterans' Act, 1924 or under any other act of Congress for service in the Army, Navy, or Marine Corps.

The services specified in this section shall be rendered on the request of a United States official, a claimant, or his guardian or attorney. An officer is liable on his official bond for every failure or refusal to render the services.

SEC. 4. Sections 2 and 3".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1000 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None

Assembly Bill No. 1000 ordered enrolled.

Assembly Bill No. 240—An act to amend Sections 45 and 46 of the Elections Code, relating to petitions and papers signed by voters.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 240?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 45 and 46", and insert "Section 45".

Amendment No. 2

On page 1, line 17, of said bill, after "residence.", insert "The date of signing shall appear opposite each name, but if successive signers sign on the same date, marks may be used to indicate that the dates are the same."

Amendment No. 3

On page 1 of said bill, strike out lines 23 to 28, inclusive; and on page 2, strike out lines 1 to 6, inclusive.

Amendment No. 4

On page 1, line 12, of said bill, strike out the period, and insert a semicolon and "provided, however, that each signer of any municipal initiative, referendum, recall or any nominating petition or paper shall in addition to the other requirements of

this section, at the time of signing the petition or paper affix thereto the date of his signing."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 240 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Duran, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 240 ordered enrolled.

Assembly Bill No. 281—An act to amend Section 10 of the Municipal Court Act of 1925, relating to clerks and attaches.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 281?

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "dollars (\$400)", and insert "twenty dollars (\$420)".

Amendment No. 2

On page 1, line 15, of said bill, strike out "dollars (\$320)", and insert "five dollars (\$325)".

Amendment No. 3

On page 1, line 16, of said bill, strike out "forty-five dollars (\$245)", and insert "fifty dollars (\$250)".

Amendment No. 4

On page 1, line 18, of said bill, strike out "dollars (\$270)", and insert "five dollars (\$275)".

Amendment No. 5

On page 1, line 20, of said bill, strike out "dollars (\$270)", and insert "five dollars (\$275)".

Amendment No. 6

On page 1, line 22, of said bill, strike out "dollars (\$270)", and insert "five dollars (\$275)".

Amendment No. 7

On page 1, line 23, of said bill, strike out "dollars (\$220)", and insert "five dollars (\$225)".

Amendment No. 8

On page 1, line 25, of said bill, strike out "dollars (\$220)", and insert "five dollars (\$225)".

Amendment No. 9

On page 1, lines 26 and 27, of said bill, strike out "one hundred ninety-five dollars (\$195)", and insert "two hundred dollars (\$200)".

Amendment No. 10

On page 1, line 28, of said bill, strike out "fifty-five dollars (\$155)", and insert "sixty dollars (\$160)".

Amendment No. 11

On page 2, line 2, of said bill, strike out "forty-five dollars (\$145)", and insert "fifty dollars (\$150)".

Amendment No. 12

On page 2, lines 3 and 4, of said bill, strike out "forty-five dollars (\$145)", and insert "fifty dollars (\$150)".

Amendment No. 13

On page 2, line 6, of said bill, after "hundred", insert "twenty".

Amendment No. 14

On page 2, line 7, of said bill, strike out "(\$400)", and insert "(\$420)".

Amendment No. 15

On page 2, line 9, of said bill, strike out "dollars (\$320)", and insert "five dollars (\$325)".

Amendment No. 16

On page 2, lines 10 and 11, of said bill, strike out "dollars (\$170)", and insert "five dollars (\$175)".

Amendment No. 17

On page 2, lines 12 and 13, of said bill, strike out "dollars (\$270)", and insert "five dollars (\$275)".

Amendment No. 18

On page 2, line 15, of said bill, strike out "forty-five dollars (\$245)", and insert "fifty dollars (\$250)".

Amendment No. 19

On page 2, lines 16 and 17, of said bill, strike out "dollars (\$220)", and insert "five dollars (\$225)".

Amendment No. 20

On page 2, lines 18 and 19, of said bill, strike out "one hundred ninety-five dollars (\$195)", and insert "two hundred dollars (\$200)".

Amendment No. 21

On page 2, line 20, of said bill, strike out "dollars (\$220)", and insert "five dollars (\$225)".

Amendment No. 22

On page 2, lines 22 and 23, of said bill, strike out "one hundred ninety-five dollars (\$195)", and insert "two hundred dollars (\$200)".

Amendment No. 23

On page 2, lines 24 and 25, of said bill, strike out "fifty-five dollars (\$155)", and insert "sixty dollars (\$160)".

Amendment No. 24

On page 2, lines 26 and 27, of said bill, strike out "dollars (\$270)", and insert "five dollars (\$275)".

Amendment No. 25

On page 2, line 29, of said bill, strike out "forty-five dollars (\$245)", and insert "fifty dollars (\$250)".

Amendment No. 26

On page 2, line 31, of said bill, strike out "dollars (\$220)", and insert "five dollars (\$225)".

Amendment No. 27

On page 2, lines 32 and 33, of said bill, strike out "one hundred ninety-five dollars (\$195)", and insert "two hundred dollars (\$200)".

Amendment No. 28

On page 2, lines 34 and 35, of said bill, strike out "one hundred ninety-five dollars (\$195)", and insert "two hundred dollars (\$200)".

Amendment No. 29

On page 2, lines 36 and 37, of said bill, strike out "dollars (\$170)", and insert "five dollars (\$175)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 281 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Penton; Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 281 ordered enrolled.

Assembly Bill No. 910—An act making an appropriation for support of Division of Parks, Department of Natural Resources, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 910?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, after the first "of", insert "Beaches and".

Amendment No. 2

In line 1 of the title of the printed bill, as amended, after the second "of", insert "Beaches and".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 910 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 910 ordered enrolled.

Assembly Bill No. 516—An act to add Section 10971.7 to the Insurance Code, relating to Insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 516?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "10971.7", and insert "10505".

Amendment No. 2

On page 1, line 1, of said bill, strike out "10971.7", and insert "10505".

Amendment No. 3

On page 1, line 3, of said bill, strike out "10971.7.", and insert "10505. (A)".

Amendment No. 4

On page 1, line 4, of said bill, after "code", and before the colon, insert "relating to life and disability insurance in respect to the benefits herein specified and transactions connected therewith".

Amendment No. 5

On page 1 of said bill, after line 16, insert

"(B) Any incorporated organization, the membership and insurance in which are restricted to members of such labor union and the officers of which are the officers of the labor union, is likewise exempt from the provisions of this code to the same extent as such labor union."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 516 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 516 ordered enrolled.

Assembly Bill No. 766—An act to amend Section 3572 of the Revenue and Taxation Code, relating to the termination of the right of redemption of tax delinquent property, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 766?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "1943", and insert "1944".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 766 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hersinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 766 ordered enrolled.

Assembly Bill No. 772—An act to amend Sections 3791 and 3792 of the Revenue and Taxation Code, relating to property sold or deeded for taxes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 772?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "or", and insert "for taxes for two or more years or has been".

Amendment No. 2

On page 1, line 12, of the printed bill, strike out "or", and insert "for taxes for two or more years has been".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 772 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hersinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 772 ordered enrolled.

MOTION TO PLACE BILLS UPON THE INACTIVE FILE

Mr. Carlson moved that Assembly Bills Nos. 455, 464, 473, and 290, now on the unfinished business file, be placed on the inactive file, to be taken up for consideration at the request of the authors.

Motion carried.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1994—An act to amend Sections 2005, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2222 and 2224 of the Welfare and Institutions Code, and to add Sections 2008 5, 2014, 2015, 2016, 2020.01, 2021.01, 2163.1, 2163.2, 2166, 2181.1, 2182.1, 2183.1, and 2187.01 thereto, relating to aid to the aged, to take effect immediately, and to become operative as therein provided.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2, line 35, of the printed bill, strike out "or until the cessation of hostilities in all"; strike out line 36; and in line 37, strike out "first occurs".

Amendment No. 2

On page 3 of said bill, strike out lines 11 and 12, and insert "the Legislature."

Amendment No. 3

On page 11 of said bill, strike out lines 26 and 27; and in line 28, strike out "occurs", and insert "the Legislature".

Amendment No. 4

In line 2 of the title of the printed bill, strike out "2222 and 2224", and insert "and 2222".

Amendment No. 5

In line 3 of the title of said bill, after "Code," insert "to repeal Section 2224 thereof,".

Amendment No. 6

On page 6 of said bill, strike out lines 10 to 21, inclusive, and insert "determine the eligibility of the applicant to receive aid and designate the amount of aid, if any, to be granted."

Amendment No. 7

Strike out all of pages 7 and 8 of said bill.

Amendment No. 8

On page 12 of said bill, strike out lines 1 to 37, inclusive, and insert "Sec. 24. Section 2224 of said code is repealed."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Rush Order for Printing

The Speaker ordered a rush order placed upon the printing of Assembly Bill No. 1994.

CONSIDERATION OF DAILY FILE (RESUMED)**NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1016 WAIVED**

Mr. Call waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1016 was passed.

Assembly Bill No. 1016 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1957—An act to add Chapter 9, consisting of Sections 3900 to 3922, inclusive, to Part 6, Division 1, of the Revenue and Taxation Code, relating to actions by purchasers of tax deeded property to determine adverse claims to or clouds upon that property.

Bill read third time.

Motion to Amend

Mr. Ralph C. Dills moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "9, consisting of Sections 3900 to 3922", and insert "10, consisting of Sections 3950 to 3972".

Amendment No. 2

On page 1, lines 1 and 2, of said bill, strike out "9, consisting of Sections 3900 to 3922", and insert "10, consisting of Sections 3950 to 3972".

Amendment No. 3

On page 1, line 5, of said bill, strike out "9", and insert "10".

Amendment No. 4

On page 1, line 11, of said bill, strike out "3900", and insert "3950".

Amendment No. 5

On page 1, line 20, of said bill, strike out "3901", and insert "3951".

Amendment No. 6

On page 2, line 5, of said bill, strike out "3902", and insert "3952".

Amendment No. 7

On page 2, line 10, of said bill, strike out "3903", and insert "3953".

Amendment No. 8

On page 2, line 17, of said bill, strike out "3904", and insert "3954".

Amendment No. 9

On page 2, line 24, of said bill, strike out "3905", and insert "3955".

Amendment No. 10

On page 2, line 34, of said bill, strike out "3906", and insert "3956".

Amendment No. 11

On page 2, line 40, of said bill, strike out "3907", and insert "3957".

Amendment No. 12

On page 2, line 47, of said bill, strike out "3908", and insert "3958".

Amendment No. 13

On page 2, line 51, of said bill, strike out "3909", and insert "3959".

Amendment No. 14

On page 3, line 7, of said bill, strike out "3910", and insert "3960".

Amendment No. 15

On page 3, line 14, of said bill, strike out "3911", and insert "3961".

Amendment No. 16

On page 3, line 31, of said bill, strike out "3912", and insert "3962".

Amendment No. 17

On page 3, line 36, of said bill, strike out "3913", and insert "3963".

Amendment No. 18

On page 3, line 39, of said bill, strike out "3914", and insert "3964".

Amendment No. 19

On page 3, line 45, of said bill, strike out "3915", and insert "3965".

Amendment No. 20

On page 4, line 4, of said bill, strike out "3916", and insert "3966".

Amendment No. 21

On page 4, line 10, of said bill, strike out "3917", and insert "3967".

Amendment No. 22

On page 4, line 19, of said bill, strike out "3918", and insert "3968".

Amendment No. 23

On page 4, line 23, of said bill, strike out "3919", and insert "3969".

Amendment No. 24

On page 4, line 31, of said bill, strike out "3920", and insert "3970".

Amendment No. 25

On page 4, line 35, of said bill, strike out "3921", and insert "3971".

Amendment No. 26

On page 4, line 40, of said bill, strike out "3922", and insert "3972".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON RECONSIDERATION OF THE WITHDRAWAL AND
RE-REFERENCE OF SENATE BILL NO. 785**

At 10.44 a.m., on motion of Mr. Potter, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and reconsideration of the vote whereby Senate Bill No. 785 was withdrawn from the Committee on Public Utilities, Manufacturing, and Corporations, and re-referred to the Committee on Judiciary refused by the following vote:

AYES—Anderson, Armstrong, Bashore, Burns, Carlson, Crichton, Denny, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Gannon, Guthrie, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Massion, Nielouse, Pelletier, Potter, Robertson, Sargent, Smith, Stream, Waters, and Watson—33.

NOES—Beck, Bennett, Berry, Burkhalter, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Dickey, Dills, Ralph C., Dunn, Evans, Fourn, Gaffney, Haggerty, Kilpatrick, Leonard, Lyons, Maloney, McCollister, McMillan, Mid-dough, Miller, O'Day, Price, Rosenthal, Sawallsch, Sheridan, Thomas, Thompson, Thorp, Thurman, Werdel, Weybret, Wollenberg, and Mr. Speaker—39

MOTION TO APPROVE JOURNALS

On motion of Mr. Sam L. Collins, the Journals for Monday, April 12, 1943; Tuesday, April 13, 1943; Wednesday, April 14, 1943; Thursday, April 15, 1943; Friday, April 16, 1943; and Saturday, April 17, 1943, were approved as corrected by the Minute Clerk.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Carlson:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 2701, 2709, 2722 and 2724 of the Penal Code, relating to prison-made goods, declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

A. W. CARLSON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Carlson:

An act to amend Sections 2701, 2709, 2722, and 2724 of the Penal Code, relating to prison-made goods, declaring the urgency thereof, to take effect immediately.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister,

McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.
 NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
 OF ASSEMBLY BILLS**

The following bills were introduced, and read the first time:

Assembly Bill No. 2000: By Mr. Carlson—An act to amend Sections 2701, 2709, 2722 and 2724 of the Penal Code, relating to prison-made goods, declaring the urgency thereof, to take effect immediately.
 Referred to Committee on Crime and Correction

The following resolution was offered:

Assembly Concurrent Resolution No. 56: By Mr. Rosenthal—Relative to settlement of Jewish refugees in Palestine.

Referred to Committee on Rules and House Functions

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1107 was taken up.

Assembly Bill No. 1107—An act to amend Education Code Sections 14265, 14268, 14272, 14274, 14325, 14326, 14327, 14361, 14363, 14427, 14431, 14432, 14433, 14434, 14435, 14436, 14440, 14441, 14442, 14444, 14445, 14446, 14447, 14450, 14452, 14458, 14491, 14492, 14494, 14496, 14523, 14526, 14534, and to add Education Code Sections 14274.1, 14274.2, 14274.3, 14274.4, 14274.5, 14437, 14438, 14458.1, 14458.2, 14458.3, 14469, 14523.1, 14523.2, 14523.3, 14526.1, and 14542, and to repeal Education Code Sections 14365, 14437, 14438, 14439, and 14456, relating to the California State Teachers' Retirement System.

Bill read third time.

Motion for Committee of the Whole

Mr. Field moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bill No. 1107.

Motion carried.

IN COMMITTEE OF THE WHOLE

Mr. Sam L. Collins presiding.

Assembly Bill No. 1107 considered.

On motion of Mr. Field, the committee did arise, and report back to the Assembly.

IN ASSEMBLY

Speaker Charles W. Lyon presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

GENTLEMEN: Your Committee of the Whole has considered Assembly Bill No. 1107.

SAM L. COLLINS, Chairman

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1107

Assembly Bill No. 1107—An act to amend Education Code Sections 14265, 14268, 14272, 14274, 14325, 14326, 14327, 14361, 14363, 14427, 14431, 14432, 14433, 14434, 14435, 14436, 14440, 14441, 14442, 14444, 14445, 14446, 14447, 14450, 14452, 14458, 14491, 14492, 14494, 14496, 14523, 14526, 14534, and to add Education Code Sections 14274.1, 14274.2, 14274.3, 14274.4, 14274.5, 14437, 14438, 14458.1, 14458.2, 14458.3, 14469, 14523.1, 14523.2, 14523.3, 14526.1, and 14542, and to repeal Education Code Sections 14365, 14437, 14438, 14439, and 14456, relating to the California State Teachers' Retirement System.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 32 of the printed bill, strike out lines 38 to 45, inclusive, and insert "14496. Annuities of persons retired prior to or on July 1, 1944, shall be continued unchanged in amount, but retirement salaries of such persons shall be increased 20 per cent of the amounts of the respective retirement salaries on that date."

Amendment read.

Roll Call Demanded

Messrs. Bashore, Field, and Leonard demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bashore, Bennett, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, Sam L., Crowley, Denny, Dickey, Dunn, Fourt, Heisinger, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Miller, Niehouse, Pelletier, Potter, Sheridan, Stream, Thomas, Thurman, Waters, and Werdel—34.

NOES—Anderson, Armstrong, Beck, Berry, Call, Clarke, Collins, George D., Crichton, Debs, Desmond, Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kraft, Lyons, Massion, McMillan, Middough, O'Day, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Thompson, Thorp, Watson, Weybret, Wollenberg, and Mr. Speaker—40

The question being on the passage of Assembly Bill No. 1107.

Demand for Previous Question

Messrs. Doyle, Robertson, Debs, Knight, John B., and Rosenthal demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1107.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weybret, and Mr. Speaker—64.

NOES—Bashore, Brady, Burns, Carlson, Clarke, Hastain, Heisinger, Kellems, Potter, Thorp, Werdel, and Wollenberg—12

Bill ordered transmitted to the Senate.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1439 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Gaffney asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1439 from the Committee on Civil Service and State Departments, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1439

Assembly Bill No. 1439—An act to amend Section 664a of the Political Code, relating to the payment of State officers and employees.

Bill read second time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "664a", and insert "456".

Amendment No. 2

In line 2 of the title of said bill, strike out "payment", and insert "salaries".

Amendment No. 3

In line 2 of the title of said bill, after "employees", insert "in the State Treasurer's office".

Amendment No. 4

On page 1, line 1, of said bill, strike out "664a", and insert "456".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 13, inclusive, and insert "456. The State Treasurer may appoint one Deputy State Treasurer at an annual salary of [four thousand five hundred] *five thousand* dollars (\$5,000), and one cashier at an annual salary of [three thousand three hundred] *four thousand* dollars (\$4,000), both salaries to be paid at the same time and in the same manner as the salaries of other State officers. He may also appoint and fix the salaries of one bond officer, one deposit officer, one vault officer, one bookkeeper, one secretary-stenographer, all of whom shall be civil executive officers. He may also appoint and fix the salaries of four clerk watchmen and one watchman porter, and such other clerical help as may be necessary for the proper conduct of his office. He may also appoint and fix the salaries, with the approval of the Board of Control, of such expert assistants as may be necessary for the proper conduct of his office."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 317 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Rosenthal asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 317 from the Committee on Municipal and County Government, for purpose of amendment, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 317

Assembly Bill No. 317—An act to add Sections 814 and 887 to "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to minimum salaries for employees of police and fire departments.

Bill read second time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "fifth class city", and insert "city with assessable property within said city of an assessed value of three million dollars (\$3,000,000) or more".

Amendment No. 2

On page 1, line 5, of said bill, strike out "and fire departments", and insert "department".

Amendment No. 3

On page 1, line 7, of said bill, strike out "hoseman, court and record clerks".

Amendment No. 4

On page 1, line 12, of said bill, strike out "and engineers of fire department".

Amendment No. 5

On page 1, line 14, of said bill, strike out "(\$87) per month if on a monthly salary", and insert "(\$187) per month if on a monthly basis".

Amendment No. 6

On page 1, line 19, of said bill, strike out "and fire department lieutenants".

Amendment No. 7

On page 1, line 22, of said bill, strike out "salary", and insert "basis".

Amendment No. 8

On page 1, line 23, of said bill, strike out "and fire captains".

Amendment No. 9

On page 1, line 25, of said bill, after "month", insert "if on a monthly basis".

Amendment No. 10

On page 2, line 1, of said bill, strike out "and battalion chief".

Amendment No. 11

On page 2, line 5, of said bill, strike out "fire chief".

Amendment No. 12

On page 2, line 7, of said bill, strike out "salary", and insert "basis".

Amendment No. 13

On page 2, line 15, of said bill, strike out "and fire"

Amendment No. 14

On page 2, line 16, of said bill, strike out "fifth class cities", and insert "cities with assessable property within said city of an assessed value of three million dollars (\$3,000,000) or more".

Amendment No. 15

On page 2, line 35, of said bill, strike out "appropriate such funds"; and strike out line 36, and insert "levy and collect annually a special tax upon the assessable property within the city in the number of additional cents per one hundred dollars (\$100) of assessable property as will be sufficient to raise the amount estimated by the said legislative body to be required to provide sufficient revenue to meet the purposes of this act, if such additional revenue be required over, beyond and in addition to the revenue now obtained by the proportionate amount of said city's general tax rate in the 1942-1943 Fiscal Year of said city allocated to the payment of salaries and/or wages to employees in said city's police department; and in the event that said special tax levy shall produce in any one fiscal year any amount in excess of the amount actually required for the purposes of this act, then and in that amount said excess levy shall be applied in the next immediately succeeding fiscal year to the fund estimated to be raised in that particular year by the special tax levy for the purposes of this act, if such special levy be required; and, in the event such special levy shall not be required in that particular fiscal year, then and in that event said amount collected by surplus levy shall be allocated to the purpose of reducing the regular tax levy otherwise made for general city purposes."

Amendment No. 16

On page 2, line 39, of said bill, strike out "sixth class city", and insert "city with assessable property within said city of an assessed value of three million dollars (\$3,000,000) or more".

Amendment No. 17

On page 2, line 41, of said bill, strike out "police and fire departments", and insert "fire department".

Amendment No. 18

On page 2, line 43, of said bill, strike out "Patrolmen, hosemen, court and record clerks", and insert "Hosemen".

Amendment No. 19

On page 2, line 45, of said bill, after "month", insert "if on a monthly basis".

Amendment No. 20

On page 2, line 46, of said bill, strike out "if on a monthly basis".

Amendment No. 21

On page 2, lines 47 and 48, of said bill, strike out "Motor officer riding motorcycle, sergeant of police or detective sergeant and".

Amendment No. 22

On page 2, line 50, of said bill, strike out "salary", and insert "basis".

Amendment No. 23

On page 2, line 51, of said bill, strike out "Motor officers, furnishing own"; and on page 3, strike out lines 1, 2, and 3.

Amendment No. 24

On page 3, line 4, of said bill, strike out "lieutenant of police and".

Amendment No. 25

On page 3, line 7, of said bill, strike out "salary", and insert "basis".

Amendment No. 26

On page 3, line 8, of said bill, strike out "Captain of police, captain of detectives and".

Amendment No. 27

On page 3, line 10, of said bill, after "month", insert "if on a monthly basis".

Amendment No. 28

On page 3, line 12, of said bill, strike out "Assistant chief of police and".

Amendment No. 29

On page 3, line 16, of said bill, strike out "Chief of police,".

Amendment No. 30

On page 3, line 18, of said bill, strike out "salary", and insert "basis".

Amendment No. 31

On page 3, line 26, of said bill, strike out "police and".

Amendment No. 32

On page 3, line 27, of said bill, strike out "sixth class cities", and insert "cities with assessable property within said city of an assessed value of three million dollars (\$3,000,000) or more".

Amendment No. 33

On page 3, line 46, of said bill, strike out "appropriate such funds"; and strike out line 47, and insert "levy and collect annually a special tax upon the assessable property within the city in the number of additional cents per one hundred dollars (\$100) of assessable property as will be sufficient to raise the amount estimated by the said legislative body to be required to provide sufficient revenue to meet the purposes of this act, if such additional revenue be required over, beyond and in addition to the revenue now obtained by the proportionate amount of said city's general tax rate in the 1942-1943 Fiscal Year of said city allocated to the payment of salaries and/or wages to employees in said city's fire department; and in the event that said special tax levy shall produce in any one fiscal year any amount in excess of the amount actually required for the purposes of this act, then and in that amount said excess levy shall be applied in the next immediately succeeding fiscal year to the fund estimated to be raised in that particular year by the special tax levy for the purposes of this act, if such special levy be required; and, in the event such special levy shall not be required in that particular fiscal year, then and in that event said amount collected by surplus levy shall be allocated to the purpose of reducing the regular tax levy otherwise made for general city purposes."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Dilworth:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act creating the Palm Springs Winter Park Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Natural Resources in connection therewith, and authorizing the Department of Natural Resources to cooperate with the authority; authorizing the authority to construct and operate systems for the transportation of persons and property to Mount San Jacinto State Park and for the improvement of the recreational facilities in said park, including the development, operation and maintenance of ski grounds and all facilities necessary or convenient for winter sports; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; appropriating such proceeds and all revenues received from the operation of the projects to the uses and purposes set forth herein.

Respectfully submitted.

NELSON S. DILWORTH

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Dilworth:

An act creating the Palm Springs Winter Park Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Natural Resources in connection therewith, and authorizing the Department of Natural Resources to cooperate with the authority; authorizing the authority to construct and operate systems for the transportation of persons and property to Mount San Jacinto State Park and for the improvement of the recreational facilities in said park, including the development, operation and maintenance of ski grounds and all facilities necessary or convenient for winter sports; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; appropriating such proceeds and all revenues received from the operation of the projects to the uses and purposes set forth herein.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Heisinger, Hoffbaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—72
 NAYS—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time.

Assembly Bill No. 2001: By Mr. Dilworth—An act creating the Palm Springs Winter Park Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Natural Resources in connection therewith, and authorizing the Department of Natural Resources to cooperate with the authority;

authorizing the authority to construct and operate systems for the transportation of persons and property to Mount San Jacinto State Park and for the improvement of the recreational facilities in said park, including the development, operation and maintenance of ski grounds and all facilities necessary or convenient for winter sports; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; appropriating such proceeds and all revenues received from the operation of the projects to the uses and purposes set forth herein.

Referred to Committee on Governmental Efficiency and Economy.

**WITHDRAWAL OF ASSEMBLY BILL NO. 769 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Bashore asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 769 from the Committee on Revenue and Taxation, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 769

Assembly Bill No. 769—An act to amend Section 5 of the Alcoholic Beverage Control Act, relating to licenses.

Bill read second time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 5 of", and insert "add Section 5.1 to".

Amendment No. 2

On page 1 of said bill, strike out line 1, except "Section 1."; strike out the remainder of the bill, and insert "Section 5.1 is added to the Alcoholic Beverage Control Act, to read:

Sec. 5.1 The annual fee for a retail package off-sale distilled spirits license is one hundred dollars (\$100) per year regardless of volume of sales.

This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

RESOLUTIONS

The following resolutions were offered:

By the Committee on Rules and House Functions:

House Resolution No. 192

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth, with the compensation set opposite their respective names, and the Controller is hereby directed to draw his warrants in favor of the

respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing Monday, April 19, 1943, and ending upon the completion of work on Tuesday, April 20, 1943:

Page:	Per day
Byron McMillan -----	\$3 00
Mary Desmond -----	3 00
Patricia Burns -----	3 00
Jodeane Collins -----	3 00
William Coffman -----	3 00
Joe O'Neil, Jr. -----	3 00
C Don Field, II -----	3 00
Randolph Toledano Kellems -----	3 00
Michael Waters -----	3 00

SAM L COLLINS, Chairman

Request for Unanimous Consent

Mr Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 192, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCallister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—72

NOES—None.

By the Committee on Rules and House Functions:

House Resolution No. 193

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth, with the compensation set opposite his name payable weekly, on a 7-day per week basis, and the Controller is hereby directed to draw his warrants in favor of the person for the said amount, and the Treasurer is hereby directed to pay the same:

<i>Commencing Monday, April 19, 1943:</i>	Per day
Assistant Sergeant-at-Arms, Jack Ryan-----	\$6 00

SAM L COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 193, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCallister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1525—An act to add Section 6364 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes. Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 12, 1943, strike out lines 5 to 7, inclusive, and insert "other consumption of orthopedic, surgical, dental, ophthalmic, ocular and auditory appliances or restorations and their appurtenances, applied or dispensed by a person duly licensed to do the same, or sold or delivered upon the prescription of a person duly licensed to issue such prescription. The materials or supplies used in such appliances or restorations are likewise exempted"

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1075—An act to add Article 3 to Chapter 1 of Part 1 of Division 3 of the School Code, and to add Chapter 3.5 to Division 4 of the Education Code, relating to the study of child growth and development.

Bill read third time.

Motion to Amend

Mr. Evans moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Article 3 to Chapter 1 of Part 1 of Division 3 of the School Code, and to add Chapter 3.5", and insert "Chapter 3.5, comprising Section 8301,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 14, inclusive.

Amendment No. 3

On page 1, line 16, of said bill, strike out "Sec. 2", and insert "Section 1".

Amendment No. 4

On page 2 of said bill, strike out all of lines 5 to 10, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 159

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 672

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER. Your Committee on Rules and House Functions, to which was referred:

Assembly Joint Resolution No. 7

Has had the same under consideration, and reports the same back with the recommendation. Be adopted

SAM L COLLINS, Chairman

Above reported resolution ordered engrossed.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 576 | Assembly Bill No. 224 |
| Assembly Bill No. 1381 | Assembly Bill No 1106 |
| Assembly Bill No. 475 | Assembly Bill No 1746 |
| Assembly Bill No 899 | Assembly Bill No. 1962 |
| Assembly Bill No 1969 | Assembly Bill No 1676 |

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER. Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 388

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1943

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Senate Bill No. 672

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

- Assembly Bill No. 50.
- Assembly Bill No. 1570.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file and re-referred as follows:

- Assembly Bill No. 900 re-referred to the Committee on Judiciary.
- Assembly Bill No. 1402 re-referred to the Committee on Conservation, Natural Resources, and Planning.
- Assembly Bill No. 1974 re-referred to the Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 159 re-referred to the Committee on Finance and Insurance.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of the Los Angeles Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to C. Don Demaray and Lydia McNichols and pupils of the Los Angeles Pacific College, members of the A Cappella Choir: Merlyn Fordice, Wilbur Ruth, Bob Corson, Harold Heydenfeldt, Bettye Vinson, Dona Lee Cooper, Marjorie Chambers, Martha Keaton, Judy Pifer, Jean Summers, Priscilla Zahniser, Barbara Swanson, Mildred Abbott, Robert K. Watson, Ernest Horton, Jr., Donald Demaray, Ray Wells, and Don Atkinson.

On request of Mr. Gaffney and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Major A. E. Lang of San Francisco.

ADJOURNMENT

At 1.40 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 9 30 a.m., Wednesday, April 21, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-NINTH LEGISLATIVE DAY
ONE HUNDRED EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 21, 1943

The Assembly met at 9.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names :

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, Sam L, Crichton, Crowley, Debs, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCallister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher :

Eternal God, grant us that inner resource that will provide adequate strength for the needs of the day and time. We thank Thee for the glorious opportunities and countless blessings which fill our lives. We claim the precious promise that Thou wilt keep us in perfect peace when our minds are stayed in Thee. We thank Thee for that inner tranquility that comes in spite of outward confusion.

“Thy name, O Lord, in sweet accord,
We worship and adore ;
Thy goodness bless, Thy love confess,
Thy tender grace implore.”

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Haggerty.

COMMUNICATIONS

By the Chief Clerk :

A communication from the legislative committee of the city council of the City of Los Angeles, relative to pending legislation, was received and referred to the Committee on Rules and House Functions.

Also:

The following communication was received and ordered printed in the Journal:

COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA
SACRAMENTO, CALIFORNIA, April 20, 1943

*Arthur A. Ohnimus, Chief Clerk
California Legislature Assembly
Sacramento, California*

DEAR MR OHNIMUS Attached hereto is a copy of a resolution adopted by the County Supervisors Association of California in a meeting held in Sacramento Friday, April 16, 1943, relating to Japanese now in relocation centers.

Very truly yours,

COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA
ROSCOE L. PATTERSON, President
By J. H. HUNTER, Secretary

COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA HEADQUARTERS
RESOLUTION

In the matter of the release of Japanese from Relocation Centers, and, or, their induction into the armed forces of the United States of America

WHEREAS, It has been announced through the press:

1. That the Secretary of War contemplates that some 28,000 native-born Japanese shall be incorporated into the United States Army in separate combat units; and
2. That the Federal authorities contemplate the release of from 25,000 to 40,000 Japanese from relocation camps where they are now restrained, with no announced provision of adequate surveillance or control; and

WHEREAS, The County Supervisors Association of California believes that such contemplated action would be inimical to the best interests and to the welfare and effective defense of our Country; be it

Resolved, That we most vigorously and earnestly protest against the above proposed actions and each of them, that we convey this protest to the Secretary of War, to the War Relocation Board, to our Congressmen and Senators, to the President of the United States and to the Legislature of the State of California.

That we urge upon these authorities the following reasons, based upon an extensive experience with the Japanese for more than 40 years, an intimate knowledge of their character, and our observation of what occurred on December 7, 1941, and immediately thereafter:

(1) Following Pearl Harbor and for the defense of the West Coast against attack and sabotage, the Army wisely moved the Japanese from the Pacific Coast. Now to permit them to return to their former habitat would subject us again to the danger of serious sabotage and difficulty in defending our shore line in the event of attack.

(2) Due to the temper of the American public since the dastardly attack at Pearl Harbor we feel that it would be detrimental to the best interests of the Japanese themselves to allow them to return for residence on the West Coast, and that difficult additional policing problems would be presented thereby in effecting their safety.

(3) It is impossible to distinguish between loyal and disloyal Japanese. We are in no position to judge the emotions of the Japanese in as much as they have maintained their own schools and religion, and in many cases, dual citizenship with their main allegiance to the Emperor of Japan.

(4) If Japanese were allowed to return to this area we could not expect the cooperation of present agricultural or industrial laborers already engaged in the war effort if they were called upon to work with Japanese evacuees.

(5) To allow young Japanese to leave relocation camps for educational purposes in our colleges would be unjust and inequitable as it affects our own American boys who have been taken out of college and are so loyally serving their Country in the armed forces to the detriment of their education and employment.

(6) It is the opinion of the County Supervisors Association that these Japanese should be contributing substantially to the war effort but we feel that it should be in areas removed from the Pacific Coast and by group movement under full and proper control and supervision by the Army. In no event should they be disbursed throughout the Country without proper provision for absolute surveillance and control; be it further

Resolved, That the Japanese, both alien and American born, should be retained in relocation centers for the duration unless they are placed under direct and absolute supervision and full control of Army authority and engaged in the furtherance of our war effort.

COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA

[SEAL]

ROSCOE L. PATTERSON, President
J. H. HUNTER, Secretary

By Speaker Lyon:

The following communication was received, read, and ordered printed in the Journal:

CALIFORNIA MARITIME ACADEMY
TRAINING SHIP GOLDEN STATE, April 20, 1943

Honorable Charles W. Lyon, Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. SPEAKER: The Members of the Legislature, their ladies, and friends, are cordially invited to attend a public inspection of the United States Training Ship *Golden State* operated by the academy for the training of midshipmen of the United States Naval Reserve for service in the merchant marine.

The inspection shall take place Sunday, April 25th, between the hours of 1 p.m. and 3 p.m. on board the training ship at the Port of Stockton. A buffet luncheon will be served on board ship at 2 p.m.

The *Golden State* is making its annual cruise through the deep water canal to the Port of Stockton to afford the midshipmen practical experience in navigating and ship handling in inland waterways.

I assure you that your presence at the inspection will be inspirational to the midshipmen who are about to graduate and start active sea duty in the United States Merchant Marine.

Cordially yours,

CLAUDE B. MAYO, Captain, U.S.N., Superintendent

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 940—An act to amend Section 43001 of the Political Code, relating to municipal court fees and costs;

Assembly Bill No. 1220—An act to add Section 50008 to Division 50 of the Streets and Highways Code, thereby repealing certain special statutes, relating to roads, bridges and highways;

Assembly Bill No. 1314—An act to amend Section 5.120 of the School Code and to amend Section 12001 of the Education Code, relating to authorization of service in the public schools;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of April, 1943, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 524—An act to amend Section 1458 of the Penal Code, relating to the fixing, acceptance and forfeiture of bail in justices' courts;

Assembly Bill No. 592—An act to amend Sections 224, 226 and 227a of the Civil Code, relating to the adoption of children;

Assembly Bill No. 594—An act to amend Section 5050 of the Welfare and Institutions Code, relating to the safekeeping and examination of persons alleged to be mentally ill;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of April, 1943, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1487—An act to amend Sections 736.3, 737.5, 737.6, 737.8, and 737.11 of the Agricultural Code, relating to licensing and bonding of distributors of fluid milk and fluid cream, and the fees therefor; providing for records of purchases, and for proceedings to refuse, revoke or suspend such licenses;

Assembly Bill No. 1489—An act to amend Section 489 of the Agricultural Code, relating to the sale of graded milk;

Assembly Bill No. 1490—An act to amend Section 498 of, and to add Section 498.5 to, the Agricultural Code, relating to dairy farm building requirements and qualifications for milk and dairy inspectors;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of April, 1943, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 35—Relative to memorializing the Congress of the United States to immediately launch an investigation into the administration of the Federal rent control program in California as requested in House Resolution No. 51 presented by the Hon. Thomas Rolph, Representative of the Fourth California Congressional District;

And reports that the same has been correctly enrolled, and presented to the Governor on the twentieth day of April, 1943, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 711—An act to amend Section 215.17 of the Agricultural Code, relating to the payment of moneys into the State treasury and to further provide for the disposition of such moneys in the State treasury;

Assembly Bill No. 850—An act to amend Section 822 of the Agricultural Code, relating to markings on containers of apples;

Assembly Bill No. 886—An act to add Section 1756.5 to the Welfare and Institutions Code, relating to the Youth Correction Authority, and authorizing the authority to return persons committed thereto who are found to be mentally abnormal to the committing court for recommitment to the Department of Institutions for placement in State institutions;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of April, 1943, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1219—An act to add Part 3, comprising Sections 27000 to 27325, inclusive, to Division 16 of the Streets and Highways Code, and to add Section 50007 to Division 50 of said code, thereby consolidating and revising the law relating to the incorporation, organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto;

And reports that the same has been correctly enrolled, and presented to the Governor on the twentieth day of April, 1943, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 595—An act to amend Sections 5404 and 5406 of the Welfare and Institutions Code, relating to the commitment of persons addicted to the intemperate use of stimulants, and the parole and discharge thereof;

Assembly Bill No. 596—An act to amend Section 6720 of, and to add Section 6726.5 to, the Welfare and Institutions Code, relating to the duty and power of the sheriff to arrest escaped and paroled patients and inmates of State hospitals and institutions and deliver them to persons authorized by the Department of Institutions;

Assembly Bill No. 710—An act to amend Section 323 of the Agricultural Code, relating to the payment of moneys into the State treasury, and to further provide for the disposition of such moneys in the State treasury;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of April, 1943, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1994

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 83

Assembly Bill No. 642

Assembly Bill No. 177

Assembly Bill No. 1132

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined

Assembly Bill No. 66

Assembly Bill No. 1308

Assembly Bill No. 902

Assembly Bill No. 1844

Assembly Bill No. 1259

Assembly Bill No. 1865

Assembly Bill No. 1265

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1988—An act to amend Section 11010 of, and to add Section 11011.5 to, the Business and Professions Code, relating to real estate subdivision.

Bill read second time, and ordered engrossed.

Assembly Bill No. 576—An act to amend Section 151 of the Business and Professions Code, relating to the salary of the Director of Professional and Vocational Standards.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1381—An act to add Section 164.1 to the Military and Veterans Code, relating to the compensation of The Adjutant General.

Bill read second time, and ordered engrossed

Assembly Bill No. 475—An act making an appropriation to The Adjutant General for the maintenance of the California High School Cadets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 899—An act to add Section 800 7 and Chapter 6, comprising Sections 980 to 993, inclusive, to Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein author-

ized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1944.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1969—An act to add Section 4 to an act entitled "An act to provide for the improvement and reconstruction of a road in the County of Mendocino, and making an appropriation therefor," approved July 11, 1941, relating to availability of any unexpended balance of the appropriation made therein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 224—An act to add Sections 3211.2, 3211.4, 3211.6, 3211.7, 3211.8, and 3352.5 to, and Chapter 10, comprising Sections 4301 to 4439, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 7, comprising Sections 1570 to 1573, inclusive, to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to civilian defense workers, including the limiting of the liability of the State of California, counties, cities, and civilian defense organizations for injuries arising out of and occurring in the course of activities as a civilian defense worker, authorizing the State Council of Defense to certify civilian defense organizations and to make rules and regulations for the classifying and registering of civilian defense workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1106—An act to repeal Chapter 4.3 of Part 6, Division 1 and to amend Sections 3660 and 3661, and Sections 3662 and 3663 of, and to add Chapter 4.3 to Part 6, Division 1 of the Revenue and Taxation Code, relating to real property taxes.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1746—An act to amend Sections 3656 and 3659 of, and to add Sections 3659.3, 3659.5, 3659.6, 3659.7, 3659.9, 3791.5, and 4653.1 to, the Revenue and Taxation Code, relating to the management of tax deeded property, providing for the distribution of the proceeds therefrom to the taxing agencies and revenue districts having interests in such property, prescribing the powers and duties of the State Controller and of the taxing agencies, revenue districts, and the officers thereof in relation to such property, establishing a Redemption Tax Fund, and making an appropriation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1962—An act making an appropriation for the protection of the ocean beach at the City of Redondo Beach.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1676—An act making an appropriation for the cost of repair and restoration of property damaged or destroyed by storms and floods and for the cost of prevention of further damage and destruction; prescribing conditions, restrictions and limitations as to

the expenditure thereof; declaring the urgency of the act and that it take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 388—An act to amend Section 5005 of the Elections Code, relating to the writing and circulation of publications intended to injure or defeat a candidate for public office.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1653—An act to amend Section 1321 of the Fish and Game Code, relating to animals injuring property and the taking of such animals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1321 of", and insert "add Section 1340 7 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert "SECTION 1. Section 1340 7 is added to the Fish and Game Code, to read: 1340 7 In any district or part of a district within San Bernardino and Riverside Counties bear may be taken at any time with any type of trap within a fence or other enclosure surrounding beehives if no part of the enclosure is at a distance greater than 50 yards from a beehive and if a conspicuous sign is posted and maintained at each entrance to the enclosed premises to give warning of the presence of the bear traps."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1774—An act to amend Sections 3, 4, 12, 15.1, 15.2, 15.3, 15.4, and 15.5 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, to amend and renumber Sections 8, 23, 24, 24.5, and 25 thereof to be Sections 24.4, 23.1, 24.1, 8, and 28 respectively, and to add Sections 2.1, 21.3, 21.6, 23.2, 23.3, 23.4, 23.5, 23.6, 23.7, 24.2, 24.3, 25.1, 25.2, 25.3, 25.4, 25.5, 25.6, 25.7, 25.8, 25.9, 26, 26.1, and 27 thereto, all relating to credit unions, specifying the powers and duties thereof, providing procedures for merger and for dissolution thereof, transferring the supervision thereof and the administration of the act from the Commissioner of Corporations to a new Credit Union Commission established hereby, providing for the appointment, establishment, powers and duties of said commission, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 10, line 14, of the printed bill, as amended in the Assembly on April 10th, after the period, strike out "Each member", and insert "Two members".

Amendment No. 2

On page 10, line 48, of said bill, after "salary", strike out the period, and insert a comma and "with the approval of the Director of Finance."

Amendment No. 3

On page 11, line 3, of said bill, after "salaries", strike out the period, and insert a comma and "with the approval of the Director of Finance."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1976—An act to add Section 699.5 to the Military and Veterans Code, relating to assistance to veterans, prescribing the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 4, of the printed bill, after "Board", insert "during the Ninety-fifth and Ninety-sixth Fiscal Years".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 111—An act making an appropriation to the State Park Commission, for the acquisition of land in Marin County as part of the State Park System, and to repeal an act entitled "An act making an appropriation to the Department of Natural Resources, Division of Parks, for the acquisition of land in Marin County as part of the State Park System." approved July 12, 1941.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, as amended, strike out "twenty-five thousand dollars (\$25,000)", and insert "thirty thousand dollars (\$30,000)".

Amendment No. 2

On page 2, line 13, of said bill, strike out "twenty-five thousand dollars (\$25,000)", and insert "thirty thousand dollars (\$30,000)".

Amendment No. 3

On page 1, line 3, of said bill, strike out "State Park Commission", and insert "Division of Beaches and Parks, Department of Natural Resources,".

Amendment No. 4

On page 1, line 4, of the said bill, strike out "in", and insert "appropriated by subdivision (b) of said Section 5014 of the Public Resources Code to".

Amendment No. 5

In lines 2 and 3 of the title of said bill, strike out "State Park Commission", and insert "Division of Beaches and Parks, Department of Natural Resources".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1954—An act making an appropriation to the State Park Commission, for the acquisition of land in Orange County as part of the State Park System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out all of lines 20 to 24, inclusive.

Amendment No. 2

In lines 1 and 2 of the title of the printed bill, as amended, strike out "State Park Commission", and insert "Division of Beaches and Parks, Department of Natural Resources,".

Amendment No. 3

On page 1, lines 1 and 2, of the printed bill, as amended, strike out "State Park Commission", and insert "Division of Beaches and Parks, Department of Natural Resources,".

Amendment No. 4

On page 1, line 2, of the printed bill, as amended, strike out "in", and insert "appropriated by subdivision (a) of Section 5104 of the Public Resources Code to".

Amendments read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 1672—An act to provide aid to counties, cities and counties, cities and districts for civilian defense purposes; to establish a board to administer such aid; to prescribe the duties and powers of such board; to make an appropriation for such purposes; and to declare the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "to establish a board to administer such aid;".

Amendment No. 2

In line 4 of the title of the printed bill, after "of", strike out "such board", and insert "the State Board of Control to administer such aid".

Amendment No. 3

On page 1, line 10, of the printed bill, after "the", strike out "Civilian Defense Allocation Board", and insert "State Board of Control".

Amendment No. 4

On page 1 of the printed bill, strike out lines 17 to 21, inclusive.

Amendment No. 5

On page 2 of the printed bill, strike out line 1.

Amendment No. 6

On page 2, line 2, of the printed bill, strike out "4", and insert "3".

Amendment No. 7

On page 2 of the printed bill, strike out lines 20 to 24, inclusive.

Amendment No. 8

On page 2, line 25, of the printed bill, strike out "d", and insert "c".

Amendment No. 9

On page 2, line 27, of the printed bill, strike out "e", and insert "d".

Amendment No. 10

On page 2, line 32, of the printed bill, strike out "5", and insert "4".

Amendment No. 11

On page 2, line 35, of the printed bill, strike out "6", and insert "5".

Amendment No. 12

On page 2, line 41, of the printed bill, strike out "7", and insert "6".

Amendment No. 13

On page 2, line 37, of the printed bill, strike out "of five million dollars (\$5,000,000)", and insert "of two and a half million dollars (\$2,500,000)".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 24—An act to establish an Emergency Reserve Fund in the State Treasury, to make an appropriation thereto, and to declare the purposes for which said fund is intended.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "an Emergency Reserve Fund in the State"; and strike out lines 2 and 3 of said title and insert "a War Catastrophe Reserve, to make an appropriation, and to provide for its expenditure, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 26, inclusive; and on page 2, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. There is hereby appropriated out of any moneys in the State treasury not otherwise appropriated the sum of twenty-five million dollars (\$25,000,000) as a War Catastrophe Reserve to be expended pursuant to this act.

SEC. 2. Expenditures from this reserve may be made only for the immediate and temporary relief, protection and safeguarding of the health and safety of persons in this State in the event, and made necessary or expedient by reason, of an enemy attack (military, naval or aerial) on, or an enemy invasion of, any part of this State.

SEC. 3. Said reserve shall become available for expenditure only upon written authorization of the Governor, accompanied by a resolution by the California State War Council certifying that any unexpended portion of the reserve is needed for the immediate and temporary relief, protection and safeguarding of the health and safety of persons in this State. Such authorization may provide for the allocation and expenditure of sums so made available by such State officers as the Governor may elect.

SEC. 4. Expenditures from the War Catastrophe Reserve are exempted from the provisions of Sections 664, 669, 675a and 677.5 of the Political Code.

SEC. 5. The appropriation made by this act shall be exempt from the provisions of Section 435 of the Political Code, and shall constitute a reserve within the General Fund in the State treasury not available for expenditure except as provided in this act. Any balance in such War Catastrophe Reserve which has not been authorized for expenditure as provided in Sections 2 and 3 shall be excluded in determining the surplus, excess, deficit or deficiency in the General Fund in any balance sheet or other statement of financial condition of the State of California.

SEC. 6. The moneys appropriated by this act may be invested and reinvested by the Director of Finance in bonds or other obligations of the United States, or for which the full faith and credit of the United States are pledged, having a maturity date not more than three years from date of investment, and such securities may be sold or exchanged by the Director of Finance if, in his discretion, such sale or exchange appears to be in the best interest of the State in effectuating the purposes of this act. The increment from such investments shall revert to the General Fund.

SEC. 7. The War Catastrophe Reserve, and any moneys authorized for expenditure therefrom, may be augmented by any money granted, donated or otherwise contributed to the State or any agency, political subdivision or municipal corporation thereof, by any source for the purposes of this act.

SEC. 8. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of

Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The time of an enemy attack on, or invasion of, the State of California is unpredictable. It may well occur after the final adjournment of this session of the Legislature and before the statutes would normally take effect if not enacted as urgency measures. It is therefore imperative that no risk be taken that the State will be powerless to expend moneys necessary for the immediate and temporary relief, protection and safeguarding of the health and safety of persons in this State in the case of such an event.

It is also essential to the successful prosecution of the war that all moneys in the State treasury not required for immediate expenditures be made available to the Government of the United States by means of purchases of securities of said Government, and insofar as this act authorizes the immediate expenditure of all or a portion of the moneys appropriated for this act it will contribute to the successful prosecution of the war."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 57—An act making an appropriation to meet the deficiency in the appropriation for workmen's compensation benefits of State officers and employees and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 10, line 1, of the printed bill, as amended, strike out "of workmen's", and insert "for workmen's".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1975—An act to provide for the augmentation of the food and fiber supply of this State and Nation by authorizing public officers of this State to acquire by eminent domain any otherwise agricultural machinery and equipment, and for the use of such agricultural machinery and equipment, making an appropriation therefor, and declaring the urgency of said act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 4, line 9, of the printed bill, after "appropriated", insert "to the Director of Finance".

Amendment No. 2

On page 4, line 10, of said bill, strike out "of -----", and insert "of \$250,000".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 617—An act to add Section 23.5 to, and to repeal Section 26a of, the Unemployment Relief Bond Act of 1933, making an appropriation to counties and cities, and specifying the manner of determining the amount thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to add Section 23.5 to, and to repeal Section 26a of,"; and strike out all of lines 2, 3, and 4 of said title, and insert "making an appropriation to the counties and cities and counties for expenditure under the terms and provisions of the Motor Vehicle Fuel License Tax Law, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 13, inclusive, and insert "Section 1. There is hereby appropriated annually for four years the sum of five million dollars (\$5,000,000) to be distributed by the State Controller to the counties and cities and counties under the provisions of Chapter 10 of the Motor Vehicle Fuel License Tax Law, and to be expended by the counties and cities and counties for the same purposes and in the same manner as the Motor Vehicle Fuel License Tax Law provides for the expenditure of money distributed to the counties and cities and counties from the Motor Vehicle Fuel Fund.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Revenue from the sale of motor vehicle fuel is decreasing and in addition the counties and cities and counties are not receiving all of the moneys which otherwise would be distributed to them from the Motor Vehicle Fuel Fund because of the retention of part thereof to pay obligations incurred by the counties and cities and counties under the Unemployment Relief Bond Act of 1933. The appropriation made by this act is intended to grant to the counties and cities and counties the sums of money that otherwise would normally be received by them under the Motor Vehicle Fuel License Tax Law were it not for the decrease in revenues and the deduction under the Unemployment Relief Bond Act of 1933. Unless this appropriation is made immediately, the counties and cities and counties will be without funds necessary for the proper repair and reconstruction of roads and highways to the consequent detriment of the public peace, health, and safety."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1504—An act relating to the National Flag and the Flag of the State of California, and other flags.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 1, line 1, of the printed bill, after "State", insert "of America, the symbol of Federal sovereignty".

Amendment No. 2

On page 1, line 2, of said bill, after "flag", insert ", the symbol of the State's sovereignty,".

Amendment No. 3

On page 1, line 3, of said bill, strike out "and displayed", and insert ", displayed and maintained".

Amendment No. 4

On page 1, line 7, of said bill, after "rooms", insert "of the State".

Amendment No. 5

On page 1 of said bill, between lines 8 and 9, insert "d. In all justice of the peace court rooms"

Amendment No. 6

On page 1, line 9, of said bill, strike out "d", and insert "e".

Amendment No. 7

On page 1, line 12, of said bill, after "States", insert "of America".

Amendment No. 8

On page 2, line 5, of said bill, after "e", insert "Upon or at every agricultural inspection station just inside California and located on every highway leading into California."

Amendment No. 9

On page 2 of said bill, between lines 5 and 6, insert "f. Upon or on the grounds of every operating automobile gas and oil service station in California."

Amendment No. 10

On page 2, line 6, of said bill, strike out "f", and insert "g".

Amendment No. 11

On page 2 of said bill, between lines 7 and 8, insert "h. At or over or in the entrance of every hotel over four stories in height."

Amendment No. 12

On page 2, line 8, of said bill, strike out "g", and insert "i. In front of or over and in the large reception or waiting room of every railroad and electric railway station and union station in all cities and towns having a population of 10,000 and over.

j At the entrance of, or in every public park containing more than three acres, and at the entrance of or in every public playground, whether such park or playground belongs to a city or county or city and county or municipality within the State.

k. At the entrance of, or within every State highway maintenance station."

Amendment No. 13

On page 2, line 9, of said bill, after "States", insert "of America".

Amendment No. 14

On page 2, line 15, of said bill, after "h", insert "Upon every building over four stories in height used for offices."

Amendment No. 15

On page 2, line 16, of said bill, strike out "c".

Amendment No. 16

On page 2, line 17, of said bill, after "States", insert "of America".

Amendment No. 17

On page 2, line 19, of said bill, after "played", insert "upon the structures or grounds thereof".

Amendment No. 18

On page 2, line 29, of said bill, after "States", insert "of America".

Amendment No. 19

On page 2, line 30, of said bill, strike out "(the Bear Flag)".

Amendment No. 20

On page 2, line 35, of said bill, strike out "and display", and insert ", display and maintenance".

Amendment No. 21

On page 2, line 36, of said bill, after the period, insert "In other cases of privately owned property the owner or lessee or operator thereof shall be charged with the obligation, duty and responsibility of complying with the applicable provisions of this act as shall be in accordance with contract or otherwise just and proper. The provisions of this act shall be complied with within 100 days after this act shall have become effective."

Amendment No. 22

On page 2 of said bill, between lines 47 and 48, insert "Sec. 85. The superior court is hereby granted jurisdiction to enforce each and all of the provisions of this act on the petition of any citizen of the county in which the subject of complaint is located."

Amendment No. 23

On page 2 of said bill, strike out line 49, and insert "this act shall not affect the remaining sections or clauses which".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 534—An act to add Section 612.5 to the Fish and Game Code, relating to steelhead.

Bill read second time, and ordered to third reading.

Senate Bill No. 646—An act to add Section 887 to the Fish and Game Code, relating to nets.

Bill read second time, and ordered to third reading.

Senate Bill No. 672—An act to add Section 38dd and amend Section 38e of the Alcoholic Beverage Control Act, relating to rules and regulations for the orderly wholesaling of beer, and also relating to price posting.

Bill read second time, and ordered to third reading.

Senate Bill No. 774—An act to amend Section 92 of the Fish and Game Code, relating to districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1036—An act to amend Section 64 of the Fish and Game Code, relating to fish and game district.

Bill read second time, and ordered to third reading.

Senate Bill No. 34—An act to amend Sections 2453, 2454, 2600, 2621, 2626, 2627, 2628, 2629, 2633, 2670, 2742, 2840, 2841, 2893, 2897 and the article heading of Article 4 of Chapter 2 of Division 5, and to repeal Sections 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2622, 2623, 2624, 2625, 2630, 2631 and 2632 of the Elections Code, relating to sponsor certificates and verification deputies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 3, lines 10 and 11, of the printed bill, as amended, strike out "in a county containing 20 or more Assembly districts".

Amendment No. 2

On page 3 of said bill, strike out lines 25 to 27, inclusive, and insert "Section 2840. In each county, and in each city and county, the".

Amendment No. 3

On page 3 of said bill, strike out lines 33 to 35, inclusive, and insert "2841. In each county, and in each city and county,".

Amendment No. 4

On page 3 of said bill, strike out lines 39 to 41, inclusive, and insert "shall be declared elected."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: I have been directed to return to you herewith Assembly Bill No. 127 in accordance with your request of this day.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 535
Senate Bill No. 567
Senate Concurrent Resolution No. 33

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Crittenden, Hatfield, and Biggar as a Committee on Conference concerning:

Assembly Bill No. 934—An act to amend Section 643 of, and to add Section 643.2 to, the Agricultural Code, relating to the definition for insanitary dairy farms, declaring the urgency thereof to take effect immediately.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Crittenden, Gordon, and Cunningham as a Committee on Conference concerning:

Assembly Bill No. 768—An act to repeal an act entitled "An act making an appropriation for the administrative expenses of the State Department of Social Welfare and establishing a revolving fund for the purposes of distributing goods and commodities in accordance with Federal goods and commodities distribution plans by the State Department of Social Welfare, declaring the urgency thereof, to take effect immediately," approved July 1, 1941, relating to the operation of Federal stamp and surplus commodities distribution plans by the State Department of Social Welfare, transferring to the State Department of Finance all powers, duties, responsibilities, and jurisdiction, and all records, books, papers, moneys, and property of the Department of Social Welfare in connection therewith for the purpose of termination thereof, and providing for the disposition of the commodities and other properties transferred.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 639
Assembly Bill No. 640
Assembly Bill No. 641

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 124
Senate Bill No. 187
Senate Bill No. 433

Senate Bill No. 650
Senate Bill No. 837
Senate Bill No 1077

J. A. BEEK, Secretary of the Senate

SENATE CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 398
Senate Bill No. 630
Senate Bill No. 660
Senate Bill No. 706

Senate Bill No. 771
Senate Bill No. 897
Senate Bill No. 1019
Senate Bill No. 1092

J. A. BEEK, *Secretary of the Senate*
By HARRY A. HAMMOND, *Assistant Secretary*

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 124—An act to amend Section 1621 of the Streets and Highways Code and Section 8356 of the Revenue and Taxation Code, relating to allocations to counties of moneys for highway purposes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 187—An act to amend Sections 735.3, 736.3, and 736.11 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 433—An act to amend Sections 318, 473 and 613.2 of, and to add Section 614 to, and to repeal Section 653 of, the Streets and Highways Code, relating to the State highway routes and adding a new route.

Referred to Committee on Roads and Highways.

Senate Bill No. 650—An act to add Section 3.735-3 to the School Code and to add Section 10126 1 to the Education Code, relating to attendance of pupils upon courses of physical education.

Referred to Committee on Education.

Senate Bill No. 837—An act to amend Section 6816 of and to repeal Sections 5014 and 6817 of the Public Resources Code, relating to and providing for the abolition of the State Park Maintenance and Acquisition Fund and for certain transfers in connection therewith.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 1077—An act relating to the regulation of the practice of naturopathy.

Referred to Committee on Public Health.

Senate Bill No. 398—An act to amend Section 1035 of the Fish and Game Code, relating to domesticated fish.

Referred to Committee on Fish and Game.

Senate Bill No. 630—An act to amend Sections 1300.15, 1300.16 and 1300.19 of the Agricultural Code, relating to the marketing of agricultural commodities.

Referred to Committee on Agriculture.

Senate Bill No. 660—An act to add Sections 3695.4, 3695.5, 3774, and 3775, and to amend Sections 3705 and 3773 of the Revenue and Taxation Code, relating to taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 706—An act to add Chapter 3.3 to Part 6, Division 1 of the Revenue and Taxation Code, relating to real property taxes, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 771—An act to amend Section 1203.6 of the Fish and Game Code, relating to pheasants.

Referred to Committee on Fish and Game.

Senate Bill No. 897—An act to amend Sections Section 706.7 to the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1019—An act to amend Section 19598 of the Business and Professions Code, relating to horse racing and the redistributions from pari-mutuels conducted in connection therewith.

Referred to Committee on Public Morals.

Senate Bill No. 1092—An act to amend Section 737p of the Political Code, relating to the salary of the superior judge of the County of Kings.

Referred to Committee on Judiciary.

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 639—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 29 of, and to add two new sections to be numbered 7.1, 8.1, and 18.1 to, The Corporation Income Tax Act, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 639?

Amendment No. 1

In line 2 of the title of the printed bill, as amended on April 3, 1943, strike out "two", and insert "three".

Amendment No. 2

On page 14, line 29, of said bill, after "and", insert a comma, and strike out "however,".

Amendment No. 3

On page 21, line 33, of said bill, strike out the semicolon, and insert a comma

Amendment No. 4

On page 22, line 23, of said bill, after "centum", strike out the comma, and insert an open parenthesis.

Amendment No. 5

On page 24, line 51, of said bill, after "(2)", insert a closed parenthesis.

Amendment No. 6

On page 44, line 8, of said bill, strike out "(1)".

Amendment No. 7

On page 60, line 28, of said bill, strike out "7(d) (1)", and insert "7 1".

Amendment No. 8

On page 14, line 29, of said bill, after "that", strike out "of", and insert "if".

Amendment No. 9

On page 43, line 20, of said bill, strike out "calender", and insert "calendar".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 639 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watets, Watson, Weidel, Weybier, Wollenberg, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 639 ordered enrolled.

Assembly Bill No. 640—An act to amend Sections 4, 4a, 5, 6, 8, 9, 11, 12, 13, 14, 16, 17, 20, 21, 24, 25, 25.1, 27, 28, 29, 30, 31, 32 and 35 of, and to add two new sections to be numbered 8.1, 9 1 and 24 1 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 640?

Amendment No. 1

In line 3 of the title of the printed bill, as amended on April 3, 1943, strike out "two", and insert "three".

Amendment No. 2

On page 2 of said bill, between lines 40 and 41, insert

"Taxes under this section shall be in lieu of all ad valorem taxes and assessments of every kind and nature upon the general corporate franchises of the corporations taxable hereunder but shall not be in lieu of any taxes or assessments upon special franchises owned, held or used by said corporations. All such special franchises shall be assessed annually by the State Board of Equalization (at their actual value) in the same manner as is provided for the assessment of other property to be assessed by said board under Section 14 of Article XIII of the Constitution of this State, and shall be subject to taxation to the same extent and in the same manner as other property so assessed by said board. Said board is hereby authorized and directed to assess said special franchises as of the first Monday in March of 1935 and annually thereafter."

Amendment No. 3

On page 4, line 20, of said bill, strike out "gross income", and insert "'gross income'".

Amendment No. 4

On page 22, line 37, of said bill, strike out "(D)", and insert "(4)".

Amendment No. 5

On page 30, line 20, of said bill, strike out "(1)".

Amendment No. 6

On page 35, line 12, of said bill, before "The", insert "(4)".

Amendment No. 7

On page 42, line 36, of said bill, strike out "no", and insert "No"; in line 39 strike out "the", and insert "The"; and in line 48, strike out "such", and insert "Such".

Amendment No. 8

On page 51, line 10, of said bill, strike out "21(g)", and insert "20(g)"

Amendment No. 9

On page 57, line 29, of said bill, before "Board", insert "State".

Amendment No. 10

On page 65, line 20 of said bill, after "General", insert "of this State,"; and after "commissioner", and in lines 20 and 21, strike out "of this State".

Amendment No. 11

On page 68, lines 27 and 28, of said bill, strike out "S(c) (1)", and insert "S.1".

Amendment No. 12

On page 60, line 41, of said bill, strike out "at".

Amendment No. 13

On page 68, line 27, of said bill, strike out "(d)", and insert "(c)" before "The".

Amendment No. 14

On page 63, line 4, of said bill, strike out "fund", and insert "found".

Amendment No. 15

On page 15, line 29, of said bill, after "and", insert a comma; and in line 30, strike out "however".

Amendment No. 16

On page 21, line 37, of said bill, strike out the comma following "(A)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 640 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCullister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 640 ordered enrolled.

Assembly Bill No. 641—An act to amend Sections 2, 7, 7.1, 8, 9, 9.2, 9.3, 9.4, 9.5, 10, 12, 13, 16, 19 and 20 of, and to add three new sections to be numbered 7.2, 8.1, 8.2 and 34 2 to, The Personal Income Tax Act, relating to taxes upon the incomes of individuals, estates and trusts and to provide that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 641?

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "8.2", and insert "8.3".

Amendment No. 2

In line 4 of the title of said bill, after "Act", insert "and to repeal Sections 17054, 17155, 17303, 17818, 17819, 17820 and 18156 of, and to amend Sections 17126, 17127, 17154, 17159, 17211, 17213, 17310, 17311, 17313, 17316, 17351, 17503, 17506, 17560, 17562, 17563, 17672, 17673, 17711, 17713, 17743, 17744, 17782, 17783, 17813, 17817, 17952, 18133, 18135, 18431, 18596, and 19061 of, and to add Chapter 3.5 consisting of Sections 17250 to 17257, inclusive, to Part 10 of Division 2 of, and Article 1.5, consisting of Sections 17324 to 17324.16, inclusive, to Chapter 4 of Part 10 of Division 2 of, and Article 1.7, consisting of Sections 17325 to 17350, inclusive, to Chapter 4 of Part 10 of Division 2 of, and Article 1.5, consisting of Sections 17507 to 17516, inclusive, to Chapter 5 of Part 10 of Division 2 of, and Article 4, consisting of Sections 18470 to 18479, inclusive, to Chapter 10 of Part 10 of Division 2 of, and Sections 17019 3, 17019.5, 17019.7, 17055, 17056, 17057, 17104, 17105, 17106, 17107, 17125.3, 17125.5, 17125 7, 17131, 17132, 17133, 17134, 17135, 17136, 17163 5, 17302 5, 17305 5, 17317.5, 17318 05, 17318 1, 17318 2, 17318.3, 17318.4, 17318 5, 17318 7, 17319, 17319 3, 17319 5, 17320, 17320.3, 17320.5, 17320 7, 17321, 17321.3, 17321.5, 17321.7, 17322, 17322.3, 17322.5, 17322 7, 17322.9, 17322.11, 17357, 17560.3, 17560.5, 17560.7, 17560 9, 17567, 17568, 17569, 17716.5, 17721, 17722, 17723, 17724, 17784.5, 17787, 18156, 18157, 18158, 18159, 18160, 18161, 18162, 18163, 18164, 18172 3, 18172.5, 18172.7, 19053 3, 19053.5, and 19053.7."

Amendment No. 3

On page 1, line 24, of said bill, after "organization", insert a period.

Amendment No. 4

On page 4, line 31, of said bill, strike out the semicolon, and insert a period.

Amendment No. 5

On page 11, line 24, of said bill, after "(A)", insert a close parenthesis.

Amendment No. 6

On page 13, line 51, of said bill, after "gift", insert a comma.

Amendment No. 7

On page 23, line 30, of said bill, strike out "provided, however", and insert "and, provided".

Amendment No. 8

On page 23, line 34, of said bill, after "whether", insert "or not".

Amendment No. 9

On page 29, line 18, of said bill, strike out "Section 8(p)", and insert "subsections".

Amendment No. 10

On page 30, line 25, of said bill, strike out "specified in Section 10 (b) of the taxpayer", and insert "of the taxpayer as specified in Section 10 (b)"

Amendment No. 11

On page 33, line 13, of said bill, strike out "its", and insert "his".

Amendment No. 12

On page 33, line 23, of said bill, strike out "8.2", and insert "8.3".

Amendment No. 13

On page 33, line 25, of said bill, strike out "8.2", and insert "8.3".

Amendment No. 14

On page 34, line 9, of said bill, after "(3)", insert a close parenthesis.

Amendment No. 15

On page 37, line 36, of said bill, strike out "chapter", and insert "act".

Amendment No. 16

On page 41, line 36, of said bill, strike out the period and close parenthesis, and insert a close parenthesis and a period.

Amendment No. 17

On page 46, line 42, of said bill, strike out the period, and insert a semicolon.

Amendment No. 18

On page 48, line 3, of said bill, strike out "purpose", and insert "purposes".

Amendment No. 19

On page 48, line 45, of said bill, strike out "purpose", and insert "purposes".

Amendment No. 20

On page 49, line 1, of said bill, strike out "title", and insert "act".

Amendment No. 21

On page 49, line 13, of said bill, strike out "(a)", and insert "(A)".

Amendment No. 22

On page 49, line 16, of said bill, strike out "(b)", and insert "(B)".

Amendment No. 23

On page 49, line 28, of said bill, strike out "asset", and insert "assets".

Amendment No. 24

On page 52, line 52, of said bill, strike out "(1)", and insert "(I)".

Amendment No. 25

On page 53, line 4, of said bill, strike out "(1)", and insert "(I)".

Amendment No. 26

On page 53, line 41, of said bill, after "heir", insert a comma.

Amendment No. 27

On page 53, line 44, of said bill, after "heir", insert a comma.

Amendment No. 28

On page 54, line 43, of said bill, after "(1)", insert "of the Internal Revenue Code".

Amendment No. 29

On page 55, line 1, of said bill, after "(1)", insert "of the Internal Revenue Code".

Amendment No. 30

On page 56, line 2, of said bill, strike out "(1)", and insert "(I)".

Amendment No. 31

On page 64, line 36, of said bill, before "Board", insert "State".

Amendment No. 32

On page 64, line 48, of said bill, strike out "United States", and insert "State of California".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 33

On page 67 of said bill, between lines 4 and 5, insert

"SEC. 19. Section 17019.3 is added to the Revenue and Taxation Code, to read: 17019.3. As used in this part, if the husband and wife therein referred to are divorced, wherever appropriate to the meaning of this part, the term "wife" shall be read "former wife" and the term "husband" shall be read "former husband." If the payments described in this part are made by or on behalf of the wife or former wife to the husband or former husband instead of vice versa, wherever appropriate to the meaning of this part, the term "husband" shall be read "wife" and the term "wife" shall be read "husband."

SEC. 20. Section 17019.5 is added to said code, to read:

17019.5. The term "military or naval forces of the United States" includes the Marine Corps, the Coast Guard, the Army Nurse Corps, Female, and the Women's Army Auxiliary Corps, the Navy Nurse Corps, Female, and the Women's Reserve Branch of the Naval Reserve.

SEC. 20.5. Section 17910.7 is added to said code, to read:

17019.7. The terms "counsel for the commissioner," and "Franchise Tax Counsel" as used in this part, mean attorney or attorneys appointed or employed by the commissioner and acting subject to the approval and under the supervision of the Attorney General.

SEC. 21. Section 17054 of said code is repealed.

SEC. 22. Section 17054 is added to said code, to read:

17054. In the case of compensation (a) received for personal services rendered by an individual or a partnership, and covering a period of 36 calendar months or more from the beginning to the completion of such services, (b) all or at least 80 per cent of which is received or accrued in one taxable year, the tax attributable to any part thereof which is included in the gross income of any individual shall not be greater than the aggregate of the taxes attributable to such part had it been included in the gross income of such individual ratably over that part of the period which precedes the date of such receipt or accrual.

SEC. 23. Section 17055 is added to said code, to read:

17055. As used in Section 17056, "artistic work or invention," in the case of an individual, means (a) a literary, musical, or artistic composition of that individual or (b) a patent or copyright covering an invention of or a literary, musical, or artistic composition of that individual, (c) the work on which by that individual covered a period of 36 calendar months or more from the beginning to the completion of such composition or invention.

SEC. 24. Section 17056 is added to said code, to read:

17056. If, in the taxable year, the gross income of any individual from a particular artistic work or invention by him is not less than 80 per cent of the gross income in respect of the artistic work or invention in the taxable year plus the gross income therefrom in previous taxable years and the 12 months immediately succeeding the close of the taxable year, the tax attributable to the part of such gross income of the taxable year which is not taxable as a gain from the sale or exchange of a capital asset held for more than one year shall not be greater than the aggregate of the taxes attributable to the part had it been received ratably over that part of the period preceding the close of the taxable year but not more than 36 calendar months.

SEC. 25. Section 17057 is added to said code, to read:

17057. For the purposes of Sections 17054, 17055 and 17056, a fractional part of a month shall be disregarded unless it amounts to more than half a month in which case it shall be considered as a month.

SEC. 26. Section 17104 is added to said code, to read:

17104. In the case of a wife who is divorced or legally separated from her husband under a decree of divorce or of separate maintenance, periodic payments (whether or not made at regular intervals) received subsequent to such decree in

discharge of, or attributable to property transferred (in trust or otherwise) in discharge of, a legal obligation which, because of the marital or family relationship, is imposed upon or incurred by such husband under such decree or under a written instrument incident to such divorce or separation shall be includible in the gross income of such wife. Such amounts received as are attributable to property so transferred shall not be includible in the gross income of such husband.

SEC. 27. Section 17105 is added to said code, to read:

17105. Section 17104 shall not apply to that part of any periodic payment which the terms of the decree or written instrument fix, in terms of an amount of money or a portion of the payment, as a sum which is payable for the support of minor children of the husband. In case any periodic payment is less than the amount specified in the decree or written instrument, that payment, to the extent of the sum payable for support, shall be considered a payment for such support.

SEC. 28. Section 17106 is added to said code, to read:

17106. Installment payments discharging a part of an obligation the principal sum of which is, in terms of money or property, specified in the decree or instrument shall not be considered periodic payments for the purposes of Sections 17104 and 17105.

SEC. 29. Section 17107 is added to said code, to read:

17107. An installment payment shall be considered a periodic payment for the purposes of Sections 17104 and 17105 if the principal sum, by the terms of the decree or instrument, may be or is to be paid within a period ending more than 10 years from the date of such decree or instrument. But it shall be considered a periodic payment only to the extent that the installment payment for the taxable year of the wife (or if more than one installment payment for the taxable year is received during the taxable year, the aggregate of these installment payments) does not exceed 10 per cent of the principal sum. The portion of a payment of the principal sum which is allocable to a period after the taxable year of the wife in which it is received shall be considered an installment payment for the taxable year in which it is received.

SEC. 30. Section 17125.3 is added to said code, to read:

17125.3. Sections 17122, 17123, 17124, and 17125 shall not apply with respect to so much of a payment under a life insurance, endowment, or annuity contract, or any interest therein, as is includible in gross income under Sections 17104, 17105, 17106 and 17107.

SEC. 31. Section 17125.5 is added to said code, to read:

17125.5. If an annuity contract is purchased by an employer for an employee under a plan with respect to which the employer's contribution is deductible under Article 1.5 of Chapter 4 of this part, or if an annuity contract is purchased for an employee by an employer exempt under Section 4 (G) of the Bank and Corporation Franchise Tax Act, or Section 4 of the Corporation Income Tax Act, the employee shall include in his income the amounts received under such contract for the year received. If the employee paid any of the consideration for the annuity, the annuity shall be included in his income as provided in Sections 17123, 17124 and 17125. The consideration for the annuity is the amount contributed by the employee.

SEC. 32. Section 17125.7 is added to said code, to read:

17125.7. Except as provided in Section 17125.5, if the employee's rights under the contract are nonforfeitable other than for failure to pay future premiums, the amount contributed by the employer for such annuity contract on or after such rights become nonforfeitable shall be included in the income of the employee in the year in which the amount is contributed. This amount, together with any amounts contributed by the employee, shall constitute the consideration paid for the annuity contract in determining the amount of the annuity required to be included in the income of the employee under Sections 17123, 17124 and 17125.

SEC. 33. Section 17126 of said code is amended to read:

17126. Gross income also does not include the value of property acquired by gift, bequest, devise, or inheritance [...] [but the income from such property shall be included in gross income] *There shall not be excluded from gross income under this section, the income from such property, or, in case the gift, bequest, devise, or inheritance is of income from property, the amount of income. For the purposes of this section, if, under the terms of the gift, bequest, devise, or inheritance, payment, crediting, or distribution thereof is to be made at intervals, to the extent that it is paid or credited or to be distributed out of income from property, it shall be considered a gift, bequest, devise, or inheritance of income from property*

SEC. 34. Section 17127 of said code is amended to read:

17127. [Gross] *Except in the case of amounts attributable to, and not in excess of deductions allowed under Sections 17319, 17319.3 and 17319.5 gross income also does not include amounts received, through accident or health insurance or under workmen's compensation acts, as compensation for personal injuries or sickness, plus the amount of any damages received whether by suit or agreement on account of such injuries or sickness.*

Gross income also does not include amounts received as a pension, annuity or similar allowance for personal injuries or sickness resulting from active service in the armed forces of any country.

SEC 35 Section 17131 is added to said code, to read:

17131 Gross income also does not include income, other than rent, derived by a lessor of real property upon the termination of a lease, representing the value of such property attributable to buildings erected or other improvements made by the lessee.

SEC 36. Section 17132 is added to said code, to read:

17132. Gross income also does not include income attributable to the recovery during the taxable year of a bad debt, prior tax, or delinquency amount, to the extent of the amount of the recovery exclusion with respect to that debt, tax, or amount.

SEC 37. Section 17133 is added to said code, to read:

17133 As used in Section 17132 "bad debt" means a debt on account of worthlessness or partial worthlessness of which a deduction was allowed for a prior taxable year.

SEC 38. Section 17134 is added to said code, to read:

17134. As used in Section 17132, "prior tax" means a tax on account of which a deduction or credit was allowed for a prior taxable year

SEC 39 Section 17135 is added to said code, to read:

17135 As used in Section 17132, "delinquency amount" means an amount paid or accrued on account of which a deduction or credit was allowed for a prior taxable year and which is attributable to failure to file return with respect to a tax, or pay a tax, within the time required by the law under which the tax is imposed, or to failure to file return with respect to a tax or pay a tax.

SEC 40 Section 17136 is added to said code, to read:

17136. As used in Section 17132, "recovery exclusion," with respect to a bad debt, prior tax, or delinquency amount, means the amount, determined in accordance with regulations prescribed by the commissioner, of the deductions or credits allowed, on account of such bad debt, prior tax, or delinquency amount, which did not result in a reduction of the taxpayer's tax under this part, reduced by the amount excludable in previous taxable years with respect to such debt, tax or amount under this section.

SEC 41 Section 17154 of said code is amended to read:

17154 Amounts distributed in complete liquidation of a corporation shall be treated as in full payment in exchange for the stock, and amounts distributed in partial liquidation of a corporation shall be treated as in part or full payment in exchange for the stock. The gain or loss to the distributee resulting from the exchange shall be determined under Article 1 of Chapter 6 of this part and shall be recognized only to the extent provided in Article 2 of that chapter. [Notwithstanding the provisions of Article 3 of Chapter 6, 100 per cent of the gain so recognized shall be taken into account in computing net income, except in the case of amounts distributed in complete liquidation of a corporation.]

SEC 41 5. Section 17155 of said code is repealed.

SEC. 41 7. Section 17159 of said code is amended to read:

17159 A distribution made by a corporation to its shareholders in its stock or in rights to acquire its stock shall [not] be treated as a dividend to the extent that it [does not constitute] *constitutes* income to the shareholder within the meaning of the Sixteenth Amendment to the Constitution of the United States.

SEC 42 Section 17163 5 is added to said code, to read:

17163 5 For the purposes of this Section 17163, a loss with respect to which a deduction is disallowed under Section 8(d) of the Bank and Corporation Franchise Tax Act or Section 7(d) of the Corporation Income Tax Act shall not be deemed to be recognized.

SEC 43 Section 17211 of said code is amended to read:

17211. In the case of nonresident taxpayers the gross income includes only the gross income from sources within this State. [Gross income from sources within this State includes rentals or royalties from property located in this State or from any interest in such property, including rentals or royalties for the use of, or for the privilege of using in this State, patents, copyrights, secret processes and formulas, good will, trade-marks, trade brands, franchises, and other like property.]

SEC 44 Section 17213 of said code is amended to read:

17213 Income of [nonresident beneficiaries from] estates [or] *and* trusts *distributed or distributable to nonresident beneficiaries* is income from sources within this State only if distributed or distributable out of income of the estate or trust derived from sources within this State. *For the purposes of this section, the nonresident beneficiary shall be deemed to be the owner of intangible personal property from which the income of the estate or trust is derived.*

SEC 45 Chapter 3 5, comprising Sections 17250 to 17257, inclusive, is added to Part 10, Division 2 of said code, to read:

CHAPTER 3 5. GROSS INCOME AND DEDUCTIONS IN RESPECT OF DECEDENTS

17250. The amount of all items of gross income in respect of a decedent which are not properly includible in respect of the taxable period in which falls the date of his death or a prior period shall be included in the gross income, for the taxable year when received, of.

(a) The estate of the decedent, if the right to receive the amount is acquired by the decedent's estate from the decedent;

(b) The person who, by reason of the death of the decedent, acquires the right to receive the amount, if the right to receive the amount is not acquired by the decedent's estate from the decedent; or

(c) The person who acquires from the decedent the right to receive the amount by bequest, devise, or inheritance, if the amount is received after a distribution by the decedent's estate of such right.

17251. If a right, described in Section 17250, to receive an amount is transferred by the estate of the decedent or a person who receives such right by reason of the death of the decedent or by bequest, devise, or inheritance from the decedent, there shall be included in the gross income of the estate or such person, as the case may be, for the taxable period in which the transfer occurs, the fair market value of the right at the time of such transfer plus the amount by which any consideration for the transfer exceeds the fair market value.

17252. As used in Section 17251, "transfer" includes sale, exchange, or other disposition, but does not include a transfer to a person pursuant to the right of that person to receive such amount by reason of the death of the decedent or by bequest, devise, or inheritance from the decedent.

17253. The right, described in Section 17250, to receive an amount shall be treated, in the hands of the estate of the decedent or any person who acquired such right by reason of the death of the decedent, or by bequest, devise, or inheritance from the decedent, as if it had been acquired by the estate or person in the transaction by which the decedent acquired that right. The amount includible in gross income under Sections 17250 and 17251 shall be considered in the hands of the estate or person to have the character which it would have had in the hands of the decedent if the decedent had lived and received that amount.

17254. The amount of any deduction specified in Sections 17301, 17304, and 17305 (relating to deductions for expenses, interest and taxes), in respect of a decedent which is not properly allowable to the decedent in respect of the taxable period in which falls the date of his death, or a prior period, shall be allowed in the taxable year when paid to the estate of decedent. But if the estate of the decedent is not liable to discharge the obligation to which the deduction relates, the amount of the deduction shall be allowed to the person who, by reason of the death of the decedent or by bequest, devise, or inheritance acquires, subject to that obligation, from the decedent an interest in property of the decedent.

17255. The amount of any deduction specified in Section 17314 (relating to deduction for depletion), in respect of a decedent which is not properly allowable to the decedent in respect of the taxable period in which falls the date of his death, or a prior period, shall be allowed to the person described in Section 17250 who, in the manner described therein, receives the income to which the deduction relates, in the taxable year when the income is received.

17256. A person who includes an amount in gross income under Sections 17250 and 17251 shall be allowed, for the same taxable year, as a deduction an amount which bears the same ratio to the California inheritance tax attributable to the net value for estate tax purposes of all the items described in Section 17250 as the value for inheritance tax purposes of the items of gross income or portions thereof in respect of which that person included the amount in gross income (or the amount included in gross income, whichever is lower) bears to the value for inheritance tax purposes of all the items described in Section 17250.

17257. As used in Section 17256, the term "inheritance tax" means the tax imposed upon the beneficiary of the decedent under the California Inheritance Tax Act. The net value for inheritance tax purposes of all the items described in Section 17250 shall be the excess of the value for inheritance tax purposes of all the items described in Section 17250 over the deductions from the gross estate in respect of claims which represent the deductions described in Sections 17254 and 17255. The inheritance tax attributable to the net value shall be an amount equal to the excess of the inheritance tax over the inheritance tax computed without including in the gross estate the net value.

Sec. 46. Section 17302.5 is added to said code, to read:

17302.5. In computing net income there shall be allowed as a deduction all the ordinary and necessary expenses paid or incurred during the taxable year for the production or collection of income, or for the management, conservation, or maintenance of property held for the production of income.

Sec. 46.5. Section 17303 of said code is repealed.

Sec. 47. Section 17305.5 is added to said code, to read:

17305.5. In computing net income there shall be allowed as a deduction any tax imposed by any State, Territory, District or possession of the United States, or any political subdivision thereof, upon persons:

(a) Engaged in selling tangible personal property at retail, which is measured by the gross sales price or the gross receipts from the sale, or which is a stated sum per unit of such property sold; or

(b) Engaged in furnishing services at retail, which is measured by the gross receipts for furnishing such services, if the amount of the tax is separately stated, then to the extent that the amount so stated is paid by the purchaser (otherwise than in connection with the purchaser's trade or business) to that person the amount shall

be allowed as a deduction in computing the net income of the purchaser as if the amount constituted a tax imposed upon and paid by the purchaser.

SEC. 48. Section 17310 of said code is amended to read:

17310. In computing net income there shall be allowed as a deduction debts [ascertained to be] *which become* worthless within the taxable year [and charged off] or, in the discretion of the commissioner, a reasonable addition to a reserve for bad debts. When satisfied that a debt is recoverable only in part, the commissioner may allow the debt as a deduction in an amount not in excess of the amount [ascertained to be] *which becomes* worthless in the taxable year [and charged off]. *If a debt was actually worthless prior to January 1, 1943, but was not ascertained to be worthless and charged off prior to that date, a deduction may be taken therefor during the first taxable year ending after December 31, 1942, in any prior year [to be] becomes* worthless, regardless of whether [charged off or] *or not* claimed as a deduction in any prior year. This section does not apply to a debt evidenced by a security as defined in Sections 17312.

SEC. 49. Section 17311 of said code is amended to read:

17311. If any securities, as defined in Section 17312, [are ascertained to be] *become* worthless within the taxable year [and are charged off] and are capital assets, the loss resulting shall be considered as a loss from the sale or exchange, on the last day of the taxable year, of capital assets.

SEC. 50. Section 17313 of said code is amended to read:

17313. In computing net income there shall be allowed as a deduction a reasonable allowance for the exhaustion, wear and tear of property used in the trade or business *or of property held for the production of net income*, including a reasonable allowance for obsolescence. *A taxpayer may elect to claim a deduction for amortization of emergency facilities, as defined by Section 124 of the Internal Revenue Code as amended, under regulations prescribed by the commissioner.* In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant. In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income allocable to each.

SEC. 51. Section 17316 of said code is amended to read:

17316. Deductions for contributions or gifts shall be allowed to an amount which in all the cases listed in Section 17315 combined does not exceed 15 per cent of the taxpayer's net income as computed without the benefit of that section *or of Sections 17319, 17319.3 and 17319.5.* The contributions or gifts shall be allowed as deductions only if verified under rules and regulations prescribed by the commissioner.

SEC. 52. Section 17317.5 is added to said code, to read:

17317.5. In computing net income there shall be allowed as a deduction, in the case of a husband described in Sections 17104, 17105 and 17106, amounts includable under those sections in the gross income of his wife, payment of which is made within the husband's taxable year. If the amount of any payment is, under these sections or under Sections 18172.3 and 18172.5 stated not to be includable in the husband's gross income, no deduction shall be allowed with respect to that payment *under this section.*

SEC. 53. Section 17318.05 is added to said code, to read:

17318.05. In computing net income there shall be allowed as a deduction, in the case of a bondholder, the deduction for amortizable bond premium provided in Sections 17318.1 to 17318.5, inclusive.

SEC. 54. Section 17318.1 is added to said code, to read:

17318.1. In the case of any bond, as defined in Section 17318.5, the following rules shall apply to the amortizable bond premium on the bond for any taxable year beginning after December 31, 1942:

(a) In the case of a bond (other than a bond the interest on which is excludible from gross income), the amount of the amortizable bond premium for the taxable year shall be allowed as a deduction.

(b) In the case of any bond the interest on which is excludible from gross income, no deduction shall be allowed for the amortizable bond premium for the taxable year.

SEC. 55. Section 17318.2 is added to said code, to read:

17318.2. For the purposes of Section 17318.3, the amount of bond premium in the case of the holder of any bond, shall be determined with reference to the amount of the basis (for determining loss on sale or exchange) of the bond, and with reference to the amount payable on maturity or on earlier call date, with adjustments proper to reflect unamortized bond premium with respect to the bond, for the period prior to the date as of which Section 17318.1 becomes applicable with respect to the taxpayer with respect to such bond.

SEC. 56. Section 17318.3 is added to said code, to read:

17318.3. The amortizable bond premium of the taxable year shall be the amount of the bond premium attributable to that year.

SEC. 57. Section 17318.4 is added to said code, to read:

17318.4. The determinations required under Sections 17318, 17318.1, 17318.2 and 17318.3 shall be made:

(a) In accordance with the method of amortizing bond premiums regularly employed by the holder of the bond, if that method is reasonable;

(b) In all other cases, in accordance with regulations prescribing reasonable methods of amortizing bond premiums, prescribed by the commissioner.

SEC. 58. Section 17318.5 is added to said code, to read:

17318.5. As used in Sections 17318.05 to 17318.4, the term "bond" means any bond, debenture, note, or certificate or other evidence of indebtedness, issued by any corporation and bearing interest including any like obligation issued by a government or political subdivision thereof), with interest coupons or in registered form, but does not include any obligation which constitutes stock in trade of the taxpayer or any obligation of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year, or any obligation held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business.

SEC. 58.5. Section 17318.7 is added to said code, to read:

17318.7. The amount of the amortizable bond premium for the taxable year shall be allowed as a deduction only if a taxpayer has elected to claim a deduction. The election shall be made in accordance with such regulations as the commissioner shall prescribe. If an election is made with respect to any bond, it shall also apply to all such bonds held by the taxpayer at the beginning of the first taxable year to which the election applies and to all bonds thereafter acquired by him, and shall be binding for all subsequent taxable years with respect to all bonds of the taxpayer, unless, upon application by the taxpayer, the commissioner permits him, subject to such conditions as the commissioner deems necessary, to revoke the election.

SEC. 59. Section 17319 is added to said code, to read:

17319. In computing net income, there shall be allowed as a deduction, except as limited under Sections 17319.3 and 17319.5, expenses paid during the taxable year, not compensated for by insurance or otherwise, for medical care of the taxpayer, his spouse, or a dependent of the taxpayer specified in Section 17952. The term "medical care," shall include amounts paid for the diagnosis, cure, mitigation, treatment, or prevention of disease, or for the purpose of affecting any structure or function of the body (including amounts paid for accident or health insurance).

SEC. 60. Section 17319.3 is added to said code, to read:

17319.3. A husband and wife who file a joint return may deduct only those expenses as exceed 5 per cent of the aggregate net income of the husband and wife, computed without the benefit of this section, and the maximum deduction for the taxable year shall be not in excess of two thousand five hundred dollars (\$2,500) in the case of husband and wife.

SEC. 61. Section 17319.5 is added to said code, to read:

17319.5. An individual who files a separate return may deduct only those expenses as exceed 5 per cent of the net income of the taxpayer, computed without the benefit of this section, and the maximum deduction for the taxable year shall be not in excess of two thousand five hundred dollars (\$2,500) in the case of the head of a family, and not in excess of one thousand two hundred fifty dollars (\$1,250) in the case of all other individuals.

SEC. 62. Section 17320 is added to said code, to read:

17320. In computing net income, there shall be allowed as a deduction in the case of a tenant-stockholder, amounts, not otherwise deductible, paid or accrued to a cooperative apartment corporation within the taxable year, if those amounts represent that proportion of the real estate taxes on the apartment building and the land on which it is situated, allowable as deductions under Section 17305, paid or incurred by the corporation, or of the interest paid or incurred by the corporation on its indebtedness contracted in the acquisition, construction, alteration, rehabilitation, or maintenance of the apartment building or in the acquisition of the land on which the building is located, which the stock of the corporation owned by the tenant-stockholder is of the total outstanding stock of the corporation, including that held by the corporation.

SEC. 63. Section 17320.3 is added to said code, to read:

17320.3. As used in Section 17320 "cooperative apartment corporation" means a corporation—

(a) Having one and only one class of stock outstanding;

(b) All of the stockholders of which are entitled, solely by reason of their ownership of stock in the corporation, to occupy for dwelling purposes apartments in a building owned or leased by such corporation and who are not entitled, either conditionally or unconditionally, except upon a complete or partial liquidation of the corporation, to receive any distribution not out of earnings and profits of the corporation, and

(c) 80 per cent or more of the gross income of which for the taxable year in which the taxes and interest described in Section 17320 are paid or incurred, is derived from tenant-stockholders.

SEC. 64. Section 17320.5 is added to said code, to read:

17320.5 As used in Section 17320, "tenant-stockholder" means an individual who is a stockholder in a cooperative apartment corporation, and whose stock is fully paid up in an amount not less than an amount shown to the satisfaction of the commissioner as bearing a reasonable relationship to the portion of the value of the corporation's equity in the building and the land on which it is situated, which is attributable to the apartment which such individual is entitled to occupy.

SEC. 65. Section 17320.7 is added to said code, to read:

17320.7. In computing net income, there shall be allowed as a deduction in the case of a person described in Sections 17254 and 17255, the amount of the deductions in respect to a decedent to the extent allowed by those sections, and Section 17256.

SEC. 66. Section 17321 is added to said code, to read:

17321. In the case of a contract with the United States or any agency thereof, or any subcontract thereunder, which is made by the taxpayer:

(a) If a renegotiation is made in respect of that contract or subcontract and an amount of excessive profits received or accrued under the contract or subcontract for a taxable year (hereinafter referred to as "prior taxable year") is eliminated, and

(b) In a taxable year ending after December 31, 1941, the taxpayer is required to pay or repay to the United States or any agency thereof the amount of profits eliminated, or

(c) The amount of profits eliminated is applied as an offset against other amounts due the taxpayer,

Then the profits so eliminated shall be excluded from gross income for the prior taxable year if they were included in gross income for the prior taxable year.

SEC. 67. Section 17321.3 is added to said code, to read:

17321.3 As used in Section 17321, "renegotiation" includes

(a) Any transaction which is a renegotiation within the meaning of Section 403 of the Sixth Supplemental National Defense Appropriation Act (Public 528, 77th Cong., 2d Sess.) or that section, as amended,

(b) Any modification of one or more contracts with the United States or any agency thereof, and

(c) Any agreement with the United States or any agency thereof in respect of one or more such contracts or subcontracts thereunder.

SEC. 68. Section 17321.5 is added to said code, to read:

17321.5. As used in Section 17321, "excessive profits" includes

(a) Any amount which constitutes excessive profits within the meaning assigned to that term by subsection (a) of Section 403 of the Sixth Supplemental National Defense Appropriation Act (Public 528, 77th Cong., 2d Sess.), as amended by the Revenue Act of 1942,

(b) Any part of the contract price of a contract with the United States or any agency thereof,

(c) Any part of the subcontract price of a subcontract under a contract, and

(d) Any profits derived from one or more contracts or subcontracts.

SEC. 69. Section 17321.7 is added to said code, to read:

17321.7. As used in Section 17321, "subcontract" includes any purchase order or agreement which is a subcontract within the meaning assigned to that term by subsection (a) of Section 403 of the Sixth Supplemental National Defense Appropriation Act (Public 528, 77th Cong., 2d Sess.), as amended by the Revenue Act of 1942.

SEC. 70. Section 17322 is added to said code, to read:

17322. In the case of a cost-plus-a-fixed-fee contract between the United States or any agency thereof and the taxpayer, if an item for which the taxpayer has been reimbursed by the United States or any agency thereof is disallowed as an item of cost chargeable to that contract, and, in a taxable year ending after December 31, 1941, the taxpayer is required to repay the United States or any agency thereof the amount disallowed, or the amount disallowed is applied as an offset against other amounts due the taxpayer, for the purposes of this part the amount so disallowed or so applied as an offset shall be allowed as a deduction in the taxable year in which the reimbursement for the item was received or was accrued to the extent that the taxpayer's taxable net income for the year in which the cost was incurred would have been reduced had no reimbursement been received or accrued.

SEC. 71. Section 17322.3 is added to said code, to read:

17322.3. The amount of the payment, repayment or offset described in Sections 17321 and 17322 shall not constitute a deduction for the year in which paid or incurred.

SEC. 72. Section 17322.5 is added to said code, to read:

17322.5 Sections 17321 to 17322.2, inclusive, shall not apply in respect of any contract if the taxpayer shows to the satisfaction of the commissioner that a different method of accounting for the amount of the payment, repayment, or disallowance clearly reflects income, and in such case the payment, repayment, or disallowance shall be accounted for with respect to the taxable year provided for under that method.

Sec. 73. Section 17322.7 is added to said code, to read:

17322.7. Any overpayment in tax which results from the application of Sections 17321 to 17322.5, inclusive, shall be credited or refunded as provided in this part. Notwithstanding the provisions of any statute of limitations, credit or refund shall be made if claim therefor is filed within four years from the last day prescribed for filing the return or within two years from the date of payment, repayment, or offset described in Sections 17321 to 17322.5, inclusive, whichever is later.

Sec. 74. Sections 17322.9 is added to said code, to read:

17322.9. If prior to the payment of the last installment of tax for the taxable year the taxpayer becomes entitled to the exclusions or deductions provided in Sections 17321 to 17322.5, inclusive, for its taxable year, the taxpayer may, under regulation prescribed by the commissioner, file a claim in abatement of any unpaid tax or portion thereof, but not in excess of the reduction in tax resulting from the application of these sections.

Sec. 75. Section 17332.11 is added to said code, to read:

17332.11. In any case in which a claim in abatement is filed pursuant to Section 17322.9, and the commissioner makes an abatement, the tax disclosed by the original return shall, for the purpose of Article 2 of Chapter 11 of this part, be deemed to be reduced by the amount of the tax abated.

Sec. 76. Article 15, comprising Sections 17324 to 17324.16, inclusive, is added to Chapter 4, Part 10, Division 2, of said code, to read:

Article 15. Plans Deferring Receipt of Compensation

17324. In computing net income, if contributions are paid by an employer to or under a stock bonus, pension, profit-sharing, or annuity plan, or if compensation is paid or accrued on account of any employee under a plan deferring the receipt of the compensation, contributions or compensation shall not be deductible under Section 17301 but shall be deductible, if deductible under Section 17301 without regard to this article, under this article but only to the extent allowed under Sections 17324.1, 17324.2, 17324.3, and 17324.4.

17324.1. There shall be a deduction allowed in the taxable year when paid of contributions paid into a pension trust.

17324.2. If the taxable year ends within or with a taxable year of the trust for which the trust is exempt under Article 3 of Chapter 8, the amount deductible is:

(a) An amount not in excess of 5 per cent of the compensation otherwise paid or accrued during the taxable year to all the employees under the trust, but the amount may be reduced for future years if found by the commissioner upon periodical examinations at not less than five-year intervals to be more than the amount reasonably necessary to provide the remaining unfunded cost of past and current service credits of all employees under the plan, plus

(b) Any excess over the amount allowable under (a) necessary to provide with respect to all of the employees under the trust the remaining unfunded cost of their past and current service credits distributed as a level amount or a level percentage of compensation, over the remaining future service of each such employee, as determined under regulations prescribed by the commissioner. However, if the remaining unfunded cost with respect to any three individuals is more than 50 per cent of the remaining unfunded cost, the amount of the unfunded cost attributable to such individuals shall be distributed over a period of at least five taxable years.

17324.3. In lieu of the amounts allowable under Section 17324.2, the amount deductible may be

(a) An amount equal to the normal cost of the plan, as determined under regulations prescribed by the commissioner, plus

(b) If past service or other supplementary pension or annuity credits are provided by the plan, an amount not in excess of 10 per cent of the cost which would be required to completely fund or purchase the pension or annuity credits as of the date when they are included in the plan, as determined under regulations prescribed by the commissioner, except that in no case shall a deduction be allowed for any amount (other than the normal cost) paid in after such pension or annuity credits are completely funded or purchased.

17324.4. Any amount paid in a taxable year in excess of the amount deductible in that year under Sections 17324.2 and 17324.3 shall be deductible in the succeeding taxable years in order of time to the extent of the difference between the amount paid and deductible in each succeeding year and the maximum amount deductible for that year.

17324.5. A deduction shall be allowed in the taxable year when paid, in an amount determined in accordance with this article, if the contributions are paid toward the purchase of retirement annuities and that purchase is a part of a plan which meets the requirement of Sections 18159, 18160, 18161, and 18162 and if refunds of premiums, if any, are applied within current taxable year or next succeeding taxable year toward the purchase of these retirement annuities.

17324.6. A deduction shall be allowed in the taxable year when paid, if the contributions are paid into a stock bonus or profit-sharing trust, and if the taxable year ends within or with a taxable year of the trust with respect to which the trust is exempt under Article 3 of Chapter 8 in an amount not in excess of 15 per cent

of the compensation otherwise paid or accrued during the taxable year to all employees under the stock bonus or profit-sharing plan.

17324.7. If in any taxable year beginning after December 31, 1942, there is paid into the trust, or a similar trust then in effect, amounts less than the amounts deductible under Section 17324.6, the excess, or if no amount is paid, the amounts deductible, shall be carried forward and be deductible when paid in the succeeding taxable years in order of time, but the amount so deductible under this section in any succeeding taxable year shall not exceed 15 per centum of the compensation otherwise paid or accrued during that succeeding taxable year to the beneficiaries under the plan.

17324.8. In addition, any amount paid into the trust in a taxable year beginning after December 31, 1942, in excess of the amount allowable with respect to that year under Sections 17324.6 and 17324.7 shall be deductible in the succeeding taxable years in order of time, but the amount so deductible under this section in any one succeeding taxable year together with the amount allowable under Section 17324.6 shall not exceed 15 per centum of the compensation otherwise paid or accrued during the taxable year to the beneficiaries under the plan.

17324.9. As used in this article "stock bonus or profit-sharing trust" shall not include any trust designed to provide benefits upon retirement and covering a period of years, if under the plan the amounts to be contributed by the employer can be determined actuarially. If the contributions are made to two or more stock bonus or profit-sharing trusts, these trusts shall be considered a single trust for the purposes of applying the limitations in Sections 17324.6, 17324.7, and 17324.8.

17324.10. There shall be allowed a deduction in the taxable year when paid, if the plan is not one included in the preceding sections of this article, if the employees' rights to or derived from the employer's contribution or compensation are non-forfeitable at the time the contribution or compensation is paid.

17324.11. For the purposes of the preceding sections in this article, except Section 17324.10, a taxpayer on the accrual basis shall be deemed to have made a payment on the last day of the year of accrual if the payment is on account of the taxable year and is made within 60 days after the close of the taxable year of accrual.

17324.12. If amounts are deductible under any of the preceding sections in this article except Sections 17324.10 and 17324.11, in connection with two or more trusts, or one or more trusts and an annuity plan, the total amount deductible in a taxable year under these trusts and plans shall not exceed 25 per cent of the compensation otherwise paid or accrued during the taxable year to the persons who are the beneficiaries of the trusts or plans.

17324.13. In addition, any amount paid into a trust or under annuity plans in a taxable year beginning after December 31, 1942, in excess of the amount allowable with respect to such year under Section 17324.12, shall be deductible in the succeeding taxable years in order of time. The amount deductible under this section in any one succeeding taxable year together with the amount allowable under Section 17324.12 shall not exceed 30 per cent of the compensation otherwise paid or accrued during the taxable years to the beneficiaries under the trusts or plans.

17324.14. Sections 17324.11, 17324.12, and 17324.13 shall not have the effect of reducing the amount otherwise deductible under the preceding sections of this article, except Section 17324.10 and 17324.11, if no employee is a beneficiary under more than one trust, or a trust and an annuity plan.

17324.15. If there is no plan, but a method of employer contributions or compensation has the effect of a stock bonus, pension, profit-sharing, or annuity plan, or similar plan deferring the receipt of compensation, this article shall apply as if there were a plan.

17324.16. Any deduction allowable under Section 17303 (as it read prior to its repeal in 1943) for a taxable year beginning before January 1, 1943, which was apportioned to any taxable year beginning after December 31, 1942, shall be allowed as a deduction for the years to which so apportioned to the extent allowable under this article as it then read if it had remained in force with respect to that year.

Sec. 77. Article 1.7, comprising Sections 17325 to 17350, inclusive, is added to Chapter 4, Part 10, Division 2 of said code, to read:

Article 1.7. War Losses

17325. In computing net income there shall be allowed as a deduction losses sustained during the taxable year and not compensated for by insurance or otherwise of property destroyed or seized on or after December 7, 1941, in the course of military or naval operations by the United States or any other country engaged in the present war.

17326. Property described in Section 17325 shall be deemed to have been destroyed or seized on a date chosen by the taxpayer in the manner provided in Section 17323, which falls between:

(a) The latest date, as established to the satisfaction of the commissioner, on which that property may be considered as not destroyed or seized, and

(b) The earliest date, as established to the satisfaction of the commissioner, on which that property may be considered as having already been destroyed or seized

17327. For the purposes of this article property within an area which comes under the control of a country at war with the United States after the date war with such country is declared by the United States shall be deemed to have been destroyed or seized in the course of military or naval operations by that country.

17328. The date specified in Section 17326 (a) shall not be later than the latest date determined by the commissioner as the date on which that area was under the control of the United States or a country not at war with the United States, and the date specified in Section 17326 (b) shall not be later than the earliest date determined by the commissioner as the date on which that area may be considered under the control of the country which is at war with the United States.

17329. Property within any country at war with the United States, or within an area under the control of that country on the date war with that country was declared by the United States, shall be deemed to have been destroyed or seized on the date war with that country was declared by the United States.

17330. Any interest in, or with respect to, property described in Sections 17325, 17326, 17327 and 17329, including any interest represented by a security as defined in Section 17307 or Section 17312, which becomes worthless shall be considered to have been destroyed or seized, and the loss therefrom shall be considered a loss from the destruction or seizure. The destruction or seizure shall be deemed to occur on the date chosen by the taxpayer which falls between the dates specified in Section 17326, or on the date prescribed in Sections 17327 and 17328, as the case may be, when the last property described in the applicable section to which the interest relates would be deemed destroyed or seized under the applicable section.

17331. Section 17330 shall apply only if the interest would have become worthless if the property had been destroyed. For the purposes of this section, an interest shall be deemed to have become worthless notwithstanding the fact that the interest has a value if that value is attributable solely to the possibility of recovery of the property, compensation (other than insurance or similar indemnity) on account of its destruction or seizure, or both. Sections 17311 and 17307 shall not apply to any interest which under this section is considered to have been destroyed or seized.

17332. Under regulations prescribed by the commissioner, a taxpayer who owns 100 per cent, excluding qualifying shares, of each class of stock of a corporation may elect to determine the worthlessness of his interest, described in Section 17331, in or with respect to the property of the corporation, without regard to the amount of the property of that corporation which would be excluded under Section 17349 in determining the adjusted basis of all the assets of the corporation for the purposes of Sections 17348, 17349 and 17349.5, but that amount shall be treated under Section 17334 as a recovery by the taxpayer in the taxable year with respect to such interest.

17333. The taxpayer's choice of a date under Sections 17326 and 17330 shall be effective only if made within the time and in the manner as may be prescribed by regulations prescribed by the commissioner.

17334. In the case of any property or interest in or with respect to property deemed to be destroyed or seized under this article, the amount of the loss on account of that property or interest shall be determined with regard to any recoveries with respect thereto in the taxable year but without regard to any possibility of recovering that property or interest, or of receiving any compensation (other than insurance or similar indemnity) on account of that property or interest in the taxable year or in any future taxable year.

17335. In the case of any property or interest in or with respect to property deemed to be destroyed or seized under this article, the taxpayer may choose to decrease the amount of the loss by all obligations or liabilities of the taxpayer with respect to that property or interest discharged or satisfied out of the property or interest upon its destruction or seizure, if the commissioner is satisfied that those obligations or liabilities are so discharged or satisfied in a subsequent taxable year, or that the taxpayer is unable to determine whether or not those obligations or liabilities are in fact discharged or satisfied.

17336. No loss shall be deemed to have been sustained upon the destruction or seizure of the property or interest to the extent that it is compensated for by the discharge or satisfaction of obligations and liabilities of the taxpayer out of the property or interest in the taxable year in which the destruction or seizure is deemed to have occurred. The taxpayer's choice under this article shall be effective only if made within the time and in the manner as may be prescribed by regulations prescribed by the commissioner.

17337. Upon the recovery in the taxable year of any money or property in respect of property considered under this article as destroyed or seized in any prior taxable year, the amount of the recovery shall be included in gross income to the extent provided in Section 17338.

17338. The amount of the recovery of any money or property in respect of property considered under this article as destroyed or seized shall be an amount equal to the aggregate of the money and the fair market value of the property, determined as of the date of the recovery.

17339. To the extent that this amount plus the aggregate of the amounts of previous recoveries do not exceed that part of the aggregate of the allowable

deductions in prior taxable years on account of the destruction or seizure of property described in this article which did not result in a reduction of any tax of the taxpayer under this part, this amount shall not be includable in gross income and shall not be deemed a gain upon the involuntary conversion of property as a result of its destruction or seizure.

17340. To the extent that this amount plus the aggregate of the amounts of previous recoveries exceed that part of the aggregate of the deductions which did not result in a reduction of any tax of the taxpayer under this part and do not exceed that part of the aggregate of the deductions which did result in a reduction of any tax of the taxpayer under this part, this amount shall be included in gross income but shall not be deemed a gain upon the involuntary conversion of property as a result of its destruction or seizure.

17341. To the extent that this amount plus the aggregate of the amounts of previous recoveries exceed the aggregate of the allowable deductions in prior taxable years on account of the destruction or seizure of property described in this article, the amount shall be considered a gain upon the involuntary conversion of property as a result of its destruction or seizure and shall be recognized or not recognized as provided in Section 17672.

17342. If for any previous taxable year the taxpayer chooses under Sections 17334, 17335 and 17336 to treat any obligations and liabilities as discharged or satisfied out of the property or interest described in Sections 17330, 17331 and 17332, and if such obligations and liabilities were not so discharged or satisfied, the amount of such obligations and liabilities treated as discharged or satisfied under Sections 17334, 17335 and 17336 shall be considered for the purposes of this article as a deduction by reason of this article which did not result in a reduction of any tax of the taxpayer under this part.

17343. For the purposes of Sections 17338, 17339, 17340, 17341 and 17342, an allowable deduction for any taxable year on account of the destruction or seizure of property described in this article shall, to the extent not allowed in computing the tax of the taxpayer for the taxable year, be considered an allowable deduction which did not result in a reduction of any tax of the taxpayer under this part.

17344. For the purposes of Sections 17337 to 17342, inclusive, the restoration in whole or in part of the value of any interest described in Sections 17330, 17331 and 17332 by reason of any recovery of money or property in respect of property to which the interest related and which was considered under Sections 17326 and 17327 as destroyed or seized shall be deemed a recovery of property in respect of property considered as destroyed or seized.

17345. The unadjusted basis of property recovered in respect of property considered destroyed or seized under this article shall be determined under Sections 17346 and 17347.

17346. The unadjusted basis shall be an amount equal to the fair market value of that property, determined as of the date of the recovery, reduced by an amount equal to the excess of the aggregate of the fair market value and the amounts of previous recoveries of money or property in respect of property considered under this article as destroyed or seized over the aggregate of the allowable deductions in prior taxable years on account of the destruction or seizure of property described in this article and increased by that portion of the amount of the recovery which under Section 17341 is treated as a recognized gain from the involuntary conversion of property.

17347. Upon application of the taxpayer, the aggregate of the bases, determined under Section 17346, of any properties recovered in respect of properties considered under this article as destroyed or seized may be allocated among the properties so recovered, in such manner as the commissioner may determine under regulations prescribed by him, and the amounts so allocated to any property so recovered shall be the unadjusted basis of the property in lieu of the unadjusted basis of the property determined under Section 17346.

17348. If:

(a) A taxpayer owns not less than 50 per cent of each class of stock of a corporation; and

(b) That corporation has property described under this article as destroyed or seized; and

(c) The adjusted basis for determining loss of that property is at least 75 per cent of the adjusted basis for determining loss of all the property of that corporation; and

(d) That corporation completely liquidates within one year after that property is deemed to be destroyed or seized, or by December 31, 1943, whichever is later; and

(e) The liquidation is accomplished by distributing all the assets which it is able to distribute and all its rights to assets which it is not able to distribute, including the right to the recovery of the property described in Sections 17326 to 17329, inclusive.

Then that part of the loss by the taxpayer on the liquidation which would be attributable to the destruction or seizure of the property, as established to the satisfaction of the commissioner, shall be treated for the purposes of this part as a loss by the taxpayer upon the destruction or seizure of the part of the stock or

other interest of the taxpayer to which such loss is allocable. That part of the stock or other interest of the taxpayer shall be treated for the purposes of this article as property described in Sections 17330, 17331 and 17332.

17349. In determining the adjusted basis of all the property of the corporation, there shall be excluded money in the United States, bank deposits, the right to receive money from any person not situated in a country at war with the United States or in a territory under the control of that country, and obligations issued or guaranteed as to principal or interest by the United States, except that there shall not be excluded any property which is destroyed or seized as described in this article within or before the taxable period.

17349.5. The adjusted basis of property of the corporation shall be determined as of the date immediately preceding the first date on which any property was destroyed or seized, as described in this article, or as of any later date falling within or before the taxable period on the basis of which the determination will produce a greater amount.

17350. The determination as to whether and to what extent an allowable deduction on account of the destruction or seizure of property described in this article did or did not result in a reduction of any tax of the taxpayer under this chapter shall be made in accordance with regulations prescribed by the commissioner.

SEC. 78. Section 17351 of said code is amended to read:

17351. In computing net income no deduction shall in any case be allowed in respect of:

(a) Personal, living, or family expenses[.], *except extraordinary medical expenses deductible under Sections 17319, 17319.3 and 17319.5.*

(b) Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate.

(c) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made.

(d) Premiums paid on any life insurance policy covering the life of any officer or employee, or of any person financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under the policy.

(e) Any amount otherwise allowable as a deduction which is allocable to one or more classes of income (whether or not any amount of income of that class or classes is received or accrued) wholly exempt from the taxes imposed by this part.

(f) *Any amount paid or accrued on indebtedness incurred or continued to purchase a single premium life insurance or endowment contract. For the purposes of this subsection, if substantially all the premiums on a life insurance or endowment contract are paid within a period of four years from the date on which such contract is purchased, such contract shall be considered a single premium life insurance or endowment contract; or*

(g) *Amounts paid or accrued for such taxes and carrying charges as, under regulations prescribed by the commissioner, are chargeable to capital account with respect to property, if the taxpayer elects, in accordance with such regulations, to treat those taxes or charges as so chargeable.*

SEC. 79. Section 17357 is added to said code, to read:

17357. In computing net income no deduction shall be allowed under Section 17301 for any contribution or gift which would be allowable as a deduction under Sections 17315 and 17316 were it not for the 15 per cent limitation therein contained and for the requirement therein that payment must be made within the taxable year.

SEC. 80. Section 17503 of said code is amended to read:

17503. The method described in Section 17502 may be used

(a) Only in inventorying goods (required under Section 17501 to be inventoried) specified in an application to use such method filed at such time and in such manner as the commissioner may prescribe; and

(b) Only if the taxpayer establishes to the satisfaction of the commissioner that the taxpayer has used no procedure other than that specified in subdivisions (b) and (c) of Section 17502 in inventorying [(to ascertain income, profit, or loss for credit purposes or for the purpose of reports to shareholders, partners, or other proprietors, or to beneficiaries) such goods for any period beginning with or during the first taxable year for which the method described in Section 17502 is to be used] *to ascertain the income, profit, or loss of the first taxable year for which the method described in Section 17502 is to be used, for the purpose of a report or statement covering the taxable year to shareholders, partners, or other proprietors, or to beneficiaries, or for credit purposes.*

SEC. 81. Section 17506 of said code is amended to read:

17506. If a taxpayer, having complied with Section 17503, uses the method described for any taxable year, that method shall be used in all subsequent taxable years unless

(a) With the approval of the commissioner a change to a different method is authorized; or

(b) The commissioner determines that the taxpayer has used for any [period beginning with or during any] *such* subsequent taxable year some procedure other

than that specified in subdivision (b) of Section 17502 in inventorying [(for ascertaining income, profit, or loss for credit purposes or for the purpose of reports to shareholders, partners, or other proprietors, or to beneficiaries)] the goods specified in the application [.] *to ascertain the income, profit, or loss of such subsequent taxable year for the purpose of a report or statement covering such taxable year to shareholders, partners, or other proprietors, or beneficiaries, or for credit purposes.* and requires a change to a method different from that prescribed in Section 17502 beginning with such subsequent taxable year or any taxable year thereafter.

In either of the above cases, the change to, and the use of, the different method shall be in accordance with such regulations as the commissioner may prescribe as necessary in order that the use of such method may clearly reflect income.

SEC. 82. Article 15, comprising Sections 17507 to 17516, inclusive, is added to Chapter 5 of Part 10 of Division 2 of said code, to read:

Article 15. Involuntary Liquidation Due to War Conditions

17507. As used in this article, "involuntary liquidation" means the sale or other disposition of goods inventoried under the method described in Article 1, either voluntary or involuntary, coupled with a failure on the part of the taxpayer to purchase, manufacture, or otherwise produce and have on hand at the close of the taxable year in which a sale or other disposition occurred such goods as would, if on hand at the close of such taxable year, be subject to the provisions of Article 1, if such failure on the part of the taxpayer is due, directly and exclusively:

- (a) To enemy capture or control of sources of limited foreign supply;
- (b) To shipping or other transportation shortages;
- (c) To material shortages resulting from priorities or allocations;
- (d) To labor shortages;
- (e) To other prevailing war conditions, beyond the control of the taxpayer.

17508. The net income of the taxpayer otherwise determined for the year of involuntary liquidation shall be adjusted according to the provisions of Sections 17509 and 17510:

(a) If, for any taxable year beginning after December 31, 1942, and prior to the termination of the present war as proclaimed by the President of the United States, the closing inventory of a taxpayer inventorying goods under the method provided in this section reflects a decrease from the opening inventory of goods for this year; and

(b) If, at the time of the filing of the taxpayer's income tax return for such year, the taxpayer elects to have the provisions of this section apply and so notifies the commissioner; and

(c) If, at the time of such election, it is established to the satisfaction of the commissioner, in accordance with rules and regulations prescribed by the commissioner, that such decrease is attributable to the involuntary liquidation of the inventory as defined in Section 17511; and

(d) If the closing inventory of a subsequent taxable year, ending not more than three years after the termination of the present war as proclaimed by the President of the United States, reflects a replacement, in whole or in part, of the goods so previously liquidated.

17509. The taxpayer's net income shall be adjusted as follows:

(a) Increased by an amount equal to the excess, if any, of the aggregate cost of such goods reflected in the opening inventory of the year of involuntary liquidation over the aggregate replacement cost; or

(b) Decreased by an amount equal to the excess, if any, of the aggregate replacement cost of such goods over the aggregate cost thereof reflected in the opening inventory of the year of the involuntary liquidation.

17510. The taxes imposed by this part for the year of such liquidation and for all taxable years intervening between that year and the year of replacement shall be redetermined, giving effect to adjustments provided for in Section 17508. Any increase in taxes resulting from these adjustments shall be assessed and collected as a deficiency but without interest, and any overpayment so resulting shall be credited or refunded to the taxpayer without interest.

17511. If, in the case of any taxpayer subject to the provisions of Section 17508, the closing inventory of the taxpayer for a taxable year, subsequent to the year of involuntary liquidation but prior to the complete replacement of the goods so liquidated, reflects an increase over the opening inventory of the goods for the taxable year, the goods reflecting such increase shall be considered, in the order of their acquisition, as having been acquired in replacement of the goods most recently liquidated (whether or not in a year of involuntary liquidation) and not previously replaced. If the liquidation was an involuntary liquidation, the goods reflecting the increase shall be included in the inventory of the taxpayer for the year of replacement at the inventory cost basis of the goods replaced.

17512. An election by the taxpayer to have the provisions of this article apply, once made, shall be irrevocable and shall be binding for the year of the involuntary

liquidation and for all determinations for subsequent taxable years insofar as they are related to the year of liquidation or replacement.

17513 If the adjustments specified in Section 17509 are, with respect to any taxable year, prevented, on the date of the filing of the income tax return of the taxpayer for the year of the replacement, or within three years from such date, by any provision or rule of law (other than this article), such adjustments shall nevertheless be made if, in respect of the taxable year for which the adjustment is sought, a notice of proposed additional assessment is mailed or a claim for refund is filed, as the case may be, within three years after the date of the filing of the income tax return for the year of replacement.

17514. If, at the time of the mailing of the notice of proposed additional assessment or the filing of the claim for refund, the adjustment is so prevented, then the amount of the adjustment authorized by this article shall be limited to the increase or decrease of the tax imposed by this part previously determined for the taxable year which results solely from the effect of Section 17508. The tax previously determined shall be ascertained in accordance with rules and regulations prescribed by the commissioner.

17515 The amount of the adjustment shall be assessed and collected, or credited or refunded, in the same manner as if it were a deficiency or an overpayment, as the case may be, for such taxable year and as if, on the date of the filing of the income tax return for the year of the replacement, three years remain before the expiration of the periods of limitation upon assessment or the filing of claim for refund for the taxable year.

17516. The amount of the adjustment shall not be diminished by any credit or set-off based upon any item, inclusion, deduction, credit, exemption, gain, or loss, other than one resulting from the effect of Section 17508. The amount, if paid, shall not be recovered by a claim or suit for refund, or suit for erroneous refund based upon any item, inclusion, deduction, credit, exemption, gain, or loss, other than one resulting from the effect of Section 17508.

SEC 83 Section 17560 of said code is amended to read:

17560 If a separate return is made on account of a change in the accounting period, the net income, computed on the basis of the period for which the separate return is made, hereafter referred to as the "short period," shall be placed on an annual basis by multiplying the amount thereof by 12 and dividing by the number of months [included] in the [period for which the separate return is made] short period. The tax shall be such part of the tax computed on such annual basis as the number of months in the short period is of 12 months.

SEC 84 Section 17560 3 is added to said code, to read:

17560 3 If the taxpayer establishes the amount of his net income for the period of 12 months beginning with the first day of the short period, computed as if the 12-month period were a taxable year, under the law applicable to that year, then the tax for the short period shall be reduced to an amount which is that part of the tax computed on the net income for the 12-month period as the net income computed on the basis of the short period is of the net income for the 12-month period.

SEC 85 Section 17560 5 is added to said code, to read:

17560 5 The taxpayer (other than a taxpayer to which the next sentence applies) shall compute the tax and file his return without the application of Section 17560 3. If the taxpayer was not in existence at the end of the 12-month period, then in lieu of the net income for the 12-month period there shall be used for the purposes of Section 17560 3 the net income for the 12-month period ending with the last day of the short period.

SEC 86 Section 17560 7 is added to said code, to read:

17560 7. The tax computed under Section 17560 shall in no case be less than the tax computed on the net income for the short period without placing the net income on an annual basis. The benefits of Section 17560 shall not be allowed unless the taxpayer makes application therefor in accordance with and at such time as regulations prescribed hereunder require, but not after the time prescribed for the filing of the return for the first taxable year which ends on or after 12 months after the beginning of the short period.

SEC 87 Section 17560 9 is added to said code, to read:

17560 9 The application, in case the return was filed without regard to Section 17560 3 shall be considered a claim for credit or refund with respect to the amount by which the tax is reduced under Section 17560 3. The commissioner shall prescribe such regulations as he may deem necessary.

SEC 88 Section 17562 of said code is amended to read:

17562 The amount of all items of gross income shall be included in the gross income for the taxable year in which received by the taxpayer unless under the methods of accounting permitted under Section 17556 any such items are to be properly accounted for as of a different period. In the case of the death of a taxpayer [there shall be included in computing net income for the taxable period in which falls the date of his death amounts accrued up to the date of his death if not otherwise properly includible in respect of such period or a prior period], whose net income is computed upon the basis of the accrual method of accounting, amounts

(except amounts includible in computing a partner's net income under Chapter 9 of this part) accrued only by reason of the death of the taxpayer shall not be included in computing net income for the period in which falls the date of the taxpayer's death.

SEC 89 Section 17563 of said code is amended to read:

17563 The deductions and credits provided for in this part shall be taken for the taxable year in which "paid or accrued" or "paid or incurred," dependent upon the method of accounting upon the basis of which the net income is computed, unless in order clearly to reflect the income the deductions or credits should be taken as of a different period. In the case of the death of a taxpayer [there shall be allowed as deductions and credits for the taxable period in which falls the date of his death, amounts accrued up to the date of his death (except deductions for contributions and gifts) if not otherwise properly allowable in respect of such period or a prior period] *whose net income is computed upon the basis of the accrual method of accounting, amounts except amounts includible in computing a partner's net income under Chapter 9, accrued as deductions and credits only by reason of the death of the taxpayer shall not be allowed in computing net income for the period in which falls the date of the taxpayer's death.*

SEC. 90. Section 17567 is added to said code, to read

17567. In the case of a taxpayer not in existence during the whole of an annual accounting period ending on the last day of a month, or, if the taxpayer has no annual accounting period or does not keep books during the whole of a calendar year, the return shall be made for the fractional part of the year during which the taxpayer was in existence.

SEC. 91 Section 17568 is added to said code, to read

17568 If, in the case of a taxpayer owning any noninterest-bearing obligation issued at a discount and redeemable for fixed amounts increasing at stated intervals, the increase in the redemption price of the obligation occurring in the taxable year does not (under the method of accounting used in computing his net income) constitute income to him in that year, the taxpayer may, at his election made in his return for any taxable year beginning after December 31, 1942, treat the increase as income received in such taxable year.

SEC 92 Section 17569 is added to said code, to read:

17569 If any election is made as provided in Section 17568 with respect to any obligation, it shall apply also to all obligations owned by the taxpayer at the beginning of the first taxable year to which it applies and to all obligations thereafter acquired by him and shall be binding for all subsequent taxable years, unless upon application by the taxpayer, the commissioner permits him, subject to such conditions as the commissioner deems necessary, to change to a different method. In the case of any obligations owned by the taxpayer at the beginning of the first taxable year to which his election applies, the increase in the redemption price of obligations occurring between the date of acquisition and the first day of the taxable year shall also be treated as income received in the taxable year.

SEC 93 Section 17672 of said code is amended to read:

17672. No gain [or loss] shall be recognized, *but loss shall be recognized*, if property, as a result of its destruction in whole or in part, theft or seizure, or an exercise of the power of requisition or condemnation, or the threat or imminence thereof, is compulsorily or involuntarily converted into property similar or related in service or use to the property so converted, or into money which is forthwith in good faith, under regulations prescribed by the commissioner, expended in the acquisition of other property similar or related in service or use to the property so converted, or in the acquisition of control of a corporation owning such other property, or in the establishment of a replacement fund.

If any part of the money is not so expended, the gain, if any, shall be recognized [, but in an amount not in excess of the money which is not so expended] *to the extent of the money which is not so expended (regardless of whether the money is received in one or more taxable years and regardless of whether or not the money which is not so expended constitutes gain).*

SEC 94 Section 17673 of said code is amended to read:

17673 No gain or loss shall be recognized to a shareholder from a distribution of stocks or securities in liquidation of a corporation made pursuant to an order of the Federal Securities and Exchange Commission under authority vested in it by the Public Utility Holding Company Act of 1935, as amended [prior to January 1, 1939]

SEC 95 Section 17711 of said code is amended to read:

17711 "Capital assets" means property held by the taxpayer (whether or not connected with his trade or business), but does not include stock in trade of the taxpayer or other property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year, or property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business or property used in the trade or business of a character which is subject to the allowance for depreciation provided in Section 17313 [] or real property used in the trade or business of the taxpayer.

SEC. 96. Section 17713 of said code is amended to read:

17713. In determining the period for which the taxpayer has held property received on an exchange, there shall be included the period for which he held the property exchanged, if under Articles 4 or 5 of this chapter, the property received has, for the purpose of determining gain or loss from a sale or exchange, the same basis in whole or in part in his hands as the property exchanged. *For the purposes of this section, an involuntary conversion described in Section 17672 shall be considered an exchange of the property converted for the property acquired.*

SEC. 97. Section 17716.5 is added to said code, to read:

17716.5. In determining the period for which the taxpayer has held stock or securities acquired from a corporation by the exercise of rights to acquire the stock or securities, there shall be included only the period beginning with the date upon which the right to acquire was exercised.

SEC. 97.3. Section 17721 is added to said code, to read:

17721. For the purposes of this section and Section 17722, the term "property used in the trade or business" means property used in the trade or business, of a character which is subject to the allowance for depreciation provided in Section 17313, and real property used in the trade or business, which is not:

(a) Property of a kind which would properly be includable in the inventory of the taxpayer if on hand at the close of the taxable year, or

(b) Property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business.

SEC. 97.5. Section 17722 is added to said code, to read:

17722. If, during the taxable year, the recognized gains upon sales or exchanges of property used in the trade or business, plus the recognized gains from the compulsory or involuntary conversion, as a result of destruction in whole or in part, theft or seizure, or an exercise of the power of requisition or condemnation or the threat or imminence thereof, of property used in the trade or business and capital assets into other property or money, exceed the recognized losses from the sales, exchanges, and conversions, the gains and losses shall be considered as gains and losses from sales or exchanges of capital assets. If the gains do not exceed the losses, the gains and losses shall not be considered as gains and losses from sales or exchanges of capital assets.

SEC. 97.7. Section 17723 is added to said code, to read:

17723. In determining whether gains exceed losses, the gains and losses described therein shall be included only if and to the extent taken into account in computing net income except that Sections 17711 and 17717 shall not apply.

SEC. 97.8. Section 17724 is added to said code, to read:

17724. Losses upon the destruction, in whole or in part, theft or seizure, or requisition or condemnation of property used in the trade or business of capital assets shall be considered losses from a compulsory or involuntary conversion.

SEC. 98. Section 17743 of said code is amended to read:

17743. If the property was acquired by gift after December 31, 1920, the basis shall be the same as it would be in the hands of the donor or the last preceding owner by whom it was not acquired by gift, except that [for the purpose of determining loss the basis shall be the basis so determined or the fair market value of the property at the time of the gift whichever is lower] *if such basis (adjusted for the period prior to the date of gift as provided in Article 5 of this chapter) is greater than the fair market value of the property at the time of the gift, then, for the purpose of determining loss, the basis shall be the fair market value.*

SEC. 99. Section 17744 of said code is amended to read:

17744. If the property was acquired after December 31, 1920, by a transfer in trust (other than by a transfer in trust by a gift, bequest or devise) the basis shall be the same as it would be in the hands of the grantor, increased in the amount of gain or decreased in the amount of loss recognized to the grantor upon such transfer under the law applicable to the year in which the transfer was made.

SEC. 100. Section 17782 of said code is amended to read:

17782. Proper adjustment in respect of the property shall in all cases be made for expenditures, receipts, losses, or other items, properly chargeable to capital account, [including taxes and other carrying charges on unimproved and unproductive real property.] but no such adjustment shall be made for taxes or other carrying charges for which deductions have been taken by the taxpayer in determining net income for the taxable year or prior taxable years.

SEC. 101. Section 17783 of said code is amended to read:

17783. Proper adjustment in respect of the property shall in all cases also be made for exhaustion, wear and tear, obsolescence, amortization and depletion, to the extent sustained prior to January 1, 1935, and for periods thereafter to the extent allowed (but not less than the amount allowable) under this part. *However, if a taxpayer has not claimed an amortization deduction for an emergency facility, an adjustment shall be made only to the extent ordinarily provided under Section 17313.*

SEC. 101.5. Section 17784.5 is added to said code, to read:

17784.5. Proper adjustment in respect of the property shall in all cases also be made in the case of any bond (as defined in Section 17318.5) the interest on

which is wholly exempt from the tax imposed by this part, to the extent of the amortizable bond premium disallowable as a deduction pursuant to Section 17318 1 (a), and in the case of any other bond (as defined in that section) to the extent of the deductions allowable pursuant to Section 17318 1 (b) with respect thereto.

Src 102 Section 17787 is added to said code, to read:

17787 Neither the basis nor the adjusted basis of any portion of real property shall, in the case of the lessor of the property, be increased or diminished on account of income derived by the lessor in respect of the property and excludible from gross income under Section 17131. If an amount representing any part of the value of real property attributable to buildings erected or other improvements made by lessee in respect of the property was included in gross income of the lessor for any taxable year beginning before January 1, 1943, the basis of each portion of the property shall be properly adjusted for the amount so included in gross income.

Src. 104 Section 17813 of said code is amended to read:

17813 In the case of mines (other than metal, coal, *fluorspar, ball and sagger clay, rock asphalt* or sulphur mines) discovered by the taxpayer after February 28, 1913, the basis for depletion shall be the fair market value of the property at the date of discovery or within 30 days thereafter, if the mines were not acquired as the result of purchase of a proven tract or lease, and if the fair market value of the property is materially disproportionate to the cost.

Src 105 Section 17817 of said code is amended to read:

17817 The allowance for depletion under Section 17314 shall be, in the case of coal mines, 5 per cent, in the case of metal *fluorspar, ball and sagger clay or rock asphalt* mines, 15 per cent, and, in the case of sulphur mines or deposits, 2 1/2 per cent, of the gross income from the property during the taxable year, exclusive from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property. The allowance shall not exceed 50 per cent of the net income of the taxpayer (computed without allowance for depletion) from the property[], *except in no case shall the depletion allowance under Section 17314 be less than it would be if computed without reference to this section.*

Src 106 Sections 17818, 17819 and 17820 of said code are repealed.

Src 107 Section 17952 of said code is amended to read:

17952 There shall also be allowed as a credit four hundred dollars (\$400) for each individual (other than husband or wife living with the taxpayer) dependent upon and receiving his chief support from the taxpayer if the dependent individual is under 18 years of age or is incapable of self support because mentally or physically defective [], and four hundred dollars (\$400) for each former or present spouse to whose support the taxpayer is contributing by order of a court of competent jurisdiction[].

A payment to a wife which is includible under Sections 17104, 17105, 17106 and 17107 or Sections 18172 3 and 18172 7 in the gross income of the wife shall not be considered a payment by her husband for the support of any dependent. If the taxpayer would not occupy the status of head of a family except by reason of there being one or more dependents for whom he would be entitled to credit under this section, the credit under this subsection shall be disallowed with respect to one of the dependents.

Src 108 Section 18133 of said code is amended to read:

18133 There shall be allowed as an additional deduction in computing the net income of the estate or trust [(a)] the amount of the income of the estate or trust for its taxable year which is to be distributed currently by the fiduciary to the *legatees, heirs or beneficiaries*, [(and (b) the amount of the income collected by a guardian of an infant which is to be held or distributed as the court may direct,] but the amount so allowed as a deduction shall be included in computing the net income of the *legatees, heirs, or beneficiaries* whether distributed to them or not.

In the case of a nonresident beneficiary his income derived through such an estate or trust is taxable only to the extent it is derived from sources within this State.

Src 109 Section 18135 of said code is amended to read:

18135 If the taxable year of a *legatee, heir or beneficiary* is different from that of the estate or trust, the amount which he is required under Section 18133 to include in computing his net income shall be based upon the income of the estate or trust for any taxable year of the estate or trust ending within or with his taxable year.

Src 110 Section 18156 of said code is repealed.

Src 111 Section 18156 is added to said code, to read:

18156 A trust forming part of a stock bonus, pension, or profit-sharing plan of an employer for the exclusive benefit of his employees or their beneficiaries shall not be taxable under Chapter 18 and no other provision of this chapter shall apply with respect to such trust or to its beneficiary if the trust is one provided for under Sections 18157, 18158, 18159 and 18160.

Src 112 Section 18157 is added to said code, to read:

18157 A trust described in Section 18156 is not taxable if contributions are made to the trust by the employer, or employees, or both, for the purpose of distributing to the employees or their beneficiaries the corpus and income of the fund accumulated by the trust in accordance with the plan.

SEC. 113. Section 18158 is added to said code, to read:

18158. A trust described in Section 18156 is not taxable if under the trust instrument it is impossible, at any time prior to the satisfaction of all liabilities with respect to employees and their beneficiaries under the trust, for any part of the corpus or income to be, within the taxable year or thereafter, used for, or diverted to, purposes other than for the exclusive benefit of his employees or their beneficiaries.

SEC. 114. Section 18159 is added to said code, to read:

18159. A trust described in Section 18156 is not taxable if the trust, or two or more trusts, or the trust or trusts and annuity plan or plans are designated by the employer as constituting parts of a plan intended to qualify under this subsection which benefits either:

(a) Seventy per cent or more of all the employees, or 80 per cent or more of all the employees who are eligible to benefit under the plan if 70 per cent or more of all the employees are eligible to benefit under the plan. The percentages shall exclude in each case:

(1) Employees who have been employed not more than a minimum period prescribed by the plan, not exceeding five years; and

(2) Employees whose customary employment is for not more than 20 hours in any one week; and

(3) Employees whose customary employment is for not more than five months in any calendar year, or

(b) Employees who qualify under a classification set up by the employer which is found by the commissioner not to be discriminatory in favor of employees who are officers, shareholders, persons whose principal duties consist in supervising the work of other employees, or highly compensated employees.

SEC. 115. Section 18160 is added to said code, to read:

18160. A trust described in Section 18156 is not taxable if the contributions or benefits provided under the plan do not discriminate in favor of employees who are officers, shareholders, persons whose principal duties consist in supervising the work of other employees, or highly compensated employees.

SEC. 116. Section 18161 is added to said code, to read:

18161. A classification shall not be considered discriminatory within the meaning of Sections 18159 and 18160 merely because it excludes employees the whole of whose remuneration constitutes "wages" under Section 1426 (a) (1) of the Internal Revenue Code (relating to the Federal Insurance Contributions Act) of the California Unemployment Insurance Act or merely because it is limited to salaried or clerical employees. Neither shall a plan be considered discriminatory within the meaning of these provisions merely because the contributions or benefits of or on behalf of the employees under the plan bear a uniform relationship to the total compensation, or the basic or regular rate of compensation, of the employees. Nor shall a plan be considered discriminatory merely because the contributions or benefits based on that part of an employee's remuneration which is excluded from "wages" by Section 1426 (a) (1) of the Internal Revenue Code or the California Unemployment Insurance Act differ from the contributions or benefits based on employee's remuneration not so excluded, or differ because of any retirement benefits created under State or Federal law.

SEC. 117. Section 18162 is added to said code, to read:

18162. A plan shall be considered as meeting the requirements of this article during the whole of any taxable year of the plan if on one day in each quarter it satisfied these requirements.

SEC. 118. Section 18163 is added to said code, to read:

18163. The amount actually distributed or made available to any distributee by any trust shall be taxable to him, in the year in which so distributed or made available, under Article 2 of Chapter 3 as if it were an annuity the consideration for which is the amount contributed by the employee, but if the total distributions payable with respect to any employee are paid to the distributee within one taxable year of the distributee on account of the employee's separation from the service, the amount of distribution to the extent exceeding the amounts contributed by the employee, shall be considered a gain from the sale or exchange of a capital asset.

SEC. 119. Section 18164 is added to said code, to read:

18164. Contributions to a trust made by an employer during a taxable year of the employer which ends within or with a taxable year of the trust for which the trust is not exempt under Section 18156 shall be included in the gross income of an employee for the taxable year in which the contribution is made to the trust in the case of an employee whose beneficial interest in the contribution is nonforfeitable at the time the contribution is made.

SEC. 120. Section 18172.3 is added to said code, to read:

18172.3. There shall be included in the gross income of a wife who is divorced or legally separated under a decree of divorce or separate maintenance the amount of the income of any trust which the wife is entitled to receive and which, except for the provisions of this section and Sections 18172.3 and 18172.5 would be includible in the gross income of her husband, and such amount shall not, despite any provision of this part, be includible in the gross income of the husband.

SEC 121. Section 18172.5 is added to said code, to read:

18172.5 Section 18172.3 shall not apply to that part of any income of the trust which the terms of the decree or trust instrument fix, in terms of an amount of money or a portion of the income, as a sum which is payable for the support of minor children of the husband. In case the income is less than the amount specified in the decree or instrument, for the purpose of applying Section 18172.3, the income, to the extent of the sum payable for support, shall be considered a payment for support.

SEC 122 Section 18172.7 is added to said code, to read:

18172.7 For the purposes of computing the net income of the estate or trust and net income of the wife described in Sections 17104, 17105, 17106 and 17107, or Section 18172.3, the wife shall be considered as the beneficiary specified in Sections 18172.3 and 18172.5. A periodic payment under Sections 17104, 17105, 17106 and 17107 to any part of which the provisions of Sections 18172.3 and 18172.5 are applicable, shall be included in the gross income of the beneficiary in the taxable year in which that part is required to be included.

SEC 122.5. Section 18431 of said code is amended to read:

18431. Returns required by Section 18405 shall be under oath: [.] *all other returns required by this chapter shall contain, or be verified by, a written declaration that they are made under the penalties of perjury. Such returns shall be in such form as the commissioner may from time to time prescribe, and shall be filed with the commissioner at his main office or at any branch office which he may establish. The commissioner shall prepare blank forms for the returns and shall distribute them throughout the State and furnish them upon application. Failure to receive or secure the form does not relieve any taxpayer from making any return required. Any individual who wilfully makes and subscribes a return which he does not believe to be true and correct as to every material matter, shall be guilty of a felony, and upon conviction thereof, shall be subject to the penalties prescribed for perjury by the Penal Code of this State.*

SEC 123. Article 4, comprising Sections 18470 to 18479, inclusive, is added to Chapter 10 of Part 10 of Division 2 of said code, to read:

Article 4. Returns by Persons Outside the Americas

18470. If an individual is continuously outside the Americas after December 6, 1941, for longer than 90 days, that period of time and the next 90 days thereafter shall be disregarded in determining under this part the amount of any credit or refund (including interest) or in respect of any liability for taxes, interests or penalties of that individual, whether any of the following acts were performed within the time prescribed:

- (a) Filing any return of income tax (except income tax withheld at source);
- (b) Payment of any income (except income tax withheld at source);
- (c) Filing an appeal with the State Board of Equalization;
- (d) Allowance of a credit or refund of any tax;
- (e) Filing a claim for credit or refund of any tax;
- (f) Bringing a suit upon any such claim for credit or refund;
- (g) Assessment of any tax;
- (h) Giving or making any notice or demand, for the payment of any tax, or with respect to any liability in respect of any tax;
- (i) Collection, by the commissioner or the collector, by distraint or otherwise, of the amount of any liability in respect of any tax;
- (j) Bringing suit by the State of California, or any officer on its behalf, in respect of any liability in respect of any tax; and
- (k) Any other act required or permitted under this part.

18471. In any case to which Section 18470 does not apply in which it is determined by the commissioner, under regulations prescribed by him, that—

- (1) By reason of an individual being outside the Americas, or
- (2) By reason of any locality (within or without the Americas) being an area of enemy action or being an area under the control of the enemy, as determined by the commissioner, or
- (3) By reason of an individual in the military or naval forces of the United States being outside the States of the Union and the District of Columbia, it is impossible or impracticable to perform any one or more of the acts specified in Section 18470,

then in determining, under this part whether the act was performed within the time prescribed therefor, in respect of any liability for taxes, interest or penalties affected by the failure to perform the act within such time, and in determining the amount of any credit or refund (including interest) affected by that failure, there shall be disregarded the period after December 6, 1941, as may be prescribed by the regulations.

18472. The period of time disregarded under this article shall not extend beyond whichever of the following dates is the earlier:

(1) The fifteenth day of the third month following the month in which the present war with Germany, Italy, and Japan is terminated, as proclaimed by the President of the United States; or

(2) In the case of an individual with respect to whom a period of time is disregarded under this article, the fifteenth day of the third month following the month in which an executor, administrator, or a conservator of the estate of the individual qualifies.

18473. Notwithstanding the provisions of this article, any action or proceeding authorized by Article 4, of Chapter 11 (regardless of the taxable year for which the tax arose), Article 5 of Chapter 8, Sections 18621 and 18622, as well as any other action or proceeding authorized by law in connection therewith, may be taken, begun, or prosecuted.

18474. In any case in which the commissioner determines that collection of the amount of any assessment would be jeopardized by delay, the provisions of this article shall not operate to stay collection of that amount by distraint or otherwise as authorized by law. There shall be excluded from any amount assessed or collected pursuant to this section the amount of interest, penalty, additional amount, and addition to the tax, if any, in respect to the period disregarded under this article.

18475. In any case to which this article relates, if the commissioner is required to give any notice to or make any demand upon any person, that requirement shall be satisfied if the notice or demand is prepared and signed, in any case in which the address of such person last known to the commissioner is in an area for which United States post offices under instructions of the Postmaster General are not, by reason of the war, accepting mail for delivery at the time the notice or demand is signed. In that case the notice or demand shall be deemed to have been given or made upon the date it is signed.

18476. The assessment or collection of any tax or of any liability under this part, or any action in connection therewith, may be made, taken, begun, or prosecuted in accordance with law, without regard to the provisions of Sections 18470 and 18471, unless prior to such assessment, collection, action, or proceeding it is ascertained that the person concerned is entitled to the benefits of those sections.

18477. This section shall not operate to extend the time for performing any act specified in Section 18470 (g), (h), (i) or (j) if such time under the law in force prior to the date of enactment of this section expired prior to that date.

18478. For purposes of this article:

(a) The term "Americas" means North, Central, and South America (including the West Indies but not Greenland), and the Hawaiian Islands.

(b) For the purpose of determining whether any act specified in Section 18470 (g), (h), (i) or (j) was performed within the time prescribed therefor, if any period of time is disregarded under this section by reason of any individual being outside the Americas or within an area of enemy action or control, that individual shall not, if he returns to the Americas or leaves the area after the date of enactment of this section, be deemed to have returned to the Americas or ceased to be within that area before the date upon which the commissioner receives from that individual a notice thereof in such form as the commissioner shall by regulations prescribe. A similar rule shall be applied in the case of a member of the military or naval forces of the United States with respect to whom a period of time is disregarded under this section by reason of being outside the States of the Union and the District of Columbia.

18479. For the purpose of determining whether any act specified in Section 18470 (g), (h), (i) or (j) was performed within the time prescribed therefor, the month in which an executor, administrator, or conservator qualifies, if he qualifies after the date of enactment of this section, shall be deemed to be the month in which the commissioner receives from him a notice thereof in such form as the commissioner shall by regulations prescribe.

SEC. 125. Section 18596 of said code is amended to read:

18596. The board's determination becomes final upon the expiration of [60] 30 days from the time of the determination unless within the [60-day] 30-day period the [determination is modified] taxpayer or the commissioner files a petition for rehearing with the board. In that event the determination becomes final upon the expiration of [60] 30 days from the time [it is modified.] the board issues its opinion on the petition.

SEC. 125.3. Section 19053.3 is added to said code, to read:

19053.3. The period within which a claim for credit or refund may be filed, or credit or refund allowed or made if no claim is filed, shall be the period within which the commissioner may make an assessment under the same circumstances, if:

(a) The taxpayer has, within the period prescribed in the preceding sentence, agreed in writing, under the provisions of Article 2 of Chapter 11, to extend the time within which the commissioner may propose an additional assessment, or

(b) The taxpayer has agreed with the United States Commissioner of Internal Revenue for an extension (or renewals thereof) of the period for proposing and assessing deficiencies in Federal income tax for any year.

SEC. 125.5 Section 19053.5 is added to said code, to read:

19053.5. The provisions of Section 19053 shall apply to any claim filed, or credit or refund allowed or made, before the execution of an agreement pursuant to Section 19053.3.

SEC. 125.7. Section 19053.7 is added to said code, to read:

19053.7. Insofar as the claim for credit or refund relates to an overpayment on account of the deductibility, under Section 17310, of a debt as one which became worthless, or a loss from worthlessness of a security under Section 17311, or Section 17307, or an erroneous inclusion of an amount attributable to the recovery of a bad debt, prior tax or delinquency amount, under Sections 17132, 17133, 17134, 17135, and 17136 due to an adjustment of a bad debt deduction under Section 17310, or a loss deduction from worthlessness of a security under Section 17311, or Section 17307, in lieu of the period of limitations prescribed in Section 19053, the period shall be seven years from the date prescribed by law for filing the return for the year with respect to which the claim is made.

SEC. 126 Section 19061 of said code is amended to read:

19061. The determination is final upon the expiration of [60] 30 days from the date of the determination unless within the [60-day] 30-day period [it is modified.] *the taxpayer or commissioner files a petition for rehearing with the board.* In that event the determination becomes final upon the expiration of [60] 30 days from the date [it is modified] *the board issues its opinion on the petition.*

SEC. 127 This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately.

SEC. 128. If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not effect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act, irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional.

SEC. 129 Except as hereinafter provided in Section 130 of this act, the provisions of this act effecting changes in the computation of taxes shall be applied only in the computation of taxes for taxable years beginning after December 31, 1942, and the remaining provisions of this act shall become effective on the effective date of this act. Provisions effecting changes in the computation of taxes shall include those affecting income, deductions, rates, methods of calculating tax, exclusions, exemptions and credits.

SEC. 130. (a) The provisions of this act adding Sections 2 (p), 7 (k), 8 (o), 12 (j) and which amend Sections 7 (b) (2) and 10 (b) (insofar as they relate to Section 7 (k)), of the Personal Income Tax Act, shall be applicable only with respect to taxable years beginning after December 31, 1942; except that if the first taxable year beginning after December 31, 1942, of the husband, does not begin on the same day as the first taxable year beginning after December 31, 1942, of the wife, such provisions shall first become applicable in the case of the husband on the first day of the wife's first taxable year beginning after December 31, 1942, regardless of the taxable year of the husband in which such day falls.

(b) The provisions of this act adding Sections 17019.3, 17104, 17105, 17106, 17107, 17317.5, 18172.3, 18172.5, and 18172.7, to the Revenue and Taxation Code, and which add Sections 17125.3, 17125.5, 17125.7 to, and amend Sections 17952 (insofar as they relate to Sections 17104, 17105, 17106 and 17107) of said code, shall be applicable only with respect to taxable years beginning after December 31, 1942; except that if the first taxable year beginning after December 31, 1942, of the husband, does not begin on the same day as the first taxable year beginning after December 31, 1942 of the wife, such provisions shall first become applicable in the case of the husband on the first day of the wife's first taxable year beginning after December 31, 1942, regardless of the taxable year of the husband in which such day falls.

(c) The provisions of this act which amend Section 7 (b) (2) (relating to employees' annuities), 8 (m) and 12 (f) of the Personal Income Tax Act shall be applicable only with respect to taxable years of the employer beginning after December 31, 1942, except that

(1) In the case of a stock bonus, pension, profit-sharing, or annuity plan in effect on or before September 1, 1943,

(A) Such plan shall not become subject to the requirements of Section 12 (f) (1) (C), (D), (E), and (F) until the beginning of the first taxable year beginning after December 31, 1943,

(B) Such a plan shall be considered as satisfying the requirements of Section 12 (f) (1) (C), (D), (E) and (F) for the period beginning with the beginning of the first taxable year following December 31, 1943, and ending December 31, 1944, if the plan satisfies such requirements by December 31, 1944.

(C) If the contribution of an employer to such a plan in the employer's taxable year beginning in 1943 exceeds the maximum amount deductible for such year under Section 8 (m), as amended by this act, the amount deductible in such year shall be not less than the sum of—

(i) The amount paid in such taxable year prior to September 1, 1943, and deductible under Section 8 (a) or 8 (m) prior to amendment by this act, and

(ii) With respect to the amount paid in such taxable year on or after September 1, 1943, that proportion of the amount deductible for the taxable year under Section 8 (m), as amended by this act, which the number of months after August 31, 1943, in the taxable year bears to 12.

(2) In the case of a stock bonus, pension, profit-sharing or annuity plan put into effect after September 1, 1943, such a plan shall be considered as satisfying the requirements of Section 12 (f) (1) (C), (D), (E) and (F) for the period beginning with the date such plan is put into effect and ending December 31, 1944, if the plan satisfies such requirements by December 31, 1944.

(d) The provisions of this act which add Sections 17125.3, 17125.5, 17125.7 (relating to employees' annuities). Article 15 to Chapter 4 and 18156 to 18164, inclusive, to the Revenue and Taxation Code shall be applicable only with respect to taxable years of the employer beginning after December 31, 1942, except that

(1) In the case of a stock bonus, pension, profit-sharing, or annuity plan in effect on or before September 1, 1943.

(A) Such a plan shall not become subject to the requirements of Sections 18157, 18158, 18159, 18160, 18161, 18162, 18163 and 18164 until the beginning of the first taxable year beginning after December 31, 1943.

(B) Such a plan shall be considered as satisfying the requirements of Sections 18157, 18158, 18159, 18160, 18161, 18162, 18163 and 18164 for the period beginning with the beginning of the first taxable year, following December 31, 1943, and ending December 31, 1944, if the plan satisfies such requirements by December 31, 1944.

(C) If the contribution of an employer to such a plan in the employer's taxable year beginning in 1943 exceeds the maximum amount deductible for such year under Article 15 of Chapter 4, as added by this act, the amount deductible in such year shall be not less than the sum of:

(i) The amount paid in such taxable year prior to September 1, 1943, and deductible under Sections 17301, 17302, prior to their amendment and Section 17303 prior to the addition of Article 1.5 to Chapter 4, and

(ii) With respect to the amount paid in such taxable year on or after September 1, 1943, that proportion of the amount deductible for the taxable year under Article 1.5 of Chapter 4, as added by this act, which the number of months after August 31, 1943, in the taxable year bears to 12.

(2) In the case of a stock bonus, pension, profit sharing or annuity plan put into effect after September 1, 1943, such a plan shall be considered as satisfying the requirements of Sections 18157, 18158, 18159, 18160, 18161, 18162, 18163, and 18164 for the period beginning with the date such plan is put into effect and ending December 31, 1944, if the plan satisfies such requirements by December 31, 1944.

(e) The provisions of this act which amend Sections 7 (b) (9), 7 (c) (2), 7 (f), and add Section 8.1 shall be retroactive.

The provisions of this act which amend Section 9.4 (c) (1) shall be applicable to all taxable years beginning after December 31, 1938.

(f) The provisions of this act which amend Sections 17132, 17503, 17506, and 17211 and add Article 15 to Chapter 5, (relating to nonresident beneficiaries), and Section 17357 and Sections 17321 to 17322.9, inclusive, shall be retroactive.

The provisions of this act which amend Section 17713 shall be effective for all taxable years beginning after December 31, 1938.

(g) The provisions of this act which amend Sections 8 (i) (relating to emergency facilities) and 9.3 (b) (1) (B) shall be applicable only with respect to taxable years ending after October 6, 1940.

(h) The provisions of this act which amend Sections 17313 (relating to emergency facilities) and 17783 shall be applicable only with respect to taxable years ending after October 6, 1940.

(i) The provisions of this act which add Section 8.3 shall be applicable only with respect to taxable years ending after December 6, 1941.

(j) The provisions of this act which add Article 17 to Chapter 4 shall be applicable only with respect to taxable years ending after December 6, 1941.

SEC. 131. The provisions of this act amending sections of the Revenue and Taxation Code become operative only if Part 10, Division 2 of the Revenue and Taxation Code is enacted by the Legislature at its Fifty-fifth Session, and, in such case, at the same time as said Part 10 takes effect. At this time, the sections of The Personal Income Tax Act amended or added by this act are hereby repealed."

Amendment No. 34

On page 67 of said bill, strike out lines 5 to 52, inclusive, and on page 68, strike out lines 1 to 22, inclusive.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 641 by the following vote:

AYES—Carlson, Clarke, Doyle, Evans, Thorp, and Waters—6

NOES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Call, Carey, Collins, Sam L. Crichton, Crowley, Debs, Denny, Dilyworth, Dunn, Erwin, Field, Gaffney, Guthrie, Haggerty, Hersinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.

Appointment of Committee on Conference Concerning Assembly Bill No. 641

The Speaker announced the appointment of Messrs. Waters, Beck, and Bennett as a Committee on Conference concerning Assembly Bill No. 641.

WITHDRAWAL OF ASSEMBLY BILL NO. 1076 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Doyle asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1076 from the Committee on Judiciary, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1076

Assembly Bill No. 1076—An act to add Section 273d to the Penal Code, relating to wilful corporal injury to wife or child.

Bill read second time.

Motion to Amend

Mr. Doyle moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "wife or".

Amendment No. 2

On page 1, line 4, of said bill, strike out "and any hus-"; and strike out line 5, and insert "which shall result in a traumatic condition, but shall not constitute a felonious assault or attempted murder, shall".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

WITHDRAWAL OF ASSEMBLY BILL NO. 1560 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. McCollister asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1560 from the Committee on Fish and Game, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1560

Assembly Bill No. 1560—An act to amend Sections 658 and 658.1 of the Fish and Game Code, relating to the taking of salmon.

Bill read second time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "May", and insert "April".

Amendment No. 2

On page 1, line 5, of said bill, strike out "30th", and insert "15th"

Amendment No. 3

On page 1, line 10, of said bill, strike out "October 1st", and insert "September 16th".

Amendments read and adopted.
Bill ordered reprinted and engrossed.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

The following resolution was offered:

Assembly Concurrent Resolution No. 57: By Mr. Crichton—Relative to approving certain amendments to the charter of the City of Fresno, in the County of Fresno, State of California, voted for and ratified by the electors of the city at a special election held therein on the twelfth day of April, 1943.

Request for Unanimous Consent

Mr. Crichton asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 57, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 57

Assembly Concurrent Resolution No. 57—Relative to approving certain amendments to the charter of the City of Fresno, in the County of Fresno, State of California, voted for and ratified by the electors of the city at a special election held therein on the twelfth day of April, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Messrs Lyon, Maloney, Johnson, and Stream:

House Resolution No. 194

Relating to congratulating former Governors of California upon their birthdays

WHEREAS, Six statesmen of California who have enjoyed the distinction of being elected Governor of this State are still living amongst us and devoting themselves to affairs of public interest; and

WHEREAS, These men are:

Hiram W. Johnson, born in Sacramento, California, September 2, 1866, elected Governor of California in 1910 and reelected in 1914, and since 1916 United States Senator from California;

William D. Stephens, born in Ohio, December 26, 1850, for many years mayor of Los Angeles, a Member of Congress for three terms, became Lieutenant Governor of California by appointment of Governor Hiram W. Johnson in 1916, and in 1918 elected Governor of California;

Friend W. Richardson, born in Michigan, a newspaperman and for many years president of the California Press Association, served a term as State Treasurer, held the Office of State Printer, and in 1922 was elected Governor of California;

C. C. Young, born April 28, 1869, elected to the Assembly of California for a succession of terms from 1908 to 1916, the last three terms of which he served as Speaker of the Assembly, in 1918 elected Lieutenant Governor of California, reelected in 1922, and in 1926 elected Governor of California;

Frank F. Merriam, born December 22, 1865, elected to the Assembly of California for five terms and served as Speaker of the Assembly for two terms, elected to the Senate in 1928, in 1930 he was elected Lieutenant Governor and in 1934 succeeded the late James Rolph, Jr., to the Governorship, and later in the same year was elected Governor of California;

Culbert L. Olson, born November 7, 1876, in Utah, became an attorney at law and engaged in practice in Los Angeles, elected to the Senate in 1934, and in 1938 elected Governor of California; and

WHEREAS, it is the wish of the Members of this Assembly to congratulate each of these distinguished men individually upon the day which commemorates the birthday of each, even though that day may not fall within the period during which the Legislature is in session; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly by this resolution commend these former Governors of California upon their long public service, and congratulate each of them upon their several birthdays, and wish them many happy years in the State which they have both loved and served and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitable copies of this resolution to the Honorable Hiram W. Johnson, William D. Stephens, Friend W. Richardson, C. C. Young, Frank F. Merriam, and Culbert L. Olson.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 194, at this time, without reference to committee.

Resolution read and adopted unanimously.

By the Committee on Rules and House Functions:

House Resolution No. 195

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth, with the compensation set opposite their respective names, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing Wednesday, April 21, 1943, and ending upon the completion of work on Thursday, April 22, 1943:

<i>Page</i>	<i>Per day</i>
Jacqueline C. Dunn-----	\$3 00
Franeme W. Dunn-----	3 00
Matthew Gaffney-----	3 00
Helen Gaffney-----	3 00
Betty Hastain-----	3 00
Harry Hastain-----	3 00
George Dickey-----	3 00
Clare Desmond-----	3 00
Nicki Miller-----	3 00
Virginia Lyons-----	3 00

SAM L COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 195, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight,

T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

By the Committee on Rules and House Functions:

House Resolution No. 196

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth, with the compensation set opposite his name payable weekly, on a seven-day-per-week basis, and the Controller is hereby directed to draw his warrant in favor of said person for said amount, and the Treasurer is hereby directed to pay the same:

<i>Commencing Friday, April 16, 1943:</i>	<i>Per day</i>
Page: William Collard.....	\$3 00

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 196, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fount, Gaffney, Guthrie, Haggerty, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1929—An act to repeal Chapter 3 of Part 2 of Division 2 of the Military and Veterans Code and Sections 8, 9, 10, 11 and 12 of the California Guard Act of 1942 and to add Chapter 4 to Part 2 of Division 2 of the Military and Veterans Code relating to the California State Guard, providing for the pay, privileges, allowances and rights of the California State Guard, for the organization and administration of the California State Guard to permit the efficient operation thereof consistent with such privileges, allowances and rights, permitting school districts to make school buses available for use by the California State Guard, making an appropriation for the operation, maintenance and organization of the California State Guard and providing for the expenditure thereof, declaring the urgency of this act, and providing that it shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1929?

Amendment No. 1

In line 11 of the title of the printed bill, as amended, strike out "making"; strike out all of lines 12 and 13 of said title; and in line 14, strike out "for the expenditure thereof."

Amendment No. 2

On page 2, line 15, of said bill, as amended, strike out "It is also necessary"; and strike out all of lines 16, 17, and 18.

Amendment No. 3

On page 6 of the printed bill, as amended, strike out lines 25 to 38, inclusive.

Amendment No. 4

On page 6, lines 41 and 42, of said bill, strike out "he deems", and insert "may reasonably be".

Amendment No. 5

On page 7, line 19, strike out ", and the decision of The Adjutant General or of ", and strike out lines 20 and 21, except the period

Amendment No. 6

On page 2, line 34, of the printed bill, strike out "chapter", and insert "Chapter 4 of Part 2 of Division 2 of the Military and Veterans Code which is added by this act".

Amendment No. 7

On page 2, line 36, of said bill, strike out "this", and insert "said".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1929 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Guthrie, Haggerty, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—58

NOES—None

Assembly Bill No. 1929 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 323—An act to add Sections 3066, 3066a, 3066b, 3066c, 3066d, 3066e, and 3066f to Chapter 6 of Title 14 of Part 4 of Division 3 of the Civil Code, to provide for liens in favor of hospitals in this State upon causes of action for damages accruing to injured persons therein for the reasonable charges for hospital service necessitated by the injuries giving rise to such causes of action, and providing for the rights and liabilities of interested persons in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hastam, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—56

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1033—An act to add Section 261b to the Code of Civil Procedure, relating to phonographic reporters for superior courts in counties, or cities and counties, having a population of 900,000 or more, providing for the compensation and fees of such reporters, requiring the payment to the county clerk of such counties, or cities and counties, of certain filing and appearance fees, in addition to any other fees now required by law, requiring that such fees be deposited in the salary fund of such counties, or cities and counties.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Potter moved a call of the Assembly.

Motion carried. Time, 10.20 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 100—An act to repeal Section 469 and to amend Section 362 of the Streets and Highways Code, relating to highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastam, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 961—An act to add Chapter 7, consisting of Sections 880 and 881, to Division 1 of the Streets and Highways Code, relating to the acquisition, by the State, of shoreline property adjoining State highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 961

Mr. Heisinger gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 961 was this day passed.

Assembly Bill No. 1857—An act to amend Section 6 of the Municipal Court Act of 1925, relating to municipal courts in cities of the first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, McMil-

Ian, Middough, Miller, Niehouse, O'Day, Price, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Anderson, Armstrong, Bashore, Dilworth, Heisinger, and Pelletier—6.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.27 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Assembly Bill No. 1825—An act to add Article 4a (comprising Sections 970 to 978, inclusive) to Chapter 15 of Division 3 of the Probate Code, relating to the payment of Federal estate taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD COMMITTEE MEETING

At 10.30 a.m., Mr. Middough asked for, and was granted, unanimous consent to hold a meeting of the Committee on Crime and Correction, at this time.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 687—An act to amend Sections 6011, 6012, 6015, 6245, 6353, 6358, 6381, 6486, 6487, 6702, 6711, 6776, 6811, and 6812 of the Revenue and Taxation Code, to amend and renumber Section 6245, to add Sections 6095, 6245, 6363, 6364, and 6385 to said code, and repeal Section 6456 of said code, all relating to the taxation of the privilege of selling and of storing, using, or otherwise consuming tangible personal property and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

Hon. Albert C. Wollenberg Presiding

At 10.35 a.m., Hon. Albert C. Wollenberg, Member of the Assembly from the Twenty-first District, presiding.

Assembly Bill No. 1935—An act to amend Section 107 of the Revenue and Taxation Code, relating to the taxation of real and personal property, including the taxing of possessory interests and mining rights.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1109—An act to amend Section 142 of the Civil Code, relating to payment of alimony.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 573—An act to add Section 2497 to the Business and Professions Code, relating to drugless practitioners under the Board of Osteopathic Examiners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 131—An act to amend the chapter heading of Chapter 5.7, Part 6, Division 1, and to amend Sections 3620, 3625, 3627, 3631, 3635 and 3637, and to add Section 3638 of the Revenue and Taxation Code, relating to a taxpayer's action to contest the validity of a tax sale or tax deed, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

Motion to Amend Title

Mr. Ralph C. Dills moved the adoption of the following amendments to the title:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "to amend".

Amendment No. 2

In line 3 of the title of the printed bill, strike out ", and to add Section 3638 of", and insert "of, and to add Section 3638 to,".

Amendments read and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Assembly Bill No. 1865—An act to add Section 1.5 to an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts," approved July 1, 1937, relating to retirement of judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.
NOES—Anderson, Bashore, Heisinger, and Massion—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 625—An act to amend Sections 197 and 200 of the Civil Code, relating to minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton;

Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF ASSEMBLY BILL NO. 1570

In compliance with a notice given on a previous day, Mr. Johnson moved that the vote whereby Assembly Bill No. 1570 was refused passage be reconsidered.

Assembly Bill No. 1570 reconsidered by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Ditworth, Doyle, Fourt, Gaffney, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, T. Fenton; Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Wollenberg, and Mr. Speaker—51.

NOES—Armstrong, Bashore, Carlson, Erwin, Field, Heisinger, Miller, and Werdel—8.

Further Consideration of Assembly Bill No. 1570

Assembly Bill No. 1570—An act to amend Sections 96.5 and 149 of and to add Section 152.6 to the State Civil Service Act, relating to the State civil service, declaring the urgency thereof and to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "and 149", and insert "149, and 152.5".

Amendment No. 2

On page 2, lines 9 and 10, of said bill, strike out "participating in civilian war work and a leave", and insert "(1) engaging in civilian war work pursuant to mandatory order of the War Manpower Commission or its successor, (2) assuming active duty in the United States Merchant Marine, or (3) assuming active full-time duty for the American Red Cross Any leave".

Amendment No. 3

On page 2, line 28, of said bill, before the period, insert ", or any rehabilitation afforded by the United States Government following such military service".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Hon. Richard H. McCollister Presiding

At 11.20 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1463—An act granting to the City and County of San Francisco certain tidelands and submerged lands belonging to the State of California and situated in the County of San Mateo for development and use in connection with the San Francisco Airport in San Mateo County and as a part of the public airport being used,

operated and maintained by the City and County of San Francisco, regulating the management, use and control thereof and authorizing the reclamation and improvement thereof all in conjunction with the use, operation and maintenance of the San Francisco Airport in San Mateo County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCallister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 33—An act to add Section 511.9 to the Vehicle Code, relating to the regulation of speeds on public streets and highways, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 796—An act to amend Part 5 of Division 2 of the Revenue and Taxation Code, relating to the vehicle license fee.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—Evans and Knight, John B.—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1068—An act to add Section 135.4 to the Vehicle Code, relating to members of California Highway Patrol having power of peace officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1070—An act to add Section 156.5 to the Vehicle Code, relating to the issuance of stickers in lieu of license plates to vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF ASSEMBLY BILL NO. 1403 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Weber asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1403 from the Committee on Conservation, Natural Resources, and Planning, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1403

Assembly Bill No. 1403—An act to amend Sections 6701, 6711, 6715, 6716, 6721, 6730, 6733, 6737, 6740, 6759, 6775, 6795, 6796, and 6799, and repeal Sections 6705, 6736, 6738, 6739, and 6743 of the Business and Professions Code, relating to the practice of civil engineering.

Bill read second time.

Motion to Amend

Mr. Weber moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 3, inclusive, except "An act to amend Sections", and insert "6736 and 6775 and repeal Sections 6703, 6705, 6739 and 6743 of the".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 22, inclusive; strike out pages 2 and 3; and on page 4, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 6736 of the Business and Professions Code is amended to read:

6736. This chapter does not prohibit a *registered* civil engineer from practicing or offering to practice his profession through the medium of or as an employee of a

partnership or a corporation so long as the plans, specifications, and reports of the partnership or corporation are signed and stamped with the seal of each registered civil engineer in specific and responsible charge of the preparation of the same."

Amendment No. 3

On page 4, line 7, of said bill, strike out "Sec. 16", and insert "Sec. 2."

Amendment No. 4

On page 4 of said bill, strike out lines 28 to 51, inclusive, and strike out all of page 5, and insert

"Sec. 3. Sections 6703, 6705, 6739 and 6743 of said code are repealed."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

RE-REFERENCE OF ASSEMBLY BILL NO. 1404

Mr. Weber moved that Assembly Bill No. 1404 be withdrawn from the file, and re-referred to the Committee on Conservation, Natural Resources, and Planning.

Motion carried.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1729 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Carlson asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1729 from the Committee on Judiciary, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1729

Assembly Bill No. 1729—An act to add Section 367f to the Penal Code, relating to physician examining person accused of intoxication.

Bill read second time.

Motion to Amend

Mr. Carlson moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, strike out line 2, and insert "intoxication".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 7, and insert
"367f Any person operating or driving a street car who becomes or is intoxicated while so engaged in operating or driving such street car shall be guilty of a misdemeanor."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 798 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Carlson asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 798 from the Committee on Revenue and Taxation, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 798

Assembly Bill No. 798—An act to amend Sections 6007, 6009, 6051, and 6201 of, and to add Section 6009.1 to, the Revenue and Taxation Code, relating to the sales and use taxes.

Bill read second time.

Motion to Amend

Mr. Carlson moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend Sections 6007."

Amendment No. 2

In line 2 of the title of said bill, strike out "6009, 6051, and 6201 of, and to".

Amendment No. 3

Strike out line 4 of the title of said bill, and insert "definition of 'storage' and 'use' in the Sales and Use Tax Law, declaring the urgency thereof, to take effect immediately."

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 17, inclusive.

Amendment No. 5

On page 1 of said bill, strike out line 19, and insert "SECTION 1. Section 6009 1 is added to the Revenue and Taxation Code, to read:".

Amendment No. 6

On page 2 of said bill, strike out lines 5 to 18, inclusive, and insert "SEC 2 This act, in as much as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution take effect immediately; provided, however, that the provisions hereof shall become operative on July 1, 1943."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (OUT OF ORDER)**

Senate Bill No. 750—An act to amend Section 3001 of the Revenue and Taxation Code, relating to real property taxes.

Bill read third time.

Motion to Amend

Mr. Crowley moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 18, 1943, strike out "amend", and insert "repeal".

Amendment No. 2

On page 1, line 2, of said bill, strike out "amended to read:", and insert "hereby repealed."

Amendment No. 3

On page 1 of said bill, strike out lines 8, 9, and 10.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1033

At 11.44 a.m., on motion of Mr. Potter, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and ~~Assembly Bill No. 1033~~ passed by the following vote:

AYES—Allen, Armstrong, Bennett, Berry, Burns, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dills, Ralph C., Doyle, Erwin, Gaffney, Haggerty, Hastain, Heisinger, Johnson, Kellem, Knight, John B., Knight, T. Fenton; Kraft, Maloney, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Pot-

ter, Price, Rosenthal, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, and Mr. Speaker—42.

NOES—Anderson, Bashore, Beck, Brown, Burkhalter, Call, Carey, Carlson, Crichton, Crowley, Dills, Clayton A., Dunn, Evans, Field, Guthrie, Hollibaugh, Kilpatrick, King, Lyons, Massion, McCollister, Sargent, Sawallisch, Sheridan, Waters, Weybret, and Wollenberg—27.

Notice of Motion to Reconsider Assembly Bill No. 1033

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1033 was this day passed.

[On May 3, 1943, above action was rescinded, and record ordered expunged whereby Assembly Bill No. 1033 was this day passed.]

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1189—An act to amend Sections 165, 6656.5, 6660.5 and 6661 of the Welfare and Institutions Code, relating to funds and personal property belonging to patients in State institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fout, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—65.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO SET SPECIAL ORDER

Mr. Lyon asked for, and was granted, unanimous consent to set Assembly Bill No. 498 as a special order of business for today at 2 p.m.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1613

Mr. Desmond moved that Assembly Bill No. 1613 be withdrawn from the Committee on Judiciary, and re-referred to the Committee on Governmental Efficiency and Economy.

Motion carried.

Speaker Presiding

At 11 55 a m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1984—An act making an appropriation for the support of the California State Guard.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Cannon, Guthrie, Haggerty, Haslam, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent,

Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.
 NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 537—An act to amend Section 6 of an act entitled “An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax,” approved May 5, 1931, relating to county peace officers’ retirement system.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 17, of the printed bill, after “amended”, insert “to the extent of such insurance protection”.

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1909—An act to add Article 8 to Chapter 8, Division 4, of the Education Code, consisting of Section 9501, relating to the maintenance classes outside the boundaries of the district.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, after “maintenance”, strike out the balance of said line 4; and strike out line 5, and insert “of classes in student harvest camps.”

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 672—An act to add Section 375 to the Civil Code, relating to the award and assessment of expenses and attorneys’ fees in actions or proceedings against directors, officers or employees of a corporation, brought by or on behalf of the corporation.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 2 to 26, inclusive; and on page 2, strike out lines 1 to 10, inclusive, and insert

“375 If any person, either alone or with others, is sued in any action or proceeding, by reason of his being or having been a director, officer or employee of a corporation, domestic or foreign, and arising out of his alleged misfeasance or nonfeasance in the performance of his duties or out of any alleged wrongful act against the corporation or by the corporation, whether such action or proceeding is brought by the corporation or by one or more shareholders or creditors or the receiver or trustee of the corporation, any governmental body, any public official or any private person or corporation, the reasonable expenses, including attorneys’ fees of any said director, officer or employee, incurred in the successful defense of such action or proceeding, whether now pending or commenced hereafter, may be assessed against

the corporation or its representative either by the court in which such action or proceeding is brought or by the court in a separate action or proceeding against the corporation or its representative.

If any director, officer or employee is successful in whole or in part, or if the action or proceeding against him is settled with the approval of the court, and if the court also finds that the conduct of any such party is such as fairly and equitably to merit such indemnity, reasonable expenses, including attorneys' fees, of any or all such parties may be assessed against the corporation in such amount as the court determines and finds to be reasonable, either in the same action or proceeding or in a separate action or proceeding against the corporation or its representative.

Notice of the application for indemnity for such expenses shall be served upon the corporation or its representative and upon the plaintiff and other parties in the action or proceeding. Notice may be given either personally or by mail or other written communication to the shareholders in the manner provided by Section 314 of the Civil Code with respect to shareholders' meetings, in such form as the court may direct. Application for indemnity for such expenses may be made either by one of the parties litigant or by the attorney or other person rendering services to him and the court may direct fees and expenses to be paid direct to the attorney or other person rendering services to the party litigant, although not himself a party to the action.

The awarding of indemnity for expenses, including attorneys' fees, to the parties to any such action or proceeding, whether terminated by trial on the merits or by settlement or dismissal, shall be by order of the court and shall not be governed by any provision in the articles of incorporation or by-laws of the corporation or by resolution or agreement of the corporation, its directors or shareholders, but the rights and remedy given by this section are hereby declared exclusive."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 58: By Mr. Field—Relative to approving certain amendments to the charter of the City of Glendale, State of California, voted for and ratified by the electors of such city at a special municipal election held therein on April 13, 1943.

Request for Unanimous Consent

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 58, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 58

Assembly Concurrent Resolution No. 58—Relative to approving certain amendments to the charter of the City of Glendale, State of California, voted for and ratified by the electors of such city at a special municipal election held therein on April 13, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1335—An act to amend Sections 1, 4, 5 and 5a of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, relating to poisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weidel, Weybret, Wollenberg, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1407 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Weber asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1407 from the Committee on Conservation, Natural Resources, and Planning, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1407

Assembly Bill No. 1407—An act relating to real estate subdivisions, procedure for surveying, subdividing and mapping of real estate; the sale and disposal of real estate by reference to maps; regulating the powers and duties of cities, counties and towns with reference to the procedure for surveying, subdividing and mapping of real estate, and the preparation of official maps; prescribing penalties for violations thereof; and repealing acts and parts of acts in conflict herewith.

Bill read second time.

Motion to Amend

Mr. Weber moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In the title of the printed bill, strike out everything except "An act", and insert "to amend Sections 5500, 5514, 5537, 5550 and 5560 of, add Section 5537.5 to, and repeal Sections 5535, 5538 and 5539 of, the Business and Professions Code, relating to the practice of architecture."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 5500 of the Business and Professions Code is amended to read:

5500 As used in this chapter, architect refers to a *natural* person who [holds a certificate] *practices or offers to practice* architecture in this State under authority of this chapter

SEC 2 Section 5514 of said code is amended to read

5514 The membership of the State board shall be composed of two [persons] *architects* selected from the [membership] *residents* of [the] Northern California

[chapter or chapters of the American Institute of Architecture or other similar associations of architects, and] two [persons] *architects* selected from the [membership] *residents* of [the] Southern California [chapter or chapters of the American Institute of Architects or other similar association of architects], and one [person] *architect* selected from [any California chapter of the American Institute of Architects or other similar association of architects] *the residents of the State at large*.

SEC. 3 Section 5537 of said code is amended to read:

5537. This chapter does not [prevent] *prohibit* [any person from making] *the preparation of plans*. [or] drawings or estimates for [his own buildings] *any building* [or from furnishing to other persons plans, drawings, specifications instruments of service, or other data, the person, so furnishing such plans, drawings, specifications, instruments of service or data, fully informs such other person or persons, in writing, that he, the person proposing to furnish such plans, drawings, specifications, instrument of service, or data, is not an architect.] *not required to be designed to resist earthquakes as required in Chapter 2, Part 3, Division 13 of the Health and Safety Code, or single or multiple wood frame dwellings or any other frame buildings not more than two stories and basement in height by:*

(a) *Any person, when such plans, drawings or estimates are for his own use on property owned, leased or controlled by said person.*

(b) *A licensed contractor, who is the holder of a valid license issued to him under provisions of Chapter 9, Division 3 of the Business and Professions Code, provided said plans, drawings, or estimates are not furnished to other persons for construction purposes, but are used by him exclusively.*

Nothing contained herein shall authorize or permit any owner or contractor to represent in any way that he is qualified to practice architecture or is an architect or designer.

[This information is deemed to have been given by a structural engineer when he uses the title "structural engineer" on all instruments of service.]

SEC. 4. Section 5537.5 is added to said code, to read:

5537.5. This chapter does not affect or apply to any person registered under Chapter 7, Division 3 of this Code, relating to civil engineers.

SEC. 5. Section 5550 of said code is amended to read:

5550. Any person, [subject to the rules and regulations governing examinations] *having submitted evidence that he is qualified to practice architecture*, shall be entitled to an examination for a certificate to practice architecture upon the payment of the application fee fixed by this chapter and the filing of his application with the secretary and taking an examination. The fee shall be retained by the board.

SEC. 6. Section 5560 of said code is amended to read:

5560. The board may upon its own motion, and shall upon the verified complaint in writing of any person, investigate the actions of any architect *and any other person violating the provisions of this chapter* and may temporarily suspend for a period not exceeding one year or permanently revoke the certificate, whether it be a provisional or a final certificate, of any such architect who is guilty of or commits any one or more of the acts or omissions constituting grounds for disciplinary action under this chapter.

SEC. 7 Sections 5535, 5538 and 5539 of said code are repealed "

Amendments read and adopted.

Bill ordered reprinted and engrossed.

WITHDRAWAL OF ASSEMBLY BILL NO. 1206 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Gaffney asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1206 from the Committee on Fish and Game, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1206

Assembly Bill No. 1206—An act to add Section 958.5 to the Fish and Game Code, relating to the use of trawl nets.

Bill read second time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, strike out "18," and insert "and 18."

Amendment No. 2

On page 1 of said bill, strike out line 5, and insert "In District 19, trawl nets may not be used but may be possessed."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1994

Assembly Bill No. 378

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

Request for Unanimous Consent

Mr. Fourt asked for, and was granted, unanimous consent to take up Assembly Bill No. 1994, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1994

Assembly Bill No. 1994—An act to amend Sections 2005, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, and 2222 of the Welfare and Institutions Code, to repeal Section 2224 thereof, and to add Sections 2008.5, 2014, 2015, 2016, 2020.01, 2021.01, 2163.1, 2163.2, 2166, 2181.1, 2182.1, 2183.1, and 2187.01 thereto, relating to aid to the aged, to take effect immediately, and to become operative as therein provided.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "and 2222", and insert "2222 and 2224".

Amendment No. 2

In lines 3 and 4 of the title of said bill, strike out "to repeal Section 2224 thereof".

Amendment No. 3

On page 2, line 51, of said bill, strike out "five hundred dollars (\$500)", and insert "four hundred dollars (\$400)".

Amendment No. 4

On page 4, line 52, of said bill, after "until", strike out "is", and insert "it".

Amendment No. 5

On page 5, lines 16 and 17, of said bill, strike out "three thousand five hundred dollars (\$3,500)", and insert "three thousand dollars (\$3,000)".

Amendment No. 6

On page 5, line 25, of said bill, strike out "three thousand five hundred dollars (\$3,500)", and insert "three thousand dollars (\$3,000)".

Amendment No. 7

On page 6, line 21, of said bill, strike out "determine to eligibility of the applicant to"; and strike out lines 22 and 23, and insert "determine the ability of responsible relatives to contribute to the support of applicant and designate the amount of aid, if any, to be granted. The maximum degree of liability of the responsible relative shall be determined by "Relatives' Contribution Scale." In determining ability to contribute, the financial circumstances of responsible relatives shall be given due consideration and, in unusual cases, contributions at less than the amount fixed by

"Relatives' Contribution Scale" may be made as the board of supervisors may deem justifiable. A married daughter of the applicant shall not be required to make contributions unless she has income constituting her separate property.

RELATIVES' CONTRIBUTION SCALE

A. Net monthly income of responsible relatives in one family	B. Number of persons dependent upon income									
	1	2	3	4	5	6	7	8	9	10 and over
Under 155-----	0	0	0	0	0	0	0	0	0	0
155 to 174-----	5	0	0	0	0	0	0	0	0	0
175 to 194-----	10	0	0	0	0	0	0	0	0	0
195 to 214-----	15	0	0	0	0	0	0	0	0	0
215 to 234-----	20	0	0	0	0	0	0	0	0	0
235 to 254-----	25	5	0	0	0	0	0	0	0	0
255 to 274-----	30	10	0	0	0	0	0	0	0	0
275 to 294-----	35	15	5	0	0	0	0	0	0	0
295 to 314-----	40	20	10	5	0	0	0	0	0	0
315 to 334-----	45	25	15	10	0	0	0	0	0	0
335 to 354-----	50	30	20	15	5	0	0	0	0	0
355 to 374-----	55	35	25	20	10	5	0	0	0	0
375 to 394-----	60	40	30	25	15	10	0	0	0	0
395 to 414-----	65	45	35	30	20	15	5	0	0	0
415 to 434-----	70	50	40	35	25	20	10	0	0	0
435 to 454-----	75	55	45	40	30	25	15	5	0	0
455 to 474-----	80	60	50	45	35	30	20	10	0	0
475 to 494-----	85	65	55	50	40	35	25	15	5	0
495 to 514-----	90	70	60	55	45	40	30	20	10	0
515 to 534-----	95	75	65	60	50	45	35	25	15	5
535 to 554-----	100	80	70	65	55	50	40	30	20	10
555 to 574-----	100	85	75	70	60	55	45	35	25	15
575 to 594-----	100	90	80	75	65	60	50	40	30	20
595 to 614-----	100	95	85	80	70	65	55	45	35	25
615 to 634-----	100	100	90	85	75	70	60	50	40	30
635 to 654-----	100	100	95	90	80	75	65	55	45	35
655 to 674-----	100	100	100	95	85	80	70	60	50	40
675 to 694-----	100	100	100	100	90	85	75	65	55	45
695 to 714-----	100	100	100	100	95	90	80	70	60	50
715 to 734-----	100	100	100	100	100	95	85	75	65	55
735 to 754-----	100	100	100	100	100	100	90	80	70	60
755 to 774-----	100	100	100	100	100	100	95	85	75	65
775 to 794-----	100	100	100	100	100	100	100	90	80	70
795 to 814-----	100	100	100	100	100	100	100	95	85	75
815 to 834-----	100	100	100	100	100	100	100	100	90	80
835 to 854-----	100	100	100	100	100	100	100	100	95	85
855 to 874-----	100	100	100	100	100	100	100	100	100	90
875 to 894-----	100	100	100	100	100	100	100	100	100	95
895 to 914 and up----	100	100	100	100	100	100	100	100	100	100"

Amendment No. 8

On page 9 of said bill, strike out line 28, and insert "in which eligibility is established or as of the first day of the month following the end of the 60-day period, whichever is earlier."

Amendment No. 9

On page 10, line 15, of said bill, strike out "five-sixths", and insert "two-thirds".

Amendment No. 10

On page 11 of said bill, strike out line 37, and insert

"SEC. 24. Section 2224 of said code is amended to read:

2224. The board of supervisors shall determine if the applicant or recipient of aid has within the State a spouse or adult child pecuniarily able to contribute to the support of the applicant or recipient of aid. A brief initial form shall be sent to the relative inquiring whether the relative has an income in his or her own right. If the relative has such income, he or she shall file a sworn statement indicating whether he or she is contributing to the support of the applicant or recipient of aid, and if contributing in what form and amount per month.

Upon the request of the board of supervisors, the spouse or adult child shall file such sworn statement within 10 days if living in the county, or within 30 days if living elsewhere in the State; provided, however, that the granting or continued receipt of aid shall not be contingent upon the filing of such sworn statement by such spouse or adult child.

If the person receiving aid has within the State, a spouse or adult child pecuniarily able to support said person, the board of supervisors shall request the dis-

trict attorney or other civil legal officer of the county granting such aid to proceed against such kindred in the order of their responsibility to support. Upon such demand the district attorney or other civil legal officer of the county granting aid shall, on behalf of said county, maintain an action, in the superior court of the county granting such aid, against said relative, in the order named, to recover for said county such portion of the aid granted as said relative is able to pay, and to secure an order requiring the payment of any sums which may become due in the future for which the relative may be liable. Any sum so recovered shall be credited by the county to the county, to the State and to the Federal Government in proportion to the contributions of each respectively, or in the manner prescribed by the State Department of Social Welfare.

The granting of or continued receipt of aid shall not be contingent upon such recovery."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Motion to Set Special Order

Mr. Fourn moved that Assembly Bill No. 1994 be made a special order of business for Thursday, April 22, 1943, at 10 a.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Johnson, Knight, T. Fenton, Leonard, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Potter, Price, Sargent, Sawalisch, Sheridan, Smith, Stream, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

WITHDRAWAL OF ASSEMBLY BILL NO. 377 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Ralph C. Dills asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 377 from the Committee on Governmental Efficiency and Economy, for purpose of amendment, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 377

Assembly Bill No. 377—An act to regulate vocational, trade or business schools, to provide for the licensing thereof and providing penalties

Bill read second time.

Motion to Amend

Mr. Ralph C. Dills moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "to regulate vocational, trade or business schools, to"; and strike out line 2 thereof, and insert "to add Chapter 5 to Part 1, Division 7 of the Business and Professions Code, regulating defense training schools, and providing for the issuance of licenses, declaring the urgency hereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive; on page 2, strike out lines 1 to 51, inclusive; and on page 3, strike out lines 1 to 31, inclusive, and insert "SECTION 1 Chapter 5 is added to Part 1, Division 7 of the Business and Professions Code, to read:

CHAPTER 5. DEFENSE TRAINING SCHOOLS

Article 1. General Provisions

16500. This chapter of the Business and Professions Code constitutes the chapter on defense training schools. It may be cited as the Defense Training School Act.

16501. "Director" refers to the Director of Professional and Vocational Standards.

16502 "Defense Training School" refers to any private trade school in which courses of instruction are given to persons desiring to obtain positions in industrial plants engaged in war work, whether conducted by an individual, firm, association or corporation.

"Defense Training School" does not include:

- (a) Business schools in which typing, stenography and related courses are given;
- (b) "In-service" schools conducted and maintained by any person, firm or corporation for training and education of employees of such person, firm or corporation.

16503 This chapter shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs.

Article 2. Administration

16510. The director is hereby authorized to enforce the provisions of this chapter.

16511. The director shall prescribe the form of all applications, licenses and other appurtenant written matter.

16512. The director shall furnish requisite forms for applications, and licenses provided for in this chapter and shall issue the licenses and collect fees therefor as provided in this chapter.

16513. The director shall refuse to grant a license for failure to conform to the standards set forth in Section 16523.

16514. The director may employ an inspector and other personnel subject to the State Civil Service Act, to carry out the provisions of this chapter.

16515. The director may enforce the penalties for failure to comply with the provisions of this chapter.

Article 3. Licenses

16520. No person, firm, association or corporation shall establish or conduct a defense training school without first having paid the license fee provided by this chapter. The fee is payable annually in advance on the first day of July of each year to the director or his authorized agent. Each license shall remain in force for the term of one year from and after the first day of July, and may be renewed annually.

16521. All licenses issued on or after the first day of July shall expire on the thirtieth day of June following the date of issue. Fees for original licenses issued after the first day of July of each year shall be apportioned and collected on the basis of one-twelfth of the fee for each month or part thereof remaining in the fiscal year.

16522. Every application for a license shall be made on a form to be furnished by the director. It shall state the following information which shall be certified to by the applicant:

- (a) Name and address of the school.
- (b) If a partnership or corporation, a copy of its articles and by-laws.
- (c) Courses of instruction and names of instructors.
- (d) Copy of contract for instruction to be executed by students.
- (e) Prerequisites required for entrance to school.

16523. The director may deny school licenses to any applicant who fails to present satisfactory evidence of personal integrity and moral responsibility and in the event that the said applicant is a corporation, this shall apply to all officers thereof. The director may deny school licenses to any applicant who does not provide necessary instructors and equipment such as may be required to instruct students in the trade or trades described in its application.

Article 4. Penal Provisions

16530. For every false application made, and for failure to make the application required by this chapter, the person responsible therefor shall be guilty of a misdemeanor and shall be punished by imprisonment in the county jail for a period not exceeding six (6) months or a fine not exceeding five hundred dollars (\$500) or both. For each subsequent offense, he shall be punished by imprisonment in the county jail not to exceed one (1) year or a fine of one thousand dollars (\$1,000) or both.

Article 5. Revenue

16540. All license fees collected by the director and his authorized agents in accordance with the provisions of this chapter shall be forwarded to and deposited with the Treasurer of the State monthly, to the credit of the Defense Training School Fund, which fund is hereby created. All money in said fund is appropriated to the director to be expended in accordance with law in the administration and enforcement of this chapter.

16541. All fines imposed and recovered under this chapter are payable to the State Treasurer for credit to the Defense Training School Fund.

16542. The annual license fee is twenty-five dollars (\$25).

This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of

Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

It is necessary for the public peace, health and safety that defense training schools equipped with proper facilities for study and training be established under State control, that such schools be licensed, staffed with qualified instructors, and operated under uniform standards giving instruction and training in fixed courses of study and training under uniform regulations."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 664

Assembly Bill No. 1399

Assembly Bill No. 1906

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1909

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 7

Assembly Joint Resolution No. 47

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1839

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill re-referred to Committee on Public Utilities, Manufacturing, and Corporations.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Senate Bill No. 1068

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 543

Senate Bill No. 590

Senate Bill No. 907

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 1529

Senate Bill No. 964

Senate Bill No. 75

Senate Bill No. 975

Senate Bill No. 337

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 856

Senate Bill No. 60

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1621

Assembly Bill No. 1995

Senate Bill No. 16

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred:

Assembly Bill No. 2000

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MIDDOUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which were referred:

Assembly Bill No. 361

Senate Bill No. 1058

Senate Bill No. 1080

Senate Bill No. 246

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

MIDDOUGH, Chairman

Above reported bills ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 1492

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THORP, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred: Senate Bill No. 976
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THORP, Chairman

Above reported bill ordered to second reading.

Committee on Public Utilities, Manufacturing, and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which was referred:

Assembly Bill No. 1839

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which was referred:

Senate Bill No. 108

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which was referred:

Senate Bill No. 363

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which was referred:

Senate Bill No. 858

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ALLEN, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 640

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEYBRET, Chairman

Above reported bill ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file and re-referred as follows:

Assembly Bill No. 177 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 664 re-referred to the Committee on Public Health.

RECESS

At 12.10 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 608—An act to amend Section 644 of the Penal Code, relating to habitual criminals and parole.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C. Doyle, Dunn, Edwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McColister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 469—An act to add Section 395 8 to the Military and Veterans Code, relating to the reinstatement of officers of any city, who shall have left the services of such city to enter upon active services of the armed forces of the United States, upon his discharge or release from such active service; to provide for temporary officers to serve during such absence of officers; and declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 375—An act to amend Sections 2893, 2896, 2897, and 2898 of the Elections Code, relating to ballots in case of the death or disqualification of a candidate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 59—An act to regulate, and to prohibit fraud and deception in, the sale of olive oil, imitation olive oil, and other edible oils, to repeal an act entitled "An act to regulate the sale of imitation olive oil, and to repeal an act entitled 'An act to regulate the sale of olive oil,' approved March 10, 1891," approved March 23, 1893, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 633—An act to amend Sections 15 and 18 of the Agricultural Prorate Act, relating to the selection and appointment of marketing program committee members, their terms and duties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Knight,

T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 499—An act to amend Section 202 of the Welfare and Institutions Code, relating to county contracts for hospital care and services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 166—An act to add Section 1760.7 to the Welfare and Institutions Code, to amend Sections 112, 643, and 644 thereof, and to amend Section 1203.11 of the Penal Code, transferring the power of supervision over adult and juvenile probation and probation officers from the State Department of Social Welfare to the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 167—An act to amend Section 1554.2 of the Penal Code, relating to proceedings against fugitives from justice, and authorizing the Youth Authority to apply to the Governor for requisitions for the return of persons committed thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan,

Middough, Miller, Niehouse, O'Day, Pelletier, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 160—An act to amend Sections 154, 159, 160, 161, 740, 741, 742, 743, 744, 745, 747, 749, 834, 835, 836, 869, 901, 903, 905, 906, 907, 908, 909, 910, 911, 1000, 1001, 1002, 1003, 1004, 1005, 1050, 1075, 1076, 1120, 1124, 1125, 1127, 1129, 1150, 1152, 1153, 1175, 1176, 1177, 1178, 1179, 1200, and 5252 of the Welfare and Institutions Code, to add Sections 1008, 1009, 1010, 1011, 1014, 1015, 1049, and 1077 thereto, to repeal Sections 1007 and 1202 thereof, to repeal Article 2 of Chapter 3 of Part 1 of Division 2 thereof, comprising Sections 1020, 1021, 1022, 1023, and 1024, and Article 5 of said chapter, comprising Sections 1100, 1101, and 1102, and to amend and renumber Section 155.5 of said code to be Section 1000.5, all relating to the Youth Authority, providing for commitments thereto by the juvenile courts, transferring thereto the correctional schools and forestry camps now subject to the jurisdiction of the State Department of Institutions, and specifying the powers and duties of the Youth Authority and its officers and employees in regard to the inmates of such institutions and to other persons committed to the Authority, and providing for the transfer of funds.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

On page 16, line 32, of the printed bill, as amended, before "Any", insert "(b)".

Amendment No. 2

On page 16, line 34, of said bill, before "Any", insert "(d)".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Werdel:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to provide for the payment of a portion of bonded indebtedness of the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

T. H. WERDEL

Request referred to Committee on Legislative Procedure.

By Messrs Potter, Dickey, Burns, and Knight, T. Fenton:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, we request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 1701 and 1710 of, the heading of Chapter 1 of Division 25 of, and the headings of Articles 2, 3 and 4 of Chapter 1 of Division 25 of, and to

repeal Section 1711.5 of, and to add Sections 1725 and 1742 to, the Welfare and Institutions Code, relating to the Youth Authority and the care, custody and rehabilitation of youths, providing for the costs of such care, custody and rehabilitation, and making an appropriation.

Respectfully submitted.

RANDAL F. DICKEY
FRANKLIN J. POTTER
MICHAEL J. BURNS
T. FENTON KNIGHT

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Werdel:

An act to provide for the payment of a portion of bonded indebtedness of the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

By Messrs. Potter, Dickey, Burns, and Knight, T. Fenton:

An act to amend Sections 1701 and 1710 of, the heading of Chapter 1 of Division 2.5 of, and the headings of Articles 2, 3 and 4 of Chapter 1 of Division 2.5 of, and to repeal Section 1711.5 of, and to add Sections 1725 and 1742 to, the Welfare and Institutions Code, relating to the Youth Authority and the care, custody and rehabilitation of youths, providing for the costs of such care, custody and rehabilitation, and making an appropriation.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2002: By Mr. Werdel—An act to provide for the payment of a portion of the bonded indebtedness of the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 2003: By Messrs. Potter, Dickey, Burns, and Knight, T. Fenton—An act to amend Sections 1701 and 1710 of, the heading of Chapter 1 of Division 2.5 of, and the headings of Articles 2, 3 and 4 of Chapter 1 of Division 2.5 of, and to repeal Section 1711.5 of, and to add Sections 1725 and 1742 to, the Welfare and Institutions Code, relating to the Youth Authority and the care, custody and rehabilitation of youths, providing for the costs of such care, custody and rehabilitation, and making an appropriation.

Referred to Committee on Ways and Means.

MOTION TO SET SPECIAL ORDER

Mr. Lyon moved that Assembly Bill No. 498 be made a special order of business for Thursday, April 22, 1943, at 10.10 a.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 591—An act to amend Sections 794, 799, 800 and 801 of the Fish and Game Code, relating to abalones, and declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO SET SPECIAL ORDER

Mr. Kellems moved that Assembly Constitutional Amendment No. 9 be made a special order of business for Thursday, April 22, 1943, at 11 a.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Mil-

ler, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 360

Mr. Middough moved that Assembly Bill No. 360 be withdrawn from the Committee on Crime and Correction, and re-referred to the Committee on Ways and Means.

Motion carried.

COMMUNICATIONS

By Mr. King:

A communication from the Reclamation Board, relative to pending legislation, was received and referred to the Committee on Rules and House Functions.

Speaker Presiding

At 2.55 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Doyle:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 1, 2, 4.5, 9, 10, 11, and 13 and to add Sections 4.1, 9.1, and 9.2 to an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, as amended, relating to county peace officers' retirement systems and providing for the inclusion in such systems of county and district employees engaged in fire prevention and suppression work, including work related thereto.

Respectfully submitted.

THOMAS J. DOYLE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Doyle:

An act to amend Sections 1, 2, 4.5, 9, 10, 11, and 13 and to add Sections 4.1, 9.1, and 9.2 to an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, as amended, relating to county peace officers' retirement systems and providing for the inclusion in such systems of county and district employees engaged in fire prevention and suppression work, including work related thereto.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A.,

Dills, Ralph C, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2004: By Mr. Doyle—An act to amend Sections 1, 2, 4.5, 9, 10, 11, and 13 and to add Sections 41, 91, and 92 to an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, as amended, relating to county peace officers' retirement systems and providing for the inclusion in such systems of county and district employees engaged in fire prevention and suppression work, including work related thereto.

Referred to Committee on Municipal and County Government.

Assembly Concurrent Resolution No. 59: By Messrs. Kellems, Dilworth, and Dickey—Relative to the creation of a Joint Fact-Finding Committee on Un-American Activities in California to investigate the activities of persons and groups known or suspected to be foreign dominated or controlled and recommend legislation for their regulation.

Referred to Committee on Rules and House Functions.

RESOLUTIONS

The following resolution was offered:

By the Committee on Rules and House Functions:

House Resolution No. 197

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth, with the compensation set opposite his name payable weekly, on a 7-day per week basis, and the Controller is hereby directed to draw his warrant in favor of said person for said amount, and the Treasurer is hereby directed to pay the same:

<i>Commencing Wednesday, April 21, 1943.</i>	<i>Per day</i>
Assistant Sergeant-at-Arms, William Coffman.....	\$6 00

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L Collins asked for, and was granted, unanimous consent to take up House Resolution No 197, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller.

Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.
NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 343—An act to add Section 7421 to the Business and Professions Code, relating to temporary licenses for hairdressers and cosmeticians or cosmetologists, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

In lines 4 and 5 of the title of the printed bill, as amended, strike out “, declaring the urgency thereof, to take effect immediately.”, and insert a period.

Amendment No. 2

On page 1 of said bill, strike out lines 12 to 22, inclusive, and insert “7421. Upon application to the board and upon evidence that the applicant has the necessary qualifications to engage in the practice of the occupation or occupations for which a temporary license may be granted, a person licensed in another State as a hairdresser and cosmetician or cosmetologist shall be issued a temporary certificate or license to practice cosmetology in this State as a hairdresser and cosmetician or cosmetologist for a period of six months. Such temporary certificate or license shall be valid only during the period of time that this section is in effect.”

Amendment No. 3

On page 2 of said bill, strike out lines 5 to 21, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators DeLap, Mixer, and Carter as a Committee on Conference concerning:

Assembly Bill No. 641—An act to amend Sections 2, 7, 7.1, 8, 9, 9.2, 9.3, 9.4, 9.5, 10, 12, 13, 16, 19 and 20 of, and to add four new sections to be numbered 7.2, 8.1, 8.3, and 34.2 to, The Personal Income Tax Act, and to repeal Sections 17054, 17155, 17303, 17818, 17819, 17820 and 18156 of, and to amend Sections 17126, 17127, 17154, 17159, 17211, 17213, 17310, 17311, 17313, 17316, 17351, 17503, 17506, 17560, 17562, 17563, 17672, 17673, 17711, 17713, 17743, 17744, 17782, 17783, 17813, 17817, 17952, 18133, 18135, 18431, 18596, and 19061 of, and to add Chapter 3.5 consisting of Sections 17250 to 17257, inclusive, to Part 10 of Division 2 of, and Article 1.5, consisting of Sections 17324 to 17324.16, inclusive, to Chapter 4 of Part 10 of Division 2 of, and Article 1.7, consisting of Sections 17325 to 17350, inclusive, to Chapter 4 of Part 10 of Division 2 of, and Article 1.5, consisting of Sections 17507 to 17516, inclusive, to Chapter 5 of Part 10 of Division 2 of, and Article 4, consisting of Sections 18470 to 18479, inclusive, to Chapter 10 of Part 10 of Division 2 of, and Sections 17019.3, 17019.5, 17019.7, 17055, 17056, 17057, 17104, 17105, 17106, 17107, 17125.3, 17125.5, 17125.7, 17131, 17132, 17133, 17134, 17135, 17136, 17163.5, 17302.5, 17305.5, 17317.5, 17318.05, 17318.1, 17318.2, 17318.3, 17318.4, 17318.5, 17318.7, 17319, 17319.3, 17319.5, 17320, 17320.3, 17320.5, 17320.7, 17321, 17321.3, 17321.5, 17321.7, 17322, 17322.3, 17322.5, 17322.7, 17322.9, 17322.11, 17357, 17560.3, 17560.5, 17560.7, 17560.9, 17567, 17568, 17569, 17716.5, 17721, 17722, 17723, 17724, 17784.5, 17787, 18156, 18157, 18158, 18159, 18160, 18161, 18162, 18163, 18164, 18172.3, 18172.5, 18172.7, 19053.3, 19053.5, and 19053.7, relating to taxes upon the incomes of individuals, estates and trusts and to provide that this act shall take effect immediately

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 798

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1729

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 377

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1994

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 377 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 798 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1729 re-referred to the Committee on Judiciary.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mrs. Niehouse, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Walter Bellon of San Diego.

On request of Mr. Erwin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Thomas Bewley of Whittier, and Mr. and Mrs. Wright of El Monte.

On request of Mr. Haggerty and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Peter Tamony, Louis Werner and James Allen of San Francisco.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Dorothy La Follette of Glendale and Mrs. Evelle J. Younger of San Francisco.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. J. O. Enberg of San Francisco.

On request of Mr. Thomas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Tony Podue, Matt Dragich and Nick Ursich of San Pedro, and Arthur Webb and Charles Corday of Los Angeles.

On request of Mr. Dunn, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Oscar Elftman of Oakland.

On request of Mr. Denny, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Halliek and pupils of the McCloud High School, including Violet Lippi, Caroline Lippi, Annie Dal Gallo, Shirley Trulan, Elaine Nelson, Marcella Doyle, Billie Jean Nelson, and Margaret Malone.

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. John Knezhich, Dr. Wickliff Stack, and Mary Ellen Dickison of Los Angeles.

On request of Mrs. Niehouse and Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ursulla Silver of Hollywood.

On request of Mr. Ralph C. Dills and the Los Angeles Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Gordon L. McDonough of Los Angeles.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Andrew J. Gallagher of San Francisco.

On request of Mr. John B. Knight, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Jesse L. Howell of Los Angeles.

On request of Mr. Brown, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. W. Colburn Cook of Turlock.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. John F. Shelley, and Miss Joan Marie Shelley of San Francisco.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Misses Bea Wadsworth and Margie Russell of Sacramento.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Jodeane Collins of Orange.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Joan Wollenberg of San Francisco.

ADJOURNMENT

At 3.08 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, April 22, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTIETH LEGISLATIVE DAY
 ONE HUNDRED NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, April 22, 1943

The Assembly met at 9.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Olmimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names :

Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Mason, McCollister, McMillan, Middough, Niehouse, O Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdell, Weybret, and Mr. Speaker—57.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher :

Another day hast Thou granted us, Gracious Father, wherein we are privileged to live and labor, love and pray. Help us to sanctify these precious hours by the Christ-like performance of all duties, great and small. Bless the homes, churches, schools, and States that make us a mighty Nation. Grant wisdom to our leaders and protection to our defenders. Hear the fervent prayer for peace among the nations of the world.

"The blush of dawn may yet restore
 Our light and hope and joy once more,
 Sad soul, take comfort, nor forget,
 That sunrise never failed us yet!"

In Jesus' name. AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Dunn.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 306

Assembly Bill No. 1525

Assembly Bill No. 1075

Assembly Bill No. 1957

Assembly Bill No. 1112

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 475

Assembly Bill No. 1676

Assembly Bill No. 576

Assembly Bill No. 1988

Assembly Bill No. 1381

Assembly Bill No. 1969

Assembly Bill No. 1396

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 543—An act to amend Sections 1 and 5a of an act entitled "The California Air Navigation Act," relating to air navigation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1492—An act to amend Sections 736 2 and 736.15 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream provisions of said code and to control boards thereunder, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2000—An act to amend Sections 2701, 2709, 2722 and 2724 of the Penal Code, relating to prison-made goods, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1839—An act to add Section 1944.1 to the Labor Code, relating to the employment of certain aliens and declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1529—An act to add Section 512 to the Vehicle Code, relating to speed limits on highways under construction or repair.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1995—An act to increase the statutory salary and the statutory compensation of State officers and State employees, and making an appropriation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1621—An act to amend Sections 736 and 736a of the Political Code, relating to the salaries of Justices of the Supreme Court and the district courts of appeal.

Bill read second time, and ordered to third reading.

Assembly Bill No. 856—An act to amend Section 186 of the Vehicle Code, relating to transfers of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended, strike out "transferor has", and insert "parties thereto have".

Amendment No. 2

On page 1 of said bill, strike out lines 20 and 21, and insert "registration card to the transferee as provided in this code and the transferee has delivered to the department or has placed in the United States Mail, addressed to the department, such certificate and card when and as required under this code with the proper transfer fee and thereby makes application for a transfer of registration except as otherwise provided in Section 180, or".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 378—An act providing for the preparation and publication of the California Administrative Register and the California Administrative Code, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended, strike out "-five".

Amendment No. 2

On page 1, line 3, of said bill, strike out "\$75,000", and insert "\$70,000".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 361—An act to amend Section 1750 of the Welfare and Institutions Code, relating to expenditures by the Youth Correction Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1750", and insert "860 and 862".

Amendment No. 2

In lines 2 and 3 of the title of the printed bill, strike out "Youth Correction Authority", and insert "counties for the support of wards".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "1750", and insert "860".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 3 and 4, and insert

"860. If it is necessary that provision be made for the expense of support and maintenance of a ward of the juvenile court or of a minor person concerning whom a petition has been filed in accordance with the provisions of Sections 721 and 722 of this code, the order providing for the care and custody of such ward or person shall direct that the whole expense of support and maintenance of such ward or person, up to the amount of twenty dollars (\$20) per month be paid from the county treasury, and may direct that an amount up to [thirty-five dollars (\$35)] *any maximum amount per month established by the board of supervisors of the county* be so paid. *The board of supervisors of each county is hereby authorized to establish, either generally or for individual wards or according to classes or groups of wards, a maximum amount which the court may order the county to pay for such support and maintenance.* [In the case of any physically sick, epileptic, insane, or feeble-minded ward, or any ward who is infected with syphilis, gonorrhoea or chancroid, the court may order such additional sum or sums to be paid from the county treasury as may be necessary for the support and maintenance of such ward, but the total amount so paid in the case of any physically sick, epileptic, insane, or feeble-minded ward, or any ward who is infected with syphilis, gonorrhoea or chancroid, shall not exceed the sum of forty dollars (\$40) per month.] All orders made pursuant to the provisions of this section shall state the amounts to be so paid from the county treasury, *and such amounts shall constitute legal charges against the county.*

SEC. 2. Section 862 of the Welfare and Institutions Code is hereby amended to read as follows:

862 If it is found that *the maximum amount established by the board of supervisors of the county* is insufficient to pay the whole expense of support and maintenance of such ward or other minor person, [or if it is found that forty dollars (\$40) a month is insufficient to pay the whole support and maintenance of any such physically sick, epileptic, insane, or feeble-minded ward,] the court may order and direct that such additional amount as is necessary shall be paid out of the earnings, property, or estate of such ward or such other minor person, or by the parents or guardian of such ward or such other minor person, or by any other person liable for his support and maintenance, to the probation officer, who shall in turn pay it to the person, association, or institution that under court order is caring for and maintaining such ward or other minor person."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 590—An act to amend Section 890 of the Military and Veterans Code, relating to veterans and their dependents, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 907—An act to amend Sections 1509.4 and 1571 of and to add Sections 1509.6, 1509.7, 1509.8, and 1509.9 to the Military and Veterans Code, relating to and providing for State and local participation in civilian defense and the war effort and for the administration of the California War Powers Act, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 363—An act to amend Sections 14½ and 15 of, and to add Section 13½ to, the Highway Carriers' Act, relating to the use of

public highways for commercial purposes and the powers and duties of the Railroad Commission in respect thereto.

Bill read second time, and ordered to third reading.

Senate Bill No. 108—An act to amend Section 39 of the Public Utility District Act, relating to public utility district taxation.

Bill read second time, and ordered to third reading.

Senate Bill No. 75—An act to add Chapter 10.5, comprising Section 567, to Division 9 of the Vehicle Code, and to add Section 146 to the Streets and Highways Code, relating to equestrian crossings, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 337—An act to add Sections 531.2 and 587.5 to the Vehicle Code, relating to the operation and the parking of vehicles.

Bill read second time, and ordered to third reading.

Senate Bill No. 964—An act to add Section 276.5 to the Vehicle Code, relating to drivers' license.

Bill read second time, and ordered to third reading.

Senate Bill No. 975—An act to amend Section 142 of the Vehicle Code, relating to exemptions from registration.

Bill read second time, and ordered to third reading.

Senate Bill No. 16—An act to add Section 66a to the Code of Civil Procedure and to amend Section 737vv of the Political Code, relating to the number of superior court judges and providing for the appointment of an additional superior court judge in and for the County of Solano, providing for his compensation, and making an appropriation.

Bill read second time, and ordered to third reading.

Senate Bill No. 640—An act to amend Sections 12700, 12701, 12703, 12704, 12706 and 12709 of the Business and Professions Code, relating to public weighmasters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "of", insert ", and to add Section 12700.1 to."

Amendment No. 2

On page 1 of said bill, strike out all of lines 6 to 12, inclusive, and insert "memorandum of the weight, measure, or count accepted as the accurate weight or measure or count upon which the purchase or sale of the commodity is based."

Amendment No. 3

On page 1, line 15, of said bill, insert "SEC. 1.5. Section 12700.1 is added to the Business and Professions Code, to read:

12700.1 The following shall not be construed to be public weighmasters:

(a) Retailers weighing or measuring commodities for sale by them at retail directly to consumers;

(b) Producers of agricultural commodities or live stock weighing commodities produced or purchased by them or by their producer neighbors, when no charge

is made for such weighing, and no signed or initialed statement or memorandum is issued of the weight upon which a purchase or sale of the commodity is based;

(c) Common carriers issuing waybills or bills of lading on which are recorded, for the purpose of computing transportation charges, the weights of commodities offered for transportation;

(d) Weighers licensed under the provisions of Section 676 of the Agricultural Code when performing the duties for which they are licensed;

(e) Employees of the department authorized to weigh agricultural products under the provisions of Chapter 8 of Division 5 of this code, when performing the duties authorized thereby."●

Amendment No. 4

On page 2, line 27, of the printed bill, as amended, after "department", insert ", after a hearing,".

Amendment No. 5

On page 2, line 28, of the printed bill, as amended, after "license", insert "issued".

Amendment No. 6

On page 2, line 30, of the printed bill, as amended, after "may", insert: ", after a hearing,".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 976—An act to amend Section 647 of the Agricultural Code, relating to conveyances transporting milk or cream or containers therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1, line 29, of the printed bill, strike out the period, and insert "; provided that such feeds, grains or hay shall be covered separately from the empty containers while in transit."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 858—An act to add Section 1.5 to an act entitled "An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discriminations between various forms of transportation; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act," approved May 27, 1935.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Utilities, Manufacturing, and Corporations:

Amendment No. 1

In line 11 of the title of the printed bill, as amended, strike out the period, and insert ", relating to highway carriers."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 60—An act to add Section 258.1 to the Vehicle Code, relating to temporary chauffeurs' licenses for school bus drivers, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 21 to 28, both inclusive.

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1068—An act to amend Section 841 and repeal Section 841a of the Military and Veterans' Code, relating to veterans' farm and home purchase funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and repeal Section 841a".

Amendment No. 2

On page 1 of said bill, strike out line 25.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1058—An act to amend Sections 7501, 7520 and 7592 of the Business and Professions Code, relating to detectives, and providing for appropriate transfers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1, lines 18 and 19, of the printed bill, as amended, strike out "Department of Professional and Vocational Standards".

Amendment No. 2

On page 1, line 20, of said bill, strike out "Contingent".

Amendment No. 3

On page 1, line 26, of said bill, strike out everything except "Private".

Amendment No. 4

On page 2, line 1, of said bill, strike out "Contingent".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1080—An act to amend Section 3324 of and to add Sections 3327 and 3330 to the Penal Code, relating to the California Institution for Women.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to amend Section 3324 of and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 11, inclusive.

Amendment No. 3

On page 1, line 12, of said bill, strike out "Sec. 2", and insert "Section 1".

Amendment No. 4

On page 1, line 17, of said bill, strike out "Sec. 3", and insert "Sec. 2".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 246—An act to amend Section 3000 of, and to add Sections 3000.5, 3000.7, and 3005.5 to, the Penal Code, relating to membership on the Board of Prison Terms and Paroles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 2, line 23, of the printed bill, strike out the period, and insert "unless the work of the board for the current and all past months has been completed."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 641—An act to amend Sections 2, 7, 7.1, 8, 9, 9.2, 9.3, 9.4, 9.5, 10, 12, 13, 16, 19 and 20 of, and to add four new sections to be numbered 7.2, 8.1, 8.3 and 34.2 to the Personal Income Tax Act and to repeal Sections 1705.4, 17155, 17303, 17818, 17819, 17820 and 18156 of, and to amend Sections 17126, 17127, 17154, 17159, 17211, 17213, 17310, 17311, 17313, 17316, 17351, 17503, 17506, 17560, 17562, 17563, 17672, 17673, 17711, 17713, 17743, 17744, 17782, 17783, 17813, 17817, 17952, 18133, 18135, 18431, 18596, and 19061 of, and to add Chapter 3 5 consisting of Sections 17250 to 17257, inclusive, to Part 10 of Division 2 of, and Article 1 5, consisting of Sections 17324 to 17324 16, inclusive, to Chapter 4, of Part 10 of Division 2 of, and Article 1 7, consisting of Sections 17325 to 17350, inclusive, to Chapter 4 of Part 10 of Division 2 of, and Article 1 5, consisting of Sections 17507 to 17516, inclusive, to Chapter 5 of Part 10 of Division 2 of, and Article 4, consisting of Sections 18470 to 18479, inclusive, to Chapter 10 of Part 10 of Division 2 of, and Sections 17019.3, 17019.5, 17019.7, 17055, 17056, 17057, 17104, 17105, 17106, 17107, 17125.3, 17125.5, 17125.7, 17131, 17132, 17133, 17134, 17135, 17136, 17163.5, 17302.5, 17305.5, 17317.5, 17318.05, 17318.1, 17318.2, 17318.3, 17318.4, 17318.5, 17318.7, 17319, 17319.3, 17319.5, 17320, 17320.3, 17320.5, 17320.7, 17321, 17321.3, 17321.5, 17321.7, 17322, 17322.3, 17322.5, 17322.7, 17322.9, 17322.11, 17357, 17560.3, 17560.5, 17560.7, 17560.9, 17567, 17568, 17569, 17716.5, 17721, 17722, 17723, 17724, 17784.5, 17787, 18156, 18157, 18158, 18159, 18160, 18161, 18162, 18163, 18164, 18172.3, 18172.5, 18172.7, 19053.3, 19053.5, and 19053.7, relating to taxes upon the incomes of individuals, estates and trusts and to provide that this act shall take effect immediately

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 768—An act to repeal an act entitled "An act making an appropriation for the administrative expenses of the State Department of Social Welfare

and establishing a revolving fund for the purposes of distributing goods and commodities in accordance with Federal goods and commodities distribution plans by the State Department of Social Welfare, declaring the urgency thereof, to take effect immediately," approved July 1, 1941, relating to the operation of Federal stamp and surplus commodities distribution plans by the State Department of Social Welfare, transferring to the State Department of Finance all powers, duties, responsibilities, and jurisdiction, and all records, books, papers, moneys, and property of the Department of Social Welfare in connection therewith for the purpose of termination thereof, and providing for the disposition of the commodities and other properties transferred.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 53
Senate Bill No. 76
Senate Bill No. 249
Senate Bill No. 376
Senate Bill No. 437
Senate Bill No. 498
Senate Bill No. 603
Senate Bill No. 690
Senate Bill No. 733

Senate Bill No. 752
Senate Bill No. 847
Senate Bill No. 856
Senate Bill No. 970
Senate Bill No. 999
Senate Bill No. 1039
Senate Bill No. 801
Senate Bill No. 197

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 24
Senate Constitutional Amendment No. 27

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 53—An act to provide for the licensing, visitation and supervision of schools teaching foreign languages, and to define and prescribe the powers and duties of the State Board of Education in respect thereto.

Referred to Committee on Education.

Senate Bill No. 76—An act to provide for the use of property belonging to public agencies for horseback riding.

Referred to Committee on Municipal and County Government.

Senate Bill No. 249—An act to amend Section 1 of an act entitled "An act expressing the consent of the Legislature of the State of California to the acquisition of lands in the State under the provisions of the act of Congress entitled 'An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers,' approved March 1, 1911, as amended," approved by the Governor September 20, 1934, relating to the acquisition of land in the State by the United States.

Referred to Committee on Conservation, Natural Resources, and Planning

Senate Bill No. 376—An act to add Sections 5002.7 and 5002.8 to the Elections Code, making it a misdemeanor for any person appointed by the Governor to any office, board or agency authorized to issue licenses, or any officer, employee or appointee of such officer, board or agency, to solicit or receive from persons holding licenses issued by said officer, board or agency, any money or other thing of value for any political campaign for election or reelection of any person to any elective office, board or agency, and making it a misdemeanor for any licensee or holder of a license to contribute or give money or any other thing of value for any such political campaign.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 437—An act to add Section 13099.2 to the Education Code, relating to classification of persons as permanent employees of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 498—An act to amend Sections 176, 304, 305, 366, 2863, 12291, 14326, 14411, 14433, 14439, 14503, 14523, 14526, 14528, 14529, 14532, 16731, 20005, and 20793 and the chapter heading of Chapter 15 of Division 3 and the chapter heading of Chapter 9 of Division 7 of, and to add Section 20794 and the chapter heading of Chapter 14 of Division 3 to, the Education Code, relating to the establishment, maintenance, government, and operation of schools and institutions of learning.

Referred to Committee on Education.

Senate Bill No. 603—An act to add Chapter 9.5 to Part 1 of Division 6 of the Health and Safety Code, relating to consolidation of sanitary districts without an election.

Referred to Committee on Municipal and County Government.

Senate Bill No. 690—An act to amend Section 1526 of the Welfare and Institutions Code, relating to the residence of needy children.

Referred to Committee on Social Welfare.

Senate Bill No. 733—An act making an appropriation to be expended under the direction of the Governor to effectuate the purposes of the California State War Powers Act, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 752—An act to add Article 7.5 consisting of Sections 20490 to 20493, inclusive, to Chapter 2 of Division 10 of the Education Code, relating to the granting of degrees to vocational teachers.

Referred to Committee on Education.

Senate Bill No. 847—An act to provide for the identification of persons in State institutions in the event of disaster due to enemy action, by providing for the fingerprinting of such persons by or under the supervision of the Bureau of Criminal Identification and Investigation.

Referred to Committee on Crime and Correction.

Senate Bill No. 856—An act to amend Section 58 of the Unemployment Insurance Act, relating to eligibility for benefits.

Referred to Committee on Finance and Insurance.

Senate Bill No. 970—An act to add Section 17.5 to an act entitled “An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto,” approved May 25, 1923, and to add Section 27229 to the Streets and Highways Code, relating to the refunding of debts, and to the issuance of bonds in connection therewith.

Referred to Committee on Roads and Highways.

Senate Bill No. 999—An act to amend Section 56 of the Unemployment Insurance Act, relating to eligibility for benefits.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1039—An act to add Section 1556.6 to the Welfare and Institutions Code, relating to wages of minors, and determining the ownership thereof for purposes of aid to orphans and other needy children.

Referred to Committee on Social Welfare.

Senate Bill No. 801—An act relating to office and working hours and the payment of overtime compensation, to add Sections 73 and 73.5 to the State Civil Service Act in connection therewith and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 197—An act to add Section 2729 to the Penal Code, relating to prisons, the employment of prisoners and the sale of prison-made products, and declaring the urgency thereof and that this act shall go into immediate effect.

Referred to Committee on Crime and Correction.

Senate Joint Resolution No. 24—Relative to memorializing the Congress of the United States to act favorably on H.R. 1398 to provide the Mining and Mineral Leasing Laws of the United States be extended to include the area within the boundaries of Death Valley National Monument.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution of said State, by adding Section 38 thereto, relating to the reorganization of the Executive Department of the State Government.

Referred to Committee on Constitutional Amendments.

NOTICE OF SPECIAL MEETING OF COMMITTEE ON ROADS AND HIGHWAYS

Upon request of Mr. Stream, a special meeting of the Committee on Roads and Highways will be held at 4 p.m. today.

REPORTS OF STANDING COMMITTEES**Committee on Rules and House Functions**

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

Assembly Joint Resolution No. 49

Assembly Concurrent Resolution No. 55

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered engrossed.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 49, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 49

Assembly Joint Resolution No. 49—Relative to memorializing Congress to appropriate additional funds to provide for payment to student nurses during their training to become trained nurses a monthly wage in keeping with the high and noble nature of their profession.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Doyle, Dunn, Erwin, Field, Fout, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Niehouse, O'Day, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—50.

NOES—None.

Resolution ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 50

Assembly Bill No. 961

UNFINISHED BUSINESS**Consideration of Senate Amendments**

Assembly Bill No. 444—An act to add Sections 569, 3794.2, 3807.3, 3811, 3812, 3813, 3814, to, to amend Sections 1834, 1901, 2614, 2621, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2634, 3351, 3437, 3439, 3480, 3513, 3712, 3716, 3717.5, 3718, 3797, 3805, 4109, 4109.5, 4337, 4834, 4837, 4838, 4880, 4946, 4948, 4989, 4990, 4991, and 4992 of, and to repeal Section 3707 5 of the Revenue and Taxation Code, relating to property taxation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 444?

Amendment No. 1

On page 6, lines 39 to 41, of the printed bill, as amended on March 29, 1943, strike out "if the property is not redeemed or the initiation of an installment plan of

redemption is made", and insert "unless the property is redeemed or an installment plan of redemption is initiated".

Amendment No. 2

On page 9, line 27. of the printed bill, as amended on March 29, 1943, following the end of the sentence, insert "A similar notice shall be sent to the last assessee, except that the grounds of cancellation need not be stated, in the event that any tax, penalty or costs, or any portion thereof, is ordered canceled or held void or ordered refunded by a final judgment of a court of competent jurisdiction."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 444 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hastam, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weybret, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 444 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1033 WAIVED

Mr. Beck waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1033 was passed.

Assembly Bill No. 1033 ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER The Committee on Conference concerning.

Assembly Bill No. 768—An act to repeal an act entitled "An act making an appropriation for the administrative expenses of the State Department of Social Welfare and establishing a revolving fund for the purposes of distributing goods and commodities in accordance with Federal goods and commodities distribution plans by the State Department of Social Welfare, declaring the urgency thereof, to take effect immediately," approved July 1, 1941, relating to the operation of Federal stamp and surplus commodities distribution plans by the State Department of Social Welfare, transferring to the State Department of Finance all powers, duties, responsibilities, and jurisdiction, and all records, books, papers, moneys, and property of the Department of Social Welfare in connection therewith for the purpose of termination thereof, and providing for the disposition of the commodities and other properties transferred;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill be further amended as follows:

Amendment No. 1

In the title of the printed bill, as amended, strike out lines 8 to 16, inclusive, and insert "approved July 1, 1941, relating to State and county participation in Federal work, stamp and surplus commodity programs, providing for the termination thereof and the disposition of the proceeds, transferring powers, duties, responsibilities and jurisdiction and all records, books, papers and property connected therewith and repealing acts specified therein."

GORDON
CUNNINGHAM
CRITTENDEN

Senate Committee on Conference

BASHORE
ERWIN
LEONARD

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Bashore, Berry, Brown, Burkhalter, Burns, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastam, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, O'Day, Potter, Price, Rosenthal, Sargent, Sheridan,

Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 768 ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 641—An act to amend Sections 2, 7, 7.1, 8, 9, 9.2, 9.3, 9.4, 9.5, 10, 12, 13, 16, 19 and 20 of, and to add four new sections to be numbered 7.2, 8.1, 8.3 and 34.2 to, the Personal Income Tax Act and to repeal Sections 17034, 17155, 17303, 17818, 17819, 17820 and 18156 of, and to amend Sections 17126, 17127, 17154, 17159, 17211, 17213, 17310, 17311, 17313, 17316, 17351, 17503, 17506, 17560, 17562, 17563, 17672, 17673, 17711, 17713, 17743, 17744, 17782, 17783, 17813, 17817, 17952, 18133, 18135, 18431, 18596, and 19061 of, and to add Chapter 3.5 consisting of Sections 17250 to 17257, inclusive, to Part 10 of Division 2 of, and Article 1.5, consisting of Sections 17324 to 17324.16, inclusive, to Chapter 4 of Part 10 of Division 2 of, and Article 1.7, consisting of Sections 17325 to 17350, inclusive, to Chapter 4 of Part 10 of Division 2 of, and Article 1.5, consisting of Sections 17507 to 17516, inclusive, to Chapter 5 of Part 10 of Division 2 of, and Article 4, consisting of Sections 18470 to 18479, inclusive, to Chapter 10 of Part 10 of Division 2 of, and Sections 17019.3, 17019.5, 17019.7, 17055, 17056, 17057, 17104, 17105, 17106, 17107, 17125.3, 17125.5, 17125.7, 17131, 17132, 17133, 17134, 17135, 17136, 17163.5, 17302.5, 17305.5, 17317.5, 17318.05, 17318.1, 17318.2, 17318.3, 17318.4, 17318.5, 17318.7, 17319, 17319.3, 17319.5, 17320, 17320.3, 17320.5, 17320.7, 17321, 17321.3, 17321.5, 17321.7, 17322, 17322.3, 17322.5, 17322.7, 17322.9, 17322.11, 17357, 17560.3, 17560.5, 17560.7, 17560.9, 17567, 17568, 17569, 17716.5, 17721, 17722, 17723, 17724, 17784.5, 17787, 18156, 18157, 18158, 18159, 18160, 18161, 18162, 18163, 18164, 18172.3, 18172.5, 18172.7, 19053.3, 19053.5, and 19053.7, relating to taxes upon the incomes of individuals, estates and trusts and to provide that this act shall take effect immediately; Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill be further amended as follows:

Amendment No. 1

On page 2, line 4, of the title of the printed bill, as amended, after "19053.7", insert "to, the Revenue and Taxation Code".

DE LAP
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Senate Committee on Conference

WATERS .
BECK
BENNETT

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Armstrong, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Crowley, Debs, Denny, Desmond, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 641 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1091—An act making an appropriation to pay the claim of the County of Sacramento against the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Crowley, Debs, Denny, Desmond, Doyle, Dunn, Erwin, Fourt, Gaffney,

Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 539—An act to amend Section 3.351 of the School Code and to amend Section 8812 of the Education Code, relating to the establishment of junior colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Crowley, Debs, Denny, Desmond, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 125—An act to add Section 842 5 to the Fish and Game Code, relating to the use of nets.

Bill read third time.

Demand for Previous Question

Messrs. Johnson, Evans, Thurman, Doyle, and Lowrey demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 125.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Johnson, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Wollenberg, and Mr. Speaker—53.

NOES—Beck, Burkhalter, Collins, Sam L., Debs, Fourt, Hollibaugh, Kellems, Kilpatrick, Knight, T. Fenton; Niehouse, Stream, and Watson—12.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.45 a m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1994 was taken up.

Assembly Bill No. 1994—An act to amend Sections 2005, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2222 and 2224 of the Welfare and Institutions Code, and to add Sections 2008.5, 2014, 2015, 2016, 2020.01, 2021.01, 2163.1, 2163.2, 2166, 2181.1, 2182.1, 2183.1, and 2187.01 thereto, relating to aid to the aged, to take effect immediately, and to become operative as therein provided.

Bill read third time.

Motion to Consider all Amendments Before Reprinting Bill

Mr. Johnson moved that all amendments to Assembly Bill No. 1994 be considered before the bill is sent to reprint.

Mr. O'Day seconded the motion.

Motion carried.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 3, lines 1 and 2, of the printed bill, as amended, strike out "four hundred dollars (\$400)", and insert "five hundred dollars (\$500)".

Amendment No. 2

On page 10, line 17, of said bill, strike out "two-thirds" and insert "five-sixths".

Amendments read.

Roll Call Demanded

Messrs. Lowrey, Thurman, and Dunn demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Robertson, Rosenthal, Sawallsch, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Weybret, and Wollenberg—54.

NOES—Anderson, Beck, Burkhalter, Carey, Doyle, Field, Johnson, Kilpatrick, Knight, John B., Kraft, McCollister, Pelletier, Potter, Price, Sargent, Stream, Watson, and Werdel—18.

Motion to Amend

Mr. Watson moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, after "2163.2," insert "2163.7,".

Amendment No. 2

On page 5 of said bill, between lines 11 and 12, insert:

"SEC. 11.5. Section 2163.7 is added to said code, to read:
2163.7. For the purposes of this chapter, any place of abode of an applicant or recipient, whether house, boat, trailer, or other habitation, shall be considered real property."

Amendments read.

Roll Call Demanded

Messrs. Dills, Ralph C., Kilpatrick, and Debs demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Collins, George D., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Thomas, and Watson—48.

NOES—Call, Carlson, Clarke, Collins, Sam L., Desmond, Dickey, Dilworth, Field, Fout, Haggerty, Hastain, Kellems, Lowrey, Maloney, Miller, Potter, Price, Stream, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—26.

Speaker Presiding

At 11.55 a.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, strike out "and 2187.01", and insert "2187 01, and 2194".

Amendment No. 2

On page 10 of said bill, between lines 35 and 36, insert "SEC. 22 5. Section 2194 is added to Article 5 of Chapter 1 of Division 3 of said code, to read:

2194. No person concerned with the administration of this chapter shall dictate how any recipient shall spend the aid granted to him."

Amendments read.

Demand for Previous Question

Messrs. Knight, John B, Leonard, Thurman, Lowrey, and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Rosenthal to Assembly Bill No. 1994.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Collins, George D, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Gaffney, Gannon, Haggerty, Hollibaugh, Kilpatrick, Knight, John B, Lyons, Massion, McCollister, McMillan, O'Day, Pelletier, Rosenthal, Sheridan, and Thomas—28.

NOES—Allen, Armstrong, Call, Carlson, Clarke, Collins, Sam L, Crichton, Denny, Desmond, Dickey, Dilworth, Erwin, Field, Fourt, Guthrie, Hastain, Heisinger, Johnson, Kellems, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Miller, Niehouse, Potter, Price, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—41.

Special Order Continued

By unanimous consent, further consideration of the special order was continued until after the recess.

RESOLUTIONS

The following resolution was offered:

By Messrs. Desmond and Maloney:

House Resolution No. 198

Relative to adjournment of the Assembly on Good Friday, April 23, 1943

WHEREAS, It has been the time honored custom, in order to permit those who desire to participate in the observance of Good Friday, which for years has signalized to the Christian World an appealing influence on countless millions of people everywhere, for the Assembly to make provision for them to do so; now, therefore, be it

Resolved by the Assembly of the State of California, That an adjournment be taken from 12 m. to 3 p.m. on Friday, April 23, 1943.

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up House Resolution No. 198, at this time, without reference to committee.

Resolution read and adopted unanimously.

RECESS

At 12.20 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RESOLUTIONS

The following resolutions were offered:

By the Committee on Rules and House Functions:

House Resolution No. 199

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth, with the compensation set opposite their respective names, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing Thursday, April 22, 1943, and ending upon the completion of work on Friday, April 23, 1943:

Page:	Per day
Robin Redwine	\$3 00
James A. Irwin	3 00
Denise Desmond	3 00
Richard Arthur Carlson	3 00
Marilyn Dickey	3 00
Shirley Jean Blalock	3 00

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 199, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, King, Leonard, Lyons, Maloney, Massion, McMillan, Miller, O'Day, Robertson, Sargent, Sawallisch, Sheridan, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker —51.

NOES—None.

By Mr. Sam L. Collins:

House Resolution No. 200

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (2 tables used by legislative bill room)	\$41 17
Department of Finance (Construction of small rack)	3 75
Department of Finance (Replacing lights—March)	113 50
Department of Finance (Installing wooden case)	10 20
Department of Finance (Prorate cost of telephone)	39 38
Shorrock's Hardware (Hardware)	2 73
Walsh and Day (Radio pick-up)	15 00
H. S. Crocker Company (Supplies)	5 03
George N. Hammond Typewriter Co. (Typewriter repair)	2 25

Resolution read, and referred to Committee on Rules and House Functions.

WITHDRAWAL OF ASSEMBLY BILL NO. 1605 FROM INACTIVE FILE

Mr. Dilworth moved that Assembly Bill No. 1605 be withdrawn from the inactive file, and placed upon the third reading file.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1975

Assembly Bill No. 1976

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1954

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 903

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 55

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 258

Assembly Bill No. 1439

Assembly Bill No. 520

Assembly Bill No. 1834

Assembly Bill No. 769

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 899

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 343

Assembly Bill No. 1206

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 672

Assembly Bill No. 1570

Assembly Bill No. 1774

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 157

Assembly Bill No. 178

Assembly Bill No. 268

Assembly Bill No. 377

Assembly Bill No. 990

Assembly Bill No. 1186

Assembly Bill No. 1485

Assembly Bill No. 1897

Assembly Bill No. 2001

Senate Bill No. 552

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 900

Assembly Bill No. 428

Assembly Bill No. 1341

Assembly Bill No. 1342

Senate Bill No. 587

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 301

Assembly Bill No. 302

Assembly Bill No. 1348

Assembly Bill No. 1346

Assembly Bill No. 1345

Assembly Bill No. 1582

Assembly Bill No. 1581

Assembly Bill No. 1997

Assembly Bill No. 1628

Assembly Bill No. 1386

Assembly Bill No. 754

Assembly Bill No. 427

Assembly Bill No. 1343

Senate Bill No. 515

Senate Bill No. 1027

Senate Bill No. 100

Senate Bill No. 111

Senate Bill No. 991

Senate Bill No. 978

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 158

Assembly Bill No. 773

Assembly Bill No. 822

Assembly Bill No. 1185

Assembly Bill No. 1192

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1613

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 37

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

FIELD, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1973

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

FIELD, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1990

Senate Bill No. 325

Senate Bill No. 78

Senate Bill No. 392

Senate Bill No. 237

Senate Bill No. 454

Senate Bill No. 272

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

CARLSON, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 422

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1139

Assembly Bill No. 257

Assembly Bill No. 698

Assembly Bill No. 1222

Assembly Bill No. 306

Assembly Bill No. 1306

Assembly Bill No. 2002

Assembly Bill No. 1991

Assembly Bill No. 2003

Assembly Bill No. 24

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 360

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1424

Assembly Bill No. 1520

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 159

Assembly Bill No. 193

Assembly Bill No. 1012

Assembly Bill No. 1021

Assembly Bill No. 1242

Assembly Bill No. 1334

Assembly Bill No. 1802

Senate Bill No. 400

Senate Bill No. 412

Senate Bill No. 570

Senate Bill No. 994

Senate Bill No. 998

Senate Bill No. 1001

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1516

Senate Bill No. 500

Senate Bill No. 1026

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 1000

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1232

Assembly Bill No. 1513

Assembly Bill No. 1514

Assembly Bill No. 1515

Assembly Bill No. 1518

Assembly Bill No. 1519

Assembly Bill No. 1521

Assembly Bill No. 1522

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

- | | |
|------------------------|---------------------|
| Assembly Bill No. 731 | Senate Bill No. 344 |
| Assembly Bill No. 1979 | Senate Bill No. 401 |
| Senate Bill No. 238 | Senate Bill No. 413 |
| Senate Bill No. 239 | Senate Bill No. 438 |
| Senate Bill No. 320 | Senate Bill No. 667 |
| Senate Bill No. 324 | |

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Public Health, to which were referred:

- | | |
|------------------------|---------------------|
| Assembly Bill No. 1626 | Senate Bill No. 623 |
| Assembly Bill No. 628 | Senate Bill No. 374 |

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POTTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Public Health, to which were referred:

- | | |
|------------------------|---------------------|
| Assembly Bill No. 1824 | Senate Bill No. 698 |
| Assembly Bill No. 674 | Senate Bill No. 423 |
| Assembly Bill No. 1336 | |

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

POTTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: Your Committee on Public Health, to which was referred:

- Assembly Bill No. 1928

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

POTTER, Chairman

Above reported bill ordered to second reading.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:

- Assembly Bill No. 1415

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bill ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

- Senate Constitutional Amendment No. 21

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Public Utilities, Manufacturing, and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER. Your Committee on Public Utilities, Manufacturing, and Corporations, to which was referred:

Senate Bill No. 734

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

ALLEN, Chairman

Above reported bill ordered to second reading.

FURTHER CONSIDERATION OF SPECIAL ORDER

Assembly Bill No. 1994—An act to amend Sections 2005, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2222 and 2224 of the Welfare and Institutions Code, and to add Sections 2008.5, 2014, 2015, 2016, 2020.01, 2021.01, 2163.1, 2163.2, 2166, 2181.1, 2182.1, 2183.1, and 2187.01 thereto, relating to aid to the aged, to take effect immediately, and to become operative as therein provided.

Bill read third time.

Motion to Amend

Mr. Anderson moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, after "2016," insert "2017,".

Amendment No. 2

On page 2 of said bill, between lines 23 and 24, insert

"SEC. 5.5. Section 2017 is added to Article 1 of Chapter 1 of Division 3 of said code, to read:

2017. All places used for the administration of this chapter shall be easily accessible to the aged or maimed, and shall be either on a ground floor or served with an elevator and elevator operator."

Amendments read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Kellems moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Armstrong, Brown, Burus, Carey, Carlson, Clarke, Collins, Sam L., Dilworth, Doyle, Erwin, Fourn, Gaffney, Gannon, Heisinger, Johnson, Kellems, Knight, John B. Leonard, Maloney, Miller, Niehouse, Pelletier, Price, Sargent, Stream, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—35.

NOES—Anderson, Bashore, Beck, Bennett, Berry, Burkhalter, Crichton, Crowley, Debs, Denny, Dills, Clayton A. Dills, Ralph C., Dunn, Evans, Guthrie, Haggerty, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Lowrey, Massion, McMillan, Rosenthal, Smith, and Thompson—26.

Time, 1.58 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT****RECESS**

At 2.25 p.m., on motion of Mr. Maloney, the Assembly recessed until 2.28 p.m. to hear from Lieutenant Charles McClure of University City, Missouri, who flew with Major Doolittle in the bombing on Tokio, and

to introduce Captain David McNutt, of the Public Relations Department at Mather Field.

REASSEMBLED

At 2.28 p m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

FURTHER CONSIDERATION OF SPECIAL ORDER

Assembly Bill No. 1994—An act to amend Sections 2005, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2222 and 2224 of the Welfare and Institutions Code, and to add Sections 2008.5, 2014, 2015, 2016, 2020.01, 2021.01, 2163.1, 2163.2, 2166, 2181.1, 2182.1, 2183.1, and 2187.01 thereto, relating to aid to the aged, to take effect immediately, and to become operative as therein provided.

Bill read third time.

Motion to Amend

Mr. Ralph C. Dills moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "2222 and 2224", and insert "and 2222".

Amendment No. 2

In line 3 of the title of said bill, after "Code," insert "to repeal Section 2224 thereof,".

Amendment No. 3

On page 6 of said bill, strike out lines 10 to 23, inclusive, and insert "determine the eligibility of the applicant to receive aid and designate the amount of aid, if any, to be granted."

Amendment No. 4

Strike out all of page 7 of said bill.

Amendment No. 5

On page 11 of said bill, strike out lines 2 to 37, inclusive, and insert "SEC. 24. Section 2224 of said code is repealed."

Amendment read.

Substitute Motion

Mr. Sargent moved, as a substitute motion, that the amendments offered by Mr. O'Day be substituted for the amendments offered by Mr. Ralph C. Dills.

Mr. Berry seconded the motion.

Substitute Motion Withdrawn

Mr. Sargent withdrew his motion, with the consent of his second, Mr. Berry.

Motion to Temporarily Postpone Consideration of Amendments

Mr. Sargent moved that further consideration of the amendments offered by Mr. Ralph C. Dills be postponed until immediately prior to the vote on the passage of the bill.

Mr. Berry seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Beck, Berry, Brady, Burkhalter, Cull, Carey, Collms, George D. Crichton, Denny, Dickey, Dilworth, Doyle, Gaffney, Haggerty, Knight, T. Fenton; Leonard, Maloney, McCollister, Niehouse, O'Day, Sargent, Smith, Stream, Thorp, Thurman, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—31.

NOES—Anderson, Armstrong, Bashore, Bennett, Brown, Clarke, Collins, Sam L. Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field

Fourt, Gannon, Guthrie, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Lowrey, Lyons, Massion, McMillan, Miller, Pelletier, Potter, Price, Rosenthal, Sheridan, Thomas, Thompson, Waters, and Weybret—39.

The question being on the adoption of the amendments offered by Mr. Ralph C. Dills to Assembly Bill No. 1994.

Demand for Previous Question

Messrs. Debs, Doyle, Guthrie, Thurman, and Knight, John B., demanded the previous question.

Demand for previous question sustained.

Division of the Question

Mr. Desmond moved a division of the question.

Motion lost.

The question being on the adoption of the amendments offered by Mr. Ralph C. Dills to Assembly Bill No. 1994.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Thomas, Thurman, and Weber—47.

NOES—Armstrong, Burns, Call, Carlson, Clarke, Denny, Desmond, Dickey, Dilworth, Erwin, Field, Fourt, Hastain, Johnson, Kellems, Knight, T. Fenton; Kraft, Maloney, McCollister, Niehouse, Potter, Smith, Stream, Thorp, Waters, Watson, Weidel, Weybret, Wollenberg, and Mr. Speaker—30

(Notice of motion to reconsider amendments offered by Mr. Ralph C. Dills given later on this day.)

[On April 26, 1943, above action was rescinded, and record ordered expunged whereby amendments offered by Mr. Ralph C. Dills to Assembly Bill No. 1994 were this day adopted.]

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS BY MR. ANDERSON TO ASSEMBLY BILL NO. 1994

At 3.35 p.m., on motion of Mr. Anderson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Mr. Anderson to Assembly Bill No. 1994 adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Gaffney, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Waters, Watson, Weber, and Mr. Speaker—46.

NOES—Armstrong, Burns, Carey, Carlson, Clarke, Collins, Sam L., Denny, Dilworth, Doyle, Field, Fourt, Gannon, Guthrie, Haggerty, Johnson, Kellems, Leonard, Lowrey, Miller, Potter, Stream, Thompson, Thorp, Thurman, Werdel, Weybret, and Wollenberg—27.

SPECIAL ORDERS OF BUSINESS SET BY UNANIMOUS CONSENT

Mr. Bashore asked for, and was granted, unanimous consent to set Assembly Bill No. 1994 as a special order of business for 10 a.m., Assembly Bill No. 498 for 10.05 a.m., and Assembly Constitutional Amendment No. 9 for 10.15 a.m., on Friday, April 23, 1943.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS
NOS. 159 AND 296**

Mr. Carlson moved that Senate Bills Nos. 159 and 296 be withdrawn from the Committee on Judiciary, and re-referred to the Committee on Municipal and County Government.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1580

Mr. T. Fenton Knight moved that Assembly Bill No. 1580 be withdrawn from the Committee on Judiciary, and re-referred to the Committee on Municipal and County Government.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 993

Mr. T. Fenton Knight moved that Assembly Bill No. 993 be withdrawn from the Committee on Military Affairs, and re-referred to the Committee on Municipal and County Government.

Motion carried.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1624 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Stream asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1624 from the inactive file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1624

Assembly Bill No. 1624—An act to amend Section 70 of and to add Sections 70.1 and 70.2 to the Streets and Highways Code, relating to the California Highway Commission and providing for the organization thereof.

Bill read third time.

Motion to Amend

Mr. Stream moved the adoption of the following amendments:

Amendment No. 1

Strike out line 1 of the title of the printed bill, as amended; and in line 2, strike out "70.2", and insert "An act to add Section 356.5".

Amendment No. 2

Strike out lines 3 and 4 of the title of said bill, and insert "powers of the California Highway Commission and Department of Public Works in respect to the abandonment of State highways, and declaring the urgency hereof to take effect immediately."

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 16, inclusive; and in line 18, strike out "SEC. 2. Section 70.1", and insert "SECTION 1. Section 356.5".

Amendment No. 4

On page 1 of said bill, strike out lines 20 to 26, inclusive; and on page 2, strike out lines 1 to 38, inclusive, and insert

"356.5. The commission and the department are expressly authorized to abandon and to relocate any portion or portions of Route 56 as now established and laid out between the intersection of Route 56 and Route 55 south of San Francisco and the town of Farallon City, in San Mateo County, and to take any and all action necessary for such abandonment and relocation. Such abandonment may be effected prior to relocation and pending relocation the commission and the department may adopt and maintain any traversable road around the portion or portions so abandoned.

SEC. 2. This act is hereby declared to be an urgency measure, necessary for the immediate preservation of the public peace, health and safety, within the meaning of Section 1 of Article IV of the Constitution, and shall, therefore, take effect immediately. The statement of the facts constituting such necessity is as follows:

Since the establishment and construction of portions of Route 56, as now laid out, the maintenance costs thereon have been greatly excessive, due to development of slides to an extent greatly exceeding anything reasonably to be anticipated at the time the highway was laid out. It now further appears that the final cost of acquisition of right of way on such portions of said route, as now laid out, will likewise be greatly excessive. It is necessary that express authorization be conferred on the responsible State officials to act immediately to abandon, and, if conditions prove necessary, to abandon prior to relocation of the highway around the said portions; otherwise, further expenditure of large sums of State highway funds on portions of the highway which must eventually be abandoned, in favor of less expensive locations, will be unavoidable. The continued use of the portions of the highway, subject to such extensive slides, and falling rocks, is hazardous to the safety of the traveling public, as well as economically disadvantageous to the State and, accordingly, it is necessary that authorization be granted by the Legislature for abandonment without delay."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RE-REFERENCE OF ASSEMBLY BILL NO. 159

Mr. Waters moved that Assembly Bill No. 159 be withdrawn from the file, and re-referred to the Committee on Finance and Insurance.

Motion carried.

CONSIDERATION OF DAILY FILE (OUT OF ORDER)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 154—An act to amend Section 2571 and to repeal Section 2570 of the Elections Code, relating to statement of number of voters.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "fifth", and insert "eleventh".

Amendment No. 2

On page 1, line 14, of said bill, strike out "35th", and insert "29th".

Amendment No. 3

On page 1, line 15, of said bill, strike out "90th", and insert "84th".

Amendment No. 4

On page 1, line 16, of said bill, strike out "35th", and insert "29th".

Amendment No. 5

On page 1, line 17, of said bill, strike out "35th", and insert "29th".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

WITHDRAWAL OF ASSEMBLY BILL NO. 590 FROM THE INACTIVE FILE

Mr. Desmond moved that Assembly Bill No. 590 be withdrawn from the inactive file, and placed upon the third reading file.

Motion carried.

**NOTICE OF MOTION TO RECONSIDER AMENDMENTS BY
MR. RALPH C. DILLS TO ASSEMBLY BILL NO. 1994**

Mr. Fourt gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments offered by Mr. Ralph C. Dills to Assembly Bill No. 1994 were this day adopted.

Motion to Reconsider Amendments, at This Time

Mr. Ralph C. Dills moved that the reconsideration of the vote whereby the amendments offered by him to Assembly Bill No. 1994 were this day adopted, be taken up at this time.

Motion carried.

The roll was called, and reconsideration refused by the following vote:

AYES—Armstrong, Burns, Call, Carlson, Clarke, Dickey, Dilworth, Erwin, Field, Fourt, Hastam, Johnson, Kellems, Knight, T. Fenton; Maloney, McCollister, Niehouse, Potter, Sawalisch, Smith, Stream, Thorp, Thurman, Watson, Wollenberg, and Mr. Speaker—26.

NOES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Desmond, Dills, Clayton A. Dills, Ralph C. Dunn, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, King, Knight, John B. Leonard, Lowrer, Lyons, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Thomas, Thompson, Weber, and Weybret—14.

CONSIDERATION OF DAILY FILE (OUT OF ORDER)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 475—An act making an appropriation to The Adjutant General for the maintenance of the California High School Cadets.

Bill read third time.

Motion to Amend

Mr. Gannon moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "717", and insert "519".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 545
FROM COMMITTEE**

Mr. Crowley gave notice that on Saturday, April 24, 1943, he would move to withdraw Assembly Bill No. 545 from the Committee on Ways and Means, and have it placed upon the file.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Carey:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 4295 to the Fish and Game Code, relating to special sporting fishing licenses for persons in the armed forces of the United States and the

auxiliary branches thereof, declaring the urgency of this act, to take effect immediately.

Respectfully submitted.

EDW. J. CAREY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Carey:

An act to add Section 429.5 to the Fish and Game Code, relating to special sporting fishing licenses for persons in the armed forces of the United States and the auxiliary branches thereof, declaring the urgency of this act, to take effect immediately.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dulworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Haggerty, Hastann, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Armstrong—1.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2005: By Mr. Carey—An act to add Section 429.5 to the Fish and Game Code, relating to special sporting fishing licenses for persons in the armed forces of the United States and the auxiliary branches thereof, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Fish and Game.

WITHDRAWAL OF ASSEMBLY BILL NO. 1205 FROM INACTIVE FILE BY UNANIMOUS CONSENT

Mr. George D. Collins asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1205 from the inactive file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1205

Assembly Bill No. 1205—An act to amend Section 1713 of the Welfare and Institutions Code, relating to the Advisory Panel created by the Youth Correction Authority Act.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "Superintendent of Public Instruction", and insert "President of the California Teachers' Association".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 21, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 37

Senate Concurrent Resolution No. 38

Senate Concurrent Resolution No. 39

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 37—Approving an amendment to the charter of the City of Visalia, County of Tulare, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the twelfth day of April, 1943.

Request for Unanimous Consent

Mr. King asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 37, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 37

Senate Concurrent Resolution No. 37—Approving an amendment to the charter of the City of Visalia, County of Tulare, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the twelfth day of April, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Price, Rosenthal, Sawallisch, Sheridan, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Resolution ordered transmitted to the Senate.

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 38—Approving an amendment to the charter of the City of Chico, County of Butte, State of California,

voted for and ratified by the qualified electors of said city at a general municipal election held therein on the twelfth day of April, 1943.

Request for Unanimous Consent

Mr. King asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 38, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 38

Senate Concurrent Resolution No. 38—Approving an amendment to the charter of the City of Chico, County of Butte, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the twelfth day of April, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Price, Rosenthal, Sawallisch, Sheridan, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Resolution ordered transmitted to the Senate.

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 39—Relative to approving certain amendments to the charter of the City of San Luis Obispo in the County of San Luis Obispo, State of California, voted for and ratified by the electors of said city at the general municipal election held therein on the fifth day of April, 1943.

Request for Unanimous Consent

Mr. Weybret asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 39, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 39

Senate Concurrent Resolution No. 39—Relative to approving certain amendments to the charter of the City of San Luis Obispo in the County of San Luis Obispo, State of California, voted for and ratified by the electors of said city at the general municipal election held therein on the fifth day of April, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day,

Price, Rosenthal, Sawallisch, Sheridan, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—53
 NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Maloney, Wollenberg, Call, O'Day, and McCollister:

House Resolution No. 201

Relating to the execution of American Army aviators by the Japanese

WHEREAS, The Japanese have demonstrated during the past 15 months of their capacity for treachery, for cruelty, for inhuman abuse and torture of every living thing, they have added the final guilt of murder of American flyers forced down in Japanese occupied China; and

WHEREAS, The execution of these flyers was in disregard of every rule of international law or military conduct and therefore must be recognized as nothing less than deliberate murder; and

WHEREAS, All these acts of treachery, of atrocity, and of murder, have been committed by direct order of the Japanese Government and its military commands, every American now recognizes that there can be no peace, no rest, no letting down of our utmost efforts until an all-out victory for the Allied Nations is attained; therefore be it

Resolved by the Assembly of the State of California, That this Assembly hereby joins with the President of the United States and with the American people in expressing both horror and indignation at the murder of these young men, representing as they did the very best of American youth, and the Members of this Assembly call upon every Californian to take a greater part in the task of winning this war; workers in shipyards, aircraft factories, and all war industries must do all that they can to speed production of the tools which will mean both victory and vengeance; and every man, woman and child everywhere must buy more and more war bonds and stamps, to strike a blow at tyranny and to serve the cause of democracy, for in the dollars we invest in war bonds, victory is bred.

Request for Unanimous Consent

Mr Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 201, at this time, without reference to committee.

Resolution read and adopted unanimously.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 58 FROM COMMITTEE

Mr. Beck gave notice that on Saturday, April 24, 1943, he would move to withdraw Assembly Bill No. 58 from the Committee on Ways and Means, and have it placed upon the file.

WITHDRAWAL OF ASSEMBLY BILL NO. 583 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. King asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 583 from the Committee on Fish and Game, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 583

Assembly Bill No. 583—An act to add Sections 102 and 611 7 to the Fish and Game Code, creating a new fish and game district and regulating the taking of trout therein.

Bill read second time.

Motion to Amend

Mr King moved the adoption of the following amendment :

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 7, 1943, commencing in line 32, strike out "September 1st to October 31st, trout may be taken in accordance with all the provisions of this code relating to the taking of, and bag and possession limits for, trout in District 1. From"

Amendment read and adopted.

Bill ordered reprinted and engrossed.

RE-REFERENCE OF ASSEMBLY BILL NO. 2001

Mr. Dilworth moved that Assembly Bill No. 2001 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

CONSIDERATION OF DAILY FILE (OUT OF ORDER)**THIRD READING OF SENATE BILLS (OUT OF ORDER)**

Senate Bill No. 461—An act to add Section 77 to the Agricultural Code, relating to the powers of the State Agricultural Society.

Bill read third time.

Motion to Amend

Mr. Thorp moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "Code", insert "and Section 4041i to the Political Code".

Amendment No. 2

Strike out line 2 in the title of said bill, and insert "agricultural fairs and prescribing the powers of the State Agricultural Society, and counties in relation thereto."

Amendment No. 3

On page 1 of said bill, after line 11, insert

"SEC 2 Section 4041i is added to the Political Code, to read:

4041i. The board of supervisors may join and participate in the affairs of associations having for their purpose the interchange of information relating to live stock, poultry, and other agricultural animals and products, the conduct and management of agricultural fairs, and similar associations dealing with subjects related to agricultural fairs, and may expend for these purposes any money allocated to the county by the State for agricultural fair purposes."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 822—An act to add Section 5501.5 to and to amend Section 5537 of the Business and Professions Code, relating to licensed contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 12 to 14, inclusive

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1960 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Middough asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1960 from the Committee on Public Health, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1960

Assembly Bill No. 1960—An act to add Chapter 17, comprising Sections 9000 to 9052 to Division 3 of the Business and Professions Code and repealing Sections 1314, 1314.5, 1315 and 1316 of the Health and Safety Code, relating to the regulation and licensing of the cleaning, dyeing and pressing industry.

Bill read second time.

Motion to Amend

Mr. Middough moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "9052". and insert "9061".

Amendment No. 2

In line 3 of the title of said bill, strike out "1314, 1314.5, 1315 and 1316", and insert "13314, 13314.5, 13315, 13316 and Sections 13650 to 13657, inclusive, and amending Sections 13602, 13604, 13605, 13606, 13607 and 13610".

Amendment No. 3

On page 1, line 1, of said bill, strike out "9052", and insert "9061".

Amendment No. 4

On page 1, line 10, of said bill, strike out "Chapter 2", and insert "Chapters 2 and 3".

Amendment No. 5

On page 1 of said bill, after line 24, insert

"9004 "Cleaning" and "dry-cleaning" mean the process of cleaning or renovating wearing apparel, feathers, furs, hats, fabrics, or textiles by immersion and agitation, or immersion only, in a volatile, commercially moisture-free solvent, or by the use of a volatile and inflammable product, applied either manually or by means of a mechanical appliance.

9005 "Dyeing" means the process of coloring wearing apparel, feathers, furs, hats, fabrics, or textiles by the use of aniline dyes, mordants, acid, and steam

9006. "Cleaning plant" means any building, room, or premises equipped to perform the service of cleaning, dry-cleaning, processes incidental to cleaning or dry-cleaning, or dyeing, but excluding any pressing shop, agency or pressing school.

9007. "Pressing shop" means any premises, building, room, shop, store, or establishment, including an establishment commonly known to the trade as a press shop or furrier, but excluding any cleaning plant, equipped to perform, in whole or in part, a spotting, sponging, dry cleaning by local application, or pressing or other finishing service in respect to wearing apparel, feathers, furs, hats, fabrics, or textiles

9008. "Pressing school" means any establishment in which individuals are taught the operations or processes employed in the spotting, sponging, dry cleaning by local application, or pressing or other finishing of wearing apparel, feathers, furs, hats, fabrics, or textiles, whether gratuitously, for a charge or fee, or in exchange for services.

9009 "Agency" means any premises, building, room, shop, store, or establishment, including an establishment commonly known to the trade as a pickup shop, tailor shop, or secondhand clothing shop, upon, in, or through which is conducted, maintained, or operated a service outlet or inlet for a cleaning plant or pressing shop."

Amendment No. 6

On page 2, line 1, of said bill, strike out "9005", and insert "9009.3"

Amendment No. 7

On page 2, line 2, of said bill, strike out "cleaning or renovating wear-"; and strike out lines 3 to 7, inclusive, except the period, and insert "operating a cleaning plant, pressing shop, agency, or pressing school".

Amendment No. 8

On page 2, of said bill, strike out lines 17 to 19, inclusive, and insert "9011. The membership of the board shall be composed of two retail petroleum solvent plant operators, two wholesale petroleum plant operators, one chlorinated hydrocarbon plant operator, two pressing shop operators engaged in the industry, all residents of this State".

Amendment No. 9

On page 2 of said bill, between lines 40 and 41, insert "9015.5. The board shall appoint an executive secretary, prescribe his duties and, subject to the approval of the Director of Finance, fix his compensation."

Amendment No. 10

On page 2, line 42, of said bill, strike out "The", and insert "Subject to the State Civil Service Act, the".

Amendment No. 11

On page 3, lines 2 and 3, of said bill, strike out ". protecting the health and safety of persons engaged in the industry".

Amendment No. 12

On page 3, line 8, of said bill, strike out "Chapter 2", and insert "Chapters 2 and 3".

Amendment No. 13

On page 3, line 41, of said bill, strike out ", dyeing or pressing plant", and insert "plant, pressing shop, agency or pressing school".

Amendment No. 14

On page 3, line 42, of said bill, after "plant", insert "shop, agency or school".

Amendment No. 15

On page 3, lines 45 and 46, of said bill, strike out the comma and "dyeing and pressing plant", and insert "plant, pressing shop, agency or pressing school".

Amendment No. 16

On page 3, line 47, of said bill, after "plant", insert ", shop, agency or school".

Amendment No. 17

On page 4, line 4, of said bill, strike out "of cleaning, dyeing and pressing", and insert "in which he desires to engage".

Amendment No. 18

On page 4, line 11, of said bill, strike out "cleaning, dyeing and pressing business", and insert "business in which he desires to engage".

Amendment No. 19

On page 4, lines 13 and 14, of said bill, strike out "for the balance of the calendar year in which the investigation and examination is made".

Amendment No. 20

On page 4 of said bill, strike out lines 23 to 30, inclusive.

Amendment No. 21

On page 4, line 34, of said bill, after "plant", insert ", shop, agency or school".

Amendment No. 22

On page 4, lines 44 and 45, of said bill, strike out ", dyeing, and pressing plant", and insert "plant, pressing shop, agency or pressing school".

Amendment No. 23

On page 4, lines 48 and 49, of said bill, strike out ", dyeing, and pressing plant", and insert "plant, pressing shop, agency or pressing school".

Amendment No. 24

On page 4, line 51, of said bill, after "plant", insert ", shop, agency or school".

Amendment No. 25

On page 5, line 44, of said bill, after "money", insert "now unappropriated".

Amendment No. 26

On page 5, line 45, of said bill, strike out "Chapter 2", and insert "Chapters 2 and 3".

Amendment No. 27

On page 5, line 49, of said bill, after "paid", insert ", upon certification of the State Fire Marshal of the cost of such service,".

Amendment No. 28

On page 6 of said bill, strike out lines 1 to 6, inclusive, and insert "9052. The application fee for examination and investigation with respect to any form of license is ten dollars (\$10).

9053. An applicant for an original license to operate a cleaning plant shall pay the board a fee in the following amount:

(a) Fifty dollars (\$50), if he makes application or operates a plant on or after the first day of January but not later than the thirtieth day of June of any year.

(b) Twenty dollars (\$20), if he makes application or operates a plant on or after the first day of July but not later than the thirtieth day of December of any year.

At the time of making application for a renewal license, an applicant shall pay the board a license fee of fifty dollars (\$50).

Every person who desires to continue in business shall make an application to the board for a renewal license on or before the first day of January of each year.

9054. If the annual license fee for an original or renewal license required of any person who operates a cleaning plant is not paid on or before the date it is due and payable, a penalty shall be added to the fee in accordance with the following schedule:

(a) Ten dollars (\$10), if it is not paid within a period of 90 days after the date when it is due and payable.

(b) Twenty dollars (\$20), if it is not paid within a period of 140 days after the date it is due and payable.

9055. The annual license fee for a pressing shop, agency or pressing school shall be due and payable not later than the first day of July of each year. Each such fee shall cover a license period from the first day of July in any year to the thirtieth day of June in the following year, or any portion of any such license period during which the shop, agency, or school is operated, regardless of the date when the fee is paid.

9056. The annual license fee for each pressing shop and for each agency is six dollars (\$6).

9057. If the annual license fee required of any person who operates a pressing shop or an agency is not paid on the date when it is due and payable, a penalty shall be added to the fee in accordance with the following schedule:

(a) Fifty cents (\$.50), if it is not paid within a period of 30 days from and after the date it is due and payable but is paid within a period of 60 days from and after such date.

(b) One dollar (\$1), if it is not paid within a period of 60 days from and after the date when it is due and payable but is paid within 90 days from and after such date.

(c) One dollar and fifty cents (\$1.50), if it is paid subsequent to the expiration of 90 days from and after the date when it is due and payable.

9058. The annual license fee for each pressing school is two hundred fifty dollars (\$250).

9059. If the annual license fee required of any person who operates a pressing school is not paid on the date when it is due and payable, a penalty shall be added to the fee in accordance with the following schedule:

(a) Twenty dollars (\$20), if it is paid within a period of 30 days from and after the date when it is due and payable.

(b) Sixty dollars (\$60), if it is paid within a period of 31 to 60 days from and after the date when it is due and payable.

(c) One hundred twenty-five dollars (\$125), if it is paid subsequent to the expiration of 61 days from and after the date when it is due and payable.

9060. The failure to pay any annual license fee required by this article on or before the day when it is due and payable, constitutes prima facie evidence of the violation of this chapter.

9061. A duplicate of any license or registration certificate which has been lost or destroyed shall be issued to the person entitled to the license or registration certificate upon his sworn statement of the loss or destruction and the payment by him of a fee of one dollar (\$1) "

Amendment No. 29

On page 6, line 8, of said bill, strike out "and 13316", and insert "13316 and Article 4 of Chapter 3 of Part 2 of Division 12, comprising Sections 13650 to 13657, inclusive."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 30

On page 6 of said bill, after line 9, insert

"Sec 3 Section 13602 of the Health and Safety Code is amended to read:

13602 Every person who desires to engage in the business of spotting, sponging, or pressing, or of conducting a private school of spotting, sponging, or pressing, shall first apply to the [State Fire Marshal] *State Board of Cleaning, Dyeing and Pressing*, upon a form prepared by the latter, for an investigation and examination.

[The application shall be accompanied by the fee for investigation and examination required by this chapter, which fee shall be forfeited if the applicant fails to pass successfully the investigation and examination.]

Sec. 4. Section 13605 of the Health and Safety Code is amended to read:

13605 The [State Fire Marshal] *State Board of Cleaning, Dyeing and Pressing* shall make a thorough investigation and examination of the character of applicant, and of his knowledge of, and ability and fitness to maintain and conduct, the business in which he desires to engage.

Sec 5. Section 13606 of the Health and Safety Code is amended to read:

13606 A certificate of registration, and a license for the license period in which the investigation and examination is made, shall be issued to every applicant who passes the investigation and examination [upon the payment of the annual license fee required by this chapter]. Any applicant who fails to pass the investigation and examination is eligible for reinvestigation and re-examination after the expiration of 45 days, upon reappearance [and payment of the fee for investigation and examination].

Sec 7 Section 13607 of the Health and Safety Code is amended to read:

13607 Not later than the first day of July in each year, every person who operates any of the following shall make written application to the [State Fire Marshal] *State Board of Cleaning, Dyeing and Pressing*, upon a blank to be prepared by the latter, for a license:

- (a) A cleaning and dyeing shop or store, or any agency thereof.
- (b) A spotting, sponging, or pressing establishment, or any agency thereof.
- (c) An agency of a clothes cleaning establishment, or any other agency.
- (d) A private school or college of spotting, sponging, or pressing.

[The application shall be accompanied by the annual license fee required by this chapter.]

Sec. 8. Section 13610 of the Health and Safety Code is amended to read:

13610. A duplicate of any certificate of registration [,] or license [, or license plate] which has been lost or destroyed shall be issued to the person entitled to the certificate [,] or license [, or plate] upon his sworn statement of the loss or destruction [and the payment by him of the fee for a duplicate required by this chapter]."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

MOTION TO PRINT REPORT IN JOURNAL

Mr. Middough moved that the following Report of the Fact Finding Committee on Correctional Problems be printed in the Journal:

Motion carried.

Report of the Fact Finding Committee on Correctional Problems to the
Members of the Assembly, State of California

Assembly Resolution No. 117 adopted by the Fifty-fifth Session of the Legislature provided for an Interim Committee of seven members of the Assembly to be termed "The Assembly Fact Finding Committee on Correctional Problems" to consist of seven members.

So far as it pertains to the Youth Correction Authority your committee was charged with the following duties by House Resolution No 117:

To consider, evaluate, and appraise the Youth Correction Authority Act for the purpose of determining whether it should be continued in effect without change, amended, or repealed:

If it is determined that the Youth Correction Authority Act should be continued in effect, to determine the amount of funds necessary for the support of the Authority and the carrying on of those activities and functions which are determined to be proper; to determine whether those funds should be provided in the Budget Bill or in a special appropriation bill; and if a special appropriation bill is recommended, to consider and make recommendations

concerning the inclusion of restrictions in such bill in respect to expenditures and the types of projects for which the sums appropriated may be expended.

To investigate and consider the integration of the Youth Correction Authority in the penal and correctional system of the State, and the relationship of the Authority to other State penal and correctional agencies and authorities.

As members of this committee the following were appointed:

FRANKLIN J. POTTER, Chairman
GARDINER JOHNSON
EDWARD F. O'DAY
T. FENTON KNIGHT
LORNE D. MIDDOUGH
MICHAEL J. BURNS
RANDAL F. DICKEY

The resolution creating this committee mandated the committee to make an immediate report on the Youth Correction Authority. The time within which to make the investigation has been too short in order to render an adequate report before adjournment of the Legislature. The members of the committee have also had their regular legislative duties to perform but your committee is satisfied that it has received sufficient evidence and heard enough witnesses to make a reliable preliminary report with recommendations on the Youth Correction Authority.

Reasons for Creation of This Interim Committee

The Youth Correction Authority Act was passed by the last session of the Legislature with a limited appropriation of \$100,000. Under the provisions of the act Mr. Harold A. Slane, Los Angeles; Mr. Karl Holton, Probation Officer of Los Angeles County; and Mr. O. H. Close, of Preston School of Industry, were appointed members of the Authority. Due to the limited funds appropriated to the Authority and the emergency created by the war, Mr. Holton and Mr. Close expressed the desire to serve only part time on the Youth Correction Authority and retain their present positions. Accordingly, the Legislature passed legislation authorizing Mr. Holton and Mr. Close to serve part time on the Youth Correction Authority without compensation.

The Youth Correction Authority began its official function of receiving commitments from the courts on August 17, 1942, when it accepted its first commitments. It can readily be seen that the Youth Correction Authority has had only a very short period of time and a very small amount of money with which to initiate any program. It was difficult for the Youth Correction Authority to plan a future program without knowing what funds the Legislature would appropriate to it or what changes might be made in the law. Preparing a budget was made uncertain for the reason that Section 17315 provided that commitments from the courts would become mandatory to the Youth Correction Authority on January 1, 1944, greatly increasing the work and responsibility of the Youth Correction Authority, if unchanged.

Because it was a new agency pioneering a new principle in the handling of youthful offenders, many questions regarding the program, functions, and cost of the Youth Correction Authority were being presented in bills sponsored by Legislators. It was, therefore, decided by the Ways and Means Committee of the Assembly that the proper procedure would be to remove the Youth Correction Authority Budget from the Governor's Budget, thus permitting the Legislature to have more time to study the budget and program of the Youth Correction Authority. In this way facts could displace rumors and a more intelligent budget might be prepared. In order to make this study this committee was created and entered upon its duties.

History of the Youth Correction Authority

The Assembly in setting up this committee recognized that the problem of juvenile delinquency in particular and crime in general is one of the major domestic problems of our present time. It further recognized that the problem of juvenile delinquency and youthful offenders is one of the least solved of our principal social problems in California and the United States today.

The increasing trend in the amount of juvenile delinquency and its growing menace to society in general was recognized by the American Law Institute in 1935 when it created the Criminal-Youth Justice Committee to thoroughly study the problem and propose new and modern methods for dealing with it. This committee consisted of leading authorities on the subject throughout the United States. As a result of the study of this committee, the American Law Institute, after much study and debate, in May, 1940, proposed what they termed "A Youth Correction Authority." The principal change provided for in this model act as compared to the present systems was the provision that youthful offenders should be committed to a single agency, to

be known as the Youth Correction Authority, instead of commitment to the various unrelated disintegrated agencies and institutions. The act further provided for the centralization and integration of agencies dealing with the problem of juvenile delinquency and would give to the Authority more flexibility and opportunity to scientifically and intelligently deal with the entire problem and the individual offender in particular by individualized study and treatment of the youth.

The American Law Institute then encouraged the Legislatures of selected key States in the Union to give consideration to the enactment of at least the principle of the Youth Correction Authority Act. California was one of the States so selected and the 1941 Session of the California Legislature enacted the present Youth Correction Authority Act following in general the outline of the model act. California thus became the first State in the Nation to pioneer this important and forward-looking change in dealing with juvenile delinquency. The spotlight of the Nation is focused on California as it watches the administration and functioning of the act in California. The American Law Institute proposed the model Youth Correction Authority Act and the Legislature enacted it into law in an effort to correct certain evils in the existing systems of dealing with juvenile delinquency and to generally improve the handling of the problem. It has long been believed that the present system of dealing with the problem of correction and juvenile delinquency has generally failed in its purpose and been ineffective because of the lack of integration and centralization of the various agencies dealing with the problem and lack of flexibility to deal with the problem. A weakness of the old systems has been the lumping together in institutions of every kind and character of boy or girl because of lack of proper facilities for classification and segregation. By providing for commitments to the Youth Correction Authority instead of direct to institutions, the new law opens up a broader horizon for a more flexible system of dealing with delinquents and a more scientific and individual treatment of them with continuing jurisdiction of the person while a youth.

The sponsors of the California act made certain additions and alterations to the model act in which respects, we believe, the model act was improved upon. An important change from the model act was the inclusion of a provision giving the California Youth Correction Authority power to deal in the field of predelinquency as well as correction after conviction. This provision gave to the California Youth Correction Authority broader and continuing jurisdiction to deal with the entire problem of juvenile delinquency. The model act provided that the Youth Correction Authority could retain jurisdiction of a person indefinitely. The California Act provides for termination of jurisdiction by the Youth Correction Authority at the age of 25 either by release of the individual or his return to the court to be dealt with according to law. *Your committee has determined that the principle of the Youth Correction Authority is widely supported and endorsed by many organizations, agencies, judges, district attorneys, and other individuals who have had experience in the field of juvenile delinquency and whose ability and judgment in this regard is recognized and respected. Persons with national reputations who have endorsed the Youth Correction Authority Act include:*

James D. Bennett, Director, Federal Bureau of Prisons.
Edward R. Cass, General Secretary of the American Prison Association.
August Vollmer, former Chief of Police of the City of Berkeley.
James Johnston, Warden of Alcatraz Prison.

As evidence of the fact that there has developed a general acceptance throughout the United States of the principles of the Youth Correction Authority Act, we call attention to the fact that the Judicial Conference of the United States Circuit Court Judges has had drafted for submission to Congress a Federal Corrections Act, providing for a Federal Youth Authority. Official or citizen committees are adapting and sponsoring the plan in Illinois, Ohio, Pennsylvania, Michigan, Massachusetts, Washington, Virginia, Florida, and other States.

Increase in Juvenile Delinquency

Your committee calls attention to the fact that there has been an unusual increase in the amount of juvenile delinquency during the last two years in particular; that the condition is becoming critical, and that this increase is of sufficient magnitude to demand the attention of the Legislature as evidenced by the following figures from Los Angeles, Alameda and San Joaquin Counties, which are typical of the increasing trend in juvenile delinquency in California.

CASES REFERRED TO LOS ANGELES COUNTY JUVENILE COURT

	<i>Boys</i>	<i>Per cent</i>	<i>Girls</i>	<i>Per cent</i>
1940-----	3,020	100	1,043	100
1941-----	3,621	119.9	1,141	109.4
1942-----	3,748	124.1	1,402	134.4

ALAMEDA COUNTY DETENTION HOME ADMISSIONS

Boys Only

1941 -----	1,043
1942 -----	1,503

Increase 460—44 per cent. Last eight months each year shows increase of 76 per cent.

Girls Only

1941 -----	349
1942 -----	516

Increase: 167—47 per cent. Last eight months of each year shows increase of 65 per cent.

CASES REFERRED TO SAN JOAQUIN COUNTY JUVENILE COURT

Increases over a five-year period

	1938	1939	1940	1941	1942
Number of children adjudged wards and/or placed under supervision or other plan-----	72	104	114	140	177
Total number of children placed in juvenile hall during the year-----	334	345	343	340	677

Information received by the committee indicates that the detention homes in the counties and all juvenile institutions are full beyond capacity with large waiting lists because of the inability of the institutions to accept commitments. These young persons must either be held for long periods of time in the county juvenile homes or released from custody to be a further menace in the community.

The girl situation is particularly acute. The increase in delinquency among girls has soared to great proportions. The Ventura School for Girls, which has a capacity of 180 persons, has a substantial waiting list. The situation is such that immediate steps should be taken to increase the capacity of the institution in order to take care of this waiting list and give to many of these girls the custodial care that the courts have determined they should have, but which can not be given them because of lack of facilities.

Need for State Participation in Programs for Prevention of Juvenile Delinquency

Except as it does through education, the State of California has not participated in the prevention of juvenile delinquency. That task has been left to the various volunteer organizations and public agencies in the counties and local communities. The State of California is called upon to confine and correct in its institutions many of the boys and girls who commit public offenses. It would seem sound, therefore, that the State of California should spend some of its funds and effort in the direction of preventing delinquency for the purpose of relieving the case load in our institutions as well as to attempt to reduce crime in general. There does not exist in California today any State agency whose functions are primarily devoted to this work. The Youth Correction Authority can now fill that important need.

Although under laws existing for a number of years correctional schools could have established forestry camps and other methods of rehabilitation, no particular attempt has been made to establish such methods. The usual policy has been to confine youths to correctional schools and in many instances parole such charges, which allowed them to return to the same environments and surroundings which led to their original confinement. Your committee believes that those in charge of correctional schools should have developed a reasonable system of forestry camps or projects.

Your committee believes that there is no possibility of basing a budget on present plans of the Authority. Projects are only in the anticipation stage, and will be so until after the adjournment of the Legislature.

It is just as impossible to have an intelligent budget submitted by the Authority as it was impossible at the time the Budget was presented to the Ways and Means Committee. It is therefore necessary, if the Authority is continued, to have some restriction on the expenditure of funds made available to the Authority. Governor Earl Warren has indicated his interest in this type of rehabilitation. It is believed that he should have power to assist the Authority in determining its course and growth. His long experience in criminal reform will be an invaluable aid to its future.

Your committee heard testimony from the members of the Authority, from an official representative of the American Law Institute, received and studied reports and communications from many interested citizens, public officials, and groups in California. The President of the California Conference of Judges appointed a committee consisting of Judge Robert Scott, Judge Clement D. Nye, and Judge W. Turney Fox, Superior Court Judges of Los Angeles County, to study and make an

official report on the Youth Correction Authority, which report was made available to your committee and is as follows:

*The Honorable Franklin J. Potter, Member of the Assembly
State Capitol, Sacramento, California*

DEAR ASSEMBLYMAN POTTER: Pursuant to your kind request that we express our views concerning the Youth Correction Authority Act which is receiving consideration by you at this time, it appears proper to state:

1. We approve the principle of the act as being a means of more effectively rehabilitating young offenders and believe that it should be given a further opportunity to develop its program and put it into effect.

2. A full-time three man Authority will doubtless prove an effective way of carrying out the purposes of the act.

3. We believe that Section 1731.5 of the Welfare and Institutions Code should be amended by changing the date, January 1, 1944, so as to read: *June 30, 1945*. That will make such commitment discretionary until that date. We recommend that further study be given to the question of the mandatory provisions of this act by the Legislature before the session in 1945.

4. We direct attention to the fact that institutional facilities for the care of young persons have not been adequately expanded during the last 20 years and urge that steps be taken to supplement existing facilities for both boys and girls.

5. We greatly appreciate the thoughtful and enlightened consideration which the Legislature is giving to these very important matters.

The undersigned, representing the Conference of California Judges, have been requested to give consideration to this act and are submitting their comments, realizing that suggestions will be received by the Legislature from judges throughout the State.

Respectfully yours,

CLEMENT D. NYE
W. TURNEY FOX
ROBERT H. SCOTT, Chairman

The original act provided that it should be discretionary with the courts of California as to whether or not they would make commitments to the Youth Correction Authority until January 1, 1944. After that date commitments, with certain exceptions set forth in the act, of boys and girls under 23 years of age, would be mandatorily made to the Youth Correction Authority. This would not include boys and girls under the jurisdiction of the juvenile court as the act provides that it shall not in any way interfere with the functions of the juvenile court.

Your committee believes that the Youth Correction Authority should begin in a very modest manner and gradually grow, assuming increasing responsibilities as it grows. The committee, therefore, believes that it would be unwise to place upon the Authority the full case load as of January 1, 1944, and believes that the discretionary period for commitments by the court should be extended to January 1, 1946. Many of the judges of California have already demonstrated their confidence in the principle of the Youth Correction Authority as evidenced by the fact that approximately 100 boys have been committed to the Authority under the discretionary provisions.

Recommendations

Your committee recommends:

1. That the Youth Correction Authority, subject to any changes hereinafter recommended, be retained and its possibilities and potentialities gradually developed to their full effectiveness.

2. That there be appropriated to the Youth Correction Authority for the Ninety-fifth and Ninety-sixth Fiscal Years the sum of \$1,000,000; that said sum be expended only after approval of the purposes of the expenditures by the Governor and/or the Director of Finance.

3. That Section 1731.5 of the Welfare and Institutions Code be amended by postponing the date on which commitments by the courts become mandatory to the Youth Correction Authority from January 1, 1944, to January 1, 1946.

4. That Senate Bill No. 160, transferring the correctional schools from the Department of Institutions to the Youth Correction Authority, be enacted.

5. That Senate Bill No. 166, as amended, transferring the State Department of Probation from the Department of Social Welfare to the Youth Correction Authority, be enacted.

6. That the word "Correction" be eliminated from the title of the Youth Correction Authority and that it hereafter be known as the California Youth Authority.

7. That the members of the Authority serve without pay until June 30, 1945, and that the Authority be empowered to select one of its members to serve as executive director at a salary of \$10,000 per year.

8. That the executive director should be appointed to serve until the board comes on full time basis with power to act.

9. That the Youth Correction Authority develop a unified Department of Youth Correction and Juvenile Delinquency Prevention for the State of California, centralizing and integrating as far as possible the agencies and departments under their control for this purpose.

10. That the Youth Correction Authority establish a Division of Prevention and Community Assistance for the purpose of aiding communities in their program of delinquent prevention.

11. That the Youth Correction Authority immediately establish forestry camps and farm training centers as a means of providing additional and more flexible facilities for handling boys who are likely to respond to this type of treatment and program.

12. That in view of the critical girl delinquent problem the Youth Correction Authority make immediate plans to relieve the acute shortage of custodial and training facilities by the State for girls determined by the courts to be in need of custodial care, treatment, and training and for which there is not at present adequate State facilities.

13. That as soon as possible the Youth Correction Authority disassociate its Northern California Diagnostic Clinic from Preston School of Industry. That, if because of the war emergency, the clinic can not be removed from Preston, that it be housed in a separate building and until the Youth Correction Authority commits directly to the Preston School of Industry, except in cases of emergency, youths committed to the Youth Correction Authority and confined in the clinic be restricted from intermingling with the inmates of Preston School of Industry or become subjected to its program.

14. That an urgency appropriation of \$20,000 be made the Youth Correction Authority so that it can begin its camp program immediately.

15. That an urgency appropriation of \$150,000 be made out of the \$1,000,000 appropriation to the Youth Correction Authority for the reason that the appropriation, not being a part of the Governor's Budget the Authority would be without funds to operate from July 1, 1943, until the Youth Correction Authority appropriation bill became law.

16. That a reasonable specific amount be contributed by the counties for those committed to the Authority except where the Authority recommits to city and county jails or State penitentiaries.

17. That the Interim Committee continue its work to assist the Authority in the development of its program

FRANKLIN J. POTTER, Chairman
GARDINER JOHNSON
MICHAEL J. BURNS
T. FENTON KNIGHT
RANDAL F. DICKEY

Approved except as to Paragraph 7.

LORNE D. MIDDOUGH
EDWARD F. O'DAY

April 22, 1943

*The Honorable Speaker, Charles W. Lyon,
and Members of the Assembly*

Supplementing the report submitted today by the committee appointed to investigate the Youth Correction Authority, we wish to submit the following

After many years of research in the field of crime among juveniles, the American Law Institute drafted a model Youth Correction Authority Act, and after the judges of California and many others interested in this subject thoroughly studied the act fitting it into California laws, the 1941 Legislature passed the first Youth Correction Authority Bill in the United States. Since that time many other States have adopted similar legislation.

One of the principal provisions of the California Youth Correction Act is that it creates a three-man board, whose duty it is to study the life, the background, the family history, the health, the education facilities, qualifications, and delinquent records of the boys and girls who have run afoul of the law, and prescribe methods of correction.

In addition to this, the Authority is making a comprehensive study of the cause of juvenile delinquency.

This comprehensive and worthwhile work can not be accomplished by one man, as recommended by Paragraph 7 of the above-referred-to report. Therefore, we are dissenting from the recommendation of Paragraph 7, and urge the Legislature to retain the three-member board.

(Signed)

LORNE D. MIDDOUGH
EDWARD F. O'DAY

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 57
 Assembly Concurrent Resolution No. 58

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 140
 Senate Bill No. 59
 Senate Bill No. 166

Senate Bill No. 167
 Senate Bill No. 591
 Senate Bill No. 633

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 185
 Senate Bill No. 273
 Senate Bill No. 558
 Senate Bill No. 559

Senate Bill No. 560
 Senate Bill No. 561
 Senate Bill No. 580

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 185—An act to add a new section to the Agricultural Code, to be numbered Section 735.3-1, relating to market milk and cooperative marketing associations.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 273—An act relating to the publication and disposal of newspapers printed in foreign languages.

Referred to Committee on Judiciary.

Senate Bill No. 558—An act to add Article 4, comprising Sections 990 to 991.3 inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Farm and Home Purchase Act of 1943; creating a Veterans' Finance Committee of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1944.

Referred to Committee on Military Affairs.

Senate Bill No. 559—An act to amend Section 691 of the Military and Veterans Code, relating to veterans.

Referred to Committee on Military Affairs.

Senate Bill No. 561—An act to add Article 3, comprising Sections 985 to 988.2, inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, relating to farm and home aid for veterans and defining the powers and duties of the Veterans' Welfare Board in respect thereto, and making an appropriation therefor.

Referred to Committee on Military Affairs.

Senate Bill No. 560—An act to add Chapter 6, comprising Sections 980 to 981.7, inclusive, to Division 4 of the Military and Veterans Code, relating to the education of veterans, and making an appropriation therefor.

Referred to Committee on Military Affairs.

Senate Bill No. 580—An act to add Section 1272 to the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 24—An act to establish a War Catastrophe Reserve, to make an appropriation, and to provide for its expenditure, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 306—An act to establish a Postwar Reserve for the construction and reconstruction of State buildings and institutions, defining the powers and duties of State officers in connection therewith, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2002—An act to provide for the payment of a portion of the bonded indebtedness of the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2003—An act to amend Sections 1701 and 1710 of, the heading of Chapter 1 of Division 2.5 of, and the headings of Articles 2, 3 and 4 of Chapter 1 of Division 2.5 of, and to repeal Section 1711.5 of, and to add Sections 1725 and 1742 to, the Welfare and Institutions Code, relating to the Youth Authority and the care, custody and rehabilitation of youths, providing for the costs of such care, custody and rehabilitation, and making an appropriation.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBLR, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 543

Assembly Bill No. 1672

Assembly Bill No. 1403

Assembly Bill No. 1995

Assembly Bill No. 1492

Assembly Bill No. 2000

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1380—An act making an appropriation in augmentation of the Emergency Fund specified in Item 216 of the Budget Act of 1941, to take effect immediately;

Assembly Bill No. 1395—An act to amend Section 156 of the Revenue and Taxation Code, relating to abbreviations;

Assembly Bill No. 1526—An act to add Section 359e to the Political Code, relating to sick leave for employees exempt from civil service;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 144—An act to amend Section 7b of the Municipal Court Act of 1925, relating to the salaries of marshal's deputies and assistants in cities of the first and one-half class;

Assembly Bill No. 264—An act to amend Sections 2.02, 2.04 and 12.06 of the Building and Loan Association Act, relating to building and loan associations, names and articles, and restrictions on advertising;

Assembly Bill No. 284—An act to amend Section 80.1 of the Bank Act, relating to loans by banks which are covered by guarantees or agreements to purchase made by any Federal Reserve Bank or by the United States or any department or agency thereof, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 399—An act to amend Section 43 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for the carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to powers of the board;

Assembly Bill No. 442—An act to amend Section 17 of an act approved March 22, 1941, entitled "An act creating a public airport district designated 'Monterey Peninsula Airport District'; defining its boundaries; providing for its organization, government and maintenance; prescribing its powers, duties, and liabilities; providing for the alteration of its boundaries, and the dissolution of said district";

Assembly Bill No. 540—An act to amend Sections 615.1 and 615.2 of the Fish and Game Code, relating to fish;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 581—An act to amend Section 15, and add Sections 3a and 15a to, the Industrial Loan Act, relating to the deposit of fees in the General Fund and support out of the General Fund and the payment of costs of administration;

Assembly Bill No. 584—An act to amend Section 2 of "An act requiring individuals, as in said act defined, to obtain a certificate from the Commissioner of Cor-

porations prior to soliciting, receiving or collecting contributions, fees or funds from security owners or holders for the purpose of protecting, enforcing or representing the rights of such security owners or holders; authorizing the Commissioner of Corporations to regulate and supervise the solicitation, collection and application of such funds; and providing for the enforcement of said act and penalties for the violation thereof," approved July 1, 1937, relating to the deposit of fees in the General Fund and support from the General Fund;

Assembly Bill No. 585—An act to amend Sections 25, 26 and 28 of the Corporate Securities Act, relating to deposit of fees in and support from the General Fund, revision of fees, declaring the urgency of this act, to take effect immediately; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 331—An act to amend Section 10.05 of, and to add Section 3.06 to, the Building and Loan Association Act, relating to audits of building and loan associations, and shares as legal investments;

Assembly Bill No. 348—An act to add Section 167 5 to, and to amend Sections 277 and 278 of, the Fish and Game Code, relating to game refuges;

Assembly Bill No. 386—An act to amend Section 869a of the Civil Code, relating to the effect of omitting beneficiaries in instruments to trustee affecting real property;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 559—An act to amend Section 4252 of the Political Code, relating to compensation for public services in counties of the twenty-third class;

Assembly Bill No. 578—An act to amend Section 21 5 of the California Small Loan Act, approved July 21, 1939, relating to the deposit of fees in the General Fund and support from the General Fund;

Assembly Bill No. 580—An act to amend Section 20 5 of the Personal Property Brokers Act, approved July 21, 1939, relating to the deposit of fees in the General Fund and support from the General Fund;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 707—An act to amend Section 5a of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, relating to poison schedules and economic poisons;

Assembly Bill No. 771—An act to add Section 4114 to the Revenue and Taxation Code, relating to redemption of tax-sold and tax-deeded property located in distressed assessment districts;

Assembly Bill No. 801—An act making an appropriation in augmentation of the Special Emergency Fund specified in Item 217 of the Budget Act of 1941, declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 661—An act to add Section 20 5 to the Personal Property Brokers Act, approved July 24, 1939, relating to the deposit of money in the State treasury and to provide for support of the administration of said act out of the General Fund;

Assembly Bill No. 662—An act to add Section 21 5 to the California Small Loan Act, approved July 24, 1939, relating to the deposit of money in the State treasury and to provide for support of the administration of said act out of the General Fund;

Assembly Bill No. 669—An act to amend Sections 12, 21.30 and 21 90 of, and to add Section 31 to, an act entitled "An act to provide for the organization, incorpora-

tion, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, relating to municipal utility districts; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 240—An act to amend Section 45 of the Elections Code, relating to petitions and papers signed by voters;

Assembly Bill No. 357—An act to add Section 174 to the State Civil Service Act, relating to reinstatement of persons who leave the civil service to serve as seamen on vessels of the United States in time of war;

Assembly Bill No. 471—An act to amend Section 1203 2a of the Penal Code, relating to probation and terms of imprisonment; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 830—An act to amend Sections 396 and 397 of the Agricultural Code, relating to estrays;

Assembly Bill No. 924—An act to add Section 663.8 to the Political Code, relating to State purchases of supplies, equipment, and other personal property;

Assembly Bill No. 967—An act to add Section 210 5 to the Revenue and Taxation Code, defining a householder; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1025—An act to amend Section 756 5 of the Probate Code, relating to sale of personal property;

Assembly Bill No. 1026—An act to add Section 754.5 to the Probate Code, relating to the sale of personal and real property as a unit;

Assembly Bill No. 1224—An act to amend Section 791 of the Political Code and Section 8200 of the Government Code, relating to notaries public; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1254—An act to provide a method for the dissolution of Orange County Water District, a district organized and existing under an act of the Legislature of the State of California, approved June 14, 1933, and to provide for the distribution of its assets;

Assembly Bill No. 1317—An act to add Section 5 45-1 to the School Code and to add Section 20380 to the Education Code, relating to employees of State colleges not serving in the State civil service;

Assembly Bill No. 1350—An act to amend Section 737q of the Political Code of the State of California, referring to the salary of the judge of the superior court of Lake County; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 516—An act to add Section 10505 to the Insurance Code, relating to insurance;

Assembly Bill No. 569—An act to add Section 2710.2 to the Penal Code, relating to the California Institution for Men Working Revolving Fund, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 570—An act to add Section 2710.1 to the Penal Code, relating to the Folsom Working Revolving Fund, declaring the urgency thereof, to take effect immediately ;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 635—An act to add Sections 453.5, 453.6, 453.7 and 453.8 to the Fish and Game Code, relating to storage locker plants ;

Assembly Bill No. 643—An act to amend Section 105 of the Revenue and Taxation Code, relating to property taxes ;

Assembly Bill No. 644—An act to add Section 24409.1 to the Education Code, relating to facilities of community recreation centers maintained solely by school districts ;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1549—An act to add Section 1648.3 to the Insurance Code, relating to the qualifications of insurance producers ;

Assembly Bill No. 1551—An act to amend Section 41 of the Probate Code, relating to bequests to charity and charitable use ;

Assembly Bill No. 1862—An act to amend Sections 3d and 38d of, and to add Section 28b to, the State Employees' Retirement Act, relating to authorizing the inclusion of any bridge and highway district in such retirement system ;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1930—An act granting certain tide lands, submerged lands and filled tide lands of the State of California to the City of Avalon, upon certain trusts and conditions ;

Assembly Bill No. 1936—An act to amend Section 347½ of the Penal Code, relating to the sale and use of drugs ;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 571—An act to amend Section 2710 of the Penal Code, relating to working revolving funds for the State prisons, declaring the urgency hereof, to take effect immediately ;

Assembly Bill No. 593—An act to amend Sections 701, 777 and 778 of the Welfare and Institutions Code, relating to minors who should be declared free from parental control, and relating to the procedure in such cases ;

Assembly Bill No. 766—An act to amend Section 3572 of the Revenue and Taxation Code, relating to the termination of the right of redemption of tax-delinquent property, declaring the urgency thereof, to take effect immediately ;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 772—An act to amend Sections 3791 and 3792 of the Revenue and Taxation Code, relating to property sold or deeded for taxes ;

Assembly Bill No. 910—An act making an appropriation for support of Division of Beaches and Parks, Department of Natural Resources, to take effect immediately ;

Assembly Bill No. 1000—An act to amend Section 4295 of the Political Code and to amend Sections 6103 and 6107 of the Government Code, relating to payment of fees to State, county and township officers;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 2—Relative to hearing instruments for persons who are hard of hearing;
And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 24

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred.

Assembly Bill No. 2004

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred.

Assembly Bill No. 1823

Senate Bill No. 294

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CARLSON, Chairman

Above reported bills ordered to second reading.

MOTION TO INVESTIGATE AIR CONDITIONING

Mr. Doyle moved that the Chief Clerk be instructed to make a complaint to the Chief of the Bureau of Buildings and Grounds relative to the air conditioning in the Chamber.

Motion carried.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file and re-referred as follows:

Assembly Bill No. 1439 re-referred to the Committee on Civil Service and State Departments.

Assembly Bill No. 769 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 306 re-referred to the Committee on Ways and Means.

Assembly Bill No. 24 re-referred to the Committee on Ways and Means.

Assembly Bill No. 1975 re-referred to the Committee on Ways and Means.

Assembly Bill No. 1403 re-referred to the Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1206 re-referred to the Committee on Fish and Game.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Claud Adams and Ernest A. Griffin of Merced, and Everett A. Griffin, Everett L. Coffee, W. H. Crooks and Neil McDougall of Madera.

On request of Mr. Carlson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. R. C. Ham, and Donald and Robert Ham of Oakland.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ray L. Chesebro of Los Angeles.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Earl T. Brown of Glendale.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Charles L. McClure, University City, Missouri, and Captain David McNutt of Mather Field.

On request of Mr. Robertson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Paul Stewart of Santa Barbara.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mazie Fosgate, Mrs. Charles Butler, Joe Ann Butler and Barbara Butler of Vallejo.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Summer Graham and John Rooks of Alameda.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Bertha Aldinger, Reverend Gustav Rauser, Miss Sarah Rauser, Mrs. Pauline Rauser, and the following pupils of the Franklin School: Arlene Hinsz, Jean Rauser, Betty Enders, Patty Aldinger, Alva Beck, Robert Sprock, August Ehresman, Ray Ehresman, Evelyn Johnson, Alice Balliet, Naomi Test, Joyce Dial, Vernon Rau, Billy Wells, Verna Hinsz, Dorothy Schultz, Ruth Slottelmyre, Betty Lunderville, Norman Kneppel, Eddy Keena, Burdette De Jong, and Leland Schmidt.

On request of Mr. Lyons, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Joseph Matthews of Los Angeles.

On request of Mr. Debs, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Arthur C. Webb, Ray Chesebro, Flash Lewis, and Rosalind Goodrich Bates of Los Angeles.

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to D. L. Van Lanen, Principal, and the following eighth grade pupils of Meadow Vista School, Placer County: Stanley Justis, John Paul Wood, and Richard Nettleton; and Mrs. Ethel S. Willets, Principal, and the following

pupils of the seventh and eighth grades of Union Hill School, Grass Valley: Clifford Williams, Thomas Patterson, Walter O'Yung, Juanita Haxton, Frank O'Yung, Jack Merrill, Mary Wilson, Asta Rasmussen, Leo Boyle, Glenn Patton, and Rita O'Yung.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. William J. Ahern of San Francisco.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Martin R. Lehrberger of San Francisco.

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant (J. G.) John Boer of the Royal Dutch Navy.

On request of Mr. Smith, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Leslie J. Cooper and Clifford Cooper of South Pasadena.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Fred H. Howser of Los Angeles.

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. and Mrs. Samuel K. Bacon of Hollywood.

On request of Mr. George D. Collins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Dorothy M. Oster, Miss Carol Jean Oster, and Miss Joan Quinn of San Francisco.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Aubrey Irwin of Glendale.

ADJOURNMENT

At 4.10 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, April 23, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FIRST LEGISLATIVE DAY
ONE HUNDRED TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, April 23, 1943

The Assembly met at 9.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Almighty and Everlasting God, Who, of Thy tender love towards mankind, hast sent Thy Son, our Saviour, Jesus Christ, to take upon Him our flesh, to suffer death upon the cross, that all mankind should learn of his great humility; mercifully grant that we may both follow the example of His patience, and also be made partners of His resurrection. We remember Thy words of challenge this Good Friday: If any man would come after me, let him deny himself, and take up his cross and follow me

"When I survey the wondrous cross
On which the Prince of Glory died,
My richest gain I count but loss,
And pour contempt on all my pride.

Were the whole realm of nature mine,
That were a present far too small;
Love so amazing, so divine,
Demands my soul, my life, my all."

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Carey.

EDITORIAL PRINTED IN JOURNAL

The following editorial appearing in the Sacramento Bee of April 21, 1943, was ordered printed in the Journal:

Senate Should Pass Bill For Solons Expense Pay

The assembly has passed AB 1282, by Assemblyman Willis Sargent of Los Angeles County, which would authorize a \$10 per day expense allowance, in addition to salary, for members of the legislature.

This measure is in the interest of justice, fair play and equity and should be approved by the senate and signed by Governor Earl Warren.

No one will question the fact that living expenses have increased, especially for those who are compelled to live away from home for any length of time as is the case with the legislators.

And no fair minded person will argue that our lawmakers, most of whom are conscientious Californians trying to do a difficult job to the best of their ability, should be forced to dig into their own pocketbooks to meet legitimate expenses incident to attendance at regular or special sessions of the legislature.

Nor can it be argued soundly that because the people have voted down constitutional amendments to raise the \$100 per month salary of the legislators that AB 1282 should be refused passage.

Many Californians voted against the salary increase proposal last November because they are opposed to writing what might be called administrative law into the organic law; in other words, freezing it into the constitution.

The salaries of legislators and all other constitutional officers of the state, as is so with our congressmen and the president and vice president, rightfully should be fixed by statute so adjustments could be made by the legislature to take care of economic emergencies such as the one now facing California due to the war.

Members of the senate should not hesitate to vote "Yes" for AB 1282 and thereby send the bill to the desk of Governor Warren.

And he should sign it gladly.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No 38

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered engrossed

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 57

Assembly Bill No 1076

Assembly Bill No 111

Assembly Bill No 1909

And reports the same correctly re-engrossed.

PELLETTIER, Chairman

Above reported bills ordered to third reading

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR SPEAKER: Your Committee on Roads and Highways, to which was referred

Assembly Bill No. 606

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STREAM, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which were referred:
Senate Bill No. 919
Senate Bill No. 970

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bills ordered to second reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Senate Concurrent Resolution No. 32

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 32, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 32

Senate Concurrent Resolution No. 32—Relative to adjournment sine die of the Fifty-fifth Session of the Legislature of the State of California.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 1, line 4, of the printed measure, strike out "12 noon, April 28", and insert "3 p. m., May 5".

Amendment No. 2

On page 1, line 5, of the printed measure, after "April", strike out "21", and insert "28".

Amendments read and adopted.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 32, as amended, at this time.

Consideration of Senate Concurrent Resolution No. 32, as Amended

Senate Concurrent Resolution No. 32—Relative to adjournment sine die of the Fifty-fifth Session of the Legislature of the State of California.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dilworth, Doyle, Dunn, Erwin, Field, Fourr, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Kellem, Kilpatrick, Knight, John B., Kraft, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Sheridan,

Stream, Thomas, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—52.
NOES—None.

Resolution ordered reprinted, and transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 361

Assembly Bill No. 2002

Assembly Bill No. 2003

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 822

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 257—An act to add Section 252.5 to the Health and Safety Code, relating to children with an impaired sense of hearing, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1222—An act to add Section 2.1364-2 to the School Code and to add Article 2.1 to Chapter 15 of Division 2 of the Education Code, relating to the powers and duties of the Director of Education, and making an appropriation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1306—An act making an appropriation of two thousand dollars (\$2,000) for the purchase of the files of "American Flag."

Bill read second time, and ordered engrossed.

Assembly Bill No. 1991—An act making an appropriation for the support of the California Commission on Interstate Cooperation, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 731—An act to amend Section 4287 and to repeal Section 4287a of the Political Code, relating to compensation for public services in counties of the fifty-eighth class.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1979—An act to be known as the "Local Area Rehabilitation Act" to authorize cities, counties and cities and counties to reorganize, rehabilitate and reconstruct retrograde areas within the territories thereof; defining such retrograde areas and declaring the

existence thereof; declaring the necessity of such reorganization, rehabilitation and reconstruction of such retrograde areas for the preservation of the public peace, health and safety and that the same constitutes a public use and purpose for which private property may be condemned and granting such cities, counties and cities and counties the right to exercise the power of eminent domain and to enter into contracts for such purposes and that for such purposes public moneys may be spent and other aid given; establishing planning commissions in certain cases and conferring certain powers and duties upon such planning commissions and the legislative bodies of such communities for the purpose of carrying out the purposes of this act; empowering such legislative bodies to make contracts with property owners and others; to sell such properties in the manner prescribed in this act and to take and foreclose mortgages, and to take and enforce undertakings given in the performance of the terms of this act; to maintain actions for the enforcement of such contracts, and prescribing procedure for the performance of the duties of such legislative bodies and planning commissions under this act, and establishing such commissions as State agencies and waiving the trust status of the properties bought and sold in pursuance of the purposes of this act and declaring that this act and the powers thereby conferred are for public use and purpose.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1626—An act to amend Section 4013 of the Business and Professions Code, relating to the California State Board of Pharmacy.

Bill read second time, and ordered engrossed.

Assembly Bill No. 628—An act to amend Sections 8963 and 8982 of the Health and Safety Code, relating to public cemetery districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1415—An act to add Section 25 to an act entitled “An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto,” approved May 25, 1923, and to add Section 27173 to the Streets and Highways Code, to provide for the building of approach roads in cooperation with city, city and county, county, district, and State authorities.

Bill read second time, and ordered to third reading.

Assembly Bill No. 193—An act to amend Section 57.7 of the Unemployment Insurance Act, relating to unemployment benefits for persons who have served in the armed forces.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1012—An act to amend Sections 102 and 112 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1021—An act to amend Sections 10490, 10492, 10493, 10494, 10495, 10497, 10498, 10499 and 10501 and to add Sections 10494.5 and 10498.5 to, the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1242—An act to amend Section 4.5 of an act entitled "An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California to adopt a system of group life, health and accident insurance and health services for the benefit of officers and employees and to deduct from the compensation thereof the premiums upon such insurance," approved May 25, 1939, relating to group insurance of public employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1334—An act to amend Section 7 of the "Unemployment Insurance Act," relating to exemptions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1802—An act to repeal Section 45.9 of the Unemployment Insurance Act, relating to judgments and liens thereunder.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1516—An act to amend Section 52 1 of the Unemployment Insurance Act, relating to the filing of claims.

Bill read second time, and ordered engrossed.

Assembly Bill No. 157—An act to amend Sections 5000, 5001, and 5002 of the Business and Professions Code, relating to the State Board of Accountancy.

Bill read second time, and ordered engrossed.

Assembly Bill No. 268—An act to amend Sections 101, 102, and 103 of the Welfare and Institutions Code, to repeal Sections 105, 106, and 130 thereof, and to add Section 105 thereto, relating to the State Department of Social Welfare, abolishing the present Social Welfare Board in the department and transferring its powers, duties, responsibilities and jurisdiction to a Social Welfare Board created by this act, abolishing the Office of Director of the Department of Social Welfare and transferring its powers, duties, responsibilities and jurisdiction to a new Office of Director of Social Welfare, and providing for the appointment and tenure of office of the members of the board and of the director.

Bill read second time, and ordered engrossed.

Assembly Bill No. 377—An act to add Chapter 5 to Part 1, Division 7 of the Business and Professions Code, regulating defense training schools, and providing for the issuance of licenses, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 990—An act to amend Section 721 of the Political Code, relating to the filing of regulations of State agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1186—An act to amend Sections 6650, 6651, 6655 and 6662, and to repeal Section 6657 of, and to add Section 6727.5 of the Welfare and Institutions Code, relating to the property and support of patients in State hospitals or patients on parole from such hospitals.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1485—An act to amend Section 412 of the Political Code, relating to the Secretary of State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1897—An act to add Section 6722 to the Welfare and Institutions Code, and to repeal Section 6664 thereof, relating to State institutions, including the inmates thereof and persons committed thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 301—An act to amend Section 79.07 of the Civil Code, relating to destruction of records by county clerks.

Bill read second time, and ordered engrossed.

Assembly Bill No. 302—An act to amend Section 925 of the Probate Code, relating to disposal of vouchers filed by executors or administrators.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1348—An act to amend Section 14483 of the Business and Professions Code, relating to the registration of laundry supply designations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1346—An act to amend Section 14427 of the Business and Professions Code, relating to the registration of container brands

Bill read second time, and ordered engrossed.

Assembly Bill No. 1345—An act to amend Section 409 of the Political Code, relating to the fees of the Secretary of State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1582—An act to amend Sections 290 and 403c of the Civil Code, relating to corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1581—An act to amend Section 12 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance." approved May 10, 1915, as amended, relating to the reinstatement of corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1628—An act to add Section 108.5 to the Business and Professions Code, relating to fees and expenses of witnesses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1386—An act to add Section 16 to "An act to establish police courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, relating to jurors' fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 754—An act to repeal Section 685 and to amend Sections 336 and 337.5 of the Code of Civil Procedure of the State of California, all relating to limitation of actions and execution.

Bill read second time, and ordered engrossed.

Assembly Bill No. 427—An act to amend Sections 6304 and 6320 of the Business and Professions Code, relating to boards of law library trustees and law libraries.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1343—An act to amend Section 6731 of the Welfare and Institutions Code, relating to the discharge of patients from State hospitals, and for their subsequent care and support.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2004—An act to amend Sections 1, 2, 4.5, 9, 10, 11, and 13 and to add Sections 4.1, 9.1, and 9.2 to an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, as amended, relating to county peace officer's retirement systems and providing for the inclusion in such systems of county and district employees engaged in fire prevention and suppression work, including work related thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 360—An act to amend Section 1752 of the Welfare and Institutions Code, relating to the powers and duties of the Youth Correction Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In the title of the printed bill, strike out everything except "An act", and insert "making an appropriation for the support of the Youth Authority, to take effect immediately."

Amendment No. 2

Strike out lines 1 to 13, inclusive, of said bill, and insert "SECTION 1. Subject to the approval of the Governor there is hereby appropriated to the Youth Authority (established under Division 25 of the Welfare and Institutions Code) in addition to any other appropriation thereto, out of any money

in the State treasury not otherwise appropriated, the sum of one hundred seventy thousand dollars (\$170,000) for the support of such authority during the Ninety-fourth and Ninety-fifth Fiscal Years.

SEC. 2. This act, inasmuch as it provides for an appropriation for the usual current expenses of the State, shall, under the provision of Section 1, of Article IV of the Constitution of the State of California, take effect immediately."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1232—An act to amend Sections 2, 45, 45.9, 45.10, 91, 92, and 94 of the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, as amended, between lines 14 and 15, insert

"Any employer without good cause failing within 10 days after specific written demand to file a report of wages of each of his workers for any period in the manner and within the time required by the rules and regulations of the commission shall, in addition to any other sum otherwise payable by him under the provisions of this act, pay as a penalty for each unreported wage item the sum of one dollar (\$1) per month, or fraction thereof, up to a maximum of three months; provided, however, that no penalty assessed against an employer with respect to any calendar quarter in accordance with the provisions of this subsection shall be less than the sum of four dollars (\$4) or in excess of the sum of two hundred fifty dollars (\$250)."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1513—An act to amend Section 92 of the Unemployment Insurance Act, relating to the acquisition of specified property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to amend Section 92 of the Unemployment Insurance Act, relating to the acquisition of specified property", and insert "providing for the acquisition of specified property by the Department of Employment".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 24, inclusive, and insert "SECTION 1. The Department of Finance is hereby authorized to acquire for the Department of Employment certain building and property in the City of Visalia under terms and conditions approved by the Director of the Department of Finance."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1514—An act to add Section 64 and amend Section 101 of the Unemployment Insurance Act, relating to the recoupment of erroneous payments and the prevention of collusion.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 7, of the printed bill, after the first "benefits", insert "or who because of an error or mistake in calculation by the commission".

Amendment No. 2

On page 1, line 12, of the printed bill, after "action", insert "and after opportunity for hearing before the commission or its representative".

Amendment No. 3

On page 1, line 20, of the printed bill, after "conscience.", strike out the period, and insert "provided, however, there shall be no recoupment of benefits paid pursuant to a referee's decision which affirms an initial determination or in accordance with a final decision of the commission regardless of any further appeal; provided further, nothing herein contained shall be construed as authorizing or permitting the commission to charge to any employer's account any benefits erroneously or unlawfully paid."

Amendment No. 4

On page 2 of the printed bill, strike out lines 3 to 7, inclusive.

Amendment No. 5

On page 2, line 8, of the printed bill, strike out "(c)", and insert "(b)".

Amendment No. 6

On page 2 of the printed bill, between lines 12 and 13, insert "(c) On the part of any employing unit or any officer or agent of an employing unit wilfully and unlawfully to fail to appear or to testify or to produce books, papers, and records, required at any hearing under this act;"

Amendment No. 7

On page 2, line 23, of the printed bill, strike out "person", and insert "individual".

Amendment No. 8

On page 2, line 24, of the printed bill, strike out "with an individual to aid any", and insert "to aid such".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1515—An act to add Sections 56.6 and 56.7 to the Unemployment Insurance Act, relating to cooperation between States in the collection of contributions and obtaining of wage records.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, lines 30 and 31, of the printed bill, strike out "act or the Federal act", and insert "Unemployment Insurance Act or the Federal Unemployment Tax Act".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1518—An act to amend Sections 45.2, 45.3, and 45.5 of the Unemployment Insurance Act, relating to wage records and the collection of contributions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 to 27, inclusive; and on page 2, strike out lines 1 to 7, inclusive.

Amendment No. 2

On page 2 of said bill, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 3

On page 2, line 9, of the printed bill, strike out "the", and insert "an".

Amendment No. 4

On page 2, lines 23 and 24, of the printed bill, strike out "four years from the date when such amount should have been reported", and insert "three years from the date on which the contribution liability included in the assessment became due"

Amendment No. 5

On page 2, line 26, of the printed bill, strike out "Promptly", and insert "Within a reasonable time".

Amendment No. 6

On page 2, line 28, of the printed bill, after "estimate," insert "the notice to be served personally or by registered mail in the same manner as prescribed for services of notices in the Code of Civil Procedure."

Amendment No. 7

On page 2 of the printed bill, after line 37, insert "SEC. 4. The amendment made by Section 1 of this act to Section 45.2 of the Unemployment Insurance Act is hereby declared to be merely a clarification of the original intention of the Legislature, rather than a substantive change, and such section shall be construed for all purposes as though it had always read as hereinabove set forth."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1519—An act to amend Sections 44, 45.6, 45.7, 45.11, and 46.1 of the Unemployment Insurance Act, relating to the collection of contributions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "45.6, 45.7".

Amendment No. 2

On page 2 of the printed bill, strike out all of lines 21 to 49, inclusive; and on page 3, strike out lines 1 to 43, inclusive.

Amendment No. 3

On page 3, line 44, of the printed bill, strike out "SEC. 4.", and insert "SEC. 2"

Amendment No. 4

On page 4, line 27, of the printed bill, strike out "SEC. 5", and insert "SEC. 3."

Amendment No. 5

On page 4, line 29, of the printed bill, after "an", insert "insolvent".

Amendment No. 6

On page 4, line 38, of the printed bill, after "an", insert "insolvent".

Amendment No. 7

On page 4, line 45, of the printed bill, after "the", insert "insolvent".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1521—An act to amend Section 27 of the Unemployment Insurance Act, relating to the escheating of funds.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "within", and insert "at the end of".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1522—An act to amend Section 9.7 of the Unemployment Insurance Act, relating to the termination of subject status.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out the colon, and insert a semicolon.

Amendment No. 2

On page 1 of the printed bill, between lines 22 and 23, insert "The commission, prior to the close of each calendar year, shall send every employer an application for termination of coverage which shall be completed and returned to the commission within the time specified above by those employing units affected by the provisions of this section."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1990—An act to amend Section 4029 of the Political Code, relating to supervisorial districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "In making such changes the members of said board shall", and insert "Said districts shall be as nearly equal in population as may be; provided, that in establishing the boundaries of the supervisorial districts the members of said board may".

Amendment No. 2

On page 1, lines 8 and 9, of said bill, strike out "(1) population, (2) topography, (3) geography, (4)", and insert "(1) topography, (2) geography, (3)".

Amendment No. 3

On page 1, line 10, of said bill, strike out "(5)", and insert "(4)".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 158—An act to amend Sections 5016, 5016.3, 5017, 5017.6, 5018, 5030, 5031, and 5040 of, and to add Sections 5016.4,

5017.4, 5017.5, and 5017.7 to, the Business and Professions Code, relating to the practice of accountancy.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 25, of the printed bill, as amended, after "firm", insert a comma and "or in the employ of a governmental agency performing accounting or auditing work similar to that of a certified public accountant or a registered public accountant".

Amendment No. 2

On page 2, line 31, of the printed bill, as amended, after "accountants", insert a comma and "or in the employ of a governmental agency performing accounting or auditing work similar to that of a certified public accountant or a registered public accountant".

Amendment No. 3

On page 2, line 38, of the printed bill, as amended, after "accountant", insert a comma and "or in the employ of a governmental agency performing accounting or auditing work similar to that of a certified public accountant or a registered public accountant".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 37 and 38, and insert "prior to January 1, 1940, was principally engaged in the business of public accountancy in the State of California."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 773—An act to amend Sections 509, 5001, 5002, 5003 and 5006 of the Public Resources Code, relating to the State Park System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5001, 5002,".

Amendment No. 2

On page 1 of the printed bill, strike out lines 11 to 26, inclusive.

Amendment No. 3

On page 2, line 1, of the printed bill, strike out "4", and insert "2".

Amendment No. 4

On page 2, line 15, of the printed bill, strike out "5", and insert "3".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1185—An act to add Section 6564 to the Welfare and Institutions Code, relating to nonprofit stores on the grounds of State institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert "6564. The Director of Institutions may set aside".

Amendment No. 2

On page 1 of said bill, strike out lines 7, 8, and 9, and insert "to establish and maintain therein a store or canteen for the sale to or for the benefit of inmates of the institution of candies, cigarettes, sundries and other articles. The stores shall be conducted subject to the".

Amendment No. 3

On page 1 of said bill, strike out lines 23 to 26, inclusive, and insert "The Director of Institutions may rent such space to private individuals, for the maintenance of a store or canteen at any of the said institutions upon such terms and subject to such regulations as are approved by the Department of Finance, in accordance with the provisions of Section 675 of the Political Code."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1192—An act to amend Sections 5404 and 5406 of, and to add Sections 5404.1 and 5404.2 to, the Welfare and Institutions Code, relating to dipsomaniacs, inebriates and stimulant addicts, and providing for their support while in State hospitals and on parole therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "and to add Sections 5404.1 and 5404.2 to,".

Amendment No. 2

In the title of said bill, strike out lines 3 to 6, inclusive, and insert "addicts."

Amendment No. 3

On page 1, line 10, of said bill, after the period, insert "The order shall be accompanied by a written statement of the judge as to the financial condition of the patient and of the persons legally liable for his maintenance, as far as can be ascertained."

Amendment No. 4

On page 1 of said bill, strike out lines 11 to 22, inclusive, and on page 2, strike out lines 1 to 9, inclusive.

Amendment No. 5

On page 2 of said bill, strike out lines 23 to 42, inclusive.

Amendment No. 6

On page 2, line 44, of said bill, strike out "Sec. 4.", and insert "Sec 2."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1823—An act to amend Section 4074 of the Political Code, relating to the presentation of claims

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 4074 of", and insert "add Section 4090.2 to".

Amendment No. 2

Strike out line 2 of the title of said bill, and insert "to county coroners."

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 21, inclusive, and insert "SECTION 1. Section 4090.2 is added to the Political Code, to read: 4090.2 Notwithstanding Sections 4074 and 4290, in addition to his salary and such other fees as may be allowed by law, a county coroner may be reimbursed for ambulance services rendered in conveying persons to the county hospital, where such persons and the persons responsible for their support are unable to pay for such services."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1824—An act to amend Sections 26825 and 26826 of the Health and Safety Code, relating to foods and drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out all after "amend"; and strike out the line 2 of said title, and insert "Section 454 of the Health and Safety Code, relating to county health officers."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out all of line 1 after the period; and strike out all of lines 2 to 9, inclusive, and insert "Section 454 of the Health and Safety Code is amended to read:

454. The county health officer shall be a graduate of a medical college of good standing and repute [, shall hold office for a term of one year]. His compensation shall be determined by the board of supervisors.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 674—An act to repeal Article 2, consisting of Sections 321 to 324, inclusive, of Chapter 1, of Division 3 of the Agricultural Code, relating to foreign cold storage meat.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "repeal Article 2, consisting of Sections 321 to 324, inclusive," and insert "add Section 325 to Article 2".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 3, inclusive, and insert
 "SECTION 1. Section 325 is added to Article 2 of Chapter 1 of Division 3 of the Agricultural Code, to read:
 325 Nothing contained in this article shall apply to cold storage meat imported from the Dominion of Canada in accordance with the laws of the United States"

Amendments read and adopted

Bill ordered reprinted and engrossed.

Assembly Bill No. 1336—An act to amend Section 4212 of the Business and Professions Code, relating to pharmacy.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 4215 to,".

Amendment No. 2

On page 1 of said bill, after line 6, insert
 "SEC. 2. Section 4215 is added to said code, to read:
 4215. The adjudication of insanity or incompetency or commitment under any of the provisions of Division 6 of the Welfare and Institutions Code or under any of the provisions of Division 4 of the Probate Code or the adjudication of insanity or incompetency by any agency of the Federal Government constitutes a ground for the temporary suspension or revocation of a certificate by the board."

Amendment No. 3

On page 1 of said bill, strike out lines 3 and 4, and insert
 "4212. The fact the holder of any certificate becomes or is intoxicated while engaged in the discharge of his duties constitutes a".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 900—An act to amend Section 226 of the Civil Code, relating to the adoption of children.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 4, line 18, of the printed bill, as amended, after "such", insert "failure or".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 428—An act to add Section 6346.5 to the Business and Professions Code, relating to the retirement of officers and employees of county law libraries.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out ", in such manner as"; and strike out all of lines 7 and 8, and insert a period.

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1341—An act to amend Section 5054 of the Welfare and Institutions Code, relating to the procedure for the commitment of mentally ill persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "may", and insert "shall".

Amendment No. 2

On page 1, line 5, of said bill, strike out "If the person is not represented"; and strike out all of lines 6 to 15, both inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1342—An act to amend Sections 5050.2 and 5050.6 of the Welfare and Institutions Code, relating to procedure for the commitment of mentally ill persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 14, of the printed bill, after "shown", insert "in a separate affidavit".

Amendment No. 2

On page 1 of said bill, after line 22, insert

"When issuing an order for examination of an alleged mentally ill or insane person the judge may order that the person present himself for examination by doctors at a designated place within a designated time or at a designated time. If the person fails to so present himself the judge may order his emergency apprehension, although no affidavit has been made for such emergency apprehension."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 422—An act to add Section 5.503-1 to the School Code and to add Section 13099.1 to the Education Code, relating to the classification of persons as permanent employees of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert "An act to add".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 9, both inclusive.

Amendment No. 3

On page 1, line 11, of the printed bill, strike out "SEC. 2.", and insert "SECTION 1."

Amendment No. 4

On page 1, line 17, of the printed bill, after "adults", insert "or in classes conducted under contract with public or private agencies for training in or for military service or for war production".

Amendment No. 5

On page 1 of the printed bill, strike out lines 20 to 24, both inclusive.

Amendment No. 6

On page 2, line 1, of the printed bill, strike out "SEC. 4.", and insert "SEC. 2."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1928—An act to amend Section 2246 of the Business and Professions Code, Sections 1205, 1212, 1214, 26251, 26252, 26271, and 26272 of the Health and Safety Code, Sections 4602 and 4605 of the Labor Code, and Section 1.124 of the School Code, and to add Section 3209.5 to the Labor Code, relating to chiroprodists.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 3 of the printed bill, strike out all of lines 12 to 27, inclusive.

Amendment No. 2

On page 4 of the printed bill, strike out all of lines 17 to 22, inclusive.

Amendment No. 3

On page 4 of the printed bill, strike out all of lines 24 to 29, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1424—An act to add Section 763.4 to the Insurance Code, relating to the payment of commissions

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "763.4 to the Insurance Code, relating to the payment of commissions.", and insert "1120.5 to the Probate Code, relating to the investment of trust funds."

Amendment No. 2

Strike out lines 1 to 8, inclusive, of the printed bill, and insert:
"SECTION 1 Section 1120.5 is hereby added to the Probate Code, to read as follows: During the administration of such a trust and where not inconsistent with the provisions of the will, the trustee may, with the approval of the court, upon good cause being shown therefor, make investments in life insurance, endowment or annuity contracts issued by an admitted insurer, and if made on behalf of a minor, such minor shall not have the right to disaffirm such investments or contracts"

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1520—An act to amend Sections 41.1 and 41.5 of the Unemployment Insurance Act, relating to experience rating.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "3", and insert "60".

Amendment No. 1a

On page 1, line 14, of the printed bill, strike out "thereon; provided, however, that no", and insert "thereon. No".

Amendment No. 2

On page 1, line 17, of the printed bill, strike out "Section 67 of this act and the rules and regulations of the commission", and insert "other provisions of this act".

Amendment No. 3

On page 1, line 20, of the printed bill, strike out "Sections 67 and 72 of this act.", and insert "this act except that a protest may be made as to matters which could not reasonably have been known to the employer at the time of proper notification."

Amendment No. 4

On page 2 of the printed bill, strike out all of lines 38 to 52, inclusive, and on page 3, strike out lines 1 to 24, inclusive, and insert

"Sec. 41.5. (a) Any employing unit which acquires the organization, trade, or business, or substantially all of the assets thereof, of any employer, excepting, in any such case, any assets retained by such employer incident to the liquidation of his obligations (whether or not such acquiring employing unit was an "employing unit" within the meaning of Section 8.5 of this act prior to such acquisition), and who intends to continue such organization, trade or business, may notify the commission thereof, and may assume, for the purpose of determining the rate of contribution of such employing unit after such acquisition, as hereinafter in this section provided, the position of such employer with respect to such employer's separate account, actual contribution and benefit experience and pay rolls, as if no change with respect to such separate account, actual experience and pay rolls had occurred and with the same effect for such purpose as if the operations of such employer had at all times been carried on by such employing unit. Such separate account shall be transferred by the commission to such employing unit and, as of the date of such acquisition, shall become the separate account or part of the separate account, as the case may be, of such employing unit, and the benefits thereafter chargeable to such employer on account of employment prior to the date of such acquisition shall be charged to such separate account. Such transfer shall be made only if requested by the acquiring unit within 60 days from the date of acquisition or within such extended period as the commission may grant, and only if all other conditions set forth in this section are met."

Amendment No. 5

On page 3, line 30, of the printed bill, strike out "acquired", and insert "acquiring"

Amendment No. 6

On page 3, line 33, of the printed bill, strike out "for", and insert "of".

Amendment No. 7

On page 3 of the printed bill, strike out all of lines 37 to 40, inclusive, and insert "contribution which would have applied to the acquired employer during such period if a transfer had not been made; or, if two or more employers were acquired, shall be the rate of contribution determined on the basis of the entries in the reserve accounts of the acquired units as of the computation date for the rating period in which the date of acquisition occurs.

The contribution rate of the acquiring unit for all rating periods following but not including the date of"

Amendment No. 8

On page 4 of the printed bill, after line 48, insert

"SEC. 3. The provisions of Section 2 of this act shall apply to acquisitions prior, as well as subsequent, to the effective date of this act, but any employing unit which acquired the trade, organization or business of any employer, or substantially all the assets thereof, prior to said effective date may, in order to obtain such transfer, notify

the commission thereof at any time within one year after said effective date. In any case where accounts have been consolidated by the commission prior to the effective date of this act such accounts shall remain consolidated regardless of any failure on the part of the employing unit to give such notice."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1973—An act to establish the Victory Bond Fund, making an appropriation to and providing for the investment and expenditure of such fund, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 3, of the printed bill, after "\$50,000,000", insert ", when available,".

Amendment No. 2

On page 1, line 4, of said bill, after "purchase", insert "by the Department of Finance".

Amendment No. 3

On page 1, line 9, of said bill, strike out "about July 1, 1943; twelve million five hundred"; and strike out all of lines 10 to 14, inclusive, and insert "before July 1, 1943; and the remainder shall be expended for the purchase of such bonds when in the judgment of the Department of Finance money therefor is available in the General Fund."

Amendment No. 4

On page 1, line 16, of said bill, after "thereof", insert "or at an earlier time upon sale of the bonds by the Department of Finance".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1139—An act to add Sections Section 153.1, 153 2, and 153.3 to the Agricultural Code, relating to eradication of Oriental fruit moth and indemnification of host plants removed and destroyed in connection therewith, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Mr. Stream moved the adoption of the following amendments:

Amendment No. 1

On page 2, lines 50 and 51, of the printed bill, as amended, strike out "to have been sufficiently abnormal".

Amendment No. 2

On page 3, line 9, of said bill, after the parenthesis, insert ", to be expended during the Ninety-fifth and Ninety-sixth Fiscal Years".

Amendments read and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 698—An act making an appropriation for the control and eradication of Oriental fruit moth, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendment:

Amendment No. 1

In line 7 of the printed bill, after "eradicating", insert "(other than by host removal)".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 178—An act to add Sections 18191.5 and 18202.5 to the Education Code, relating to the powers and duties of the State Division of Architecture with respect to protection from fire and panic hazard.

Bill read second time.

Motion to Amend

Mr. Beck moved the adoption of the following amendments:

Amendment No. 1

On page 2, lines 28 and 29, of the printed bill, as amended, strike out "if the estimated cost exceed four thousand dollars (\$4,000)."

Amendment No. 2

On page 2, line 30, of said bill, after "building," insert "if the estimated cost exceeds four thousand dollars (\$4,000)."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1997—An act prohibiting black market transactions in any rationed commodity, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Mr. McMillan moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 8, of the printed bill, after "rationed", insert "as of the effective date of this act".

Amendment No. 2

On page 1, lines 9 and 10, of the printed bill, strike out "and in effect on the effective date of this act".

Amendment No. 3

On page 1, line 12, of the printed bill, after "by", insert "any".

Amendment No. 4

On page 1, line 13, of the printed bill, after "regulation", insert "in effect".

Amendment No. 5

On page 1, line 19, of the printed bill, after "rationed", insert "as of the effective date of this act".

Amendment No. 6

On page 1, lines 20 and 21, of the printed bill, strike out "and in effect on the effective date of this act".

Amendment No. 7

On page 1, line 25, of the printed bill, after "by", insert "any".

Amendment No. 8

On page 1, line 26, of the printed bill, after "regulation", insert "in effect".

Amendment No. 9

On page 2, line 10, of the printed bill, strike out "rationed commodity", and insert "commodity rationed as of the effective date of this act".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 238—An act to amend Section 4284 of the Political Code, relating to compensation for public services.

Bill read second time, and ordered to third reading.

Senate Bill No. 239—An act to add Section 30 to an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, relating to the exclusion of territory.

Bill read second time, and ordered to third reading.

Senate Bill No. 320—An act to add Section 2211 to the Public Resources Code, relating to the county mineralogist.

Bill read second time, and ordered to third reading.

Senate Bill No. 324—An act to amend Section 4 of an act entitled "An act authorizing the creation of a personnel system, merit system or civil service system in cities; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions," approved April 11, 1935, relative to circulation of petitions

Bill read second time, and ordered to third reading.

Senate Bill No. 344—An act to amend Section 4273 of the Political Code, relating to the compensation of public officers.

Bill read second time, and ordered to third reading.

Senate Bill No. 401—An act to amend Section 8 of the County Civil Service Enabling Act, relating to dismissals, suspensions and reduction in pay or rank.

Bill read second time, and ordered to third reading.

Senate Bill No. 413—An act amending Section 4300a of the Political Code, relating to fees of the county clerk.

Bill read second time, and ordered to third reading.

Senate Bill No. 438—An act to amend Section 4242 of the Political Code, relating to salaries and compensation for public services in counties of the thirteenth class

Bill read second time, and ordered to third reading

Senate Bill No. 667—An act to amend Section 4238 of the Political Code, relating to compensation for public services in counties of the ninth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 623—An act to amend Sections 10036 and 10551 of the Health and Safety Code, relating to vital statistics certificates.

Bill read second time, and ordered to third reading.

Senate Bill No. 374—An act to add Section 485.5 to the Health and Safety Code, relating to contracts for local health administration.

• Bill read second time, and ordered to third reading.

Senate Bill No. 570—An act to amend Sections 10203, 10204, 10209, and 10213 of, and to add Section 10203.6 to, the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 412—An act to amend Section 11871 of the Insurance Code, relating to representation of State agencies by State Compensation Insurance Fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 994—An act to amend Section 13 of the Unemployment Insurance Act, relating to the definition of "suitable employment" under said act.

Bill read second time, and ordered to third reading.

Senate Bill No. 998—An act to add Section 59 to the Unemployment Insurance Act, relating to seasonal employment.

Bill read second time, and ordered to third reading.

Senate Bill No. 1001—An act to amend Section 67 of the Unemployment Insurance Act, relating to claims for benefits.

Bill read second time, and ordered to third reading.

Senate Bill No. 500—An act to amend Section 6 of the Corporate Securities Act, to provide for renewal of licenses to brokers and agents.

Bill read second time, and ordered to third reading.

Senate Bill No. 1026—An act to amend Section 7 of the "Unemployment Insurance Act," relating to exemptions.

Bill read second time, and ordered to third reading.

Senate Bill No. 552—An act to add Section 5002.5 and 5002.6 to the Elections Code, making it a misdemeanor for any candidate seeking election or reelection to any office, board or agency authorized to issue licenses, or any officer, employee or appointee of such office, board or agency, to solicit or receive from persons holding licenses issued by said office, board or agency, any money or other thing of value for any political campaign for election or reelection to such office, board or agency, and making it a misdemeanor for any licensee or holder of a license to contribute or give money or any other thing of value for any such political campaign.

Bill read second time, and ordered to third reading.

Senate Bill No. 515—An act to amend Section 108 of the Civil Code, relating to financial responsibility of spouse seeking divorce on ground of incurable insanity.

Bill read second time, and ordered to third reading.

Senate Bill No. 1027—An act to add Section 103 $\frac{3}{4}$ to the Code of Civil Procedure, relating to clerks in justices' courts of Class A.

Bill read second time, and ordered to third reading.

Senate Bill No. 100—An act to amend Section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property.

Bill read second time, and ordered to third reading.

Senate Bill No. 111—An act to amend Sections 423, 450 and 452 of the Probate Code, relating to the administration of estates of decedents.

Bill read second time, and ordered to third reading.

Senate Bill No. 991—An act to amend Section 1203 of the Penal Code, relating to granting probation.

Bill read second time, and ordered to third reading.

Senate Bill No. 978—An act to amend Section 688 of the Political Code, relating to claims against the State of California in respect to damages inflicted by vehicles, and claims and actions therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1000—An act to amend Section 44.2 of the Unemployment Insurance Act, relating to contributions and refunds thereunder.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 24, of the printed bill, strike out "two years", and insert "six months".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 78—An act to amend Section 4261 of the Political Code, relating to compensation for public services in counties of the thirty-second class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 4261", and insert "Sections 4251 and 4261".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "of the thirty-second class".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, line 1, of said bill, after "SECTION 1.", insert "Section 4251 of the Political Code is amended to read:

4251. In counties of the twenty-second class the following shall receive, as compensation for the services required of them by law or by virtue of their offices, the following sums

1. The auditor, four thousand five hundred dollars (\$4,500) per annum.
 2. The district attorney, five thousand dollars (\$5,000) per annum. The district attorney shall devote his entire time to the duties of his office and shall not engage in private practice of the law during his term of office.

3. Each member of the board of supervisors, one hundred fifty [(\$100)] (\$150) per month, and [six] eight cents [(\$0.06)] (\$0.08) per mile [while traveling on official business from his residence to the county seat, or returning therefrom, and also mileage for his services as road commissioner at the rate of six cents (\$0.06) per mile, for the distance actually traveled in the discharge of his duties as road commissioner; provided, that such mileage as road commissioner shall not in any one year exceed the sum of three hundred dollars (\$300).] *for each mile necessarily and actually traveled in attending meetings of said board or in the discharge of county business within the county, and actual and necessary traveling expenses incurred in the discharge of official business outside of the said county; provided, however, that all claims for mileage thus incurred shall be under oath and shall itemize the places to which the travel was incurred and the nature of the business transacted.*

4. Members of the board of supervisors, the auditor, and the district attorney shall be allowed their actual and necessary expenses incurred while traveling to and from the annual convention of their respective associations, but in no event shall such expenses exceed the sum of fifty dollars (\$50) for each of said officers in any one year.

SEC. 2."

Amendments read and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 237—An act to add Section 7518 to the Business and Professions Code, relating to night watchmen in unincorporated areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 2 of the title of the printed bill, before the period, insert ", declaring the urgency hereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, after line 5, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Due to the shortage of manpower many employers have to cooperate in the employment and sharing of night watchmen. Under the present law these men technically would be required to comply with the laws governing private detectives, run the gauntlet of a complicated license procedure and file a surety bond. When other employment is so readily available most persons will not make the effort to meet these difficulties. As a consequence, businesses and residences in unincorporated areas which are sorely in need of protection are unable to obtain it."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 272—An act validating grants by municipal corporations to the United States of America for military or naval purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "corporation", insert "or any State agency".

Amendment No. 2

On page 1, line 6, of the printed bill, before the period, insert “, provided that such grant or lease contains a reservation to the State of deposits of oil and gas and other hydrocarbon and mineral deposits and of rights of way for access to all such deposits as prescribed in Section 6402 of the Public Resources Code, except in the case where any such lands have been granted to such municipal corporation without reserving such deposits to the State”

Amendment No. 3

On page 1 of the printed bill, after line 6, insert
 “Sec. 2. Every grant and lease of real property of the State executed by any State agency to the United States of America for military or naval purposes, is hereby ratified and validated if it was approved by the Governor and if it reserved to the State the mineral deposits and right of way as described in Section 1 hereof.”

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 325—An act to amend the title and Section 8e of, and to add Sections 3e and 38f to the State Employees’ Retirement Act, relating to the State Employees’ Retirement System, including city policemen and city, county, and fire protection district firemen, and officers and employees of county forestry and county firewarden departments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out “the title and Section 8c of, and to add Sections 3e and 38f to”, and insert “Section 8c of”.

Amendment No. 2

In the title of the printed bill, strike out lines 3 to 6, and insert “relating to city firemen and the forestry and fire officers and employees of contracting public agencies.”

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 23, inclusive; on page 2, strike out lines 1 to 14, inclusive; and in line 15, strike out “Sec. 3. Section 8c of said act”, and insert

“SECTION 1. Section 8c of the act cited in the title”.

Amendment No. 4

On page 2 of said bill, strike out lines 30 to 50, inclusive

Amendments read and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 392—An act to amend Section 4312 of the Political Code, relating to the location and office hours of certain county offices, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended on March 30, 1943, following “of”, insert “and to add Section 4312 5 to”.

Amendment No. 2

On page 2 of said bill, following line 4, insert “In any city or town containing a population of not less than 50,000 as ascertained by the last preceding census

taken under the authority of the Congress of the United States, or the Legislature of the State of California, wherein the city hall is not less than six miles distant from the county courthouse, sheriff's and clerks must open offices provided by the county through the board of supervisors and keep them open for the transaction of business continuously from 9 o'clock a m until 5 o'clock p m every day in the year except Sundays and holidays."

Amendment No. 3

On page 2 of said bill, strike out lines 31 through 38, inclusive.

Amendment No. 4

On page 2 of said bill, following line 41, insert "SEC. 2. Section 4312.5 is hereby added to the Political Code, to read as follows. 4312.5. Notwithstanding any provisions of Section 4312 hereof, in those counties having a population in excess of 600,000 county officers shall keep their offices open for the transaction of business during such hours and on such days as the board of supervisors of each such county shall fix by ordinance."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 454—An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 10, of the printed bill, as amended, strike out "one"; strike out lines 11 and 12; and in line 13, strike out "the President", and insert "July 1, 1945,"

Amendment No. 2

On page 2, lines 14 and 15, strike out "such termination of hostilities", and insert "the termination of hostilities in the present war, as declared by resolution of Congress or by proclamation of the President".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 698—An act to add Chapter 4, consisting of Sections 28000 to 28003, inclusive, to Division 21 of the Health and Safety Code, relating to horse meat.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "28004", and insert "28003".

Amendment No. 2

On page 1, line 2, of said bill, strike out "28004", and insert "28003"

Amendment No. 3

On page 1 of said bill, strike out lines 15 to 19, inclusive.

Amendment No. 4

On page 1, line 21, of said bill, strike out "28003", and insert "28002".

Amendment No. 5

On page 1, line 25, of said bill, strike out "28004", and insert "28003".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 423—An act to amend the title of, to amend Sections 26547, 26472, 26490, 26491, 26492, 26493, 26494, 26495, 26496, 26510, 26511, 26512, 26518, 26520, 26522, 26526, 26527, 26541, 26548, 26549, 26560, 26561, 26562, 26566, 26567, 26581, 26584, 26586, 26587, 26588, 26600, 26617, 26621, and 26622 of, to add Section 26463 to, and to delete Section 5 from an act entitled "An act adding Division 21, comprising Chapter 3 and Sections 26450 to 26624, inclusive, to the Health and Safety Code, relating to adulterating, mislabeling, misbranding, false advertising, and sale of foods and the powers of the State Department of Public Health in relation thereto," approved July 13, 1939.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "26547", and insert "26457".

Amendment No. 2

On page 1 of said bill, strike out all of lines 12, 13, and 14, and insert "tions or any representation disseminated in any manner or by any means other than by labeling, for the purpose of inducing, or which".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 587—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties, powers, and expenses of superior court jury commissioners and their assistants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert "and to add Section 261a to".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "jury".

Amendment No. 3

On page 1, line 19, of the printed bill, following the period, insert "SEC 2 Section 261a is added to the Code of Civil Procedure, to read: 261a. The court commissioners as provided for in Section 261 shall be allowed actual traveling expenses incurred in the performance of their duties, such expenses to be audited, allowed and paid out of the general fund of the county."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 294—An act to amend Section 4278 of the Political Code, relating to compensation for public services in counties of the forty-ninth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out “, plus an allowance of”, and insert “and mileage at the rate of fifteen cents (\$0.15) per mile in traveling from his residence to attend regular meetings of the board, and in returning therefrom. Each supervisor shall also be allowed”.

Amendment No. 2

On page 1, line 12, of said bill, strike out the period; and strike out lines 13, 14, and 15, and insert “, which allowance shall not exceed three hundred dollars (\$300), annually.”

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 37—An act to aid the prosecution of the war by authorizing housing authorities to develop or administer projects to provide housing for persons engaged in war industries or activities and to cooperate with the Federal Government in making housing available for such persons; to grant certain powers to public bodies; to make obligations issued for such projects of housing authorities legal investments and security for deposits; and to declare an emergency, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In lines 6, 7, and 8 of the title of the printed bill, strike out “to make obligations issued for such projects of housing authorities legal investments and security for deposits; and to declare an emergency”, and insert “declaring the urgency hereof”.

Amendment No. 2

On page 1, line 7, of said bill, after “include”, insert “the following persons, together with their families”.

Amendment No. 3

On page 1, line 19, of said bill, strike out “and may”; and on page 2, strike out lines 1 to 15, inclusive, and insert “; provided, that a war housing project owned, leased, or administered”.

Amendment No. 4

On page 2 of said bill, strike out lines 31 to 51, inclusive; and on page 3, strike out lines 1 and 2, and insert “SEC. 4. This act shall expire at the end of one year following the termination of the war.”

Amendment No. 5

On page 3, line 3, of said bill, strike out “Sec. 7”, and insert “Sec. 5”.

Amendment No. 6

On page 3 of said bill, between lines 9 and 10, insert “SEC. 6. Nothing in this act permits a housing authority to acquire title or ownership in any war housing project of the Federal Government.”

Amendment No. 7

On page 3, line 10, of said bill, strike out “Sec. 8”, and insert “Sec. 7”.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 734—An act to amend Sections 2 $\frac{1}{4}$ and 50 $\frac{1}{4}$ of an act entitled “An act to provide for the organization of the Railroad

Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act and repealing Title 15 of Part 4 of Division 1 of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, relating to the definition of and regulation of passenger stage corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities, Manufacturing, and Corporations:

Amendment No. 1

On page 2, line 4, of the printed bill, after "learning", strike out the period, and insert "or metered taxicabs which do not operate between fixed termini or over a regular route."

Amendment No. 2

On page 3, line 24, of the printed bill, after "vehicle", insert "not including metered taxicabs described in subdivision (b) of Section 1".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 400—An act to add Section 689.7 to the Political Code, relating to Department of Finance membership in building management associations.

Bill read second time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out line 9, and insert "for expenditure by the department Such membership".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 41

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 41—Relative to execution by Japanese military authorities of American fliers held as prisoners of war.

Request for Unanimous Consent

Mr. Werdel asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 41, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 41

Senate Concurrent Resolution No. 41—Relative to execution by Japanese military authorities of American fliers held as prisoners of war.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dilworth, Doyle, Dunn, Erwm, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 153
Senate Bill No. 335

Senate Bill No. 825
Senate Bill No. 1089

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 29
Senate Joint Resolution No. 16

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 153—An act to amend Section 4277 of the Political Code, relating to compensation for public services in counties of the forty-eighth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 335—An act to amend Section 13 of the Corporate Securities Act, relating to hearings after notice to desist and refrain from selling securities.

Referred to Committee on Judiciary.

Senate Bill No. 825—An act to add Sections 12010 and 12154 to the Education Code, relating to credentials and certificates.

Referred to Committee on Education.

Senate Bill No. 1089—An act to amend Sections 14084 and 14200 of the Health and Safety Code, relating to weed abatement and removal of fire hazards in fire protection districts in unincorporated areas, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California to amend the Constitution of said State by adding Section 22 to Article V thereof, relating to the compensation of State officers.

Referred to Committee on Constitutional Amendments.

Senate Joint Resolution No. 16—Relating to the production of synthetic rubber.

Referred to Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE (RESUMED)

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 50 WAIVED

Mr. Hawkins waived his notice of motion to reconsider the vote whereby Assembly Bill No. 50 was refused passage

RECONSIDERATION OF ASSEMBLY BILL NO. 961

In compliance with a notice given on a previous day, Mr. Heisinger moved that the vote whereby Assembly Bill No. 961 was passed be reconsidered.

Assembly Bill No. 961 refused reconsideration by the following vote:

AYES—Bashore, Brown, Burns, Carlson, Clarke, Collins, Sam L., Crowley, Debs, Denny, Dunn, Evans, Heisinger, Lowrey, Maloney, O'Day, and Wollenberg—16

NOES—Armstrong, Beck, Bennett, Berry, Burkhalter, Carey, Dickey, Dilworth, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Waters, Watson, and Weybret—42.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 733

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Weybret:

Resolved, That Senate Bill No. 733 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier,

Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 733

Senate Bill No. 733—An act making an appropriation to be expended under the direction of the Governor to effectuate the purposes of the California State War Powers Act, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Mason, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Doyle, and Heisinger—2

Senate Bill No. 733—An act making an appropriation to be expended under the direction of the Governor to effectuate the purposes of the California State War Powers Act, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Mason, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65

NOES—Doyle, and Heisinger—2.

Bill ordered transmitted to the Senate.

Explanation of Vote

I voted "No" on Senate Bill No. 733 as I do not believe in appropriations until purposes and breakdown for same is explained. I do not wish it to be taken as any lack of confidence in the War Council heads.

T. J. DOYLE
S. L. HEISINGER

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1954—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land in Orange County as part of the State Park System

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs,

Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Nichouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Smith, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Wolenberg, and Mr Speaker—62

NOES—Brown, Lowrey, and Miller—3.

Bill ordered transmitted to the Senate.

**WITHDRAWAL OF SENATE BILL NO. 993 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Waters asked for, and was granted, unanimous consent to withdraw Senate Bill No. 993 from the Committee on Finance and Insurance, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 993

Senate Bill No. 993—An act to amend Section 6 and to repeal Sections 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87 and 88 of, and to add Sections 75, 76, 77, 78, 79, 80, 81, 82 and 83 to the Unemployment Insurance Act, relating to the administration thereof, creating the California Employment Stabilization Commission and the California Unemployment Insurance Appeals Board and abolishing the California Employment Commission.

Bill read second time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 6", and insert "Sections 6 and 90".

Amendment No. 2

On page 3, line 28, of said bill, after "members.", insert "The appeals board and its duly authorized representatives in the performance of its duties under this act shall have the powers of a head of a department as set forth in Section 353 of the Political Code."

Amendment No. 3

On page 3, lines 40 and 41, of said bill, strike out "concerning appeals", and insert "and orders".

Amendment No. 4

On page 3 of said bill, strike out lines 48, 49, and 50, and insert "Sec. 82. If and wherever elsewhere in this act provision is made for a hearing before or an appeal to the commission in any matter pertaining to the payment of a benefit claim, the collection or computation of a contribution, or the propriety of a charge against an employer's account, such provision shall be construed to mean and provide for a hearing before or an appeal to the appeals board. The decision".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 4 of said bill, after line 8, insert "SEC. 12. Section 90 of said act is amended to read: Sec. 90 (a) The commission, in addition to all other duties imposed and powers granted or implied by the provisions of this act:

[(a) Shall adopt and enforce rules and regulations which to it seem necessary and suitable to carry out the provisions of this act.

(b) Shall make such rules and standards on or before December 1, 1935, and thereafter as needed. It shall give 30 days' notice by publication in at least two issues published in two separate weeks, in one or more newspapers of general circulation in this State before any rule or standard or change thereof takes effect.

(c) (1) Shall keep such records of employment of eligible [employees] workers, contributions, penalties, claims, benefits, and payments as are necessary for the proper administration of this act, or advisable for proper understanding of its operation

[(d)] (2) [Shall cause to be printed for distribution to the public its classifications, rules, and such information as it considers desirable]. May cause to be distributed to the public in any manner it determines feasible its rules, regulations, and such other information as it considers desirable, and may advertise in newspapers of general circulation in this State for qualified applicants for work.

(3) May study and make recommendations as to the most effective methods of providing economic security through all forms of social insurance and to these ends carry on and publish the results of investigations and research studies.

(b) *General and special rules and regulations for the administration of this act shall be adopted, amended or rescinded as follows:*

(1) *Each chief of each division shall have the power and authority in the first instance to formulate rules and regulations or amendments or rescissions of rules and regulations pertaining to matters falling within the jurisdiction of that division. A general rule or regulation or the amendment or rescission of any general rule or regulation shall become effective 10 days after filing with the Secretary of State and publishing in one or more newspapers of general circulation in this State, unless an appeal is taken to the appeals board as hereinafter in this subsection provided. Such rules or amendments or rescissions of such rules shall become effective 10 days after mailing notice thereof to the last known address of the individual or concern affected thereby, unless an appeal is taken to the appeals board as hereinafter in this subsection provided.*

(2) *Prior to the filing with the Secretary of State or to the sending of notice referred to in the previous subparagraph of this subsection (b) the chief of such division shall hold a public hearing, of which proper notice has been given, at which any persons interested in such rule or regulation shall have an opportunity to be heard.*

(3) *If at any such hearing any person opposes the proposed rule or regulation or amendment or rescission thereof, or if either of the commissioners who are designated also as chiefs of divisions opposes it, any such person or such commissioner may request a hearing before the appeals board. If such hearing is requested the matter shall be heard by the appeals board within 30 days from the date of such request, and the proposed rule or regulation or amendment or rescission thereof shall not become effective until and unless the appeals board has finally approved the same. If it does finally so approve then notice shall be given and the rule or regulation or amendment or rescission thereof shall become effective in the same manner and after the same period as provided in subparagraph (1) of this subsection (b)."*

Amendments read and adopted.

Bill ordered reprinted, and re-referred to Committee on Finance and Insurance.

SENATE BILL NO. 232 ORDERED PLACED UPON THE INACTIVE FILE

Mr Sawallisch moved that Senate Bill No 232 be withdrawn from the active file, and placed upon the inactive file.

Motion carried.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 291 FROM COMMITTEE

Mr. Heisinger gave notice that on Monday, April 26, 1943, he would move to withdraw Assembly Bill No 291 from the Committee on Judiciary, and have it placed upon the file

Hon. Sam L. Collins Presiding

At 10 35 a m, Hon Sam L Collins, Member of the Assembly from the Seventy-fifth District, presiding

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 66—An act to add Section 282 to the Code of Civil Procedure, relating to the powers of attorneys at law.

Bill read third time.

Motion to Amend

Mr. O'Day moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended, after line 24, insert "This section shall not apply in the City and County of San Francisco."

Amendment read.

Demand for Previous Question

Messrs. Dilworth, Debs, Dills, Ralph C., Evans, and Knight, John B., demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. O'Day to Assembly Bill No. 66.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Collins, George D., Crowley, Dickey, Dunn, Gaffney, Haggerty, Hawkins, King, Lowrey, Lyons, Maloney, McCollister, O'Day, Robertson, Rosenthal, Sawallisch, and Wollenberg—24.

NOES—Armstrong, Bashore, Brown, Call, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Massion, McMillan, Middough, Miller, Pelletier, Potter, Price, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, and Mr. Speaker—44.

The question being on the passage of Assembly Bill No. 66.

Demand for Previous Question

Messrs. Armstrong, Pelletier, Erwin, Smith, and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 66.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Brown, Burkhalter, Call, Carey, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, T. Fenton, Leonard, Lyons, Massion, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—55.

NOES—Bennett, Berry, Brady, Carlson, Collins, George D., Desmond, Dunn, Gaffney, Haggerty, Knight, John B., Maloney, McCollister, O'Day, Sargent, and Wollenberg—15.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1058—An act to amend Sections 7, 7305, 7306, 7307, 7308, 7351, 7352, 7353, 7401, 7454, 7457, 7481, 7485, 7493, 7507, 7508, 7651, 7652, 7701, 7702, 7703, 7704, 7727, 7728, 7730, 7891, 7892, 7895, 7934, 7935, 7981, 8191, 8253, 8303, 8304, 8306, 8403, and 50007 of the Revenue and Taxation Code, to add Sections 28, 7407, 7660, 7661, 7662, 7663, 7698, 7699, 7700, 7706, 8193, 8194, to amend the headings of Articles 1, 2, and 3 of Chapter 5 of Part 2 of Division 2, and of Article 5 of Chapter 7 of said part, to add Article 2.5 consisting of Sections 7670 to 7675, inclusive, and Article 3.5 consisting of Sections 7710 to 7716, inclusive, to Chapter 5 of said part, and to repeal Sections 7653, 7654, 7676, 7677, and 7678 of said code, relating to the scope of, returns under, payments under, administration of, and collection of the

motor vehicle fuel license tax, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—74.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.14 a m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Assembly Bill No. 24—An act to establish a War Catastrophe Reserve, to make an appropriation, and to provide for its expenditure, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.20 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

MOTION TO PASS BILL ON FILE

Mr. Weber moved that Assembly Bill No 306 be passed on file

Mr. Robertson seconded the motion.

Point of Order

Mr. Ralph C. Dills arose to the following point of order: That the hour has arrived for the consideration of Assembly Bill No. 1994 as a special order of business.

The Chair ruled the point of order well taken.

Motion to Set Special Order

Mr. Carlson moved that Assembly Bill No. 1994 be made a special order of business for today at 3.05 p.m.

Substitute Motion

Mr. Johnson moved, as a substitute motion, that Item No. 1 on the file be continued until 3.05 p.m., Item No. 2 until 3.10 p.m., and Item No. 3, until 3.15 p.m. today.

Mr. Carlson seconded the motion

RECESS

At 11 53 a.m., Mr. Sam L. Collins moved that the Assembly do now recess until 3 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L., Denny, Desmond, Dilworth, Doyle, Erwin, Field, Fourn, Gaffney, Gannon, Haggerty, Hastam, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weedel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Anderson, Debs, Dills, Clayton A., Dills, Ralph C., Evans, Guthrie, Hawkins, Kilpatrick, Masson, and McMillan—10.

REASSEMBLED

At 3 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

REPORTS OF STANDING COMMITTEES**Committee on Conservation, Natural Resources, and Planning**

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 783

Senate Bill No. 837

Senate Bill No. 732

Senate Bill No. 846

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 1883

Senate Bill No. 58

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Assembly Bill No. 1863

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Assembly Bill No. 1901

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

RALPH C. DILLS, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 1411

Senate Bill No. 838

Assembly Bill No. 1974

Senate Bill No. 845

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 86

Senate Bill No. 566

Assembly Bill No. 370

Senate Bill No. 602

Senate Bill No. 369

Senate Bill No. 744

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 602

Assembly Bill No. 1677

Assembly Bill No. 603

Assembly Bill No. 1678

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bills re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Joint Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

NIEHOUSE, Chairman

Above reported resolution ordered engrossed

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 372

Senate Bill No. 565

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

Committee on Civil Service and State Departments

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which were referred:

Assembly Bill No. 1430
Senate Bill No. 664
Senate Bill No. 323

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

T. FENTON KNIGHT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which were referred:

Assembly Bill No. 1699
Assembly Bill No. 1970
Senate Bill No. 533

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

T. FENTON KNIGHT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments to which was referred:

Assembly Bill No. 1881

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation.

T. FENTON KNIGHT, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 159
Senate Bill No. 296

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 291
Assembly Bill No. 1322
Senate Bill No. 65

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 526
Assembly Bill No. 1340
Assembly Bill No. 1783
Senate Bill No. 1067

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 941 | Assembly Bill No. 308 |
| Assembly Bill No. 942 | Assembly Bill No. 1729 |
| Assembly Bill No. 259 | Assembly Bill No. 339 |
| Assembly Bill No. 263 | Assembly Bill No. 1093 |
| Assembly Bill No. 1993 | Senate Bill No. 584 |
| Assembly Bill No. 719 | Senate Bill No. 658 |
| Assembly Bill No. 720 | |

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 363 | Assembly Bill No. 1907 |
| Assembly Bill No. 586 | Senate Bill No. 113 |
| Assembly Bill No. 1062 | Senate Bill No. 457 |
| Assembly Bill No. 1500 | Senate Bill No. 498 |

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DILWORTH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

- Senate Bill No. 231

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DILWORTH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

- Senate Bill No. 168
- Senate Bill No. 508
- Senate Bill No. 548

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DILWORTH, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

- | | |
|------------------------|---------------------|
| Assembly Bill No. 684 | Senate Bill No. 156 |
| Assembly Bill No. 798 | Senate Bill No. 169 |
| Assembly Bill No. 894 | Senate Bill No. 170 |
| Assembly Bill No. 1847 | Senate Bill No. 458 |
| Assembly Bill No. 1959 | Senate Bill No. 706 |
| Senate Bill No. 62 | Senate Bill No. 723 |

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BASHORE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

- Assembly Bill No. 1397

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BASHORE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred.
Senate Bill No. 155

Has had the same under consideration, and reports the same back with amendments
with the recommendation: Amend, and do pass, as amended.

BASHORE, Chairman

Above reported bill ordered to second reading.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:
Assembly Bill No. 409

Has had the same under consideration, and reports the same back with the recom-
mendation: Do pass.

GAFFNEY, Vice Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred
Senate Bill No. 779

Has had the same under consideration, and reports the same back with amendments
with the recommendation: Amend, and do pass, as amended

GAFFNEY, Vice Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 317
Assembly Bill No. 1504

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 617 Assembly Bill No. 1560
Assembly Bill No. 1407 Assembly Bill No. 1653

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 38

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 537

And reports the same correctly re-engrossed

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 639—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14,
15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 29 of, and to add three new sections to be

numbered 7.1, 8.1, and 18.1 to, the Corporation Income Tax Act, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately;

Assembly Bill No. 1631—An act to amend Section 1 of an act entitled "An act to provide for the retirement with retirement allowance, of justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts," approved July 1, 1937, relating to retirement of judges; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of April, 1943, at 3 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 32—An act to amend Sections 595 and 1054 of the Code of Civil Procedure, relating to extensions of time and continuances in any civil or criminal action or proceeding in a court, or in any administrative proceeding before a State board, commission or officer;

Assembly Bill No. 201—An act to add Sections 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662 and 1663 to the Labor Code, relating to artists' managers;

Assembly Bill No. 281—An act to amend Section 10 of the Municipal Court Act of 1925, relating to clerks and attaches;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of April, 1943, at 11 a m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 463—An act to amend Sections 3043 and 3045 of the Penal Code, relating to paroles, and to add Article 4 to Chapter 8 of Title 1 of Part 3 of the Penal Code, to permit paroles of men from State prisons, county jails and city jails into the armed forces of the United States during the war emergency and to create a new form of parole for such persons to be known as special service parole, declaring the urgency of this measure and providing that it should take effect immediately;

Assembly Bill No. 484—An act to amend Sections 9.09 and 9.18 of the Building and Loan Association Act, relating to building and loan associations and the making of loans by such associations;

Assembly Bill No. 1929—An act to repeal Chapter 3 of Part 2 of Division 2 of the Military and Veterans Code and Sections 8, 9, 10, 11 and 12 of the California Guard Act of 1942 and to add Chapter 4 to Part 2 of Division 2 of the Military and Veterans Code relating to the California State Guard, providing for the pay, privileges, allowances and rights of the California State Guard, for the organization and administration of the California State Guard to permit the efficient operation thereof consistent with such privileges, allowances and rights, permitting school districts to make school busses available for use by the California State Guard, declaring the urgency of this act, and providing that it shall take effect immediately; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of April, 1943, at 11 a m.

PELLETIER, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Bashore asked for, and was granted, unanimous consent to take up Assembly Bill No. 224, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 224

Assembly Bill No. 224—An act to add Sections 3211.2, 3211.4, 3211.6, 3211.7, 3211.8, and 3352.5 to, and Chapter 10, comprising Sections 4301 to 4439, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 7, comprising Sections 1570 to 1573, inclusive, to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to civilian defense workers, including the limiting of the liability of the State of California, counties, cities, and civilian defense organizations for injuries arising out of and occurring in the course of activities as a civilian defense worker,

authorizing the State Council of Defense to certify civilian defense organizations and to make rules and regulations for the classifying and registering of civilian defense workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "4339", and insert "4337".

Amendment No. 1.5

In lines 4 and 5 of said bill, strike out "7, comprising Sections 1570 to 1573, inclusive," and insert "10.5".

Amendment No. 2

In lines 11 and 12 of the title of said bill, strike out "State Council of Defense", and insert "California State War Council".

Amendment No. 3

On page 2, lines 7 and 8, of said bill, strike out "State Council of Defense", and insert "California State War Council".

Amendment No. 4

On page 2, line 9, of said bill, strike out "State Council of Defense", and insert "California State War Council".

Amendment No. 5

On page 2, line 10, of said bill, strike out "7", and insert "10.5".

Amendment No. 6

On page 2, lines 12 and 13, of said bill, strike out "State Council of Defense", and insert "California State War Council".

Amendment No. 7

On page 3, line 7, of said bill, strike out "4339", and insert "4337".

Amendment No. 8

On page 4, line 11, of said bill, strike out ", and shall terminate"; and strike out all of line 12, except the period.

Amendment No. 9

On page 6, line 8, of said bill, strike out "State Council of Defense", and insert "California State War Council".

Amendment No. 10

On page 6, line 31, of said bill, strike out "State Council of Defense", and insert "California State War Council".

Amendment No. 11

On page 6, line 44, of said bill, strike out "State Council of Defense", and insert "California State War Council".

Amendment No. 12

On page 6, lines 48 and 49, of said bill, strike out "State Council of Defense", and insert "California State War Council".

Amendment No. 13

On page 6, line 52, of said bill, strike out "State Council of Defense", and insert "California State War Council".

Amendment No. 14

On page 7, lines 2 and 3, of said bill, strike out "State Council of Defense", and insert "California State War Council".

Amendment No. 15

On page 7, of said bill, strike out lines 17 to 52, inclusive; and on page 8, strike out lines 1 to 16, inclusive.

Amendment No. 16

On page 8, line 18, of said bill, strike out "4339", and insert "4337"

Amendment No. 17

On page 9, lines 1 and 2, of said bill, strike out "State Council of Defense", and insert "California State War Council".

Amendment No. 18

On page 9 of said bill, strike out line 28; and in line 29, strike out "sive", and insert "Sec. 8. Article 10.5".

Amendment No. 19

On page 9, line 32, of said bill, strike out "7", and insert "10.5".

Amendment No. 20

On page 9, line 34, of said bill, strike out "1570", and insert "1595".

Amendment No. 21

On page 9, line 38, of said bill, strike out "1571. The State Council", and insert "1596. The California State War Council".

Amendment No. 22

On page 9, line 40, of said bill, strike out "State Council", and insert "California State War Council".

Amendment No. 23

On page 9, line 46, of said bill, strike out "1572", and insert "1597".

Amendment No. 24

On page 9, line 47, of said bill, strike out "State"; and strike out line 48, and insert "California State War Council pursuant to the provisions of Section 1596 of this".

Amendment No. 24.1

On page 9, line 50, strike out "State Council", and insert "California State War Council".

Amendment No. 25

On page 10, line 4, of said bill, strike out "1573", and insert "1598".

Amendment No. 26

On page 10, line 5, of said bill, strike out "State"; and strike out line 6, and insert "California State War Council in any material degree, the California State War Council may revoke".

Amendment No. 27

On page 10, lines 13 and 14, of said bill, strike out "State Council of Defense", and insert "California State War Council".

Amendment No. 28

On page 10, line 42, of said bill, after "Sec. 10.", insert "Sections 1 to 9, inclusive, of this act, become operative at the same time as the California War Powers Act becomes effective.

Sec. 11."

Amendment No. 29

On page 2, line 21, of said bill, after the period, insert "Volunteer civilian members of the Aircraft Warning Service of the United States Army Air Force shall be considered as civilian defense workers for the purposes of this act and shall be eligible for the compensation provided by this division."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

COMMUNICATIONS

By Mr. Ralph C. Dills:

The following communication from the Legislative Counsel was received, and ordered printed in the Journal:

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, April 22, 1943

Honorable Ralph C. Dills
Assembly Chamber, State Capitol
Sacramento, California

Suits Against Responsible Relatives—No. 9462

QUESTION

DEAR MR. DILLS: You have asked us if our old age security law will be out of conformity with the requirements of the Federal Social Security Act if the relatives

contribution scale and the statutory authorization for counties to bring suits against responsible relatives of persons receiving old age aid are repealed.

OPINION

In our opinion, the repeal of the relatives contribution scale and the statutory authorization for counties to sue responsible relatives will not result in our old age security law being out of conformity with the requirements of the Federal Social Security Act.

ANALYSIS

The Federal Social Security Act contains no provision which requires the States and their political subdivisions to sue responsible relatives for the reimbursement of aid granted. The Federal act does require that any reimbursement that may be secured by the States or their political subdivisions shall be shared with the Federal Government (Section 3 (b) (2) (B)).

Sections 2024 and 2223 of the Welfare and Institutions Code provide that a share of any reimbursement that may be secured or given to the State or its political subdivisions shall be paid to the Federal Government.

The cited provisions of the Federal Social Security Act do not require that the State shall undertake positive steps to secure such reimbursement, but only that if reimbursement is secured or granted then that reimbursement must be shared with the Federal Government.

The Federal Social Security Act does require, however, that if, in fact, a responsible relative (or any other person) does assist a needy person, that assistance must be taken into consideration in determining the total amount of the needs of such needy person (Section 2 (a) (7)).

Section 2020 of the Welfare and Institutions Code provides that income and resources received by a needy person from all sources (which includes help given by responsible relatives) shall be considered in determining the total needs of such needy person.

The repeal of the relatives contribution scale and the authorization for the counties to sue responsible relatives would not affect Section 2020 of the Welfare and Institutions Code, nor Section 2 (a) (7) of the Federal Social Security Act. If aid is, in fact, voluntarily granted, it will be taken into consideration.

Accordingly, we are of the opinion that the repeal of the relatives contribution scale and the repeal of the statutory authorization for the counties to sue responsible relatives will not result in the old age security law provisions of the Welfare and Institutions Code of this State being out of conformity with the requirements of the Federal Social Security Act.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By ARTHUR MCHENRY, Chief Deputy

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1601 FROM COMMITTEE

Mr. Debs gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 1601 from the Committee on Universities and Colleges, and have it placed upon the file.

WITHDRAWAL OF ASSEMBLY BILL NO. 297 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Call asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 297 from the Committee on Live Stock and Dairies, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 297

Assembly Bill No. 297—An act to amend Section 611 of the Agricultural Code, relating to oleomargarine.

Bill read second time.

Motion to Amend

Mr. Call moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend Section 611 of", and insert "add Section 563 to".

Amendment No. 2

In line 3 of the title of said bill, strike out "oleomargarine", and insert "milk products".

Amendment No. 3

On page 1, line 1, of said bill, strike out "611 of the Agricultural Code is", and insert "Section 563 is added to the Agricultural Code, to read:

563 Dessert topping mix is an unfrozen food product and shall be made with pure sweet whole milk, cream, skim milk, sweetened or unsweetened condensed whole milk or skim milk, or evaporated milk, dry whole milk, dry skim milk, dry sweet cream, buttermilk, milk fat and butter, or any combination of any such products, with or without sweetening, with or without the use of harmless flavoring, with or without the introduction of nitrous oxide or other harmless gas and gelatin or other harmless edible stabilizer approved by the director.

Dessert topping mix shall contain not less than 15 per cent milk fat or more than thirty-five one-hundredths of 1 per cent of pure harmless edible stabilizer, approved by the director. Dessert topping mix when sold by the manufacturer or retailer shall contain no more than 75,000 bacteria per gram and shall contain not less than 16 pounds of total food solids per gallon of unwhipped mix."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 24, inclusive; and strike out all of page 2.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

COMMUNICATIONS

By Speaker Lyon:

Two communications from the National Council of Catholic Women, and one from the Parent-Teachers Association, relative to pending legislation, were received and referred to the Committee on Rules and House Functions.

By the Chief Clerk:

The following communication was received and ordered printed in the Journal:

STATE BOARD OF EQUALIZATION
SACRAMENTO, April 22, 1943

*Honorable Arthur A. Ohnmus, Chief Clerk of the Assembly
State Capitol, Sacramento, California*

DEAR MR OHNIMUS. May I express to you and to the Members of the Assembly my deep appreciation of your kindness in sending me so handsome a copy of House Resolution No. 151, felicitating me upon my last birthday.

I am sure that all of you will understand my sentiments when I tell you that the greatest reward in my years of public service has been the enduring friendship of those with whom I have been associated in this work. Particularly am I grateful for the opportunity to have had so many loyal friends among those who are serving in the Assembly.

It is with a heart full of gratitude for this splendid friendship, so warmly expressed, that I am writing to thank the Assembly for its good wishes as set forth in the resolution, which I shall treasure always.

Sincerely yours,

R. E. COLLINS

Also:

A communication from the San Francisco Council of Catholic Nurses, relative to pending legislation, was received and referred to the Committee on Rules and House Functions.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file and re-referred as follows:

Assembly Bill No. 317 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 57 re-referred to the Committee on Ways and Means.

Assembly Bill No. 617 re-referred to the Committee on Ways and Means.

Assembly Bill No. 1504 re-referred to the Committee on Rules and House Functions.

Assembly Bill No. 1076 re-referred to the Committee on Judiciary.

Assembly Bill No. 1560 re-referred to the Committee on Fish and Game.

Assembly Bill No. 1407 re-referred to the Committee on Conservation, Natural Resources, and Planning.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 60: By Mr. Call—Approving an amendment to the charter of the City of San Mateo, a municipal corporation in the County of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the sixth day of April, 1943.

Request for Unanimous Consent

Mr. Call asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 60, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 60

Assembly Concurrent Resolution No. 60—Approving an amendment to the charter of the City of San Mateo, a municipal corporation in the County of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the sixth day of April, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisunger, Hollibaugh, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wolleberg, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Rosenthal, Mrs. Niehouse, and Messrs. Brown, Waters, and Beck:

House Resolution No. 202

Relating to creation of an Assembly Committee on Aviation

WHEREAS, Aviation has grown from a hobby to a major industry; and
WHEREAS, The greatest development in aviation, both in operation and manufacture has occurred in the State of California; and

WHEREAS, The aviation industry is now of such proportion that it is a necessary subject of legislation, and the rapid expansion of the industry makes necessary regular additions to legislation on the subject; and

WHEREAS, Effective legislation on so far-reaching a subject can only be accomplished after careful analysis of the facts relating to the subject; and

WHEREAS, The Legislature can best function as a fact-finding agency through the instrumentality of a Legislative Committee; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on Aviation which committee shall study and investigate all matters relating to the aviation industry, both from the standpoint of operation and from the standpoint of manufacture, with a view to determining what legislation is necessary or would be useful in control of and to foster the development of aviation.

The committee shall consist of five Members of the Assembly to be appointed by the Speaker thereof. Vacancies on the committee shall be filled by the Speaker thereof.

Upon the appointment of its members, the committee may organize, appoint a secretary, and employ such clerical and technical assistants, and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein.

The committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records, of every kind and description, and to take all necessary means to compel the attendance of witnesses and to procure testimony. The members of the committee may each administer oaths, and all of the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, and Sections 9700 to 9412, inclusive, of the Government Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects heretofore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it.

The committee may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter, defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The committee may hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee. The committee may also meet in executive session. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-sixth Legislature. The committee may report to any session of this Legislature or to the Regular Session of the Fifty-sixth Legislature, on or before March 15, 1945.

Every department, commission, board, agency, officer, and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee upon request, any and all assistance and information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($\$0.05\frac{1}{2}$) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of ten dollars ($\$10$) per day for accommodations and meals.

The sum of one thousand dollars ($\$1,500$) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee hereby created and its members, and for any other charges, expenses, or claims it may incur under this resolution to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Rosenthal and Brown :

House Resolution No. 203

Relative to memorializing American war correspondents, American newspapers, press associations, magazines, radio networks and newsreel organizations

WHEREAS, The wartime enterprise and initiative of American newspapers, press associations, radio networks, magazines, newsreel organizations have provided a corps of capable, energetic and brilliant war news gatherers and reporters on world happenings in every corner of the globe; and

WHEREAS, American correspondents and photographers in carrying out their assignments brave all the dangers of war on land and sea and are the unsung heroes of the war; and

WHEREAS, Such men and women gallantly face danger and death in the performance of their duties; and

WHEREAS, War reporters and photographers by the very nature of their activities when in jeopardy of their lives can not fight back—they may stop a bullet but may not send one; and

WHEREAS, They picture to us at home what our fighting men are doing for us, their daily life, their food, their struggles, the difficulties they face, their bravery, their victories and so contribute to a more complete understanding of the problems we have to meet in order to win the war and to win the peace after the war; and

WHEREAS, Many war news correspondents, in the carrying out of their strenuous assignments have faced the rigors of climate and disease as well as the dangers from enemy guns and bombs and have died or have been killed while in the performance of their duties; and

WHEREAS, Since Pearl Harbor, Don Bell, anti-Japanese radio news commentator in Manila, was killed when the Japanese took the city, Mrs. Lea Burdette of PM, covering the British occupation of Iran as a photographer, was slain by Kurdish bandits. Harry Percy of the United Press, died of malaria in Cairo, and Eugene Petrov of the United Press, lost his life during the siege of Sevastopol. Ben Miller of the Baltimore Sun was killed in a plane crash during a tour of the American home front. Melville Jacoby, *Time-Life*, died in an Australian airport accident, after graphically recording the last ditch stands on Bataan and Corregidor and narrowly escaping with his wife from the Japanese.

Byron Darnton, of the New York Times, was killed in New Guinea while attached to the same division in which he served in the last war.

Jack Singer, of the International News Service, went down on the United States carrier Wasp.

Walter Briggs of the United Press was killed in action in China in February, 1942.

Harry E. Crockett of the Associated Press, was aboard a British naval unit in the Mediterranean when it was torpedoed, also in February, and he was lost.

Frank Josef Cuhel of the Mutual Broadcasting System and Ben Robertson of the New York Herald-Tribune were lost last February, when a transatlantic passenger plane crashed in Lisbon harbor.

Morris Lewis, a newspaperman serving with the War Department's special services, was killed in a plane crash overseas in January of this year.

R. P. Post, another New York Times correspondent, has been missing since February 26th. He was aboard a bomber plane which was shot down in the attack on the German port of Wilhelmshaven.

Two International News Service men, Robert Robb and Joseph B. Eisenberg, have been missing in the Philippines since December, 1941.

George MacDougall, another United Press man, has been missing since the fall of Java.

Witt Hancock, of the Associated Press, has been among the missing since March, 1942, in Java.

Godfrey Anderson, of the Associated Press, was taken prisoner by the Nazis in Libya in 1941.

R. P. Cronin, Chief of the Associated Press Bureau in Manila and Russell Brines, another Associated Press man in the Philippines, have been listed as prisoners of war since February, 1942, and Larry Allen of the Associated Press was twice torpedoed, and on the second occasion taken ashore at Axis-held Tobruk. He is now in an Italian prison camp.

Harold Denny, New York Times, was in Italian hands and was exchanged with other American Nationals.

Carl Mydans, *Time-Life*, and his wife, captured in the Philippines are in a Japanese prison stockade; now, therefore, be it

Resolved by the Assembly of the State of California, That the members hereof pass this resolution in memory of the gallant men and women war correspondents and photographers who have died while carrying out their assignments and in the appreciation of the services they and their fellow reporters have given and are continuing to give to our knowledge of the conduct of the war on all fronts as well as to our understanding of events and conditions bearing upon postwar problems; and be it further

Resolved, That the members hereby declare their appreciation of the service to the people of the United States rendered by the various newspapers, press associations, radio networks, magazines and newsreel organizations whose enterprise has provided the employment of capable, energetic men and women war news gatherers and reporters of world events in every part of the globe; and be it further

Resolved, That when this Assembly today adjourns it do so out of respect to the memory of the brave men and women who have lost their lives in pursuit of their calling as world war news correspondents and photographers; and be it further

Resolved, That as an expression of the sympathy of the Members of this Assembly, the Clerk be instructed to prepare suitably engrossed copies of this resolution to the nearest relatives of those who have lost their lives or who are missing and to those whom fate has spared for further service in the days to come

Resolution read, and referred to Committee on Rules and House Functions.

By the Committee on Rules and House Functions:

House Resolution No. 204

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth, with the compensation set opposite their respective names, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same

Commencing Friday, April 23, 1943, and ending upon the completion of work on Saturday, April 24, 1943:

Page.	Per Day
Philip Sweigert-----	\$3 00
Mason Riegel-----	3 00
Barbara Leonard-----	3 00
Gary Lynn Queale-----	3 00

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L Collins asked for, and was granted, unanimous consent to take up House Resolution No. 204, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Beck, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crowley, Debs, Denny, Dickev, Dills, Clayton A., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastan, Hawkins, Heisinger, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Potter, Price, Robertson, Rosantha, Sheridan, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

WITHDRAWAL OF ASSEMBLY BILL NO. 701 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Weybret asked for, and was granted, unanimous consent to withdraw Assembly Bill No 701 from the Committee on Agriculture, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 701

Assembly Bill No. 701—An act to amend Section 123 of the Agricultural Code, relating to shipments of nursery stock and the documents pertaining to or accompany same

Bill read second time.

Motion to Amend

Mr. Weybret moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 123 of", and insert "add Section 281.5 to".

Amendment No. 2

Strike out all of lines 2 and 3 of the title of the printed bill, and insert "to licensed wax-salvage plants, and declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 1 to 27, inclusive, and insert "SECTION 1. Section 281.5 is added to the Agricultural Code, to read:

281.5. Until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature, or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs, it shall be lawful, at the option and expense of the owner, notwithstanding any other provisions of this article, for the inspector or for any person when accompanied by the inspector, to transport hives in which disease has been found, together with their contents, to a wax-salvage plant within the county, licensed under the provisions of this section, after first having killed the bees in such hives and sealed the hives to prevent the entrance of live bees.

It is unlawful to remove any honey or wax or to salvage or attempt to salvage any hives or appliances from any colony infected with American foulbrood, except in a wax-salvage plant within the county, licensed and operated under the provisions of this section.

The director shall prepare and furnish to interested parties upon request uniform specifications for the construction of wax-salvage plants, and rules and regulations for the operation of such plants in such manner as to prevent the spread of disease therefrom.

Any person desiring to maintain and operate a plant for the salvaging of wax, hives and appliances from diseased apiaries shall apply for a license therefor to the commissioner of the county in which such wax-salvage plant is located. The commissioner shall make such investigation as he may deem necessary and shall issue the license without fee if he is satisfied that the plant is constructed in accordance with the provisions of this section and the specifications of the director, and that the plant will be operated in accordance with the rules and regulations of the director.

All salvage operations with respect to wax, hives and appliances from diseased colonies shall be performed under the direction and supervision of the inspector in an enclosure tightly double-screened to prevent the entrance of bees. The frames, together with their contents, shall be held not less than thirty minutes in boiling water in a vat drained by direct connection into a sewage disposal system or into a cesspool constructed in accordance with specifications of the director. The frames, after removal from the vat, shall be boiled not less than twenty minutes in a solution of lye water. The hives, bodies, bottom boards, covers, and supers shall either be scorched or shall be boiled not less than twenty minutes in a solution of lye water. Honey shall not be salvaged, but shall be drained off with the refuse water. All solid matter, other than wax, remaining after draining the vat shall be burned in an incinerator constructed in accordance with specifications of the director.

Any license issued under the provisions of this section may be revoked or suspended by the commissioner, after hearing, whenever he finds that a licensee has not complied with all of the provisions of this section and the rules, regulations and specifications issued hereunder.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of Section 1 of Article IV of the Constitution of the State of California, and as such shall take effect immediately. The following is a statement of the facts constituting such necessity:

There is a serious shortage of beeswax, a product essential for many military purposes. Present law requires, whenever American foulbrood is found in a colony, that the wax, hives and frames, together with the bees and honey, be burned and the ashes buried. Current demand for wax tends to encourage beekeepers to conceal the presence of disease and attempt to salvage the wax without adequate facilities, thus further spreading the disease. Burning as required by law is difficult under wartime conditions because of scarcity of labor and because burning cannot be done at night in certain military zones and cannot be done in the daytime without attracting and destroying bees from neighboring colonies.

Under the precautions provided by this section, much wax can be salvaged, as well as hives and frames, materials for which are scarce, without danger of spreading disease. In order that further waste of this essential war material be prevented,

and in order to discourage further spread of disease through unsupervised salvage operations, it is necessary that this act take effect immediately."

Amendment No. 4

On page 2 of the printed bill, strike out all of lines 1 to 21, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS
NOS. 558, 559, 560 AND 561**

Mr. McCollister moved that Senate Bills Nos. 558, 559, 560 and 561 be withdrawn from the Committee on Military Affairs, and re-referred to the Committee on Ways and Means.

Motion carried.

**WITHDRAWAL OF ASSEMBLY BILL NO. 8 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. O'Day asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 8 from the Committee on Judiciary, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 8

Assembly Bill No. 8—An act to add Section 10183 to the Health and Safety Code, relating to the delayed registration of birth certificates.

Bill read second time.

Motion to Amend

Mr. O'Day moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "10183", and insert "10113.5".

Amendment No. 2

In line 2 of the title of said bill, strike out "delayed registration of birth certificates", and insert "registration of births".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 14, inclusive, and insert "SECTION 1. Section 10113.5 is added to the Health and Safety Code, to read: 10113.5. The board of supervisors of any county may by ordinance provide that the county recorder is the sole registrar for births occurring in the county.

In any county having a charter in which provision is made for the transfer of duties by order of the chief administrative officer from one officer, department, bureau, or other county agency to another, in lieu of an ordinance of the board of supervisors, the chief administrative officer may by order provide that the county recorder is the sole registrar for births occurring in the county. When such an ordinance is passed or such an order is made, the county recorder shall perform all the duties in respect to the registration of births imposed upon local registrars by any provision of law."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 174
FROM COMMITTEE**

Mr. Heisinger gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 174 from the Committee on Ways and Means, and have it placed upon the file.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1733
FROM COMMITTEE**

Mr. Hawkins gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 1733 from the Committee on Ways and Means, and have it placed upon the file.

REQUEST FOR UNANIMOUS CONSENT

Mr. Potter asked for, and was granted, unanimous consent to take up Assembly Bill No. 2003, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2003

Assembly Bill No. 2003—An act to amend Sections 1701 and 1710 of, the heading of Chapter 1 of Division 2.5 of, and the headings of Articles 2, 3 and 4 of Chapter 1 of Division 2.5 of, and to repeal Section 1711.5 of, and to add Sections 1725 and 1742 to, the Welfare and Institutions Code, relating to the Youth Authority and the care, custody and rehabilitation of youths, providing for the costs of such care, custody and rehabilitation, and making an appropriation.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendments:

Amendment No. 1

On page 2, lines 31 and 32, of the printed bill, strike out "pursuant to authorization of the Authority and any", and insert "except that the power of classification and segregation of persons committed to the Authority shall be and remain a power and duty of the Authority. Any".

Amendment No. 2

On page 2, line 34, of said bill, strike out "by the Auth-"; and strike out all of lines 35 to 38, inclusive, and insert "pursuant to authorization of the full-time member."

Amendment No. 3

On page 3 of said bill, strike out line 19, and insert "Sec. 11. There is".

Amendment No. 4

On page 3, line 25, of said bill, strike out the period, and insert "to be allocated on authorization of the Governor."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Request for Rush Order on Printing

Mr. Potter requested that a rush order be placed on the reprinting of Assembly Bill No. 2003.

Request granted.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1994

Assembly Bill No. 1994—An act to amend Sections 2005, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2222 and 2224 of the Welfare and Institutions Code, and to add Sections 2008.5, 2014, 2015, 2016, 2020 01, 2021 01, 2163 1, 2163.2, 2166, 2181.1, 2182 1, 2183.1, and 2187.01 thereto, relating to aid to the aged, to take effect immediately, and to become operative as therein provided.

Bill read third time.

Motion to Amend

Mr. Ralph C. Dills moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "2005," insert "2020, 2021,".

Amendment No. 2

In line 2 of the title of said bill, after "2183," insert "2187,".

Amendment No. 3

In line 4 of the title of said bill, strike out "2020 01, 2021.01,".

Amendment No. 4

In line 5 of the title of said bill, strike out "2183.1, and 2187.01", and insert "and 2183.1".

Amendment No. 5

On page 2 of said bill, strike out line 25, and insert "SEC. 6. Section 2020 of said code is amended to read:".

Amendment No. 6

On page 2, line 26, of said bill, strike out "2020 01.", and insert "2020."

Amendment No. 7

On page 2 of said bill, strike out lines 38 to 46, inclusive.

Amendment No. 8

On page 2 of said bill, strike out line 48, and insert "SEC 7. Section 2021 of said code is amended to read:".

Amendment No. 9

On page 2, line 49, of said bill, strike out "2021.01.", and insert "2121."

Amendment No. 10

On page 3, line 11, of said bill, strike out "2187.01", and insert "2187".

Amendment No. 11

On page 3 of said bill, strike out lines 12 to 20, inclusive.

Amendment No. 12

On page 10 of said bill, strike out line 12, and insert "SEC. 22. Section 2187 of said code is amended to read:".

Amendment No. 13

On page 10, line 13, of said bill, strike out "2187.01.", and insert "2187."

Amendment No. 14

On page 10, line 14, of said bill, strike out "2021.01", and insert "2021".

Amendment No. 15

On page 10 of said bill, strike out lines 27 to 35, inclusive.

Amendments read and refused adoption.

AYES—Anderson, Bennett, Berry, Brady, Brown, Collins, George D, Crichton, Crowley, Debs, Dills, Clayton A, Dills, Ralph C., Dunn, Evans, Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Massion, McCollister, McMillan, Middough, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, and Thomas—30.

NOES—Allen, Armstrong, Bashore, Beck, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Denny, Dickey, Dilworth, Erwin, Fourt, Gannon, Guthrie, Hastam, Hollibaugh, Johnson, Kellem, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Miller, Potter, Price, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—42.

Speaker Pro Tempore Presiding

At 3.40 p m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Motion to Amend

Mr. McMillan moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "Sections", insert "2003,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert
 "SECTION 1. Section 2003 of the Welfare and Institutions Code is amended to read:
 2003. This chapter shall be liberally construed. *In case of doubt the applicant shall be given the benefit of the doubt.*
 SEC. 15. Section 2005 of said".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Collins, George D. Crichton, Crowley, Debs, Denny, Dills, Clayton A. Dills, Ralph C. Dunn, Evans, Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Massion, McCollister, McMillan, O'Day, Pelletier, Robertson, Rosenthal, and Thomas—31.

NOES—Armstrong, Bashore, Call, Carey, Carlson, Clarke, Collins, Sam L. Dickey, Dilworth, Erwin, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B. Knight, T. Fenton; Leonard, Lyons, Maloney, Miller, Potter, Price, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—38.

Speaker Presiding

At 4.02 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, before "2163 1", insert "2162.5".

Amendment No. 2

On page 4 of said bill, between lines 36 and 37, insert
 "SEC. 8.1. Section 2162 5 is added to said code, to read.
 2162.5. If an applicant is unable to prove any fact necessary to establish his eligibility for aid by any other method, he may make a statement under oath of such fact before any judge of the superior court, and such statement shall constitute sufficient proof of the fact in the absence of any evidence to the contrary."

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burns, Collins, George D. Crichton, Debs, Denny, Dills, Clayton A. Dills, Ralph C. Dunn, Evans, Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, Massion, McCollister, McMillan, Middough, Pelletier, Robertson, Rosenthal, Sheridan, and Thomas—28.

NOES—Armstrong, Bashore, Call, Carey, Carlson, Clarke, Collins, Sam L. Dickey, Dilworth, Erwin, Field, Fourt, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Miller, O'Day, Potter, Price, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—41.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, strike out "and 2187 01", and insert "2187.01, and 2210".

Amendment No. 2

On page 10 of said bill, between lines 36 and 37, insert
 "SEC 22 3. Section 2210 is added to Article 6 of Chapter 1 of Division 3 of said code, to read:

2210. For the purposes of this chapter, absence from the State for a period not in excess of 60 days in any calendar year shall not be considered evidence of intent to establish residence elsewhere. Unless his intent to establish residence in another State is shown clearly by evidence other than the fact of absence from this State, any recipient of aid may absent himself from this State 60 days in any calendar

year, or such longer period as the county may permit in individual cases or the rules of the State Department of Social Welfare may permit, without thereby forfeiting or impairing his right to receive aid under this chapter."

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Collins, George D., Crichton, Debs, Denny, Dills, Ralph C., Dunn, Evans, Gaffney, Hawkins, Heisinger, Kilpatrick, Massion, McMillan, Pelletier, Robertson, and Rosenthal—22.

NOES—Armstrong, Bashore, Beck, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Dickey, Dilworth, Doyle, Erwin, Field, Fount, Gannon, Guthrie, Haggerty, Hastam, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, Miller, O'Day, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—50.

Motion to Amend

Mr. Field moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "2183," insert "2184."

Amendment No. 2

On page 10 of said bill, between lines 10 and 11, insert

"SEC. 2185. Section 2184 of said code is amended to read:

2184. The board may annually or oftener make such investigation as the board deems necessary to determine the recipient's eligibility to continue to receive aid under this chapter. The amount of aid may be changed or aid may be discontinued if the board finds that the recipient's circumstances have changed sufficiently to warrant it. *If a recipient is absent from the State for a period in excess of two consecutive calendar months, his aid shall be discontinued until his need is reestablished, after investigation, upon his return to this State.*"

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Armstrong, Bashore, Beck, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Desmond, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gannon, Haggerty, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Miller, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—Anderson, Bennett, Burkhalter, Collins, George D., Debs, Denny, Dills, Ralph C., Gaffney, Guthrie, Hawkins, Heisinger, Kilpatrick, Massion, McMillan, O'Day, Pelletier, and Rosenthal—17.

Motion to Amend

Mr. T. Fenton Knight moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 30, of the printed bill, as amended, strike out "fifty dollars (\$50)", and insert "forty-five dollars (\$45)".

Amendment No. 2

On page 2, lines 31 and 32, of said bill, strike out "fifty dollars (\$50)", and insert "forty-five dollars (\$45)".

Amendment No. 3

On page 2, line 33, of said bill, strike out "fifty dollars (\$50)", and insert "forty-five dollars (\$45)".

Amendment No. 4

On page 3, lines 1 and 2, of said bill, strike out "four hundred dollars (\$400)", and insert "three hundred sixty dollars (\$360)".

Amendment No. 5

On page 3, line 8, of said bill, strike out "six hundred dollars (\$600)", and insert "five hundred forty dollars (\$540)".

Amendments read.

Motion to Table Amendments

Mr. Evans moved that the amendments offered by Mr. T. Fenton Knight be laid on the table.

Mr. Debs seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Clarke, Collins, George D. Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C. Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Call, Carey, Carlson, Collins, Sam L. Denny, Dickey, Dilworth, Kellems, Knight, T. Fenton; Potter, Thorp, and Werdel—12.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

On page 5, line 18, of the printed bill, as amended, strike out "three thousand dollars (\$3,000)", and insert "three thousand five hundred dollars (\$3,500)".

Amendment No. 2

On page 5, lines 26 and 27, of said bill, strike out "three thousand dollars (\$3,000)", and insert "three thousand five hundred dollars (\$3,500)".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Collins, George D. Dills, Ralph C. Doyle, Dunn, Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, Maloney, Massion, McMillan, O'Day, Pelletier, Robertson, and Rosenthal—21.

NOES—Allen, Armstrong, Bashore, Beck, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Debs, Denny, Desmond, Dickey, Dilworth, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Middough, Miller, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg and Mr. Speaker—53.

Motion to Amend

Mr. Field moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended, after "compensation", insert "or other remuneration or a gift".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—Anderson, Collins, George D., Crowley, Kilpatrick, Massion, and McMillan—6.

Motion to Amend

Mr. Sam L. Collins moved, seconded by Mr. Potter, the adoption of the following amendments:

Amendment No. 1

On page 2, line 30, of the printed bill, as amended, strike out "fifty dollars (\$50)", and insert "forty dollars (\$40)".

Amendment No. 2

On page 2, lines 31 and 32, of said bill, strike out "fifty dollars (\$50)", and insert "forty dollars (\$40)".

Amendment No. 3

On page 2, line 33, of said bill, strike out "fifty dollars (\$50)", and insert "forty dollars (\$40)".

Amendment No. 4

On page 3, lines 1 and 2, of said bill, strike out "four hundred dollars (\$400)", and insert "three hundred dollars (\$300)".

Amendment No. 5

On page 3, line 8, of said bill, strike out "six hundred dollars (\$600)", and insert "four hundred eighty dollars (\$480)".

Motion to Table Amendments

Mr. Waters moved that the amendments offered by Messrs. Collins, Sam L., and Potter, be laid on the table.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—Collins, Sam L., Hastain, Kellems, Knight, T. Fenton; Potter, and Werdel—6.

Bill ordered reprinted and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Messrs. Dills, Ralph C., Robertson, and Werdel:

House Resolution No 205

Relating to the Committee on State-Federal cooperation in the discovery, production, transportation, refining, and use of petroleum oil and its products, created by House Resolution No. 56, and enlarged by House Resolution No. 74.

Resolved, That the additional sum of five thousand dollars (\$5,000), or so much thereof as may be necessary, be and is hereby made available from the Contingent Fund of the Assembly for expenses or claims that may be incurred by said committee in carrying out its duties, to be paid from the Contingent Fund of the Assembly and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

MOTION TO SET SPECIAL ORDER

Mr. Wollenberg moved that Assembly Bills Nos. 306, 2002, and 2003 be made a special order of business for today at 9.30 p m.

Substitute Motion

Mr. Bashore moved, as a substitute motion, that Assembly Bill No. 248 be included in the special order of business in consecutive order.

Motion carried.

The roll was called, and the motion to set Assembly Bills Nos. 306, 2002, and 2003 as a special order of business lost by the following vote:

AYES—Allen, Armstrong, Bashore, Burns, Call, Carlson, Clarke, Collins, Sam L. Denny, Dickey, Dilworth, Erwin, Fourt, Hastam, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lyons, Maloney, Miller, Potter, Price, Sargent, Sheridan, Smith, Stream, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—37.

NOES—Beck, Bennett, Berry, Brady, Brown, Burkhalter, Collins, George D. Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Masson, McMillan, Middough, O'Day, Pelletier, Robertson, Rosenthal, Sawallisch, and Thomas—29

RESOLUTIONS

The following resolution was offered:

By Mr. Maloney:

House Resolution No. 206

Relating to the birthday of T. Fenton Knight

WHEREAS, It has come to the attention of this Assembly that this twenty-third day of April is the birthday anniversary of Assemblyman T. Fenton Knight; and

WHEREAS, T. Fenton Knight has brought to the councils and deliberations of this body a rich store of knowledge and understanding gained from his wide acquaintance with the American scene and from his first-hand knowledge of economics and the problems confronting the California businessman, grower, and shipper; and

WHEREAS, The Members of this Assembly take pleasure in recording and honoring the birthday of their distinguished friend and colleague; now, therefore, be it

Resolved by the Assembly of the State of California. That the Members of this Assembly by this resolution congratulate T. Fenton Knight upon his long and successful career, and give him felicitations upon his birthday; and be it further

Resolved. That the Chief Clerk of the Assembly is requested to transmit to Assemblyman T. Fenton Knight a suitable copy of this resolution

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 206, at this time, without reference to committee.

Resolution read and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dilworth asked for, and was granted, unanimous consent to take up Assembly Bill No. 1653, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1653

Assembly Bill No. 1653—An act to add Section 1340.7 to the Fish and Game Code, relating to animals injuring property and the taking of such animals.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "animals injuring prop."; and strike out line 3 of said title and insert "the taking of bear."

Amendment No. 2

On page 1, line 9, of said bill, strike out "fence or other enclosure", and insert "a good and substantial fence, as such fence is described in Section 412 of the Agricultural Code,".

Amendment No. 3

On page 1, line 10, of said bill, strike out "the enclosure", and insert "such fence".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 1774, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1774

Assembly Bill No. 1774—An act to amend Sections 3, 4, 12, 15.1, 15.2, 15.3, 15.4, and 15.5 of an act entitled, "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, to amend and renumber Sections 8, 23, 24, 24 5, and 25 thereof to be Sections 24.4, 23.1, 24.1, 8, and 28 respectively, and to add Sections 2.1, 21.3, 21.6, 23.2, 23.3, 23.4, 23.5, 23.6, 23.7, 24.2, 24.3, 25.1, 25.2, 25.3, 25.4, 25.5, 25.6, 25.7, 25.8, 25.9, 26, 26.1, and 27 thereto, all relating to credit unions, specifying the powers and duties thereof, providing procedures for merger and for dissolution thereof, transferring the supervision thereof and the administration of the act from the Commissioner of Corporations to a new Credit Union Commission established hereby, providing for the appointment, establishment, powers and duties of said commission, and making an appropriation.

Bill read third time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendment:

Amendment No. 1

On page 9 of the printed bill, as amended on April 10, 1943, in lines 25 and 26, strike out "in the State Department of Investment".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

BILLS ORDERED TO TAKE REGULAR PLACES ON FILE

By order of the Speaker, the following bills were ordered to take their regular places upon the third reading file:

Assembly Bill No. 306.

Assembly Bill No. 2002.

Assembly Bill No. 2003.

REPORTS OF STANDING COMMITTEES

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

Assembly Bill No. 651

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GAFFNEY, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 17

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

Committee on Universities

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER. Your Committee on Universities, to which was referred.

Senate Bill No. 724

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

JOHNSON, Chairman

Above reported bill re-referred to Committee on Ways and Means

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 232

Assembly Bill No 871

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No 32

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 1939

Assembly Bill No. 479

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 30

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 84

Senate Bill No 903

Senate Bill No. 961

Senate Bill No 1004

Senate Bill No. 1098

Senate Bill No. 1102

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 84—An act to amend Sections 643 and 644 of the Agricultural Code, relating to sanitation of dairy farms and dairy products plants.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 903—An act to amend Section 108 of the Vehicle Code, relating to a Division of Drivers' Licenses.

Referred to Committee on Motor Vehicles.

Senate Bill No. 961—An act to add Chapter 7, comprising Section 4025, to Part 1 of Division 5 of the Health and Safety Code, relating to water.

Referred to Committee on Public Health.

Senate Bill No. 1004—An act to amend Section 164 of the Military and Veterans Code, relating to the salary of The Adjutant General.

Referred to Committee on Ways and Means.

Senate Bill No. 1098—An act to add Section 1195.5 to the Labor Code, relating to wages of women and minors.

Referred to Committee on Labor and Capital.

Senate Bill No. 1102—An act to provide for the control of certain property of the State in Napa County by the Fish and Game Commission.

Referred to Committee on Fish and Game.

RECESS

At 5 33 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Hon. Randal F. Dickey Presiding

At 8.05 p.m., Hon. Randal F. Dickey, Member of the Assembly from the Fourteenth District, presiding.

REQUEST FOR UNANIMOUS CONSENT

Mr. George D. Collins asked for, and was granted, unanimous consent to take up Assembly Bill No. 1525, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1525

Assembly Bill No. 1525—An act to add Section 6364 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "6364", and insert "6365".

Amendment No. 2

On page 1, line 1, of said bill, as amended, strike out "6364", and insert "6365".

Amendment No. 3

On page 1, line 3, of said bill, as amended, strike out "6364", and insert "6365".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 313—An act to add Section 7432, and Article 8.5, comprising Sections 7402 to 7409, inclusive, to Chapter 10 of Division 3 of the Business and Professions Code, relating to minimum price schedules for services licensed under the chapter on cosmetology.

Bill read third time.

Demand for Previous Question

Messrs. Doyle, Waters, Johnson, Pelletier, and Hastain demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 313.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bashore moved a call of the Assembly.

Motion carried. Time, 8.51 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT****CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 582—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in a primary election.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Brown, Burkhalter, Burns, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kraft, Leonard, Lowrey, Maloney, Middough, Miller, Niehouse, Potter, Price, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—48.

NOES—Anderson, Bennett, Berry, Collins, George D., Dunn, Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick Massion, McMillan, O'Day, Pelletier, Rosenthal, and Thomas—16.

Notice of Motion to Reconsider Assembly Bill No. 582

Mr. McMillan gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 582 was this day passed.

REQUEST TO PRINT LEGISLATIVE INTENT IN JOURNAL

Mr. Dilworth requested that a statement of legislative intent, relating to Assembly Bill No. 582, be printed in the Journal.

Request referred to the Committee on Rules and House Functions.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 908—An act to amend Sections 39, 382 and 623 of the Vehicle Code, and to add Sections 168 and 628 thereto, relating to vehicles and vehicular traffic.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Anderson, Armstrong, Clarke, Collins, George D., Debs, Dunn, Evans, and Kraft—8.

Bill ordered transmitted to the Senate

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Dilworth moved that the Rules be temporarily suspended for the purpose of reconsidering the vote whereby Assembly Bill No. 582 was this day passed, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Berry, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Gaffney, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Middough, Miller, Niehouse, Potter, Price, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Anderson, Bennett, Collins, George D., Crowley, Dunn, Haggerty, Hawkins, Heisinger, Massion, McMillan, O'Day, and Pelletier—12.

Reconsideration of Assembly Bill No. 582

In compliance with a notice given previously, Mr. McMillan moved that the vote whereby Assembly Bill No. 582 was passed be reconsidered.

Assembly Bill No. 582 refused reconsideration by the following vote:

AYES—Anderson, Bennett, Berry, Collins, George D., Dunn, Gaffney, Haggerty, Hawkins, Massion, McMillan, Middough, O'Day, Pelletier, Robertson, Rosenthal, and Thomas—16.

NOES—Allen, Armstrong, Beck, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Evans, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, King, Knight, T. Fenton, Kraft, Leonard, Lowrey, Maloney, Miller, Niehouse, Potter, Sargent, Sawalisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—45.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1659—An act to amend Section 21224 of the Business and Professions Code, relating to licensing of sellers of prophylactics.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 498 was taken up.

Assembly Bill No. 498—An act limiting the amount of taxes that may be imposed for county or city and county purposes upon real and personal property according to the valuation thereof, providing for the determination of the revenue deficiency resulting from the limitation hereby prescribed, and for the apportionment to each county and city and county of an amount equal to that deficiency, and providing that this act shall take effect immediately.

Bill read third time.

Motion to Re-refer

Mr. Lyon moved that Assembly Bill No. 498 be re-referred to the Committee on Ways and Means.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 313

At 9.27 p. m., on motion of Mr. Bashore, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 313 passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, King, Leonard, Lyons, Maloney, Massion, McMillan, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Thomas, Thorp, Thurman, Waters, Weber, and Wollenberg—44.

NOES—Allen, Armstrong, Beck, Brown, Collins, Sam L., Denny, Dickey, Dilworth, Erwin, Gannon, Hastain, Heisinger, Johnson, Kraft, Lowrey, Middough, Miller, Niehouse, Potter, Smith, Stream, Thompson, Watson, Werdel, and Weybret—25.

Notice of Motion to Reconsider Assembly Bill No. 313

Mr. Evans gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 313 was this day passed.

Notice of Motion to Reconsider Assembly Bill No. 313

Mr. Bashore gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 313 was this day passed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1112—An act to amend Section 385 of the Political Code, relating to the appointment of secretaries, assistants and employees of the Governor, and to repeal Section 386 of the Political Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McMillan, Miller, Niehouse, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thompson, Thurman, Waters, Weber, Weidel, Weybret, and Wollenberg—52

NOES—Anderson, Brown, Clarke, Collins, George D., Dills, Clayton A., Evans, Heisinger, Johnson, Lowrey, Massion, Middough, O'Day, Pelletier, Sheridan, Thomas, Thorp, and Watson—17.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1918—An act to add Section 53.5 to the Code of Civil Procedure, relating to review of causes by the Supreme Court.

Bill read third time.

Demand for Previous Question

Messrs. Evans, Doyle, Thurman, King, and Rosenthal demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1918.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—65.

NOES—Collins, Sam L., Sargent, and Werdel—3.

Notice of Motion to Reconsider Assembly Bill No. 1918

Mr. Werdel gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1918 was this day passed.

Motion to Temporarily Suspend the Rules

Mr. Johnson moved that the Rules be temporarily suspended for the purpose of reconsidering the vote whereby Assembly Bill No. 1918 was passed, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—63.

NOES—None.

Reconsideration of Assembly Bill No. 1918

In compliance with a notice given previously, Mr. Werdel moved that the vote whereby Assembly Bill No. 1918 was passed be reconsidered.

Assembly Bill No. 1918 refused reconsideration by the following vote:

AYES—Sargent and Werdel—2.

NOES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—59.

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Constitutional Amendment No. 9 was taken up.

Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XX thereof a new section, to be numbered 18½, relating to equal rights for men and women.

Resolution read.

Motion to Amend

Mr. Maloney moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed measure, strike out "and the", and insert "except that nothing in this section shall affect any laws heretofore or hereafter enacted providing any special protection or privilege for women in furtherance of the public health, and safety. The".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—58.

NOES—Bashore, Collins, Sam L., Hastain, Johnson, and Watson—5.

Request for Unanimous Consent

Mr. Robertson asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 9, as amended, at this time, without reference to reprint.

Consideration of Assembly Constitutional Amendment No. 9, as Amended

Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XX thereof a new section, to be numbered 18½, relating to equal rights for men and women.

Resolution read.

Demand for Previous Question

Messrs. Thurman, Waters, Robertson, Evans, and Debs demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 9.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Allen, Anderson, Burkhalter, Clarke, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Field, King, Leonard, Lowrey, Massion, McMillan, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thurman, and Mr. Speaker—26.

NOES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Desmond, Dickey, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Lyons, Maloney, Miller, O'Day, Potter, Sheridan, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—42.

Notice of Motion to Reconsider Assembly Constitutional Amendment No. 9

Mr. Thomas gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 9 was this day refused adoption.

Motion to Temporarily Suspend the Rules

Mr. Maloney moved that the Rules be temporarily suspended for the purpose of reconsidering the vote whereby Assembly Constitutional Amendment No. 9 was refused adoption, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Miller, O'Day, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—54.

NOES—Allen, Anderson, Burkhalter, Debs, Dills, Clayton A., Dills, Ralph C., Field, Leonard, Lowrey, Massion, McMillan, Middough, Niehouse, Pelletier, Robertson, Thomas, Thurman, and Mr. Speaker—18.

Reconsideration of Assembly Constitutional Amendment No. 9

In compliance with a notice given previously, Mr. Thomas moved that the vote whereby Assembly Constitutional Amendment No. 9 was refused adoption be reconsidered.

Assembly Constitutional Amendment No. 9 refused reconsideration by the following vote:

AYES—Allen, Anderson, Armstrong, Brady, Burkhalter, Clarke, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Field, King, Leonard, Lowrey, Massion, McMillan, Middough, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thurman, and Mr. Speaker—30.

NOES—Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Desmond, Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Lyons, Maloney, Miller, O'Day, Potter, Sheridan, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—40.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 729—An act to amend the County Water District Act approved June 10, 1913, as amended, by amending Sections 3, 4, 5, 6, 8 and 14, relating to county water districts; and by adding new Sections 12.16, relating to payment of expenses of organization of districts; 14.5, relating to liability of district directors, officers, agents and employees; 14.6, relating to claims against districts, their directors, officers, agents and employees and actions thereon; 14.7, relating to liability of districts, their directors, officers, agents and employees; 14.8, relating to judgment against district directors, officers, agents and employees; and 22d, relating to the use of various improvements acts in district improvements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 10.55 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Assembly Bill No. 434—An act to amend Sections 61, 132 and 133 of the Civil Code, relating to marriages and divorces.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Beck, Bennett, Brown, Burkhalter, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Gannon, Guthrie, Johnson, King, Lowrey, McMillan, Middough, Miller, Rosenthal, Sargent, Smith, and Thompson—25.

NOES—Anderson, Armstrong, Bashore, Berry, Brady, Burns, Carey, Clarke, Collins, George D., Denny, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, O'Day, Pelletier, Potter, Price, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—43.

Notice of Motion to Reconsider Assembly Bill No. 434

Mr. Debs gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 434 was this day refused passage.

REQUEST FOR UNANIMOUS CONSENT

Mr. Gaffney asked for, and was granted, unanimous consent to take up Assembly Bill No. 561, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 561

Assembly Bill No. 561—An act to add Sections 13841.1 to the Education Code, relating to leaves of absence for persons employed by school districts in positions requiring certification qualifications.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, strike out lines 34 to 49, inclusive, and insert "Nothing in this section contained shall apply to any employee of any school district controlled by a governing board which has under its control a district or districts having a combined average daily attendance of 90,000 or more, and which had on April 1, 1943, a rule providing for the payment of sick leave salary to its certificated employees, so long as such district maintains such rule, or a rule as favorable to its certificated employees, in effect."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT

Mr. Gaffney asked for, and was granted, unanimous consent to take up Assembly Bill No. 1444, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1444

Assembly Bill No. 1444—An act to amend Section 10301 of the Education Code, relating to the course of study for elementary schools.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended, strike out "Sec.", and insert "Section".

Amendment No. 2

On page 2 of said bill, strike out lines 38 to 42, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT

Mr. Wollenberg asked for, and was granted, unanimous consent to take up Assembly Bill No. 776, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 776

Assembly Bill No. 776—An act to amend Sections 607 and 607f of the Civil Code, relating to the formation of corporations for the prevention of cruelty to animals and children and to the appointment of humane officers by the corporations.

Bill read third time.

Motion to Amend

Mr. Wollenberg moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, strike out "Director of Penology", and insert "Chief of the Division of Criminal Identification and Investigation".

Amendment No. 2

On page 1, line 17, of said bill, after "faith", insert a comma.

Amendment No. 3

On page 1, line 19, of said bill, strike out "Director of Penology", and insert "Chief of the Division of Criminal Identification and Investigation".

Amendment No. 4

On page 1, line 22, of said bill, strike out "Director of Penology", and insert "Chief of the Division of Criminal Identification and Investigation".

Amendment No. 5

On page 2, line 2, of said bill, after "members", insert a comma.

Amendment No. 6

On page 2, line 3, of said bill, after "California", insert a comma

Amendment No. 7

On page 2, line 3, of said bill, strike out "Provided, however,"; and strike out lines 4, 10, and 11; and in line 12, strike out "police."

Amendment No. 8

On page 2, lines 23 and 24, of said bill, strike out "and bearing the endorsement of the", and insert "together with the fingerprints of said appointee taken on standard 8 x 8-inch cards".

Amendment No. 9

On page 2, line 26, of said bill, strike out "Director of Penology".

Amendment No. 10

On page 2, line 27, of said bill, strike out "The", and insert "The judge shall send the certified copy of the resolution, together with the fingerprints of the appointee, to the Chief of the Division of Criminal Identification and Investigation, who shall thereupon submit to the judge, in writing, a report of the record in his possession, if any, of the appointee. If the Chief of the Division of Criminal Identification and Investigation has no record of the appointee, he shall so report to the judge in writing. But in all cases, the Chief of the Division of Criminal Identification and Investigation shall retain the fingerprints submitted by the appointee as a part of his records, and he shall return to the judge the certified copy of the resolution at the time he submits his report on the appointee.

Upon receipt of the report and the certified copy of the resolution from the Chief of the Division of Criminal Identification and Investigation the".

Amendment No. 11

On page 2, line 27, of said bill, strike out "such", and insert "the"

Amendment No. 12

On page 2, line 28, of said bill, strike out "such", and insert "a humane".

Amendment No. 13

On page 2, lines 30 and 31, of said bill, strike out "and within said period of 10 days".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1142
FROM COMMITTEE**

Mr. King gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 1142 from the Committee on Ways and Means, and have it placed upon the file.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 313 WAIVED

Mr. Evans waived his notice of motion to reconsider the vote whereby Assembly Bill No. 313 was passed.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 313 WAIVED

Mr. Bashore waived his notice of motion to reconsider the vote whereby Assembly Bill No. 313 was passed.

Assembly Bill No. 313 ordered transmitted to the Senate.

RE-REFERENCE OF ASSEMBLY BILL NO. 1748

Mr. Waters moved that Assembly Bill No. 1748 be withdrawn from the third reading file, and re-referred to the Committee on Conservation, Natural Resources, and Planning.

Motion carried.

MOTION TO HAVE BILLS RETAIN PLACE ON FILE

Mr. Leonard moved that Assembly Bills Nos. 1102 and 1103, which were passed on file temporarily, retain their place on the third reading file on the next legislative day.

Motion carried.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. O'Day moved that the Rules be temporarily suspended for the purpose of reconsidering the vote whereby Assembly Bill No. 434 was this day refused passage, at this time.

Mr. Heisinger seconded the motion.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Anderson, Bashore, Berry, Brady, Burns, Clarke, Collins, George D., Doyle, Erwin, Field, Gaffney, Haggerty, Heisinger, Leonard, Lyons, Maloney, McDough, O'Day, Price, Sawallisch, Sheridan, Thurman, Waters, Weber, and Wollenberg—25.

NOES—Allen, Armstrong, Beck, Bennett, Brown, Burkhalter, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Gannon, Guthrie, Hawkins, Hollibaugh, Johnson, King, Kraft, Lowrey, Masson, McMillan, Miller, Pelletier, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Werdel, Weybret, and Mr. Speaker—39.

WITHDRAWAL OF ASSEMBLY BILL NO. 648 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Sawallisch asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 648 from the Committee on Public Morals, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 648

Assembly Bill No. 648—An act to amend Section 55 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Bill read second time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 55 of", and insert "add Section 53.65 to".

Amendment No. 2

Strike out line 2 of the title of said bill, and insert "Act, relating to bottles."

Amendment No. 3

On page 1 of said bill, strike out from and including line 1, to and including line 26 on page 2, and insert

"SECTION 1. Section 53 65 is added to the Alcoholic Beverage Control Act, to read:

Sec. 53.65. Empty single trip beer bottles shall not be returned to a manufacturer or wholesaler or offered for return to a manufacturer or wholesaler by or for any licensee either alone or mixed with returnable beer bottles.

As used in this section "single trip beer bottles" shall mean any bottle as described in Exhibit B-12 and B-13 of Schedule B to Limitation Order L-103 of the War Production Board as such order was amended January 4, 1943, and as set forth in Volume 8 Number 2 pages 117 to 119 inclusive of the Federal Register, and shall also mean any bottle of a different shape than those designated as stubby, stemie, export or select, or if of such stubby, stemie, export or select shape having a pressure resistance or weight of glass less than that of the corresponding shape and capacity size bottle used principally and generally to bottle or contain beer in the malt beverage industry in California on January 4, 1943. Ale bottles as described in Exhibits B-10-A and B-11 of said Schedule B of said Order L-103 or as generally in use to bottle ale in the malt beverage industry in California on January 4, 1943 shall not be held to be "single trip beer bottles."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**WITHDRAWAL OF ASSEMBLY BILL NO. 226 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Sawallisch asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 226 from the Committee on Public Morals, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 226

Assembly Bill No. 226—An act to add Section 18.5 to the Alcoholic Beverage Control Act, relating to the suspension and transfer of licenses.

Bill read second time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "18.5", and insert "53.55".

Amendment No. 2

Strike out line 2 of the title of said bill, and insert "Act, relating to containers and cartons".

Amendment No. 3

On page 1, line 1, of said bill, strike out "18.5", and insert "53.55".

Amendment No. 4

On page 1 of said bill, strike out all of lines 3 to 22, inclusive, and insert "Sec. 53.55. The provisions of Section 53.5 with respect to corrugated paper cartons commonly known as single trip cartons and used as a package for beer shall not apply during the continuation of hostilities in all wars in which the United States is now engaged, unless during such continuance the manufacturers representing the major part of the production of beer in California during the calendar year next preceding the filing of the petition mentioned herein shall file with the board a petition stating a sufficient supply of such corrugated paper cartons is available to the California brewing industry to permit compliance with said Section 53.5 in connection with such containers or cartons and said board shall upon hearing find the facts of such petition to be true. The board shall record in its records the date of receipt of any such petition and its decision and conclusion on such petition. Manufacturers' names or brand names or print or markings first placed on returnable beer containers or cartons made of wood or fiber board shall not be obliterated, mutilated or marked out without the written consent of the manufacturer whose

name or brand or print or markings is to be obliterated, mutilated or marked out, provided that this sentence shall not apply to wood or fibre board containers or cartons of a beer manufacturer who has discontinued business and production and is no longer a licensed beer manufacturer."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Concurrent Resolution No. 61: By Messrs. Lowrey, Carlson, Crowley, Denny, Johnson, Desmond, Evans, and Field—Relative to the death of W. O. Russell.

Request for Unanimous Consent

Mr. Crowley asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 61, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 61

Assembly Concurrent Resolution No. 61—Relative to the death of W. O. Russell.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, George D. Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Concurrent Resolution No. 62: By Mr. Thurman—Relative to requesting the University of California to establish and equip a Forest Products Laboratory.

Request for Unanimous Consent

Mr. Thurman asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 62, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 62

Assembly Concurrent Resolution No. 62—Relative to requesting the University of California to establish and equip a Forest Products Laboratory.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollbaugh, Johnson, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Johnson, Carlson, Carey, Dickey, Sheridan, and Dunn:

House Resolution No. 207

Relating to Dr. Frank R. Makinson

WHEREAS, Dr. Frank R. Makinson of Oakland came to his death on April 17, 1943; and

WHEREAS, Following his graduation from the Oakland College of Medicine and Surgery, Dr. Makinson devoted himself to the practice of medicine in Oakland for 30 years, was honored as a Fellow of the American Medical Association and of the American College of Surgeons, became President of the Alameda County Medical Association, and at the time of his death was a member of the Council of California Medical Association, representing Alameda County; and

WHEREAS, Dr. Makinson is survived by his widow, Alice Makinson, by a daughter, and by a son who is just finishing medical school; and

WHEREAS, It is the wish of the members of this Assembly by this resolution to give recognition to the distinguished service of Dr. Makinson to his community and to his profession, and to express their sympathy to Dr. Makinson's widow and two children; now, therefore, be it

Resolved by the Assembly of the State of California, That when this Assembly today adjourns it do so out of respect to the memory of Dr. Frank R. Makinson; and be it further

Resolved, That the Chief Clerk of the Assembly is requested to transmit suitably engrossed copies of this resolution to the family of Dr. Frank R. Makinson.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No. 207, at this time, without reference to committee.

Resolution read and adopted by a rising vote of the Assembly.

By Messrs. Thompson and Denny:

House Resolution No. 208

WHEREAS, Wartime shortages have curtailed the protection of headgear so that many cowboys in California and other western States are compelled to go without hats, exposing their craniums to the blistering western sun; and

WHEREAS, Such exposure will inevitably result in detriment to the health and danger to the life of these cowboys, thus rendering them unable to care properly for the cattle upon which the meat supply of this Nation at war depends; and

WHEREAS, Several Members of the Senate of the Legislature of California have been observed wearing fine new 5-gallon felt hats which could be doing greater service to the Nation protecting the skulls of hard-working cowboys; now, therefore, be it

Resolved, That an investigating committee of seven Members of this Assembly be appointed by the Speaker to discover the source of the 5-gallon hats being worn by the Senators and submit recommendations on means by which these or similar hats can be made available for the patriotic purpose of protecting the guardians of the Nation's beef, the bona fide cowboys of California and the West.

Request for Unanimous Consent

Mr. Thompson asked for, and was granted, unanimous consent to take up House Resolution No. 208, at this time, without reference to committee.

Resolution read and adopted.

Appointment of Special Committee

Pursuant to the provisions of House Resolution No. 208, the Speaker announced the appointment of Messrs. Crichton, Denny, Hawkins, Thurman, Hollibaugh, Thompson, and King, as such Special Committee.

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 366

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1045

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 873

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1776

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Sargent, the Speaker, and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Bill Lewis, Phil Uhlinger, Joe Simonhoff and Paul Uhlinger, Westmont College trumpeters of Los Angeles.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant John H. Spain of the United States Army.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Phillip Rapalle, F. L. Rozier, and J. A. Maddock of the United States Navy.

On request of Mr. Debs, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ruth H. Burrell of Los Angeles.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private First Class Warren Oxendine, United States Army.

On request of Messrs. Dills, Ralph C., Dills, Clayton A., and Debs, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Claude Roberts of Palm Springs.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Robert Emmett Hunter of Long Beach, A. Dean Snodderly of Sacramento and Miss Gladys Brockman of Modesto.

On request of Mr. Gaffney and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. A. E. Campbell, Miss Ethel Davis, Messrs. Martin R. Lehberger, Paul Silvey, and T. F. O'Neill of San Francisco.

On request of Mr. Thomas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Harold Shapiro and son, Michael, of Long Beach.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Helen A. Dickey, and Marilyn and George Dickey of Alameda.

On request of Messrs. Dickey and Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Audrey Noall of Santa Rosa, Joan Fullington of Berkeley, and Margaret Applegate of Sacramento.

On request of Mr. Robertson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Percy Heckendorf and Herbert Weyler of Santa Barbara.

On request of Mr. Ralph C. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Margaret Corse of Fresno.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Corporal James McNally, Air Corps, and Miss Hammond of Chico.

On request of Mr. Thurman and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Jacob Leonard of Hollister.

On request of Mr. Evans and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Fred Howser of Los Angeles.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Marian Olsen and Maxine Brown of Sacramento.

ADJOURNMENT

At 11.43 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 9.30 a.m., Saturday, April 24, 1943, out of respect to the memory of the late W. O. Russell, and the late Dr. Frank R. Makinson.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNALSIXTY-SECOND LEGISLATIVE DAY
ONE HUNDRED ELEVENTH CALENDAR DAY**IN ASSEMBLY**ASSEMBLY CHAMBER, SACRAMENTO
Saturday, April 24, 1943

The Assembly met at 9.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, Sam L. Crichton, Desmond, Dills, Clayton A., Dilworth, Doyle, Fourt, Gaffney, Haggerty, Heisinger, Hollibaugh, Johnson, King, Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weidel, Weybret, Wollenberg, and Mr. Speaker—49.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Almighty Father, we thank Thee this day for the gospel of hope which has turned our mourning into joy and given us the garments of praise for the spirit of heaviness. Enable us to so look upon the cross that we may set our affection upon things eternal and share in the power of His resurrection.

"Lord crucified, O mark Thy holy cross
On motive, preference, all fond desires
On that which self in any form inspires
Set Thou that sign of loss."

For Christ's dear sake. AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Lowrey.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 154

Assembly Bill No. 583

Assembly Bill No. 378

Assembly Bill No. 836

Assembly Bill No. 475

Assembly Bill No. 1205

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1345

Assembly Bill No. 2004

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 157

Assembly Bill No. 1346

Assembly Bill No. 193

Assembly Bill No. 1348

Assembly Bill No. 268

Assembly Bill No. 1386

Assembly Bill No. 301

Assembly Bill No. 1485

Assembly Bill No. 302

Assembly Bill No. 1516

Assembly Bill No. 427

Assembly Bill No. 1581

Assembly Bill No. 628

Assembly Bill No. 1582

Assembly Bill No. 754

Assembly Bill No. 1626

Assembly Bill No. 990

Assembly Bill No. 1628

Assembly Bill No. 1242

Assembly Bill No. 1802

Assembly Bill No. 1306

Assembly Bill No. 1897

Assembly Bill No. 1334

Assembly Bill No. 1960

Assembly Bill No. 1343

Assembly Bill No. 1991

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1994

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 684—An act to amend Section 6015 of the Revenue and Taxation Code, relating to the taxation of the privilege of selling and storing, using, or otherwise consuming tangible personal property, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading

Assembly Bill No. 798—An act to add Section 6009.1 to the Revenue and Taxation Code, relating to the definition of "storage" and "use" in the Sales and Use Tax Law, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 894—An act to amend Sections 9605, 9779, 9877.5, 10251, 10255 and 10454 of, and to add Sections 9654, 9914 and 10251.5 to, and to repeal Section 9901.5 of Part 4, Division 2 of the Revenue and Taxation Code, relating to the taxation of the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1847—An act to repeal and add Section 4101.5 of the Revenue and Taxation Code, relating to property taxation, and the redemption of property, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1959—An act to add Sections 134, 1651, 2902, 2909.1 and 2910.1 to, and to amend Sections 2901, 2903, 2904, 2905, 2906, 2908 and 2914 of the Revenue and Taxation Code, relating to the assessment and collection of taxes which are not a lien on real property sufficient to secure payment of such taxes.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1439—An act to amend Section 664a of the Political Code, relating to the payment of State officers and employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 363—An act to amend Section 5.409a of the School Code and to amend Section 13011 of the Education Code, relating to the absence of exchange teachers from duty because of illness, injury or quarantine.

Bill read second time, and ordered engrossed.

Assembly Bill No. 586—An act to amend Section 3.760 of the School Code and to amend Section 10301 of the Education Code, relating to courses of study in elementary schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1062—An act to amend Section 5.1112 of the School Code and to add Section 14702 to the Education Code, relating to members of district retirement systems, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1500—An act to repeal Chapters 2 and 3 and Articles 2 and 3 of Chapter 5 of, to add Chapter 2 to, Part 2 of Division 5, and to amend Sections 5.263, 5.420, and 5.540, all of the School Code and to repeal Chapters 2 and 3 of, to add Chapter 2 to Division 7, and to amend Sections 12604, 13031, and 13226, all of the Education Code, relating to the authorization of persons to serve in the public schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1907—An act to add Section 5.798-1 to the School Code and to add Section 14122.5 to the Education Code, relating to

eligible lists and temporary appointments, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 409—An act to add Section 1182.5 to the Labor Code, relating to wages for women.

Bill read second time, and ordered engrossed.

Assembly Bill No. 86—An act to amend the headings of Division 4, of Chapters 1 and 2 of Division 4, and of Article 4 of Chapter 2 of Division 4 of, and to amend Sections 2500, 2502, 2503, 2504, 2505, 2601, 2602, 2603 and 2606 of the Welfare and Institutions Code, relating to aid to needy persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 370—An act to add Section 2181.5 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time, and ordered engrossed.

Assembly Bill No. 941—An act to amend Section 117p of the Code of Civil Procedure, relating to fees charged by public officers in connection with small claims actions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 942—An act to amend Section 1463 of the Penal Code, relating to the disposition of fines and forfeitures in municipal courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 259—An act to add Section 709.5 to the Code of Civil Procedure, relating to contributions by joint defendants in actions for personal injury or property damage.

Bill read second time, and ordered engrossed.

Assembly Bill No. 263—An act to amend Section 42360 of the Political Code, relating to the compensation of jurors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1993—An act to amend Section 338 of the Code of Civil Procedure, relating to limitation of actions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 719—An act to amend Section 254 of the Probate Code, relating to succession by kindred of the half blood.

Bill read second time, and ordered engrossed.

Assembly Bill No. 720—An act to add Sections 741.1, 741.3, 741.5, 741.7, 741.8 and 741.9 to the Code of Civil Procedure, all relating to compensation for taxes paid and improvements made by occupying claimants of real property.

Bill read second time, and ordered to third reading.

Assembly Bill No. 308—An act to amend Section 868.10 of, and to add Section 871 to, the Welfare and Institutions Code, relating to wards of the juvenile court.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1729—An act to add Section 367f to the Penal Code, relating to intoxication.

Bill read second time, and ordered to third reading.

Assembly Bill No. 339—An act to amend Section 337 of the Code of Civil Procedure, relating to the time within which an action must be commenced.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1093—An act to amend Sections 18108 and 18201 of the Health and Safety Code, relating to auto courts and resorts and auto and trailer camps, to nuisances therein and to the abatement, prevention and punishment of such nuisances.

Bill read second time, and ordered to third reading.

Assembly Bill No. 783—An act to add Section 9112.5 to the Public Resources Code, relating to soil conservation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1699—An act to amend Section 152.5 of the State Civil Service Act, relating to leaves of absence to employees who enter war industries.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1, line 11, of the printed bill, after "work", insert "at which he has had previous practical experience".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1970—An act to add Section 86.3 to, and to amend Section 173 of, the State Civil Service Act, relating to time limit for protesting examinations and holding hearings.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "30", and insert "60".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 372—An act to add Section 2222 5 to the Welfare and Institutions Code, relating to aid to the aged, and imposing limitations upon the cancellation, suspension, or revocation of aid granted.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 to 18, inclusive, and insert "filed with the board of supervisors."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 526—An act to amend Section 189 of the Code of Civil Procedure, relating to the destruction of records, files and exhibits in justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended in the Assembly on March 26, 1943, strike out "All records, papers, and exhibits, except as hereinafter provided, in any civil or" and substitute in lieu thereof: "Except as hereinafter provided, all records, papers, and exhibits in any civil case and all records and papers in any".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1340—An act to add Section 7501.5 to the Welfare and Institutions Code, relating to mentally ill persons and persons alleged to be mentally ill.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 3; and in line 4, strike out "Code shall be provided in", and insert "7501.5. In".

Amendment No. 2

On page 1, line 6, of said bill, strike out "ward of every".

Amendment No. 3

On page 1, line 7, of said bill, strike out "ward of every".

Amendment No. 4

On page 1 of said bill, strike out lines 8 and 9, and insert "tution, the persons confined therein shall be permitted access".

Amendment No. 5

On page 1, line 10, of said bill, strike out "use of the", and insert "examination or inspection of".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1783—An act to amend Sections 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1668, and 1669 of the Probate Code, to repeal Sections 1664 and 1665 thereof, and to add Sections 1650.5, 1651.5, 1661.5, 1662.5, and 1665

thereto, relating to the guardianship of incompetent veterans and other incompetent and minor beneficiaries of the Veterans Administration, providing for commitment to the Veterans Administration or other agency of the United States of persons eligible for care or treatment, and to make uniform the law with reference thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 1650, 1651, 1652, 1653, 1654, 1655,"; strike out all of lines 2 to 5 of the title of said bill, and insert "Section 1663 of the Probate Code, relating to incom-".

Amendment No. 2

In line 7 of the title of said bill, before "providing", insert "and".

Amendment No. 3

In line 8 of the title of said bill, strike out "mitment", and insert "mitments and transfers".

Amendment No. 4

Strike out line 10 of the title of said bill, and insert "ment thereby."

Amendment No. 5

On page 1 of said bill, strike out lines 1 to 19, inclusive; strike out pages 2 to 7, inclusive; and on page 8, strike out lines 1 to 28, inclusive.

Amendment No. 6

On page 8 of said bill, strike out line 30, and insert "SECTION 1. Section 1663 of the Probate Code is amended to read:".

Amendment No. 7

On page 9 of said bill, strike out lines 30 to 49, inclusive.

Amendment No. 8

On page 10, line 1, of said bill, strike out "(c)", and insert "(b)".

Amendment No. 9

On page 10 of said bill, strike out lines 24 to 50, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1411—An act to provide for the establishment of master and official plans in cities, cities and counties, and counties and for the adoption of ordinances pursuant thereto; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and the composition and effects thereof; providing for the appointment of planning commissions by cities, cities and counties, and counties, and for the creation of regional planning districts and the establishment of regional planning commissions and the State Conservation and Planning Board; providing the powers and duties of such commissions and the State Conservation and Planning Board; providing for the levy of a special tax for the support of a planning commission and making certain expenditures legal charges against the funds of cities, cities and counties, and counties; making certain acts misdemeanors; and repealing Chapter 331, Statutes of 1935, and the Planning Act, relating to planning commissions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "State Conservation and Planning Board", and insert "Local Planning Commissions".

Amendment No. 2

On page 2 of said bill, between lines 28 and 29, insert "Sec. 22. Any appointee member of a planning commission may be removed by the appointing official, at his pleasure, but each removal in the case of the planning commission of a city or a county shall be subject to approval of the legislative body. All members of the commission shall serve as such without compensation, except reasonable traveling expenses to and from their usual place of business to the place of meeting of the commission.

It shall be the duty of members of the commission, including ex officio members and members of its staff, to inform themselves on matters affecting the functions and duties of the commission, and, to that end, when authorized by the commission, they may attend planning conferences, or meetings of planning executives, hearings on planning legislation or matters affecting the master plan or any part thereof, and the reasonable traveling expenses incidental to such attendance shall be charged upon the funds allocated to such commission."

Amendment No. 3

On page 2 of said bill, between lines 41 and 42, insert "Article 2. The State Conservation and Planning Board".

Amendment No. 3a

On page 2, line 43, of said bill, after "Board", insert "consisting of five members,".

Amendment No. 4

On page 3, line 21, of said bill, strike out "and the", and insert ", the Legislature and the".

Amendment No. 5

On page 3 of said bill, between lines 45 and 46, insert "The State Conservation and Planning Board may adopt by a majority vote of the members, reports, findings and recommendations which may be submitted to the Legislature, the proper legislative authorities or other agencies for approval and adoption."

Amendment No. 6

On page 4 of said bill, between lines 26 and 27, insert "Article 3. State Coordinated Regional Planning".

Amendment No. 7

On page 5, line 19, of said bill, after "commissions", insert "and they may be removed by the Governor with the approval of the nominating legislative body".

Amendment No. 8

On page 5 of said bill, strike out all of lines 45 to 52, inclusive; and on page 6, strike out all of lines 1 to 9, inclusive.

Amendment No. 9

On page 6, line 11, of said bill, strike out "2", and insert "4".

Amendment No. 10

On page 8 of said bill, between lines 9 and 10, insert "Article 5. Planning Commissions".

Amendment No. 11

On page 11 of said bill, strike out line 1, and insert "Article 6. The Legislative Body and Planning Procedure".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1974—An act to create a flood control and water conservation and development district, to be called "Ventura County Conservation District"; to provide for the control, conservation and

storage of flood and storm waters, the purchase and importation of water, and for the protection of water courses, watersheds, public highways, life and property in said district from damage or destruction from such water; to provide for the use, sale, leasing and distribution of such waters for irrigation, fire protection and domestic purposes; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood, and other waters and to save and conserve all or any of such water for beneficial use in said district; to provide for development of oil and hydrocarbon products and to make leases concerning the same; to authorize the incurring of indebtedness and the voting, issuing, and selling of bonds and the levying and collecting of taxes and assessments by said district; and providing certain limitations on taxes, assessments, bonded indebtedness and expenditures with respect to said district; to provide for State approval of such bonds and exempting such bonds from taxation, and to define the powers of said district, including the right of the district to sue and to be sued in all matters pertaining to the powers and duties of said district and any part thereof and the officers thereof, including the right to sue and defend in eminent domain; to provide for the government, management, and control of said district; to provide for the construction of works and the acquisition of property by the district to carry out the purposes of this act; to declare that this is not a case where a general law can be made applicable.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 9 of the printed bill, as amended, strike out all of lines 28, 29, 30, 31, and 32, and insert "the board."

Amendment No. 2

On page 10 of said bill, strike out all of line 46, and insert "Sec. 6. Should the board of supervisors determine that it will be necessary to issue bonds to finance said proposed project, said board shall then submit a copy".

Amendment No. 3

On page 11, line 44, of said bill, after "feasible", insert "and that it will be necessary to issue bonds to finance said project".

Amendment No. 4

On page 17, line 35, of said bill, strike out "of the county".

Amendment No. 5

On page 22 of said bill, following line 16, insert "Sec. 34. The district formed under this act in order to determine the legality of its existence, may institute a proceeding therefor in the superior court of this State, in and for the County of Ventura, by filing with the clerk of said county a complaint setting forth the name of the district, its exterior boundaries, the date of its organization and a prayer that it be adjudged a legal flood control and water conservation and development district formed under the provisions of this act. The summons in such proceeding shall be served by publishing a copy thereof once a week for four weeks in some newspaper of general circulation published in said county. Within 30 days after the last publication of said summons shall have been completed and proof thereof filed in said proceeding, any property owner or resident of said district, or any

person interested may appear and answer said complaint, in which case said answer shall set forth the facts relied upon to show the invalidity of the district and shall be filed in such proceeding. If an answer be filed, the court shall proceed as in other civil cases. Such proceeding is hereby declared to be a proceeding in rem and the judgment rendered therein shall be conclusive against all persons whomsoever and against the State of California."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1881—An act to amend Section 202 of the State Civil Service Act, relating to the State civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 202", and insert "Sections 202, 173 and 153.5".

Amendment No. 2

In line 1 of the title of said bill, after "Service", insert ", and declaring the urgency hereof, to take effect immediately".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 11 to 16, inclusive, and insert

"Any employee who is or claims to be a citizen of any foreign country or is or claims to be a dual citizen of the United States and of any foreign country with which the United States is at war or who has renounced his citizenship or allegiance to the United States or has taken an oath of allegiance or otherwise pledged allegiance to any foreign country with which the United States is at war or who has committed or commits any act of disloyalty to or disrespect towards the United States or its Flag or who does any act or thing when the United States is engaged in war to obstruct the war effort or the defense preparations of the United States shall be deemed a violator of this section and such acts, in addition to any other penalties provided by law therefor, shall be punishable under Section 173 of this act.

SEC. 2. Section 173 of said act is amended to read:

Sec. 173. (a) The tenure of every permanent employee holding a position shall be during good behavior, but any such person may be removed, demoted, suspended, reprimanded, or otherwise disciplined, under a procedure in conformity with the provisions of this act which shall be set up by the board in its rules for any of the following causes: Fraud in securing appointment, incompetency, inefficiency, inexcusable neglect of duty, physical or mental disability, insubordination, dishonesty, drunkenness on duty, intemperance, addiction to the use of narcotics or habit-forming drugs, inexcusable absence without leave, conviction of a felony or misdemeanor involving moral turpitude, immorality, discourteous treatment of the public or other employees, improper political activity, wilful disobedience, violation of the provisions of this act or the rules of the board, or for any other failure of good behavior or any other act or acts which are incompatible with or inimical to the public service.

(b) The appointing power, or the board, or any person with the consent of the board, the appointing power or the Attorney General, may file charges against any employee or any person on any employment list for dismissal or other punitive action for any or all of the causes hereinbefore provided. Such charges must be made in writing and clearly state the facts constituting such cause, in such detail as is reasonably necessary to enable the employee to prepare his defense thereto and shall be filed with the board and a copy served upon the employee either by personal service or by mail. The appointing power or any officer or employee authorized by the appointing power so to do may immediately suspend any employee from service without pay pending the filing of charges or the hearing thereon by notifying such employee thereof. Such a suspension shall be valid only in the event charges are filed with the board and served on the employee, within 15 days of the

date of the suspension. Such suspension shall be effective until a hearing has been held on the charges and a decision thereon rendered by the board. The charges filed against an employee must also inform him of the time and manner in which, under the rules of the board, he must answer to such charges and ask for a hearing. The employee may within 10 days after service file with the board a written answer to or explanation of the charges, and request a hearing, and a copy of such answer, or explanation, and request shall at once be mailed by the board to the appointing power or other person who has made the charges. Amended or supplemental charges may be filed, and served, with like opportunity to the employee to file an answer or explanation and a request for hearing.

Within a reasonable time after the filing of such answer, and upon written notice to both parties of the time and place of the hearing, the board or its duly authorized representative shall hold a hearing, at which time both parties shall have the right and opportunity to submit all proper and competent evidence against or in support of the charges. Failure on the part of the employee to request a hearing, and to give such written answer or explanation to the board within 10 days of the service upon him of the charges, or to appear at the hearing, shall be deemed an admission of the truth of such charges without further hearing upon the part of the board unless further time should be granted by the board. Either by deposition or at the hearing the employee may be examined under Section 2055 of the Code of Civil Procedure, and the employee may likewise examine, or cause to be examined any person. It shall be the duty of the board to subpoena witnesses for the accused upon his written request and at his cost, which costs the board may require to be prepaid, to consider carefully the evidence submitted in the hearing and to render a decision which in its judgment is just and proper.

The board, in arriving at its decision, may consider any prior suspension of the employee under Section 171, or any prior proceeding under this section. The decision must be rendered within a reasonable time after the completion of the hearing. If adverse to the employee, the decision may provide that the punitive action taken therein shall date from the date of the service of charges upon the employee. The decision shall be entered upon the minutes of the board and upon the official roster of employees. Copies of the decision shall be furnished to the appointing power, the person preferring charges and to the employee. Hearings may be held by the board, any member or any authorized representative or referee but the decision shall be rendered by the board after careful consideration of the evidence submitted in the hearing.

(c) Within 30 days from and after receipt by him of a copy of the decision rendered by the board in a proceeding under this section, the employee or the appointing power may apply for a rehearing by filing with the board a petition in writing therefor. Within 30 days after such filing, the board shall cause notice thereof to be served upon the other parties to the proceedings by mailing to each a copy of the petition for rehearing, in the same manner as in this act prescribed for the giving of notice of a hearing. Within 60 days after the service of such notice of the filing of the petition for rehearing, the board shall either grant, in whole or in part, or deny the petition, and if the petition for rehearing is not acted upon within said period, it shall be deemed denied. If the petition for a rehearing is granted, the matter shall be set down for hearing by the board, either before the board or before its authorized representative, and such hearing shall be conducted as to the matters on which the rehearing is granted in substantially the same manner and under like rules of procedure as an original hearing upon charges filed under and pursuant to the provisions of this section.

(d) The board shall in rendering its decision, authorize payment of salary for the period of suspension if it finds that the charges made were untrue or that the employee was justified in the course of conduct upon which the charges were based[], *provided, however, no salary shall be authorized or paid for the period of suspension or any portion thereof that the employee was not ready, able and willing to perform the duties of his position, whether such suspension be valid or not or whether the charges on which it is based state facts sufficient to constitute causes for disciplinary action. In authorizing or paying any accrued salary herein provided for there shall be deducted from the total amount accrued any compensation such employee earned or might reasonably have earned in private or public employment during the period of suspension. There also shall be deducted any money and the reasonable value of any maintenance that may have been furnished or granted to such employee during such suspension as a part of or in connection with any program of the United States formulated in the interests of National security for the removal of persons or classes of persons from designated areas and their relocation, maintenance and supervision.*

Sec 3 Section 153 5 of said act is amended to read:

Sec. 153 5. Absence without leave, *whether voluntary or involuntary*, for 10 consecutive working days shall constitute and be deemed a resignation from State service, and the separation shall be entered in the official roster. Any employee so separated from the service may, within 30 days of the date of his separation,

apply to the board for reinstatement. Such reinstatement shall be granted only in the event the employee makes a satisfactory explanation to the board as to the cause of his absence and his failure to obtain leave therefor[.]. *and the board makes a finding that the employee is ready, able and willing to resume the discharge of the duties of his position, or if not, that he has obtained the consent of his appointing authority to a leave of absence to commence upon his reinstatement. In no event shall an employee be paid salary for the period of his absence or separation or for any portion thereof.*

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

There exists serious uncertainty as to the rights and privileges and the liabilities of the State with respect to many civil service employees who have voluntarily or involuntarily left the State service and are unable to perform the duties of their previous employments. This bill is intended to clarify the situation and make definite such rights and liabilities and to make possible an orderly, fair administration of the State Civil Service Laws, and is necessary to the efficient discharge by the various State departments and agencies of the duties imposed upon them by law."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1776—An act to add Section 2013 to the Welfare and Institutions Code, relating to the filing of statements by persons or organizations promoting old age pensions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "monthly with the grand jury of the county in which collections are made", and insert "quarterly with the Secretary of State".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1045—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In the title of the printed bill, strike out line 2; and in line 3, strike out "finance", and insert "City and County of San Francisco".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert "SECTION 1 The sum of thirty-five thousand five hundred thirty dollars (\$35,530) is hereby appropriated out of the San Francisco Harbor Improvement Fund to pay the claim of the City and County of San Francisco against the State of California."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 606—An act to add Section 486 to the Streets and Highways Code, relating to State highways.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Roads and Highways:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended, strike out "may", and insert "shall".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1397—An act to amend Sections 6, 11 and 13 of the Inheritance Tax Act of 1935, relating to inheritance taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6".

Amendment No. 2

In line 2 of the title of the printed bill, after "1935," insert "to amend Sections 13985, 14341 and 14344 of the Revenue and Taxation Code, and to add Section 14341.5 to said code,".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "6", and insert "11".

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 28, inclusive; on page 2, strike out lines 1 to 40, inclusive; and on page 3, strike out lines 1 to 46, inclusive.

Amendment No. 5

On page 5, line 32, of the printed bill, strike out "Sec. 3.", and insert "Sec. 2."

Amendment No. 6

On page 5, line 36, of the printed bill, strike out "decedent", and insert "deceased resident of this State".

Amendment No. 7

On page 5, line 37, of the printed bill, after "for", insert "such".

Amendment No. 8

On page 5, line 38, of the printed bill, after "of", insert "such".

Amendment No. 9

On page 5, line 43, of the printed bill, after "any stock", insert "by any corporation, transfer agent, or registrar".

Amendment No. 10

On page 5, line 45, of the printed bill, strike out "of the United States".

Amendment No. 11

On page 6, line 15, of the printed bill, strike out "access thereto", and insert "the removal from the box or receptacle of any security, money, other property, deed, or other document conveying or evidencing title to property,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 12

On page 7 of the printed bill, after line 28, insert "Sec. 3. Section 13985 of the Revenue and Taxation bill is amended to read: 13985. If a debt is established against an estate after the order fixing tax is made, the order may on petition after notice to the Controller be modified equitably.

For the purpose of this part, there is no limitation governing the time within which a debt may be established against an estate after the order fixing tax is

made. However, any petition to have the order modified after the establishment of the debt shall be filed within one year after the debt is [established] paid.

SEC. 4. Section 14341 of the Revenue and Taxation Code is amended to read: 14341. Unless the written consent of the Controller, or of a person authorized in writing by the Controller to issue the consent, is first secured, no corporation organized or existing under the laws of this State shall transfer on its books or issue a new certificate for any share of its capital stock belonging to or standing in the name of a [decedent] *deceased resident of this State*, belonging to or standing in the joint names of such a decedent and one or more other persons, or held in trust for such a decedent.

SEC. 5. Section 14341.5 is added to the Revenue and Taxation Code, to read: 14341.5. The Controller may, by rule and regulation, determine the circumstances under which a consent to transfer or issue a new certificate for any stock by any corporation, transfer agent, or registrar is necessary in the case of stock belonging to or standing in the name of a deceased nonresident, belonging to or standing in the joint names of such a decedent and one or more other persons, or held in trust for such a decedent.

SEC. 6. Section 14344 of the Revenue and Taxation Code is amended to read: 14344. Unless the consent of the Controller, or of a person authorized in writing by the Controller to issue the consent, is first secured, it is unlawful for any safe deposit company, trust company, corporation, bank, other institution, or person in possession, control, custody, or partial custody of any safe deposit box or similar receptacle to permit [access to] *the removal from the box or receptacle of any security, money, other property, deed, or other document conveying or evidencing title to property* by any person after the death of any other person who at the time of his death had the right or privilege of access to the box or receptacle as principal, deputy, agent, or cotenant.

SEC. 7. The provisions hereof amending or added to the Revenue and Taxation Code shall become operative at the same time as Part 8 of Division 2 of the Revenue and Taxation Code passed by the Legislature at its Fifty-fifth Session, at which time the provisions of the Inheritance Tax Act of 1935 amended by this act are hereby repealed."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 291—An act to add Section 3.5 to an act entitled "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability," approved June 19, 1931, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In the last line of the title of the printed bill, after the comma following "1931", insert "and to add Section 3.5 to an act entitled "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous conditions of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers and/or liability in damages of such officers in the case of injuries to persons or property resulting from the negligence or carelessness of such officers, prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 and 2, and insert "SECTION 1. Section 3.5 is added to "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of

injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability." approved June 19, 1931, to read:"

Amendment No. 3

On page 1 of the printed bill, after line 11, insert

"SEC. 2. Section 35 is added to "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous conditions of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers and/or liability in damages of such officers in the case of injuries to persons or property resulting from the negligence or carelessness of such officers, prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, to read:

Sec 3.5. If the insurance authorized herein can not be obtained from insurers authorized to transact insurance in this State, such insurance may with the approval of the Insurance Commissioner of this State, and pursuant to such regulations as he may adopt, be procured from insurers not authorized to transact insurance in this State. In determining whether to grant such approval, the Insurance Commissioner shall be guided by the provisions of the Insurance Code relating to surplus lines and special surplus lines insurance."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1322—An act to amend Sections 799 and 800 of the Political Code, relating to qualification of notaries public.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out the comma, and insert a period.

Amendment No. 2

On page 1 of the printed bill, strike out lines 5 to 12, inclusive, and insert "Unless such bond is executed by a corporation, as surety, which is licensed by the Insurance Commissioner of this State to transact the business of fidelity and surety insurance, it must be approved by a judge of the superior court of the county in which said notary is commissioned to act."

Amendment No. 3

On page 1, line 17, of the printed bill, after "must", insert "deposit with the county recorder of the county in which he was commissioned to act, the fee payable for recording his official bond and must".

Amendment No. 4

On page 1 of the printed bill, strike out lines 25 and 26.

Amendment No. 5

On page 1, line 27, of the printed bill, strike out "in the office of the county recorder".

Amendment No. 6

On page 2, line 5, of the printed bill, strike out "and recording fee".

Amendment No. 7

On page 2, line 6, of the printed bill, strike out "and fee".

Amendment No. 8

On page 2, line 7, of the printed bill, strike out "the bond", and insert "it".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1883—An act creating a Commission on Postwar Economic and Social Planning, defining its powers and duties, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "post war".

Amendment No. 1a

On page 1, line 1, of said bill, strike out "com-"; strike out line 2; in line 3, strike out "and Social Planning", and insert

"Economic Commission to consist of 13 members to serve at the pleasure of and to be appointed by the Governor, as follows:

- (a) One member as a representative of agriculture;
- (b) One member as a representative of industry;
- (c) One member as a representative of land resources;
- (d) One member as a representative of natural resources;
- (e) One member as a representative of transportation;
- (f) One member representing the distribution of goods;
- (g) One member as a representative of municipal or county government;
- (h) One member as a representative of banking;
- (i) One member from the staff of the Department of Economics of the University of California;
- (j) One member from the Governor's Council;
- (k) One member from the State Conservation and Planning Board;
- (l) Two members (one from each house) of the Joint Legislative Committee on Conservation and Planning may serve as members of said commission until the next session of the Legislature."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1863—An act to add Sections 307, 307.1, 307.2, 307.3, 307.4 and 307.5 to the Political Code, to create a Legislative Committee on Conservation and Planning and define its powers and duties, including the conduct of studies and investigations in aid of prospective legislation and the making of recommendations to the Legislature in respect thereto, and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "Sections 307, 307.1, 307.2, 307.3, 307.4 and 307.5 to the Political", and insert "Chapter 4.5, comprising Sections 9425 to 9430, inclusive, to Part 1, Division 2, Title 2, of the Government".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Section 307 is added to the Political", and insert "Chapter 4.5, comprising Sections 9425 to 9430, inclusive, is added to Part 1, Division 2, Title 2 of the Government".

Amendment No. 3

On page 1 of the printed bill, between lines 2 and 3, insert "Chapter 4.5. Conservation and Planning."

Amendment No. 4

On page 1, line 3, of said bill, strike out "307", and insert "9425".

Amendment No. 5

On page 1 of said bill, strike out lines 18 and 19; and in line 20, strike out "307.1", and insert "9426".

Amendment No. 6

On page 2 of said bill strike out lines 24 and 25; and in line 26, strike out "307.2", and insert "9427".

Amendment No. 7

On page 2 of said bill, strike out lines 45 and 46; and in line 47, strike out "307.3", and insert "9428".

Amendment No. 8

On page 3 of said bill, strike out lines 12 and 13; and in line 14, strike out "307.4", and insert "9429".

Amendment No. 9

On page 3, line 22, of said bill, strike out "this article of the Political Code", and insert "Chapter 4 of this part".

Amendment No. 10

On page 3 of said bill, strike out lines 33 and 34; and in line 35, strike out "307.5", and insert "9430".

Amendment No. 11

On page 4, line 7, of said bill, strike out "this act", and insert "Chapter 45 of Part 1, Division 2, Title 2, of the Government Code".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 651—An act to add Section 924 to the Labor Code, relating to employees and collective bargaining.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Labor and Capital:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "this code, and the term "employees" "; and strike out lines 8 to 10, inclusive, and insert "Section 923."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 366—An act to add Section 9305 to that portion of the Revenue and Taxation Code, known as the Use Fuel Tax Law, relating to the purposes for which funds collected may be used, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, strike out ", and providing that"; and strike out line 5, and insert a period.

Amendment No. 2

On page 1 of said bill, strike out line 9, and insert "for the".

Amendment No. 3

On page 1 of said bill, strike out lines 14 to 17, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 919—An act to amend Sections 3284, 3285 and 3286 of, and to add Sections 3286 1 and 3286 2 to, the Streets and Highways Code, relating to proceedings for the sale and redemption of delinquent property.

Bill read second time, and ordered to third reading.

Senate Bill No. 970—An act to add Section 17.5 to an act entitled “An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto.” approved May 25, 1923, and to add Section 27229 to the Streets and Highways Code, relating to the refunding of debts, and to the issuance of bonds in connection therewith.

Bill read second time, and ordered to third reading.

Senate Bill No. 62—An act to amend Section 253 of the Revenue and Taxation Code, relating to exemptions from taxes on real property, and to provide that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 156—An act to add Sections 261 and 262 to the Revenue and Taxation Code, relating to veterans' exemptions, and prescribing a penalty for filing false claims.

Bill read second time, and ordered to third reading.

Senate Bill No. 169—An act to amend Section 2614 of, and to add Section 5137.5 to the Revenue and Taxation Code, relating to payment of taxes under protest.

Bill read second time, and ordered to third reading.

Senate Bill No. 170—An act to amend Sections 3691, 3699, 3705, and 3707 and repeal Section 3707.5 of the Revenue and Taxation Code, relating to the sale of tax deeded property.

Bill read second time, and ordered to third reading.

Senate Bill No. 458—An act to amend Section 663b of the Political Code, relating to the collection of taxes and other moneys and empowering the State Board of Control to discharge certain State departments, boards, commissions, officers or employees from accountability for collection of taxes or other moneys, the amount of which does not justify the cost of their collection or where collection is improbable.

Bill read second time, and ordered to third reading.

Senate Bill No. 706—An act to add Chapter 3.3 to Part 6, Division 1 of the Revenue and Taxation Code, relating to real property taxes, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 723—An act to add Section 3515.5 to the Revenue and Taxation Code, relating to transfer to the Veterans' Welfare Board of tax deeded property.

Bill read second time, and ordered to third reading.

Senate Bill No. 664—An act to include in the State civil service certain persons appointed or employed by or under the State Board of Prison Directors or any warden of a State prison and to provide disciplinary procedures governing such employees.

Bill read second time, and ordered to third reading.

Senate Bill No. 323—An act to add Section 78b to the State Employees' Retirement Act, relating to a retirement system for public officers and employees, providing for the employment of retired employees upon conditions specified therein, and declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 113—An act to amend Section 3324 of the School Code and to amend Section 8730 of the Education Code, relating to taxation in elementary school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 437—An act to add Section 13099.2 to the Education Code, relating to classification of persons as permanent employees of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 498—An act to amend Sections 176, 304, 305, 366, 2863, 12291, 14326, 14411, 14433, 14439, 14503, 14523, 14526, 14528, 14529, 14532, 16731, 20005, and 20793 and the chapter heading of Chapter 15 of Division 3 and the chapter heading of Chapter 9 of Division 7 of, and to add Section 20794 and the chapter heading of Chapter 14 of Division 3 to, the Education Code, relating to the establishment, maintenance, government, and operation of schools and institutions of learning.

Bill read second time, and ordered to third reading.

Senate Bill No. 369—An act to amend Section 2351 of the Welfare and Institutions Code, relating to organizations maintaining homes for the aged.

Bill read second time, and ordered to third reading.

Senate Bill No. 566—An act to amend Sections 1500 and 1522 of, and to add Section 1552.3 to, the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time, and ordered to third reading.

Senate Bill No. 602—An act to amend Section 120 of the Welfare and Institutions Code, relating to the State Department of Social Welfare.

Bill read second time, and ordered to third reading.

Senate Bill No. 744—An act to amend Section 2350 of the Welfare and Institutions Code, relating to life care contracts.

Bill read second time, and ordered to third reading.

Senate Bill No. 159—An act to amend Section 737bb of the Political Code, relating to the salary of the judge of the superior court in and for the County of Napa.

Bill read second time, and ordered to third reading.

Senate Bill No. 296—An act to amend Section 737y of the Political Code, relating to the salary of the judge of the superior court in and for the County of Modoc.

Bill read second time, and ordered to third reading.

Senate Bill No. 584—An act to amend Sections 3, 9, and 9½ of the California Toll Bridge Authority Act, relating to the employment of legal counsel.

Bill read second time, and ordered to third reading.

Senate Bill No. 658—An act to amend Section 193 of the Penal Code and to repeal Section 500 of the Vehicle Code, relating to crimes involving the operation of vehicles.

Bill read second time, and ordered to third reading.

Senate Bill No. 732—An act to amend Section 5010 of the Public Resources Code, relating to the State Park Maintenance Fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 837—An act to amend Section 6816 of and to repeal Sections 5014 and 6817 of the Public Resources Code, relating to and providing for the abolition of the State Park Maintenance and Acquisition Fund and for certain transfers in connection therewith.

Bill read second time, and ordered to third reading.

Senate Bill No. 846—An act to amend Sections 4356 and 4357 of the Water Code, relating to disbursements from the State Watermaster Service Fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 231—An act to add Section 4.350-1 to the School Code and to add Section 6114 to the Education Code, relating to the payment of school district employees, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 3, of the printed bill, after "any county", insert ", except counties having a population in excess of 1,000,000,".

Amendment No. 2

On page 2, line 10, of said bill, after "any county", insert "except counties having a population in excess of 1,000,000,".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 155—An act to add Section 255.5 to the Revenue and Taxation Code, relating to the veterans' exemption from taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, strike out "Any person claiming the veteran's exemption shall file the affidavit with the assessor in duplicate."

Amendment No. 2

On page 1, line 15, of the printed bill, after "residence," insert "it shall be filed in duplicate and".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 533—An act to amend Section 359e of the Political Code, relating to vacations of State officers and employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, strike out "from which he came," and insert "to which he is transferred unless the agency to which he transfers requires the officer or employee to take his accumulated vacation before the effective date of such transfer."

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 13 to 22, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 779—An act to increase production by providing for exemptions from various requirements, relating to employment and working conditions of minor employees essential to the war effort, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 4 of the printed bill, as amended, strike out all of lines 11 to 13, both inclusive; and in line 14, strike out "to employers", and insert "issuance of permits to work to minors and permits to work to employers who come within the provisions of Chapters 1 and 2 of Part 2 of Division 1 of the School Code or of Chapters 4 and 5 of Division 8 of the Education Code or any of said chapters, by any one or more of the boards, officers or other agencies or other persons authorized

to issue permits to work or permits to employ, acting within their respective jurisdictions as fixed by the School Code or the Education Code,".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 565—An act to amend Section 2160 and to add Section 1529 to the Welfare and Institutions Code, relating to public assistance, providing for payment of aid while in a public hospital.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 2160 and to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 26, inclusive; and on page 2, strike out lines 1 to 42, inclusive.

Amendment No. 3

On page 2, line 44, of said bill, strike out "Sec 2.", and insert "Section 1"

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1067—An act to amend Section 1203b of the Penal Code, relating to granting of probation summarily.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out line 2 of the title of the printed bill, as amended, and insert "crimes".

Amendment No. 2

On page 1, line 7, of said bill, strike out "case punishable by not more"; strike out line 8; and in line 9, strike out "dollars (\$500) or by both such imprisonment and fine", and insert "misdemeanor case".

Amendment No. 3

On page 1, lines 10 and 11, of said bill, strike out "two years", and insert "the maximum term of imprisonment for the offense involved,".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 838—An act to amend Section 511 of the Public Resources Code, relating to the Department of Natural Resources Printing Revolving Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, line 30, of the printed bill, strike out "fund from which the money was derived", and insert "General Fund".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 845—An act to add Sections 12.5 and 12.6 to the Reclamation Board Act, relating to the disposal of lands acquired by the Reclamation Board.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "Act", insert "and Sections 8676 and 8677 to the Water Code".

Amendment No. 2

On page 2 of said bill, after line 11, insert

"SEC. 3. Section 8676 is added to the Water Code, to read:

8676. Whenever the board has acquired or shall in the future acquire title in fee to any land in the name and in behalf of the district and whenever, in the judgment of the board, the purposes of the district will be satisfied by the retention of an easement or other interest in the land less than the title in fee thereto, the board shall take all steps necessary to sell said land reserving to said district the easement or other interest acquired for the purposes of the district. Conveyances of such land or interest therein owned by the district shall be executed by the officers of the board authorized by the board and shall be approved by the Director of Finance.

SEC. 4. Section 8677 is added to the Water Code, to read:

8677. All oil, gas, oil shale, coal, phosphate, sodium, gold, silver, and all other mineral deposits in the land are reserved to the State and shall be reserved from sale except on a rental and royalty basis. A purchaser of any of the land shall acquire no right, title, or interest in or to such deposit. The right of such purchaser shall be subject to the reservation of all oil, gas, oil shale, coal, phosphate, sodium, gold, silver, and all other mineral deposits, and to the conditions and limitations prescribed by law providing for the State and persons authorized by it to prospect for, mine, and remove such deposits, and to occupy and use so much of the surface of the land as may be required for all purposes reasonably extending to the mining and removal of such deposits therefrom. The provisions of this section shall not apply to any compromise agreement entered into with respect to such land, nor to grants of such land to the United States when such grants are authorized by law.

SEC. 5. Sections 3 and 4 of this act become operative only if the Water Code is enacted by the Legislature at its Fifty-fifth Session, and, in such case, at the same time as said code takes effect; at which time Sections 12.5 and 12.6 of the Reclamation Board Act added by this act are hereby repealed."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 873—An act to add Sections 13528.1, 13528.2, 13528.3, 13528.4, 13528.5, 13528.6, 13528.7, 13528.8, and 13528.9 to, and to amend Sections 13529 and 13530 of, the Education Code, relating to permanent employees of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 6, of the printed bill, after the period, insert "Notice of such action, including a copy of this section, shall be served upon the employee personally. If the employee, within five days after such service, files with the clerk or secretary of the governing board, a written objection to a preview hearing, no further proceedings shall be had with respect thereto. If no such objection is filed, the governing board may proceed as provided in Sections 13528.2 to 13528.8."

Amendment No. 2

On page 2, line 29, of the printed bill, after the period, insert "At the request of the employee, the hearing shall be private; otherwise such hearing shall be open to the public."

Amendment No. 3

On page 2, line 35, of the printed bill, after "hearing", insert ", unless the employee shall have filed objections, as provided in Section 13528.1."

Amendment No. 4

On page 3, line 2, of the printed bill, after the first "board", insert ", but this shall not be construed to permit the introduction of hearsay evidence."

Amendment No. 5

On page 3, line 13, of the printed bill, following the period, insert "Such copy shall not be deemed a public record, and no person other than members of the governing board and the administrative officers thereof shall be permitted to inspect same, without the consent of the employee."

Amendment No. 6

On page 3, line 28, of the printed bill, after the period, insert "Neither the transcript of the proceedings, nor the findings nor recommendation of the board of preview shall be admissible in evidence in any proceeding in court involving the question of the dismissal or suspension of the employee."

Amendment No. 7

On page 3, line 36, of the printed bill, strike out ", 13525 and 13526", and insert "to 13556, inclusive,".

~~Amendments read and adopted.~~

~~Bill ordered reprinted, and to third reading.~~

[On April 24, 1943, above action was rescinded, and record ordered expunged whereby amendments to Senate Bill No. 873 were this day adopted.]

Senate Bill No. 168—An act to amend Section 2.600 of, to add Section 2.600-1 to, the School Code, to amend Section 3661 of, and to add Section 3661.1 to, the Education Code, relating to the formation of union or joint union high school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education :

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to amend Section 2.600 of, to add Section 2.600-1 to, the School Code,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 27, inclusive; and on page 2, strike out lines 1 to 24, inclusive.

Amendment No. 3

On page 2, line 26, of said bill, strike out "Sec. 3", and insert "Section 1".

Amendment No. 4

On page 3, line 5, of said bill, strike out "Sec. 4", and insert "Sec 2".

Amendment No. 5

On page 3 of said bill, strike out lines 15 to 20, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 508—An act to add Sections 1.94 and 1.95 to the School Code and to add Sections 16276 and 16277 to the Education Code, relating to the lease of busses owned by, or under lease to, school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 2, line 39, of the printed bill, as amended, strike out "ways", and insert "wars".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 548—An act to add Section 1.108 to the School Code and to add Section 16424 to the Education Code, and to amend Sections 10270 and 11512 of the Insurance Code and to add Section 11512.4 to the Insurance Code, all relating to the insurance of pupils of the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "to add Section 1 108 to the School Code and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 17, inclusive.

Amendment No. 3

On page 1, line 19, of said bill, strike out "Sec. 2", and insert "Section 1".

Amendment No. 4

On page 2, line 2, of said bill, strike out "through accident", and insert "of medical service or hospital service, or both, or through accident or liability".

Amendment No. 5

On page 4 of said bill, strike out lines 1 to 5, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 65—An act to amend Section 7 of the Municipal Court Act of 1925, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 7", and insert "Sections 7 and 10".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 22, insert

"SEC. 2. Section 10 of the said act is amended to read:

Sec. 10. The municipal court in a city or city and county of the second and one-half class shall be constituted, and the judges, officers and attaches thereof shall receive compensation as follows:

(a) There shall be five judges, each of whom shall receive [seven] *eight* thousand five hundred dollars (\$8,500) per annum, payable in equal monthly installments.

(b) There shall be one clerk who shall also be secretary to the court, to be appointed by the judges thereof, who shall receive four hundred *twenty* dollars (\$420) per month;

(c) The clerk shall appoint the following:

One chief deputy, who shall receive three hundred *twenty-five* dollars (\$325) per month; five deputy court clerks, who shall each receive two hundred [twenty-five] *fifty* dollars (\$250) per month; one cashier-bookkeeper, who shall receive two hundred [fifty] *seventy-five* dollars (\$275) per month; one chief clerk of the civil department, who shall receive two hundred [fifty] *seventy-five* dollars (\$275) per month; one chief clerk of the criminal department, who shall receive two hundred [fifty] *seventy-five* dollars (\$275) per month; eight deputy clerks, who shall each receive two hundred *twenty-five* dollars (\$225) per month; one deputy judgment clerk, who shall receive two hundred *twenty-five* dollars (\$225) per month; one stenographic secretary, male, who shall receive [one] *two* hundred [seventy-five] dollars (\$200) per month; two stenographers, who shall each receive one hundred [thirty-five] *sixty* dollars (\$160) per month; one typist, who shall receive one hundred [twenty-five] *fifty* dollars (\$150) per month, two file index clerks, who shall each receive one hundred [twenty-five] *fifty* dollars (\$150) per month;

(d) There shall be one marshal to be appointed by the judges of the court who shall receive four hundred *twenty* dollars (\$420) per month. The marshal shall appoint the following:

One assistant marshal, who shall receive three hundred *twenty-five* dollars (\$325) per month; one deputy, who shall also act as secretary, who shall receive one hundred [fifty] *seventy-five* dollars (\$175) per month; one chief deputy of the civil department who shall receive two hundred [fifty] *seventy-five* dollars (\$275) per month; one deputy, who shall act as assistant chief of the civil department, who shall receive two hundred [twenty-five] *fifty* dollars (\$250) per month; four deputies of the civil department, who shall *each* receive two hundred *twenty-five* dollars (\$225) per month; three deputies of the civil department, who shall *each* receive [one] *two* hundred [seventy-five] dollars (\$200) per month; one deputy, who shall act as bookkeeper, who shall receive two hundred *twenty-five* dollars (\$225) per month; one deputy, who shall act as counter clerk and return clerk, who shall receive [one] *two* hundred [seventy-five] dollars (\$200) per month; one deputy who shall act as stenographer, who shall receive one hundred [thirty-five] *sixty* dollars (\$160) per month; one chief deputy of the criminal department, who shall receive two hundred [fifty] *seventy-five* dollars (\$275) per month; one deputy, who shall act as assistant chief of the criminal department, who shall receive two hundred [twenty-five] *fifty* dollars (\$250) per month; two deputies of the criminal department, who shall *each* receive two hundred *twenty-five* dollars (\$225) per month; two deputies of the criminal department, who shall *each* receive [one] *two* hundred [seventy-five] dollars (\$200) per month, five deputies to act as bailiffs of the courts, who shall each receive [one] *two* hundred [seventy-five] dollars (\$200) per month; one deputy, who shall act as record clerk, who shall receive one hundred [fifty] *seventy-five* dollars (\$175) per month; fifty deputies, who shall act as custodians, who shall *each* receive five dollars (\$5) per day. The deputy marshals serving as custodians shall be paid only for their actual services as keepers of property taken under the legal process, and shall be paid out of the funds deposited by the parties to the action in which services are rendered. All marshals, assistants and deputies, excepting those designated herein as custodians, shall be allowed in addition to their salaries, their actual and necessary incidental expenses incurred in the actual performance of their duties, including traveling expenses to be allowed at the rate per mile fixed by the county board of supervisors for the operation of automobiles actually used in performance of their business on public duty or to pay for such other mode of transportation as they may adopt."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 58—An act to add Section 5.3 to the Metropolitan Water District Act, relating to contracts for transportation of water.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 2 of the printed bill, as amended, after line 17, insert

"Prior to entering into a contract pursuant to this section the board shall give notice of intention so to do for at least 60 days to the legislative body of each municipality within the district. The notice of intention shall describe the contents

of the proposed contract. If within said period the legislative body of any municipality within the district protests the entering into of the contract, such contract shall not be executed until a proposition to enter into such contract has been approved by the electors at an election. Such proposition shall be submitted and the election held and conducted and other proceedings followed as in the case of elections on the issuance of bonds and all provisions of Section 7 of this act shall apply to such proposition and such election insofar as applicable."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 16

Assembly Joint Resolution No. 43

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused adoption to.

Assembly Concurrent Resolution No. 43

And herewith returns the same

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Senate Concurrent Resolution No. 42

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 42—Approving certain amendments to the charter of the City of Modesto, County of Stanislaus, State of California, voted for and ratified by the electors of said City of Modesto, at a general municipal election held therein on the thirteenth day of April, 1943.

Request for Unanimous Consent

Mr. Brown asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 42, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 42

Senate Concurrent Resolution No. 42—Approving certain amendments to the charter of the City of Modesto, County of Stanislaus, State of California, voted for and ratified by the electors of said City of Modesto, at a general municipal election held therein on the thirteenth day of April, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, Sam L., Crichton, Desmond, Dills, Clayton A., Dilworth, Doyle, Field, Gaffney, Haggerty, Hollibaugh, Johnson, Knight, John B., Lyons, Maloney,

Massion, McMillan, Middough, Miller, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 39: By Mr. Miller—A resolution to propose to the people of the State of California to amend Sections 3, 4 and 5 of Article IV of the Constitution of the State, relating to the to term of office of Members of the Assembly and Senate.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 537—An act to amend Section 6 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to county peace officers' retirement system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Burns, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Gaffney, Haggerty, Hollibaugh, Johnson, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Rosenthal, Sargent, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—43.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1445—An act to amend Section 3.735-2 of the School Code and to amend Section 10126 of the Education Code, relating to exemption from physical education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Burns, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Doyle, Dunn, Gaffney, Haggerty, Hollibaugh, Johnson, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1842—An act to add Section 19311 to the Education Code, relating to cafeterias.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burns, Carlson, Clarke, Crichton, Debs, Desmond, Dills, Clayton A., Doyle, Dunn, Fourt, Gaffney, Haggerty, Heisinger,

Hollibaugh, Johnson, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McMillan, Middough, O'Day, Pelletier, Price, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—43.

NOES—Beck—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1226—An act to amend Sections 66 to 72, inclusive, of the Unemployment Insurance Act, relating to claims for benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dilworth, Doyle, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1227—An act to amend Sections 11 and 12 of the Unemployment Insurance Act, relating to the definitions of "wages" and "week" under said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Hawkins—1.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.15 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Assembly Bill No. 1228—An act to repeal Sections 47 to 51, inclusive, of the Unemployment Insurance Act, relating to exemptions, guaranteed employment, and private employment plans under said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Anderson—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1055—An act to amend Section 1908 of the Harbors and Navigation Code, relating to fire protection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 763—An act making an appropriation for the care and education of pupils of the California School for the Blind who are both deaf and blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

**RECALL OF ASSEMBLY BILL NO. 873 FROM PRINTER
BY UNANIMOUS CONSENT**

Mr. Dilworth asked for, and was granted, unanimous consent to recall Assembly Bill No. 873 from the printer.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1146—An act to add Section 799.1 to the Fish and Game Code, relating to abalones.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Smith, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—56.

NOES—Burkhalter, Leonard, McCollister, Thurman, and Weybret—5.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 10.45 a.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Assembly Bill No. 1147—An act to amend Section 1011.5 of the Fish and Game Code, relating to sharks and shark livers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollubaugh, Johnson, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 58 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Beck moved that Assembly Bill No. 58 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Collins, George D., Crichton, Crowley, Desmond, Doyle, Dunn, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Leonard, Lowrey, Massion, McMillan, Middough, O'Day, Robertson, Rosenthal, and Thomas—30.

NOES—Allen, Armstrong, Bashore, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Erwin, Fourt, Hastain, Knight, John B., Kraft, Lyons, Maloney, McCollister, Miller, Price, Sawallisch, Sheridan, Smith, Stream, Thorp, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—29.

Notice of Motion to Reconsider Motion to Withdraw Assembly Bill No. 58 From Committee

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby the motion to withdraw Assembly Bill No. 58 from the Committee on Ways and Means, and have it placed upon the file, was this day lost.

EXPLANATION OF ABSENCE OF MEMBERS

The following named members of my committee were present at a special meeting of the Committee on Public Utilities, Manufacturing, and Corporations: Messrs. Armstrong, Bashore, Call, Erwin, Evans, Guthrie, Hawkins, Knight, T. Fenton; Robertson, and Watson.

DON A. ALLEN, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1692—An act to amend Sections 50, 51, 54, and 55 of the Fish and Game Code, relating to game management areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollubaugh, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1145—An act to add Section 83.6 to the Agricultural Code, relating to the board of directors of IA District Agricultural Association.

Bill read third time.

Demand for Previous Question

Messrs Bashore, Lowrey, Knight, John B., Waters, and Dills, Clayton A., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1145.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Beck, Berry, Collins, George D., Desmond, Gaffney, Haggerty, and O'Day—7.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 232—An act to amend Sections 643 and 644 of the Agricultural Code, relating to dairy sanitation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 232?

Amendment No. 1

On page 2, line 13, of the printed bill, as amended, strike out the semicolon and the balance of line 13, and insert a period.

Amendment No. 2

On page 2 of said bill, strike out lines 14, 15, and 16

Amendment No. 3

On page 2 of said bill, following line 37, insert

"(m) If any milk or cream is separated, cooled, mixed, canned or kept in any room or place which is occupied by any person as a sleeping or living apartment, or occupied by fowls or animals."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 232 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None

Assembly Bill No. 232 ordered enrolled.

Assembly Bill No. 871—An act to amend Sections 421, 490 5, 698, 698 1, 698 5, 699, 700, 701, 702, 705, 708, 711 and 724 3 of the Fish and Game Code, relating to fish.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 871?

Amendment No. 1

On page 2, line 7, of the printed bill, as amended, strike out "District 4A", and insert "Districts 3½, 4, 4½ and 4A".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 871 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None

~~Assembly Bill No. 871 ordered enrolled~~

[On April 24, 1943, above action was rescinded, and record ordered expunged whereby the Assembly this day concurred in Senate amendments to Assembly Bill No. 871.]

REQUEST FOR UNANIMOUS CONSENT

Mr. Call asked for, and was granted, unanimous consent to take up Assembly Bill No. 1480, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1480

Assembly Bill No. 1480—An act to add Section 53.2 to the Alcoholic Beverage Control Act, relating to places where alcoholic beverages are received, kept, or brought for consumption.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, as amended, strike out "regularly or continually".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Dilworth moved to expunge the record, and rescind the action whereby amendments to Senate Bill No. 873 were this day adopted.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Request for Unanimous Consent

Mr. Dilworth asked for, and was granted, unanimous consent to take up Senate Bill No. 873, at this time, for purpose of amendment.

FURTHER CONSIDERATION OF SENATE BILL NO. 873

Senate Bill No. 873—An act to add Sections 13528.1, 13528.2, 13528.3, 13528.4, 13528.5, 13528.6, 13528.7, 13528.8, and 13528.9 to the Education Code, relating to permanent employees of school districts.

Bill read second time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, after the period, insert "Notice of such action, including a copy of this section, shall be served upon the employee personally. If the employee, within five days after such service, files with the clerk or secretary of the governing board, a written objection to a preview hearing, no further proceedings shall be had with respect thereto. If no such objection is filed, the governing board may proceed as provided in Sections 13528.2 to 13528.8, inclusive."

Amendment No. 2

On page 2, line 29, of said bill, after the period, insert "At the request of the employee, the hearing shall be private; otherwise such hearing shall be open to the public."

Amendment No. 3

On page 2, line 35, of said bill, after "hearing", insert ", unless the employee shall have filed objections, as provided in Section 13528.1,".

Amendment No. 4

On page 3, line 2, of said bill, after the first "board", in said line, insert ", but this shall not be construed to permit the introduction of hearsay evidence".

Amendment No. 5

On page 3, line 13, of said bill, following the period, insert "Such copy shall not be deemed a public record, and no person other than members of the governing board and the administrative officers thereof shall be permitted to inspect same, without the consent of the employee."

Amendment No. 6

On page 3, line 28, of said bill, after the period, insert "Neither the transcript of the proceedings, nor the findings nor recommendations of the board of preview shall be admissible in evidence in any proceeding in court involving the question of the dismissal or suspension of the employee."

Amendment No. 7

On page 3, line 36, of said bill, strike out ", 13525 and 13526", and insert "to 13556, inclusive,".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)****Consideration of House Resolution No. 166****House Resolution No. 166**

Relating to memorializing Congress to enact legislation to defer members of police and fire departments, members of scavenger or garbage departments or associations, members of sheriffs' offices, and members of the California Highway Patrol, under Selective Service Laws.

WHEREAS, Members of police and fire departments, members of scavenger or garbage departments or associations, members of the various sheriffs' offices throughout the State, and members of the California Highway Patrol are so qualified by age and physical and mental fitness as to be desirable material under the Selective Service Act; and

WHEREAS, The services performed by members of those departments are of vital importance to the peace, health and safety of the State and can not be performed by persons who are not so qualified by age and physical and mental fitness; and

WHEREAS, The United States Selective Service System has made serious inroads in the personnel of the various police and fire departments, scavenger or garbage departments or associations, and sheriffs' offices throughout the State, and in the California Highway Patrol, to the extent that the peace, health and safety of the State is in grave danger; now, therefore, be it

Resolved by the Assembly of the State of California. That Congress is hereby respectfully memorialized to enact legislation to defer members of police and fire departments, members of scavenger or garbage departments or associations, and members of the various sheriffs' offices throughout the State and members of the California Highway Patrol under Selective Service Laws; and be it further

Resolved. That the Chief Clerk of the Assembly is directed to forward a copy of this resolution to the President, the Secretary of War and to each Member of the Senate and House of Representatives from the State of California in the Congress of the United States; and be it further

Resolved. That the Chief Clerk of the Assembly is directed to forward a copy of this resolution to the National Director of Selective Service and to the Director of Selective Service for the State of California

Resolution read and adopted.

Assembly Bill No. 85—An act to add Section 2504.5 to the Welfare and Institutions Code, relating to county aid and relief to indigents.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Collins, George D. Collins, Sam L. Crichton, Crowley, Dickey, Dills, Clayton A. Dills, Ralph C. Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—58

NOES—Clarke, Dilworth, Lowrey, Miller, and Thompson—5

Notice of Motion to Reconsider Assembly Bill No. 85

Mr Lowrey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 85 was this day passed.

Assembly Bill No. 294—An act to amend Section 16c of the Bank Act, relating to the deposit of checks in banks and the return of unpaid items.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—Beck—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Evans asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 47, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 47

Assembly Joint Resolution No. 47—Relative to memorializing the Congress of the United States to refuse to pass the War Security Act.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Holibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdell, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Guthrie—1.

Resolution ordered transmitted to the Senate.

MOTION THAT ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 11 HOLD ITS PLACE ON FILE

Mr. Maloney moved that, because of the illness of Mr. Rosenthal, Assembly Constitutional Amendment No. 11 be passed on file, but that it retain its place thereon until the next legislative day.

Motion carried.

Speaker Pro Tempore Presiding

At 12.10 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 933—An act to add to Chapter 1 of Division 1 of the Agricultural Code a new article to be numbered Article 1A, including a new section to be numbered 35, relating to the formulation of new provisions, conditions, standards, and prices to take the place of those rendered ineffectual or unenforceable by reason of conflict with a Federal law, order or regulation made under the Federal war powers, and declaring the urgency thereof to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Waters, Bashore, Fourt, McCollister, and Knight, John B., demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 933.

The roll was called, and the urgency clause refused adoption by the following vote:

AYES—Allen, Anderson, Bennett, Brady, Brown, Burkhalter, Carey, Clarke, Collins, George D., Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Gaffney, Guthrie, Haggerty, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Massion, McMillan, Middough, Miller, Robert-

son, Rosenthal, Sawallisch, Smith, Stream, Thorp, Weber, Weybret, and Mr. Speaker—39.

NOES—Armstrong, Bashore, Beck, Berry, Burns, Call, Carlson, Collins, Sam L., Crichton, Desmond, Dickey, Erwin, Evans, Field, Fount, Gannon, Hollibaugh, Kraft, Lyons, Maloney, McColister, Niehouse, O'Day, Pelletier, Price, Sargent, Sheridan, Thomas, Thompson, Thurman, Waters, Watson, and Werdel—33.

Speaker Presiding

At 12.20 p.m., Hon. Charles W Lyon, Speaker of the Assembly, presiding.

Notice of Motion to Reconsider Urgency Clause to Assembly Bill No. 933

Messrs. Lowrey and Dills, Ralph C., gave notice that on the next legislative day they would move to reconsider the vote whereby the urgency clause to Assembly Bill No. 933 was this day refused adoption.

Motion to Temporarily Suspend the Rules

Mr. Bashore moved that the Rules be temporarily suspended for the purpose of reconsidering the vote whereby the urgency clause to Assembly Bill No. 933 was refused adoption, at this time.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Armstrong, Bashore, Berry, Brady, Burns, Call, Collins, Sam L., Desmond, Erwin, Evans, Field, Fount, Gannon, Haggerty, Knight, John B., Leonard, Maloney, McColister, Middough, Niehouse, O'Day, Pelletier, Smith, Stream, Thurman, Waters, Werdel, Wollenberg, and Mr. Speaker—29

NOES—Allen, Anderson, Beck, Bennett, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Johnson, Lowrey, Lyons, Massion, Miller, Robertson, Rosenthal, Sheridan, Thomas, Thorp, and Weybret—33.

Assembly Bill No. 939—An act to amend Section 737.6 of the Agricultural Code, relating to the duties of the Director of Agriculture.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McColister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Beck—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 512—An act to amend Section 6902 of the Labor Code, relating to operation personnel of railroads.

Bill read third time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, after line 13, insert
 "(h) During the period of time that the provisions of subdivisions "e", "f" and "g" are suspended as provided for in subdivision "g" of this section, the Railroad Commission of the State of California shall have the power, whenever it finds after a hearing had upon its own motion or upon complaint, that the health or safety of the employees, passengers, or customers of any carrier, or of the public, demand, to require by general or special order, rule or regulation, or otherwise, that such

carrier add an additional brakeman or brakemen to any train of 50 or more cars operated by said carrier on any main or branch line upon which more than four trains each way per day of 24 hours are operated, but in no event shall said commission have power to require more brakemen on any train than are required by the suspended provisions of subdivisions "e", "f" and "g".

Amendment read.

Substitute Motion to Amend

Mr. Maloney moved as a substitute motion, the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, strike out lines 3 to 13, inclusive, and insert "ever, that until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs, the Railroad Commission may, upon the application of a carrier after hearing held upon notice thereof, issue a permit granting and allowing variations from the requirements of subdivisions (e), (f) or (g), specifying therein the scope and extent of such allowable variations, and the conditions under which allowable, if the commission finds that the requirements of subdivisions (e), (f) and (g), or certain of those requirements, operate in impairment of the war effort and if it further finds that the variations from such requirements specified in the permit will be helpful in furthering the war effort without unreasonably increasing the risk of impairing the health or safety of the employees or of the traveling public, in view of the emergency; and the Railroad Commission may at any time revoke, suspend or modify any such permit upon proof being made that the terms and conditions thereof have been violated or that the variations specified in the permit are no longer necessary."

Substitute amendment read.

Demand for Previous Question

Messrs. Dills, Clayton A., Knight, John B., Bashore, Dickey, and Price demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the substitute amendment offered by Mr. Maloney to Assembly Bill No 512.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Maloney moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Collins, George D., Crichton, Crowley, Debs, Denny, Doyle, Dunn, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Thurman, and Werdel—41

NOES—Allen, Armstrong, Bashore, Call, Carlson, Clarke, Collins, Sam L. Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fout, Guthrie, Hastain, Heisinger, Knight, John B., Knight, T. Fenton, McColister, Middough, Miller, Potter, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—36.

Time, 1.15 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY
UNANIMOUS CONSENT**

REQUEST FOR UNANIMOUS CONSENT

Mr. Johnson asked for unanimous consent to proceed with the business on the file under the call of the Assembly.

Mr. Call withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Johnson moved that Rule No. 33 be temporarily suspended for the purpose of considering matters on the file while the Assembly is under a call, at this time.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, Sam L., Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Johnson, King, Lowrey, Massion, McMillan, Niehouse, O'Day, Robertson, Rosenthal Sargent, Sheridan, Thorp, Waters, Werdel, Wollenberg, and Mr. Speaker—39

NOES—Allen, Armstrong, Bashore, Call, Crichton, Denny, Dickey, Dilworth, Field, Fourt, Heisinger, Knight, John B., Knight, T. Fenton; McCollister, Middough, Miller, Potter, Price, Stream, Thomas, Thompson, Thurman, Watson, Weber, and Weybret—25.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON THE SUBSTITUTE AMENDMENT TO ASSEMBLY BILL NO. 512

At 1.20 p.m., on motion of Mr. Maloney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the substitute amendment refused adoption by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Collins, George D., Crichton, Crowley, Doyle, Dunn, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Thurman, and Werdel—38

NOES—Allen, Armstrong, Bashore, Call, Carlson, Clarke, Collins, Sam L., Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt, Guthrie, Hastain, Heisinger, Knight, John B., Knight, T. Fenton; McCollister, Middough, Miller, Potter, Robertson, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—39.

The question being on the adoption of the amendment offered by Mr. Desmond to Assembly Bill No. 512.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 512 ordered reprinted and re-engrossed.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1883

Mr. Weber moved that Assembly Bill No. 1883 be withdrawn from the Committee on Conservation, Natural Resources, and Planning, and re-referred to the Committee on Ways and Means.

Motion lost.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 366
FROM COMMITTEE**

Mr. Thurman gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 366 from the Committee on Ways and Means, and have it placed upon the file.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Lowrey moved to expunge the record, and rescind the action whereby the Assembly on this day concurred in Senate amendment to Assembly Bill No. 871.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, King, Knight, John B., Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Further Consideration of Senate Amendments

Assembly Bill No. 871—An act to amend Sections 421, 490.5, 698, 698.1, 698.5, 699, 700, 701, 702, 705, 708, 711 and 724.3 of the Fish and Game Code, relating to fish.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 871?

Amendment No. 1

On page 2, line 7, of the printed bill, as amended, strike out "District 4A", and insert "Districts 3½, 4, 4½ and 4A".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 871 by the following vote:

AYES—Denny, Dickey, Evans, King, and Sheridan—5.

NOES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, John B., Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

Appointment of Committee on Conference Concerning Assembly Bill No. 871

The Speaker announced the appointment of Messrs. Lowrey, Rosenthal, and Sheridan as a Committee on Conference concerning Assembly Bill No. 871.

SPECIAL ORDER SET BY UNANIMOUS CONSENT

Mr. Fourt asked for, and was granted, unanimous consent to set Assembly Bill No. 1994 as a special order of business for Monday, April 26, 1943, at 2 p.m.

**WITHDRAWAL OF SENATE BILL NO. 705 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Bashore asked for, and was granted, unanimous consent to withdraw Senate Bill No. 705 from the Committee on Revenue and Taxation, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 705

Senate Bill No. 705—An act to add Section 9603.6 to the Revenue and Taxation Code, relating to the motor vehicle transportation license tax, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 10 to 12, inclusive, and insert "a pooling agreement for the use of his motor vehicle or into an agreement to lease his motor vehicle to others, either with or without a driver, or who because of directives received from such Federal agencies or military or naval authorities transports his own property in a motor vehicle owned or operated by him under such conditions as would otherwise include him within the term "operator"".

Amendment read and adopted

Bill ordered reprinted, and to third reading.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1960
FROM COMMITTEE

Mr. Middough gave notice that on second legislative day, he would move to withdraw Assembly Bill No. 1960 from the Committee on Public Health, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 692
FROM COMMITTEE

Mr. Smith gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 692 from the Committee on Finance and Insurance, and have it placed upon the file.

COMMUNICATIONS

By Mr. Thorp:

The following communication from the Legislative Counsel was received and ordered printed in the Journal:

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA. April 16, 1943

*Honorable James E. Thorp Assembly Chamber
State Capitol, Sacramento, California*

ASSEMBLY BILL NO. 933 AS AMENDED IN ASSEMBLY APRIL 1, 1943

DEAR MR. THORP: You have requested our opinion as to what effect this bill, as amended, would have upon the California Milk Control Laws known as the Young Act and the Desmond Act and constituting Chapter 10 of Division 4 of the Agricultural Code.

This bill provides for the establishment of temporary provisions, conditions, standards, or prices when a Federal regulation made under the war power so conflicts with the State regulations that the latter are ineffectual and unenforceable.

In the absence of any such contrary Federal regulation the bill would have no effect upon the Milk Control Law.

When, however, the Federal regulation under the war power fixes prices for milk or cream which are different from those established pursuant to the code a conflict necessarily results.

There is no question but that the war power of the Federal Government can not be limited or restricted in its operation by a State law or regulation.

When the Federal regulation is so inconsistent with that of the State that the two can not stand together the State regulation must give way to the Federal one.

The question then arises as to whether or not the fixing of milk prices by the Federal Government establishes a regulation which conflicts with and supersedes the prices established under the code so that there is nothing left of the code provisions to enforce.

The prices established by the Federal Government and those established pursuant to the code are fundamentally different in two important respects.

The California Law is designed not as a price control measure but as a milk control measure. The declared purpose of the California Law is to insure an adequate and continuous supply of milk and cream and the price fixing features are designed to accomplish that purpose.

The objective of the Federal regulations is somewhat different, it being to control only the price in order to prevent inflation.

In carrying out the purpose of the California Law the prices established are minimum prices. Regardless of the fact that the minimum price tends to be the actual standard price this principle is nevertheless of considerable importance in determining the essential nature of the California Milk Control Law.

The prices established by the Federal Government will either be fixed prices or maximum prices, and in no event will they be minimum prices.

Considering these essential differences between the Federal and State regulations it might well be held that the Federal Government has occupied the field to such an extent that there is no room for regulations of the type made by the State.

The decisions are clear to the effect that when the Federal Government and the State Government have power to regulate the same field of activity and the Federal Government occupies the entire field there is no room for State regulation. (*Cloverleaf Butter Co. vs. Patterson*, 315 U. S. 148; *Hines vs. Davidowitz*, 312 U. S. 52.)

If it should be determined that the Federal milk price regulations are so different from those of the State that the State regulations are superseded in their entirety, the provisions of the Young and Desmond Milk Law would be unenforceable by the State.

Assembly Bill No. 933, as amended, is devised to permit the establishment by the State of such regulations as will carry out as much of the purposes of the California Law as the Federal regulations will permit. In other words, instead of permitting State enforcement to lapse entirely during the periods conflicting Federal regulations exist, under the bill new State regulations may be established. These regulations are to be as nearly as possible like the ordinary State regulations and will, of course, be enforceable by State agencies.

We believe that the standards prescribed in the bill and the limitations on the exercise of the powers granted to the Governor and the Director of Agriculture in the bill are sufficient to accomplish the purposes of the bill.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOSEPH W. PAULUCCI, Deputy

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1999
FROM COMMITTEE**

Mr. King gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 1999 from the Committee on Ways and Means, and have it placed upon the file.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 300
FROM COMMITTEE**

Mr. Johnson gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 300 from the Committee on Municipal and County Government, and have it placed upon the file.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 498
FROM COMMITTEE**

Mr. Lyon gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 498 from the Committee on Ways and Means, and have it placed upon the file.

MOTION TO SET SPECIAL ORDER

Mr. Stream moved that Assembly Bill No. 1139 be made a special order of business for Monday, April 26, 1943, at 2.05 p.m.

The roll was called, and the motion lost by the following vote:

AYES—Bashore, Burns, Collins, Sam L., Crichton, Dilworth, Field, Gaffney, Kraft, Maloney, McMillan, Stream, Thomas, and Weber—13

NOES—Beck, Carlson, Crowley, Dills, Clayton A., Dills, Ralph C., Doyle, Heisinger, Johnson, and Lyons—9.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILLS NOS. 602 AND 603 FROM COMMITTEE

Mr. Evans gave notice that on the second legislative day, he would move to withdraw Assembly Bills Nos. 602 and 603 from the Committee on Ways and Means, and have them placed upon the file.

REQUEST FOR UNANIMOUS CONSENT

Mr. Doyle asked for, and was granted, unanimous consent to take up Assembly Bill No. 2004, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2004

Assembly Bill No. 2004—An act to amend Sections 1, 2, 4.5, 9, 10, 11, and 13 and to add Sections 4.1, 9.1, and 9.2 to an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax" approved May 5, 1931, as amended, relating to county peace officers' retirement systems and providing for the inclusion in such systems of county and district employees engaged in fire prevention and suppression work, including work related thereto.

Bill read third time.

Motion to Amend

Mr. Doyle moved the adoption of the following amendment:

Amendment No. 1

On page 4, line 36, of the printed bill, strike out "addition", and insert "adding"

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Doyle:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 46, 47, 48 and 48a of the Civil Code and add a new section to the Civil Code, to be numbered 45a, relating to libel and slander.

Respectfully submitted.

THOMAS J. DOYLE

Request referred to Committee on Legislative Procedure.

By Mr. Kilpatrick :

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows.

An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land in Santa Barbara County as part of the State Park System.

Respectfully submitted.

VERNON KILPATRICK

Request referred to Committee on Legislative Procedure.

By Mr. Dilworth :

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 797 to the Agricultural Code, relating to citrus fruits.

Respectfully submitted.

NELSON S. DILWORTH

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Doyle :

An act to amend Sections 46, 47, 48 and 48a of the Civil Code and add a new section to the Civil Code, to be numbered 45a, relating to libel and slander.

By Mr. Kilpatrick :

An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land in Santa Barbara County as part of the State Park System.

By Mr. Dilworth :

An act to add Section 797 to the Agricultural Code, relating to citrus fruits.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote :

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Debs, Denny, Desmond, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B. Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Midgough, Miller, Nichouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time :

Assembly Bill No. 2006: By Mr. Doyle—An act to amend Sections 46, 47, 48 and 48a of the Civil Code and add a new section to the Civil Code, to be numbered 45a, relating to libel and slander.

Referred to Committee on Judiciary.

Assembly Bill No. 2007: By Mr. Kilpatrick—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land in Santa Barbara County as part of the State Park System.

Referred to Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 2008: By Mr. Dilworth—An act to add Section 797 to the Agricultural Code, relating to citrus fruits.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 297

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file and re-referred as follows:

Assembly Bill No. 583 re-referred to the Committee on Fish and Game.

Assembly Bill No. 1960 re-referred to the Committee on Public Health.

Assembly Bill No. 297 re-referred to the Committee on Live Stock and Dairies.

Senate Bill No. 37 re-referred to the Committee on Governmental Efficiency and Economy.

Senate Bill No. 734 re-referred to the Committee on Public Utilities, Manufacturing, and Corporations.

REQUEST FOR UNANIMOUS CONSENT

Mr. Brown asked for, and was granted, unanimous consent to take up Assembly Bill No. 1031, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1031

Assembly Bill No. 1031—An act to add Section 1844a to the Code of Civil Procedure, relating to proof of gifts causa mortis.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, after "mortis", insert "to any person or persons not related by blood to the donor".

Amendment No. 2

On page 1, line 6, of said bill, strike out "and disinterested".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT

Mr. Desmond asked for, and was granted, unanimous consent to take up Senate Bill No. 497, at this time.

CONSIDERATION OF SENATE BILL NO. 497

Senate Bill No. 497—An act to add Sections 3e, 3f, 8d, 38f, 38g, 101b, 101e, 103a and 114 to, and to amend Sections 8, 9, 28, 28a, 38c, 38e, 46, 47, 49, 51, 58b, 65a, 65b, 65e, 79, 83, 84, 85, 90, 92, 94, 100, 101 and 111 of, the State Employees' Retirement Act, relating to a retirement system for public officers and employees.

Bill read third time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 13, of the printed bill, after "47", insert "Firemen employed by fire protection districts shall be considered as city firemen."

Amendment No. 2

On page 13, line 29, of the printed bill, after "act", strike out "among which must be included one year of service".

Amendment No. 3

On page 13, line 30, of the printed bill, strike out "after becoming a member of the retirement system".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burns asked for, and was granted, unanimous consent to take up Senate Bill No. 423, at this time.

CONSIDERATION OF SENATE BILL NO. 423

Senate Bill No. 423—An act to amend the title of, to amend Sections 26457, 26472, 26490, 26491, 26492, 26493, 26494, 26495, 26496, 26510, 26511, 26512, 26518, 26520, 26522, 26526, 26527, 26541, 26548, 26549, 26560, 26561, 26562, 26566, 26567, 26581, 26584, 26586, 26587, 26588, 26600, 26617, 26621, and 26622 of, to add Section 26463 to, and to delete Section 5 from an action entitled "An act adding Division 21, comprising Chapter 3 and Sections 26450 to 26624, inclusive, to the Health and Safety Code, relating to adulterating, mislabeling, misbranding, false advertising, and sale of foods and the powers of the State Department of Public Health in relation thereto." approved July 13, 1939.

Bill read third time.

Motion to Amend

Mr. Burns moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 46 to 48, inclusive, and insert "If it be chopped or ground beef, or hamburger containing any substance other than the striated muscle of cattle; and the total fat content (determined by either extract method of analysis) derived from cattle is in excess of 25 per cent."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT

Mr. Middough asked for, and was granted, unanimous consent to take up Assembly Bill No. 360, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 360

Assembly Bill No. 360—An act making an appropriation for the support of the Youth Authority, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Middough moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, strike out everything except "An act", and insert "to amend Section 1711.5 of the Welfare and Institutions Code and to make an appropriation for the support of the Youth Authority, to take effect immediately."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive, and insert

"SECTION 1. Subject to allocation by the Governor there is hereby appropriated to the Youth Authority (established under Division 25 of the Welfare and Institutions Code) in addition to any other appropriation thereto, out of any money in the State treasury not otherwise appropriated, the sum of one hundred seventy thousand dollars (\$170,000) for the support of such Authority during the Ninety-fourth and Ninety-fifth Fiscal Years.

SEC. 2. Section 1711.5 of the Welfare and Institutions Code is amended to read: 1711.5 This section shall remain in effect [only while the United States is at war and not after June 30, 1943] until September 1, 1943, unless earlier repealed. While this section is in effect to the extent that it conflicts with Sections 1711 and 1722, this section controls.

Any superintendent of a State correctional school for boys, also any probation officer of a county, is eligible to accept and hold the office of member of the [Youth Correction] authority and to continue to hold office as such superintendent or as such probation officer (subject, in the latter case, to the consent, permission, or approval of the board of supervisors or other appropriate county authority or authorities), devoting such time to his duties as member as the duties of his other office permit, but during the period of such dual holding he shall receive no salary as member of the authority, though he shall receive his actual necessary traveling expenses as such member and such salary and expenses as may be otherwise provided for the office of superintendent or of probation officer. The rate of pay fixed by the State Personnel Board for the superintendent of a correctional school for boys for full-time employment shall not be diminished because the superintendent is serving as a member of the authority.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The United States is at war. It is more than ever necessary that the youth of this Nation be conserved so that they may assume their obligations during the war and during the period of reconstruction thereafter. The appropriation and the amendments made by this act will enable the authority to function effectively pending the determination of the permanent program and thus contribute to the public peace, health and safety of this Nation and this State."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 21	Assembly Bill No. 693
Assembly Bill No. 55	Assembly Bill No. 753
Assembly Bill No. 90	Assembly Bill No. 784
Assembly Bill No. 192	Assembly Bill No. 786
Assembly Bill No. 212	Assembly Bill No. 889
Assembly Bill No. 216	Assembly Bill No. 915
Assembly Bill No. 227	Assembly Bill No. 928
Assembly Bill No. 228	Assembly Bill No. 969
Assembly Bill No. 325	Assembly Bill No. 975
Assembly Bill No. 342	Assembly Bill No. 992
Assembly Bill No. 380	Assembly Bill No. 1198
Assembly Bill No. 443	Assembly Bill No. 1158
Assembly Bill No. 458	Assembly Bill No. 1347
Assembly Bill No. 529	Assembly Bill No. 1472
Assembly Bill No. 564	Assembly Bill No. 1473
Assembly Bill No. 613	Assembly Bill No. 1475
Assembly Bill No. 626	Assembly Bill No. 1564
Assembly Bill No. 627	Assembly Bill No. 1648
Assembly Bill No. 632	Assembly Bill No. 1771

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 327
And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 126	Assembly Bill No. 979
Assembly Bill No. 407	Assembly Bill No. 1474
Assembly Bill No. 465	Assembly Bill No. 1505
Assembly Bill No. 788	Assembly Bill No. 1588

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1023

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 1023—An act to add Section 337g to the Penal Code, relating to the possession, use, and transportation of drugs at race tracks.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 57—Relative to approving certain amendments to the charter of the City of Fresno, in the County of Fresno, State of California, voted for and ratified by the electors of the city at a special election held therein on the twelfth day of April, 1943;

Assembly Concurrent Resolution No. 58—Approving certain amendments to the charter of the City of Glendale, State of California, voted for and ratified by the electors of such City at a special municipal election held therein on April 13, 1943;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of April, 1943, at 1 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 444—An act to add Sections 569, 3794.2, 3807.3, 3811, 3812, 3813, 3814, to, to amend Sections 1834, 1901, 2614, 2621, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2634, 3351, 3437, 3439, 3480, 3513, 3712, 3716, 3717.5, 3718, 3797, 3805, 4109, 4109.5, 4337, 4834, 4837, 4838, 4880, 4946, 4948, 4989, 4990, 4991, and 4992 of, and to repeal Section 3707.5 of the Revenue and Taxation Code, relating to property taxation;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fourth day of April, 1943, at 1 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1139

Assembly Bill No. 1192

Assembly Bill No. 1232

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 178

Assembly Bill No. 900

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 360

Assembly Bill No. 1979

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 158

Assembly Bill No. 2003

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 2005

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATSON, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Assembly Bill No. 1404

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bill was continued until the next legislative day:

Assembly Bill No. 434.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant and Mrs. Harold Adams of Wabash, Indiana.

On request of the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Kenneth Raymond and James Horgan of San Francisco.

On request of Mr. Ralph C. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Dorothy Gilbert of Compton.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Laurence Paye, Cleveland, Ohio; Robert Brown, New York; and Jim Lynch of New York, back from active service in South Pacific, and Corporal R. Hamond and Sergeant Ziggy Krayjalis of Long Island.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Michael Browisky and the Misses Carol Ann and Sue Ellen Browisky of Sacramento.

ADJOURNMENT

At 1.47 p.m., on motion of Mr. Sam L. Collins, seconded by Mr. Brady, the Speaker declared the Assembly adjourned until 11 a.m., Monday, April 26, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-THIRD LEGISLATIVE DAY

ONE HUNDRED THIRTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, April 26, 1943

The Assembly met at 9.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Our Father, God, our days are Thine, let them be spent for Thee. Grant us this day a glorious consciousness of Thy love and presence. Guide and bless our President, our Governor, Speaker and Members of this Assembly.

Especially we pray for the members of our armed forces, wheresoever they may serve. May our people be reconsecrated upon the anvil of war, to the purposes set forth in our Constitution and symbolized in our Flag, heeding steadily the very ideals which gave our Nation its birth.

"In the beauty of the lilies,
Christ was born across the sea.
With a glory in His bosom
That transfigures you and me;
As He died to make men holy,
Let us die to make men free!
While God is marching on."

AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Heisinger.

COMMUNICATIONS

By Speaker Lyon:

A communication from Captain Eddie Rickenbacker, expressing his regrets at being unable to accept the invitation of the Assembly to speak before the joint membership of the Assembly and the Senate, was received.

By the Chief Clerk:

The following communication was received and ordered printed in the Journal:

FIRST BAPTIST CHURCH
COLUMBUS, OHIO, April 20, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California*

DEAR ARTHUR: I was greatly pleased to receive the beautifully engrossed copy of House Resolution No. 84, conveying the felicitations and good wishes from the Assembly to me. I hastened to take it to the picture framers so that I may hang it in my office with my picture of the personnel of the Fifty-third Session.

My best wishes to inquiring friends.

Gratefully,

R. L. BAILEY

Also:

A communication from the Engineers and Architects Association of Southern California, relative to pending legislation, was received and referred to the Committee on Rules and House Functions.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hollibaugh:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows.

An act to amend Sections 9023, 9150, 9151, 9171, 9191, 9192, 9196, and 9321 of the Government Code, relating to officers and employees of the Senate and Assembly.

Respectfully submitted.

JONATHAN J. HOLLIBAUGH

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Hollibaugh:

An act to amend Sections 9023, 9150, 9151, 9171, 9191, 9192, 9196, and 9321 of the Government Code, relating to officers and employees of the Senate and Assembly.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Denny, Dickey, Dills, Clayton A.,

Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

The following bill was introduced, and read the first time:

Assembly Bill No. 2009: By Mr. Hollibaugh—An act to amend Sections 9023, 9150, 9151, 9171, 9191, 9192, 9196, and 9321 of the Government Code, relating to officers and employees of the Senate and Assembly.

Without reference to committee.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 86	Assembly Bill No. 719
Assembly Bill No. 259	Assembly Bill No. 783
Assembly Bill No. 263	Assembly Bill No. 941
Assembly Bill No. 308	Assembly Bill No. 942
Assembly Bill No. 339	Assembly Bill No. 1045
Assembly Bill No. 363	Assembly Bill No. 1062
Assembly Bill No. 370	Assembly Bill No. 1322
Assembly Bill No. 372	Assembly Bill No. 1340
Assembly Bill No. 409	Assembly Bill No. 1699
Assembly Bill No. 586	Assembly Bill No. 1776
Assembly Bill No. 651	

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 224	Assembly Bill No. 1031
Assembly Bill No. 360	Assembly Bill No. 1444
Assembly Bill No. 366	Assembly Bill No. 1525
Assembly Bill No. 512	Assembly Bill No. 1624
Assembly Bill No. 526	Assembly Bill No. 1653
Assembly Bill No. 561	Assembly Bill No. 1863
Assembly Bill No. 606	Assembly Bill No. 1974
Assembly Bill No. 698	Assembly Bill No. 2004
Assembly Bill No. 776	

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1411
 Assembly Bill No. 1480
 Assembly Bill No. 1774

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Concurrent Resolution No 60
and reports the same correctly engrossed

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 8	Assembly Bill No. 1515
Assembly Bill No. 291	Assembly Bill No. 1518
Assembly Bill No. 422	Assembly Bill No. 1519
Assembly Bill No. 428	Assembly Bill No. 1521
Assembly Bill No. 648	Assembly Bill No. 1522
Assembly Bill No. 674	Assembly Bill No. 1823
Assembly Bill No. 701	Assembly Bill No. 1824
Assembly Bill No. 773	Assembly Bill No. 1847
Assembly Bill No. 1185	Assembly Bill No. 1907
Assembly Bill No. 1336	Assembly Bill No. 1928
Assembly Bill No. 1341	Assembly Bill No. 1973
Assembly Bill No. 1342	Assembly Bill No. 1990
Assembly Bill No. 1424	Assembly Bill No. 1993
Assembly Bill No. 1500	Assembly Bill No. 1997
Assembly Bill No. 1513	

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

MOTION TO SET SPECIAL ORDER

Mr. John B. Knight moved that Assembly Bills Nos. 1225, 1233, 1231, and 347, and Senate Bills Nos. 994, 998, 1000, 1001, and 1026 be made a special order of business for Tuesday, April 27, 1943, at 10 a. m.

The roll was called, and the motion lost by the following vote:

AYES—Armstrong, Erwin, Knight, John B., Knight, T. Fenton; Middough, Sergeant, Smith, Waters, and Werdel—9.

NOES—Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Debs, Dicker, Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Stream, Thomas, Thompson, Thorp, and Weybret—43.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2005—An act to add Section 429.5 to the Fish and Game Code, relating to special sporting fishing licenses for persons in the armed forces of the United States and the auxiliary branches thereof, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "special sporting fishing licenses for", and insert "fishing by".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 17, inclusive, and insert "429.5. Any member of the armed forces of the United States or any auxiliary branch thereof may take fish for purposes other than profit in accordance with law, without a sporting fishing license.

This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature, or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect, it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective, shall have the same force as though this section had not been enacted."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1404—An act to amend the Civil Engineers' Act, by amending Sections 6730, 6731, 6733, 6734, 6735 and 6737, and adding Sections 6752.5 and 6756.5, all of the Business and Professions Code, and relating to civil engineers

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, strike out "6734,".

Amendment No. 2

On page 3 of said bill, strike out lines 12 to 20, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

WITHDRAWAL OF ASSEMBLY BILL NO. 1078 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Doyle asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1078 from the Committee on Ways and Means, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1078

Assembly Bill No. 1078—An act to amend Sections 65, 65c, 78, 79, 83, 83a, 101, and 109 of, and to add Sections 8e, 28b, 65f, 65g, and 65h to, the State Employees' Retirement Act, relating to fish and game wardens.

Bill read second time.

Motion to Amend

Mr. Doyle moved the adoption of the following amendments:

Amendment No. 1

On page 7, line 23, of the printed bill, as amended, strike out "-----", and insert "12.11".

Amendment No. 2

On page 7 of said bill, strike out lines 39 to 46, inclusive, and insert "and confirmed. The board of administration shall".

Amendments read and adopted.

Bill ordered reprinted and engrossed

WITHDRAWAL OF ASSEMBLY BILLS NOS. 1449 AND 128 FROM THE INACTIVE FILE

Mr. Dilworth moved that Assembly Bill No. 1449 be withdrawn from the inactive file, and placed upon the third reading file.

Motion carried.

Mr. Leonard moved that Assembly Bill No. 128 be withdrawn from the inactive file, and placed upon the third reading file.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dilworth asked for, and was granted, unanimous consent to take up Assembly Bill No. 1500, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 1500

Assembly Bill No. 1500—An act to repeal Chapters 2 and 3 and Articles 2 and 3 of Chapter 5 of, to add Chapter 2 to, Part 2 of Division 5, and to amend Sections 5.263, 5.420, and 5.540, all of the School Code and to repeal Chapters 2 and 3 of, to add Chapter 2 to Division 7, and to amend Sections 12604, 13031, and 13226, all of the Education Code, relating to the authorization of persons to serve in the public schools.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Chapters 2 and 3 and Articles 2 and 3 of"; strike out lines 2 and 3; and in line 4, of said title, strike out "School Code and to repeal".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23, inclusive; strike out all of page 2; and on page 3, strike out lines 1 to 30, inclusive, and insert "SECTION 1. Chapters 2 and 3 of Division 7 of the Education Code are hereby repealed."

Amendment No. 3

On page 3, line 31, of said bill, strike out "Sec. 8.", and insert "Sec. 2"

Amendment No. 4

On page 4, line 18, of said bill, strike out "Sec. 9.", and insert "Sec. 3."

Amendment No. 5

On page 4, line 33, of said bill, strike out "Sec. 10.", and insert "Sec. 4."

Amendment No. 6

On page 4, line 43, of said bill, strike out "a time", and insert "at the".

Amendment No. 7

On page 5, line 1, of said bill, strike out "Sec. 11.", and insert "Sec. 5."

Amendment No. 8

On page 5, line 10, of said bill, strike out "the chapter on medicine", and insert "Chapter 5 of Division 2".

Amendment No. 9

On page 5 of said bill, strike out lines 24 to 30, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RECESS

At 11.34 a.m., on motion of Mr. O'Day, the Assembly recessed until 11.37 a.m. to hear from Congressman Thomas Rolph of San Francisco.

REASSEMBLED

At 11.36 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS****RECONSIDERATION OF ASSEMBLY BILL NO. 85**

In compliance with a notice given on a previous day, Mr. Lowrey moved that the vote whereby Assembly Bill No. 85 was passed be reconsidered.

Demand for Previous Question

Messrs. Doyle, Heisinger, Dickey, Knight, T. Fenton; and Lowrey demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider the vote whereby Assembly Bill No. 85 was passed.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Motion carried. Time, 11.37 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****RECONSIDERATION OF URGENCY CLAUSE TO ASSEMBLY BILL NO. 933**

In compliance with a notice given on a previous day, Messrs. Lowrey and Dills, Ralph C., moved that the vote whereby the urgency clause to Assembly Bill No. 933 was refused adoption be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Ralph C. Dills moved a call of the Assembly.

Motion carried. Time, 12 m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

CONSIDERATION OF DAILY FILE (RESUMED)**NOTICES OF MOTION TO RECONSIDER CONTINUED**

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 58

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 434 WAIVED

Mr. Debs waived his notice of motion to reconsider the vote whereby Assembly Bill No. 434 was refused passage.

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 126—An act to amend Sections 5245 and 5252 of the Streets and Highways Code relating to special assessment proceedings and the calling for bids.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 126?

Amendment No. 1

On page 1 of the printed bill, after line 19, insert "Sec. 3 The limitation with respect to the advertisement and readvertisement for bids, which is repealed by this act, shall not constitute a bar to the advertisement or readvertisement for bids in any proceedings, the ordinance of intention for which was passed subsequent to January 1, 1941, and no such proceedings shall be invalid by reason of failure to advertise or readvertise for bids within said six (6) months period, nor shall the validity of any assessments levied thereunder be affected by any such failure or delay."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 126 by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollbaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 126 ordered enrolled.

Assembly Bill No. 407—An act to amend Sections 427, 428, and 990 of the Fish and Game Code, relating to hunting and fishing, and the issuance of licenses therefor.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 407?

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly on April 7, 1943, strike out lines 20 and 21, and insert "authorized to do business in this State, if none of the officers or directors thereof are alien Japanese, and if less than the majority of each class of stockholders thereof are alien Japanese."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 407 by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollbaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 407 ordered enrolled.

Assembly Bill No. 788—An act to amend Section 88 of the Agricultural Code, relating to property transfers by district agricultural associations.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 788?

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 5 to 13, inclusive, and insert "the Fair and Exposition Fund in the State treasury. The amount paid into said fund under the provisions of this section shall be available for expenditure by the association, with the approval of the State Department of Finance, for permanent improvements for fair purposes on the property of the association. Said funds or any portion thereof which are not expended within three years after being so paid into the State treasury as provided in this section shall be added to and become a part of the amount available under Section 19626 of the Business and Professions Code for permanent improvements upon the property of the State, citrus, county, or district agricultural associations for fair purposes, in such amounts as may be allocated by executive order of the State Director of Finance"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 788 by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D. Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heringer, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 788 ordered enrolled.

Assembly Bill No. 979—An act to amend Section 666 of the Agricultural Code, relating to the labeling of milk products and imitations thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 979?

Amendment No. 1

On page 1, line 19, of the printed bill, as amended, strike out "provisions", and insert "labeling requirements".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 979 by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D. Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heringer, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 979 ordered enrolled.

Assembly Bill No. 465—An act to amend Section 2049 of the Penal Code, and to add Sections 2090.5, 2714, 3020.5 and 3040.5 to the Penal Code, relating to prisons and prisoners.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 465?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2049", and insert "Sections 2049 and 2701".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of the printed bill, after line 18, insert

"SEC 6. Section 2701 of the Penal Code is hereby amended to read:

2701. The board is hereby authorized and empowered to cause the prisoners in the State prisons of this State to be employed in the rendering of such services and in the production and manufacture of such articles, materials, and supplies as are now, or may hereafter be, needed by the State, or any political subdivision thereof, or that may be needed for any State, county, district, municipal, school, or other public use, [and also] or that may be needed by any public institution of the State or of any political subdivision thereof, [or] and also by the Federal Government or any department, agency, or corporation until April 15, 1945, or until the termination of the present National emergency declared to exist by the President of the United States by his proclamation of September 8, 1939, or until the termination of the present war and six months thereafter, whichever of the foregoing first occurs. The board may enter into contracts for the purposes of this article"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 465 by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr Speaker—68

NOES—None.

Assembly Bill No. 465 ordered enrolled.

Assembly Bill No. 1474—An act to amend Sections 1550 and 3082 of the Welfare and Institutions Code, relating to public assistance, providing for investigations into applications therefor, and for the time of commencement of payments thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1474?

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", 2183,".

Amendment No. 2

On page 1 of said bill, strike out lines 20 to 27, inclusive; and on page 2, strike out lines 1 to 21, inclusive; and in line 22, strike out "Sec. 3", and insert "Sec. 2".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1474 by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan,

Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1474 ordered enrolled.

Assembly Bill No. 1505—An act to amend Sections 1196, 1200, 1201 and 1202 of the Agricultural Code, relating to of cooperative marketing associations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1505?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1196", and insert "Sections 1196, 1200, 1201 and 1202".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "articles of incorporation".

Amendment No. 3

On page 1, line 16, of the printed bill, strike out "the term of office of the directors,".

Amendment No. 4

On page 1, line 17, of the printed bill, strike out "not exceeding five years;".

Amendment No. 5

On page 2 of the printed bill, after line 16, insert "SEC. 2. Section 1200 of the Agricultural Code is hereby amended to read as follows.

1200. Each association shall within 30 days after its incorporation, adopt for its government and management, a code of by-laws, not inconsistent with this chapter. A majority vote of the members or shares of stock issued and outstanding and entitled to vote, or the written assent of a majority of the members or of stockholders representing a majority of all the shares of stock issued and outstanding and entitled to vote, is necessary to adopt such by-laws and is effectual to repeal or amend any by-laws, or to adopt additional by-laws. The power to repeal and amend the by-laws, and adopt new by-laws, may, by a similar vote, or similar written assent, be delegated to the board of directors, which authority may, by a similar vote, or similar written assent, be revoked. Each association, under its by-laws, may provide for any or all of the following matters:

(a) The time, place and manner of calling and conducting its meetings. Meetings of members or stockholders shall be held at the place as provided in the by-laws; and if no provision be made, then in the city where the principal place of business is located at a place designated by the board of directors. Meetings of the board of directors may be held at any place within or without the State fixed by a quorum thereof unless otherwise provided in the articles of incorporation or by-laws.

(b) The number of stockholders or members constituting a quorum.

(c) The right of members or stockholders to vote by proxy or by mail or both, and the conditions, manner, form and effects of such votes; the right of members or stockholders to cumulate their votes and the prohibition, if desired, of cumulative voting.

(d) The number of directors constituting a quorum.

(e) The number of directors and the qualifications, compensation and duties and term of office of directors and officers and the time of their election. *Subject to the provisions of the General Corporation Law, the number of directors may be changed by a by-law duly adopted by the shareholders or members.*

(f) Penalties for violations of the by-laws.

(g) The amount of entrance, organization and membership fees, if any; the manner and method of collection of the same; and the purposes for which they may be used.

(h) The amount which each member or stockholder shall be required to pay annually, or from time to time, if at all, to carry on the business of the association; the charge, if any, to be paid by each member or stockholder for services rendered by the association to him and the time of payment and the manner of collection; and the marketing contract between the association and its members or stockholders which every member or stockholder may be required to sign.

(i) The amount of any dividends which may be declared on the stock or membership capital, which dividends shall not exceed eight (8) per cent per annum and which dividends shall be in the nature of interest and shall not affect the nonprofit character of any association organized hereunder.

(j) The number and qualification of members or stockholders of the association and the conditions precedent to membership or ownership of common stock; the method, time and manner of permitting members to withdraw or the holders of

common stock to transfer their stock; the manner of assignment and transfer of the interest of members, and of the shares of common stock; the conditions upon which and time when membership of any member shall cease; the automatic suspension of the rights of a member when he ceases to be eligible to membership in the association; and the mode, manner and effect of the expulsion of a member; the manner of determining the value of a member's interest and provision for its purchase by the association upon the death or withdrawal of a member or upon the expulsion of a member or forfeiture of his membership, or at the option of the association, the purchase at a price fixed by conclusive appraisal by the board of directors; and the conditions and terms for the repurchase by the corporation from its stockholders of their stock upon their disqualification as stockholders. In case of the expulsion of a member, and where the by-laws do not provide any procedure or penalty, the board of directors shall equitably and conclusively appraise his property interest in the association and shall fix the amount thereof in money, which shall be paid to him within one year after such expulsion.

SEC 3. Section 1201 of the Agricultural Code is hereby amended to read as follows:

1201 The affairs of the association shall be managed by a board of not less than three directors, elected by the members or stockholders.

SEC. 4. Section 1202 of the Agricultural Code is hereby amended to read as follows:

1202 The by-laws may provide that:

(a) The territory in which the association has members shall be divided into districts and that directors shall be elected from the several districts. In any such case, the by-laws shall specify the number of directors to be elected by each district, the manner and method of reapportioning the directors and of redistricting the territory covered by the association.

(b) Primary elections shall be held to nominate directors. Where the by-laws provide that the territory in which the association has members shall be divided into districts, the by-laws may also provide that the results of the primary elections in the various districts shall be final and must be ratified at the annual meeting of the association.

(c) The territory in which the association has members shall be divided into districts, and that the directors shall be elected by representatives or advisers, who themselves have been elected by the members or stockholders from the several territorial districts. In any such case, the by-laws shall specify the number of representatives or advisers to be elected by each district, the manner and method of reapportioning the representatives or advisers and of redistricting the territory covered by the association.

(d) One or more directors may be nominated by any public official or commission or by the other directors selected by the members. Such director shall represent primarily the interest of the general public in such associations. The directors so nominated shall have the same powers and rights as other directors. Such directors shall not number more than one-fifth of the entire number of directors.

(e) The by-laws may provide for an executive committee and may allot to such committee all the functions and powers of the board of directors, subject to the general direction and control of the board."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1505 by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollbaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1505 ordered enrolled.

Assembly Bill No. 1588—An act to add Section 44.4 to the Vehicle Code, relating to authorized emergency vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1588?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "44.2", and insert "44.4".

Amendment No. 2

On page 1, line 1, of said bill, strike out "41.2", and insert "44.4".

Amendment No. 3

On page 1, line 3, of said bill, strike out "41.2", and insert "44.4".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1588 by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 1588 ordered enrolled.

Assembly Bill No. 327—An act to amend Section 1215 of the Health and Safety Code, relating to applicability of clinic and dispensary licensing provisions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 327?

Amendment No. 1

On page 1, line 13, of the printed bill, strike out the period, and insert "or teaching or educational institution exempt from income taxation under the Federal revenue acts."

Amendment No. 2

On page 1, line 8, of the printed bill, as amended, after "purposes", strike out "or", and insert ", or to any".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 327 by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 327 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 512—An act to amend Section 6902 of the Labor Code, relating to operation personnel of railroads.

Bill read third time.

Demand for Previous Question

Messrs. Knight, John B., Middough, Evans, Armstrong, and Denny demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 512.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Burkhalter, Call, Carlson, Clarke, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Field, Fourt,

Guthrie, Haggerty, Hastain, Heisinger, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, McCollister, Middough, Miller, O'Day, Potter, Price, Robertson, Sargent, Smith, Stream, Thompson, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—15.

NOES—Anderson, Beck, Bennett, Berry, Brown, Burns, Carey, Collins, George D., Crichton, Doyle, Dunn, Gaffney, Gannon, Hawkins, Hollibaugh, Kilpatrick, King, Lyons, Massion, McMillan, Niehouse, Pelletier, Rosenthal, Sheridan, Thomas, and Werdel—26.

Bill ordered transmitted to the Senate.

Explanation of Vote

It has been stated on the Assembly floor that 20 per cent of the trains carrying war commodities are delayed by the Full Crew Law. In justice to the armed forces, we can not vote to continue this condition. Therefore, we are in favor of suspending this law during the war, subjecting, however, the railroads to regulation by the Railroad Commission, to provide adequate safety rules and regulations.

GERALD P. HAGGERTY
EDWARD F. O'DAY

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF URGENCY CLAUSE TO ASSEMBLY BILL NO. 933

At 12 52 p.m., on motion of Mr. Ralph C. Dills, further proceedings under call of the Assembly were dispensed with.

The names of the absentees were called, and reconsideration of the vote whereby the urgency clause to Assembly Bill No. 933 was refused adoption was refused by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Brown, Burkhalter, Carey, Clarke, Collins, George D., Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Gaffney, Gannon, Guthrie, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Potter, Robertson, Rosenthal, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, and Weybret—42.

NOES—Armstrong, Berry, Brady, Burns, Call, Crichton, Denny, Desmond, Doyle, Erwin, Evans, Field, Fourt, Haggerty, Hastain, Hollibaugh, Knight, T. Fenton; Lyons, McCollister, Niehouse, O'Day, Pelletier, Price, Sargent, Stream, Watson, Werdel, Wollenberg, and Mr. Speaker—29.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 85

At 12.55 p.m., on motion of Mr. Lowrey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and reconsideration of the vote whereby Assembly Bill No. 85 was passed granted by the following vote:

AYES—Armstrong, Call, Carey, Carlson, Clarke, Crichton, Denny, Desmond, Dickey, Dilworth, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, McCollister, Miller, Potter, Price, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—41.

NOES—Allen, Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Collins, George D., Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Hawkins, Hollibaugh, Kilpatrick, Knight, John B., Lyons, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Waters, and Mr. Speaker—32.

RECESS

At 12 56 p.m., on motion of Mr. Burns, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p m.. the Assembly reconvened.
 Hon. Charles W Lyon. Speaker of the Assembly, presiding.
 Chief Clerk Arthur A Ohnmus at the desk.

REPORTS OF STANDING COMMITTEES**Committee on Civil Service and State Departments**

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR SPEAKER: Your Committee on Civil Service and State Departments, to which was referred:

Senate Bill No. 322

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

T. FENTON KNIGHT, Chairman

Above reported bill ordered to second reading.

Committee on Public Utilities, Manufacturing, and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which was referred:

Senate Bill No. 1079

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ALLEN, Chairman

Above reported bill ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file and re-referred as follows:

Assembly Bill No. 1928 re-referred to the Committee on Public Health.

Assembly Bill No. 1424 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1973 re-referred to the Committee on Ways and Means.

Assembly Bill No. 701 re-referred to the Committee on Agriculture.

Assembly Bill No. 8 re-referred to the Committee on Judiciary.

Assembly Bill No. 648 re-referred to the Committee on Public Morals.

Assembly Bill No 606 re-referred to the Committee on Roads and Highways.

Assembly Bill No. 291 re-referred to the Committee on Judiciary.

Assembly Bill No. 1322 re-referred to the Committee on Judiciary.

Assembly Bill No. 1863 re-referred to the Committee on Ways and Means.

Assembly Bill No. 651 re-referred to the Committee on Labor and Capital.

Assembly Bill No. 366 re-referred to the Committee on Ways and Means.

Senate Bill No. 993 re-referred to the Committee on Finance and Insurance.

Senate Bill No. 508 re-referred to the Committee on Education.

Senate Bill No. 548 re-referred to the Committee on Education.

Senate Bill No. 65 re-referred to the Committee on Judiciary.

Senate Bill No. 58 re-referred to the Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 168 re-referred to the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 174

House Resolution No. 174

WHEREAS, The National Folk Festival has as its object the bringing together of groups from various sections of the United States, with the characteristic folk expression of each, in faith that National incentive gives encouragement to regional festivals, and that continued participation in such festivals keeps alive the fine traditional customs associated with the founding of this Nation; and

WHEREAS, In addition to serving as a record of the social life of early America, and a later America as well, the festival furnishes a basic, cultural, leisure-time activity program, and presents material which may inspire future artistic creations. Through the interchange of distinctive folk songs, music, dances, myths and folk stories of different races will come, we hope, a better understanding and more tolerance which should result in stronger National unity; and

WHEREAS, The National Folk Festival has been held yearly since 1933; and

WHEREAS, The 1943 Folk Festival will be held at Philadelphia, Pennsylvania, on May the 5th, 6th, 7th, and 8th of this year; and

WHEREAS, Mrs. Hattie C. Scott of Stanislaus County, California, is a native daughter of California of the age of 79 years young and is an old timer in the history of our great State; and

WHEREAS, Mrs. Scott is a well known fiddler, having played at the National festival in the past years as well as the San Francisco Fair and Exposition and the California State Fair at Sacramento; and

WHEREAS, Mrs. Scott is well known for her ability to interpret well beloved American tunes which are fast becoming folk tunes in the hearts of our citizens; now, therefore, be it

Resolved by the Assembly, That Mrs. Hattie C. Scott be designated by this Legislature as the official representative of California at the National Folk Festival at Philadelphia, Pennsylvania, on May 5th, 6th, 7th and 8th and that a copy of said resolution be forwarded to Mrs. Hattie C. Scott at Turlock, California, and the National Folk Festival at Philadelphia, Pennsylvania.

Resolution read and adopted.

RESOLUTIONS

The following resolution was offered:

By Messrs. King, Denny, Thompson, and Burns:

House Resolution No. 209

Relating to a recess of this Assembly

WHEREAS, The scent of wild lilac in the air, dogwood in bloom, and a sudden rise in the spirits of men all proclaim that the first day of May approaches; and

WHEREAS, Even among primitive men this was a season of gaiety, festivity, and feasting, while in our Christian era it has served as an inspiration to the pen of poets innumerable and waltz kings immortal, and in this our own beloved State the tradition of May 1st has reached its full glory as the day when the bonds of legal restraint are relaxed and untold thousands of Californians are drawn irresistibly to the great wonderland of California's Sierra region, and the Redwood Empire, to the cool depths of green forests, or where fresh streams play in golden sunlight through meadows flecked with the scarlet, gold, blue, and white of mountain flowers, and where, most entrancing of all, the elusive rainbow, the wary eastern brook, the mighty mackinaw, steelhead, and the vicious German brown wait to test one's skill; and

WHEREAS, At this traditional season of return to nature, of restoring of souls, and renewing of strength, such a longing arises in the human breast for the well loved winding Eel, the turbulent white foam of the mighty Feather, the meandering drowsy waters of the Pit, the famous Klamath, and the pure depths of countless lakes, that even against the strongest will a Member of this Wartime Assembly finds "Whereas," "to wit," "wherefore," "be it resolved," "do pass," or "expunge" blending and merging into "rods," "leaders," "spinners," "dry flies," "wet flies," "salmon eggs," and even the despised "worm," until the only question before the

house becomes "Does a rainbow rise better to the delicate multicolored ginger quill or to the practical and effective lowly crowding?"; now, therefore, be it

Resolved by the Assembly of the State of California. That the Members of this Assembly recommend to the Rules Committee that this Assembly recess at the close of business on April 30th to reconvene May 3, 1943, so that the Members of this Assembly may join their constituents and fellow citizens in the traditional opening of that annual Golden Age known as "Fishin' Season," and repair to the soul restoring glories of California's vast mountain areas.

Resolution read, and referred to Committee on Rules and House Functions

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1444—An act to amend Section 10301 of the Education Code, relating to the course of study for elementary schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Helsing, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough Miller, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Werdel, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2.30 p. m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Assembly Bill No. 1703—An act to amend Section 668 of the Fish and Game Code, relating to salmon, declaring the urgency thereof to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and refused adoption by the following vote:

AYES—Brady, Burns, Call, Carey, Carlson, Clarke, Crichton, Dickey, Dunn, Guthrie, Haggerty, Johnson, Leonard, Middough, Sawallisch, Sheridan, Thomas, Thurman, and Weybret—20.

NOES—Allen, Anderson, Armstrong, Beck, Bennett, Brown, Burkhalter, Collins, George D., Crowley, Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Hastain, Hawkins, Helsing, Hollibaugh, Kellem, Kilpatrick, King, Knight, T. Fenton, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Watson, Weber, Werdel, and Mr. Speaker—50

Speaker Presiding

At 2.49 p. m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Assembly Bill No. 671—An act to add Section 1020.5 to Chapter 5, Title 14, Part 2 of the Code of Civil Procedure, relating to dispensing with the giving of notice to persons who are enemies or allied with enemies of the United States as defined in the Trading with the Enemy Act, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—76.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1994 was taken up.

Assembly Bill No. 1994—An act to amend Sections 2005, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2184, and 2222 of the Welfare and Institutions Code, to repeal Section 2224 thereof, and to add Sections 2008.5, 2014, 2015, 2016, 2017, 2020.01, 2021.01, 2163.1, 2163.2, 2163.7, 2166, 2181.1, 2182.1, 2183.1, and 2187.01 thereto, relating to aid to the aged, to take effect immediately, and to become operative as therein provided.

Bill read third time.

Motion to Amend

Mr. Smith moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "and 2222", and insert "2222 and 2224".

Amendment No. 2

In lines 3 and 4 of the title of said bill, strike out "to repeal Section 2224 thereof"

Amendment No. 3

On page 6 of said bill, strike out lines 39 to 41, inclusive, and insert "determine the ability of responsible relatives to contribute to the support of applicant and designate the amount of aid, if any, to be granted. The maximum degree of liability of the responsible relative shall be determined by "Relatives' Contribution Scale". In determining ability to contribute, the financial circumstances of responsible relatives shall be given due consideration and, in unusual cases, contributions at less than the amount fixed by "Relatives' Contribution Scale" may be made as the board of supervisors may deem justifiable. A married daughter of the applicant shall not be required to make contributions unless she has income constituting her separate property.

In all cases the contributions required of responsible relatives under this section shall be paid directly to the county and no deduction shall be made from the aid

granted under this chapter by reason of any default in the payment by a responsible relative to the county.

RELATIVES' CONTRIBUTION SCALE

A. Net monthly income of responsible relatives in one family	B. Number of persons dependent upon income								10 and over
	1	2	3	4	5	6	7	8	
	C. Maximum required monthly contribution								
Under 155	0	0	0	0	0	0	0	0	0
155 to 174	5	0	0	0	0	0	0	0	0
175 to 194	10	0	0	0	0	0	0	0	0
195 to 214	15	0	0	0	0	0	0	0	0
215 to 234	20	0	0	0	0	0	0	0	0
235 to 254	25	5	0	0	0	0	0	0	0
255 to 274	30	10	0	0	0	0	0	0	0
275 to 294	35	15	5	0	0	0	0	0	0
295 to 314	40	20	10	5	0	0	0	0	0
315 to 334	45	25	15	10	0	0	0	0	0
335 to 354	50	30	20	15	5	0	0	0	0
355 to 374	55	35	25	20	10	5	0	0	0
375 to 394	60	40	30	25	15	10	0	0	0
395 to 414	65	45	35	30	20	15	5	0	0
415 to 434	70	50	40	35	25	20	10	0	0
435 to 454	75	55	45	40	30	25	15	5	0
455 to 474	80	60	50	45	35	30	20	10	0
475 to 494	85	65	55	50	40	35	25	15	5
495 to 514	90	70	60	55	45	40	30	20	10
515 to 534	95	75	65	60	50	45	35	25	15
535 to 554	100	80	70	65	55	50	40	30	20
555 to 574	100	85	75	70	60	55	45	35	25
575 to 594	100	90	80	75	65	60	50	40	30
595 to 614	100	95	85	80	70	65	55	45	35
615 to 634	100	100	90	85	75	70	60	50	40
635 to 654	100	100	95	90	80	75	65	55	45
655 to 674	100	100	100	95	85	80	70	60	50
675 to 694	100	100	100	100	90	85	75	65	55
695 to 714	100	100	100	100	95	90	80	70	60
715 to 734	100	100	100	100	100	95	85	75	65
735 to 754	100	100	100	100	100	100	90	80	70
755 to 774	100	100	100	100	100	100	95	85	75
775 to 794	100	100	100	100	100	100	100	90	80
795 to 814	100	100	100	100	100	100	100	95	85
815 to 834	100	100	100	100	100	100	100	100	90
835 to 854	100	100	100	100	100	100	100	100	95
855 to 874	100	100	100	100	100	100	100	100	90
875 to 894	100	100	100	100	100	100	100	100	95
895 to 914 and up	100	100	100	100	100	100	100	100	100

Amendment No. 4

On page 12 of said bill, strike out line 1, and insert

"SEC. 24. Section 2224 of said code is amended to read:

2224. The board of supervisors shall determine if the applicant or recipient of aid has within the State a spouse or adult child pecuniarily able to contribute to the support of the applicant or recipient of aid. A brief initial form shall be sent to the relative inquiring whether the relative has an income in his or her own right. If the relative has such income, he or she shall file a sworn statement indicating whether he or she is contributing to the support of the applicant or recipient of aid, and if contributing, in what form and amount per month.

Upon the request of the board of supervisors, the spouse or adult child shall file such sworn statement within 10 days if living in the county, or within 30 days if living elsewhere in the State; provided, however, that the granting or continued receipts of aid shall not be contingent upon the filing of such sworn statement by such spouse or adult child.

If the person receiving aid has within the State, a spouse or adult child pecuniarily able to support said person, the board of supervisors shall request the district attorney or other civil legal officer of the county granting such aid to proceed against such kindred in the order of their responsibility to support. Upon such demand the district attorney or other civil legal officer of the county granting aid shall, on behalf of said county, maintain an action, in the superior court of the county granting such aid, against said relative, in the order named, to recover for said county such portion of the aid granted as said relative is able to pay, and to

secure an order requiring the payment of any sums which may become due in the future for which the relative may be liable. Any sum so recovered shall be credited by the county to the county, to the State and to the Federal Government in proportion to the contributions of each respectively, or in the manner prescribed by the State Department of Social Welfare.

The granting of or continued receipt of aid shall not be contingent upon such recovery."

Amendments read.

Motion to Table Amendments

Mr. Evans moved that the amendments by Mr. Smith be laid on the table.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollbaugh, Johnson, Kilpatrick, King, Knight, John B., Lowrey, Lyons, Massion, McMillan, Niehouse, Pelletier, Robertson, Rosenthal, Thomas, and Wollenberg—37

NOES—Armstrong, Burns, Call, Clarke, Crichton, Denny, Desmond, Dickey, Dilworth, Erwin, Fourt, Hastain, Kellems, Knight, T. Fenton; Kraft, Maloney, McCollister, Miller, Potter, Price, Sargent, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—31.

Motion to Expunge Record and Rescind Action

Mr. Fourt moved to expunge the record, and rescind the action whereby amendments offered by Mr. Ralph C. Dills to Assembly Bill No. 1994 were adopted on Thursday, April 22, 1943, as shown on page 2586 of the Assembly Journal.

Demand for Previous Question

Messrs. Beck, Lowrey, Robertson, Evans, and Knight, John B., demanded previous question.

Demand for previous question sustained.

The question being on the motion to expunge the record, and rescind the action whereby the amendments offered by Mr. Ralph C. Dills, to Assembly Bill No. 1994 were adopted.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Fourt moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Armstrong, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Denny, Desmond, Dickey, Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Hastain, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, McCollister, Miller, O'Day, Potter, Price, Robertson, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—45

NOES—Allen, Anderson, Beck, Bennett, Brady, Burkhalter, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Guthrie, Haggerty, Hawkins, Hollbaugh, Kilpatrick, Lyons, Massion, McMillan, Middough, Pelletier, Rosenthal, Sargent, and Thomas—27.

Time, 3.38 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Field:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:
An act to amend Section 10 of the Public Utilities Act, relating to salaries of commissioners.

Respectfully submitted,

C. DON FIELD

Request referred to Committee on Legislative Procedure.

By Mr. Price:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:
An act to add Section 1065 1 to the Fish and Game Code, relating to sardines.

Respectfully submitted,

R. FRED PRICE

Request referred to Committee on Legislative Procedure.

By Mr. Hawkins:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:
An act to repeal Section 2553 5 of the Business and Professions Code.

Respectfully submitted

AUGUSTUS F. HAWKINS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Field:

An act to amend Section 10 of the Public Utilities Act, relating to salaries of commissioners.

By Mr. Price:

An act to add Section 1065 1 to the Fish and Game Code, relating to sardines.

By Mr. Hawkins:

An act to repeal Section 2553 5 of the Business and Professions Code.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Wevbret, Wollenberg, and Mr. Speaker—66

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following bills were introduced, and read the first time:

Assembly Bill No. 2010: By Mr. Field—An act to amend Section 10 of the Public Utilities Act, relating to salaries of commissioners.

Referred to Committee on Ways and Means.

Assembly Bill No. 2011: By Mr. Price—An act to add Section 1065.1 to the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 2012: By Mr. Hawkins—An act to repeal Section 2553.5 of the Business and Professions Code.

Referred to Committee on Public Health.

**WITHDRAWAL OF ASSEMBLY BILL NO. 265 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Weber asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 265 from the Committee on Municipal and County Government, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 265

Assembly Bill No. 265—An act to amend the title and Sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, relating to the investment of moneys in the sinking funds of counties, cities and counties, incorporated cities and towns, municipalities, other public or municipal corporations, or public districts, and declaring the urgency thereof.

Bill read second time.

Motion to Amend

Mr. Weber moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 3 to 13, inclusive, of the title of the printed bill, and insert "ment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district, or flood control district," approved April 23, 1913, as amended, and to repeal an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, relating to the investment of moneys in the sinking funds of or surplus moneys in the treasury of any county, city and county, incorporated city, or other public or municipal corporation or public district, and declaring the urgency hereof, to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 17, inclusive, and insert "SECTION 1 The title of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district, or flood control district," approved April 23, 1913, is amended to read:

An act authorizing the investment and reinvestment and dispositions of any moneys in any sinking fund of or any surplus moneys in the treasury of any county, city and county, incorporated city or other public or municipal corporation or public district

SEC 2 Section 1 of said act is amended to read:

Section 1 Any county, city and county, incorporated city or other public or municipal corporation or public district, which now has, or hereafter shall have, any moneys in any sinking fund of or any surplus money in the treasury thereof, not required for the immediate necessities of the said county, city and county, incorporated city or other public or municipal corporation, or public district, is hereby authorized to invest such portion of any such moneys as the governing body of the said county, city and county, incorporated city or other public or municipal corporation or public district, may deem wise or expedient in (1) any bonds already issued or hereafter issued by such county, city and county, incorporated city, or other public or municipal corporation or public district, respectively, and (2) treasury notes or bonds of the United States or those for which the faith and credit of the United States are pledged for the payment of principal and interest, or of this State, or of any county, city and county, city, or other public or municipal corporation or public district respectively within this State, or registered warrants of this State; provided, said notes, bonds or registered warrants are legal investment for savings banks in the State of California. Any such investment may be made by direct purchase of any issue of notes, bonds or registered warrants, or part thereof, at the original sale of such notes, bonds or registered warrants, or by the purchase of such notes, bonds or registered warrants after they have been thus issued. Any notes, bonds or registered warrants thus purchased and held may, from time to time, be sold and the proceeds reinvested in notes, bonds or registered warrants as above provided. Sales of any notes, bonds or registered warrants thus purchased and held shall, from time to time be made in season so that the proceeds may be applied to the purposes for which the money with which the notes, bonds or registered warrants were originally purchased, was placed in the sinking fund or the treasury of the county, city and county, incorporated city, or public or municipal corporation or public district.

Any bonds so purchased, which were issued by the purchaser, may be canceled, either in satisfaction of sinking fund obligations, or otherwise, and when canceled shall no longer be deemed to be outstanding, or in the discretion of the governing body any bonds so purchased may be held uncanceled so long as may be determined upon, and while so held uncanceled may be resold.

SEC 3. Section 2 of said act is amended to read:

SEC 2 The functions and duties authorized by this act shall be performed by the legislative or governing body of the county, city and county, incorporated city or public or municipal corporation or public district, or under its authority.

SEC 4 An act entitled, "An act authorizing the investment and reinvestment and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, is repealed.

SEC 5 This act is hereby declared to be an urgency measure within the meaning of Section 1 of Article IV of the Constitution necessary for the immediate preservation of the public peace, health and safety, and as such shall take effect immediately.

The facts constituting such necessity are as follows:

Many public agencies now have money in sinking fund or surplus funds in their treasuries upon which they are receiving no or slight return, the loss of which income adds in direct proportion to the assessment rates therein, which causes additional delinquent assessments, endangering the public peace, health and safety."

Amendment No. 3

On page 2 of the printed bill, strike out lines 1 to 42, inclusive

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Speaker Pro Tempore Presiding

At 3 45 p.m., Hon Thomas A Maloney, Speaker pro tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article II thereof, relating to the qualifications of electors.

Resolution read.

Demand for Previous Question

Messrs. Robertson, Waters, Evans, Middough, and Lowrey demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 11.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Brown, Burkhalter, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Hawkins, Kilpatrick, King, Kraft, Massion, McMillan, Middough, Pelletier, Price, Robertson, Rosenthal, Sheridan, Thomas, and Thurman—27.

NOES—Armstrong, Berry, Brady, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Denny, Desmond, Dilworth, Doyle, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellem, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, McCollister, Miller, Niehouse, O'Day, Potter, Sargent, Sawalisch, Smith, Stream, Thompson, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—49

Assembly Bill No. 1253—An act to add Section 5903 to, and to amend Sections 661, 3711, 3712, 3814, 3818, 3819, 3822, 3872, 3873, 3879, 3921, 3922, 3924, 3929, 3938, 3939, 3941, 3944, 4536, 5503, 5505, 5507, 5508, 5511, 5557, 5560, 5563, 5565, 5699, 5707, 5708, 5724, 5737, 5802, 5803, 5804, 5809, 5931, 7003, 7005, 7007, 7008, 7011, 7020, 7074, 7204, 7881, 9102, and 9754 and to repeal Section 5562 of the Elections Code, relating to elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 860—An act to amend Sections 653.1, 653.3, 653.7, 653.6 and 653.9 of the Civil Code, all relating to cooperative corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier.

Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1420—An act to amend Sections 3 and 626 of, and add a new Section 633 to the District Organization Act (Statutes of 1933, page 2280), relating to the improvement district acts made applicable to the provisions for the dissolution of such districts in the manner provided in said District Organization Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—71.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED BY UNANIMOUS CONSENT

Mr. Lyon asked for, and was granted, unanimous consent to have Mr. Beck excused for the balance of the legislative day because of illness of his son.

RE-REFERENCE OF SENATE BILL NO. 1058

Mr. Middough moved that Senate Bill No. 1058 be withdrawn from the file, and re-referred to the Committee on Crime and Correction.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1967—An act to repeal Sections 4239, 4239a, 4239b, 4239c, 4239d, 4239e, 4239f, 4239g, 4239h, 4239i, 4239j, 4239k, 4239l, 4239m, 4239n, 4239o, 4239p, 4239q, 4239r, 4239s, 4239t, 4239u, 4239v, and 4239w of, and to add Section 4239 to, the Political Code, relating to compensation for public services in counties of the tenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, and Weybret—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 289—An act to amend Sections 4037, 4038, 4112, 4152 and 4178 of, to add Sections 4036½ and 4152a to, and to repeal Sections 4039, 4040 and 4179 of, the Political Code; to amend Section 1052 of the Code of Civil Procedure; and to add Section 12073 to the Insurance Code, relating to duties of county officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, and Weybret—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1625—An act to amend Section 403 of the Business and Professions Code, relating to buildings of the Department of Professional and Vocational Standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1627—An act to amend Section 114 of the Business and Professions Code, relating to the renewal of licenses by boards or commissions of the Department of Professional and Vocational Standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO CONSIDER ASSEMBLY BILLS ON APRIL 28, 1943

Mr. Maloney moved that the Assembly consider Assembly bills until and including Wednesday, April 28, 1943.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn,

Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.
 NOES—None.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2010
 FROM COMMITTEE**

Mr. Field gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 2010 from the Committee on Ways and Means, and have it placed upon the file.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1981
 FROM COMMITTEE**

Mr. Rosenthal gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 1981 from the Committee on Ways and Means, and have it placed upon the file.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILLS NOS. 1324
 AND 1325 FROM COMMITTEE**

Mr. Johnson gave notice that on the second legislative day he would move to withdraw Assembly Bills Nos. 1324 and 1325 from the Committee on Ways and Means, and have them placed upon the file.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1412
 FROM COMMITTEE**

Mr. Weber gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 1412 from the Committee on Ways and Means, and have it placed upon the file.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
 WITH ON MOTION TO EXPUNGE RECORD ON AMENDMENTS
 TO ASSEMBLY BILL NO. 1994**

At 4.55 p.m., on motion of Mr. Fourt, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion to expunge the record and rescind the action, whereby the amendments offered by Mr. Ralph C. Dills to Assembly Bill No. 1994 were, on April 22, 1943, adopted, carried by the following vote:

AYES—Armstrong, Berry, Burns, Call, Carey, Carlson, Clarke, Denny, Desmond, Dickey, Dilworth, Doyle, Erwin, Field, Fourt, Hastam, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Maloney, McCollister, Miller, O'Day, Potter, Price, Sawallisch, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Allen, Anderson, Beck, Bennett, Brady, Brown, Burkhalter, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Knight, John B., Lowrey, Lyons, Massion, McMillan, Middough, Niehouse, Pelletier, Rosenthal, Sargent, Sheridan, and Thomas—35.

**Statement by Mr. Sargent re Motion to Expunge Amendment to
 Assembly Bill No. 1994**

I voted against expunging the record striking relative responsibility from the Pension Bill because this would eliminate the restriction I favor of paying \$50 to the person over 65 and leaving the county to collect the relatives' contribution. I voted against tabling the Smith amendment so providing.

WILLIS SARGENT

FURTHER CONSIDERATION OF SPECIAL ORDER

Assembly Bill No. 1994—An act to amend Sections 2005, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2222 and 2224 of the Welfare and Institutions Code, and to add Sections 2008.5, 2014, 2015, 2016, 2017, 2020.01, 2021.01, 2163.1, 2163.2, 2166, 2181.1, 2182.1, 2183.1, and 2187.01 thereto, relating to aid to the aged, to take effect immediately, and to become operative as therein provided.

Further Consideration of Amendments by Mr. Ralph C. Dills

Motion to Amend

Mr. Ralph C. Dills moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "2222 and 2224", and insert "and 2222".

Amendment No. 2

In line 3 of the title of said bill, after "Code," insert "to repeal Section 2224 thereof."

Amendment No. 3

On page 6 of said bill, strike out lines 10 to 23, inclusive, and insert "determine the eligibility of the applicant to receive aid and designate the amount of aid, if any, to be granted."

Amendment No. 4

Strike out all of page 7 of said bill.

Amendment No. 5

On page 11 of said bill, strike out lines 2 to 37, inclusive, and insert "SEC. 24. Section 2224 of said code is repealed."

Amendments read.

Motion to Table Amendments

Mr. Waters moved that the amendments be laid on the table.

Mr. Potter seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Armstrong, Berry, Burns, Call, Carey, Carlson, Clarke, Denny, Desmond, Dickey, Dilworth, Doyle, Erwin, Field, Fourt, Hastain, Johnson, Kellems, Knight, T. Fenton; Kraft, Leonard, Maloney, McCollister, Miller, O'Day, Potter, Price, Sawalisch, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—40.

NOES—Allen, Anderson, Bennett, Brady, Brown, Burkhalter, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Knight, John B., Lyons, Massion, McMillan, Pelletier, Robertson, Rosenthal, Sargent, and Sheridan—31.

Motion to Amend

Mr. O'Day moved the adoption of the following amendment:

Amendment No. 1

On page 11, line 12, of the printed bill, as amended, insert "In all cases the contributions required of responsible relatives under this section shall be paid directly to the county and no deduction shall be made from the aid granted under this chapter by reason of any default in the payment by a responsible relative to the county."

Amendment read.

Demand for Previous Question

Messrs. Robertson, Waters, Doyle, Kraft, and Hastain demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. O'Day to Assembly Bill No. 1994.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—62.

NOES—Carlson, Evans, Field, and Johnson—4.

Motion to Amend

Mr. Ralph C. Dills moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, after "2166," insert "2181.01."

Amendment No. 2

In line 5 of the title of said bill, strike out "and 2187 01", and insert "2187.01, and 2222.5".

Amendment No. 3

On page 8 of said bill, before line 1, insert
 "SEC. 16.5. Section 2181.01 is added to said code, to read:
 2181.01. Notwithstanding any provision of Section 2181, no grant of aid shall be withheld pending investigation of the financial condition of responsible relatives, if the applicant has established the fact that he is not receiving support from such relatives"

Amendments read.

Demand for Previous Question

Messrs. Robertson, Dills, Clayton A., Debs, Haggerty, and Doyle demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Ralph C. Dills to Assembly Bill No. 1994.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—66.

NOES—Armstrong, Clarke, and Wollenberg—3

Bill ordered reprinted and re-engrossed.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1388

Mr. Field moved that Assembly Bill No. 1388 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Ways and Means.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1821

Mr. Field moved that Assembly Bill No. 1821 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Ways and Means.

Motion carried.

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS
NOS. 1901 AND 1883**

Mr. Ralph C. Dills moved that Assembly Bills Nos. 1901 and 1883 be withdrawn from the Committee on Conservation, Natural Resources, and Planning, and re-referred to the Committee on Ways and Means.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2007

Mr. Ralph C. Dills moved that Assembly Bill No. 2007 be withdrawn from the Committee on Conservation, Natural Resources, and Planning, and re-referred to the Committee on Ways and Means.

Motion carried.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

WASHINGTON, D. C., April 26, 1943

*Arthur A. Ohnimus, Chief Clerk
California Legislature*

Will not arrive until May 17th but if Legislature in session then would be delighted to address it. Due to prior commitments can not get there earlier, for which am deeply sorry.

Highest regards,

FULTON LEWIS, JR.

REQUEST FOR UNANIMOUS CONSENT

Mr. Potter asked for, and was granted, unanimous consent to take up Assembly Bill No. 1844, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1844

Assembly Bill No. 1844—An act to amend Sections 422 and 423 of the Probate Code, relating to appointment of administrators.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "and 423", and insert ", 423, 450, and 452".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "appointment of administrators", and insert "administration of estates of decedents".

Amendment No. 3

On page 2, line 2, of said bill, after "child," insert "grandchild,".

Amendment No. 4

On page 2 of said bill, after line 8, insert
"SEC. 3. Section 450 of the said code is amended to read:
450. When letters of administration have been granted to any person other than the surviving spouse, child, *grandchild*, parent, brother, or sister of the intestate, or the public administrator, or any one of them who is competent and has a prior

right to letters, or any competent person at the written request of any one or who of them who is competent and has such prior right, may obtain the revocation of the letters, and be entitled to the administration, by filing a petition praying the revocation, and that letters of administration issue to him.

SEC. 4 Section 452 of the said code is amended to read:

452 The surviving spouse, when letters of administration have been granted to a child, *grandchild*, parent, brother or sister of the intestate; or any of such relatives, when letters have been granted to any other of them, may assert his prior right, and obtain letters of administration, and have the letters before granted revoked, in the manner prescribed in the preceding section."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT

Mr. Bashore asked for, and was granted, unanimous consent to take up Assembly Bill No. 224, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 224

Assembly Bill No. 224—An act to add Sections 3211.2, 3211.4, 3211.6, 3211.7, 3211.8, and 3352.5 to, and Chapter 10, comprising Sections 4301 to 4337, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 10.5 to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to civilian defense workers, including the limiting of the liability of the State of California, counties, cities, and civilian defense organizations for injuries arising out of and occurring in the course of activities as a civilian defense worker, authorizing the California State War Council to certify civilian defense organizations and to make rules and regulations for the classifying and registering of civilian defense workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 13, of the printed bill, as amended, strike out "4339", and insert "4337".

Amendment No. 2

On page 9, lines 8 and 9, of said bill, strike out "State Council of Defense", and insert "California State War Council".

Amendment No. 3

On page 10, lines 32 and 33, of said bill, strike out "in any material degree, the State Council may revoke".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT

Mr. Call asked for, and was granted, unanimous consent to take up Assembly Bill No. 1570, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1570

Assembly Bill No. 1570—An act to amend Sections 96.5, 149, and 152.5 of and to add Section 152.6 to the State Civil Service Act, relating to the State civil service, declaring the urgency thereof and to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "96.5".

Amendment No. 2

In line 2 of the title of said bill, strike out "Section", and insert "Sections 96.7 and".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert "SECTION 1 Section 96 7 is added to the State Civil Service Act, to read:".

Amendment No. 4

On page 1, line 3, of said bill, strike out "96 5", and insert "96.7".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

REQUEST FOR UNANIMOUS CONSENT

Mr. Middough asked for, and was granted, unanimous consent to take up Assembly Bill No. 422, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 422

Assembly Bill No. 422—An act to add Section 13099.1 to the Education Code, relating to the classification of persons as permanent employees of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Middough moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "add", insert "Section 5.503-1 to the School Code and to add".

Amendment No. 2

On page 1, line 10, of said bill, after "Section 1.", insert "Section 5.503-1 is added to the School Code, to read:

5.503-1. Service by a person under a credential authorizing service in the public schools only as an instructor in defense training classes for adults or in classes organized for training war production workers in special day and evening classes for adults or in classes conducted under contract with public or private agencies for training in or for military service or for war production shall not be included in computing the service required as a prerequisite to attainment of, or eligibility to, classification as a permanent employee of a school district.

SEC. 2 "

Amendment No. 3

On page 1 of said bill, after line 21, insert

"Sec. 3 Section 2 of this act becomes operative only if the Education Code is enacted by the Legislature at its Fifty-fifth Session, and, in such case, at the same time as said code takes effect, at which time Section 5 503-1 of the School Code added by this act is hereby repealed."

Amendment No. 4

On page 2, line 3, of said bill, strike out "Sec. 2.", and insert "Sec. 4 "

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

REQUEST FOR UNANIMOUS CONSENT

Mr. McCollister asked for, and was granted, unanimous consent to take up Senate Bill No. 664, at this time.

CONSIDERATION OF SENATE BILL NO. 664

Senate Bill No. 664—An act to include in the State civil service certain persons appointed or employed by or under the State Board of Prison Directors or any warden of a State prison and to provide disciplinary procedures governing such employees.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended, strike out "the medical or dental", and insert "any".

Amendment No. 2

On page 1 of the printed bill, as amended, between lines 17 and 18, insert "(6) The chief in charge of the Detective License Bureau."

Amendment No. 3

On page 1, line 23, of the printed bill, as amended, strike out "this act", and insert "the State Civil Service Act".

Amendment No. 4

On page 2, line 12, of the printed bill, as amended, after the comma, insert "in the manner provided in Section 41.5 of the State Civil Service Act".

Amendment No. 5

On page 2, line 15, of the printed bill, as amended, strike out "mailed or delivered to", and insert "filed with".

Amendment No. 6

On page 2, line 29, of the printed bill, as amended, after "act", insert "and the State Civil Service Act".

Amendment No. 7

On page 2 of the printed bill, as amended, strike out lines 37 and 38, and insert "vided for in the State Employees' Retirement Act."

Amendment No. 8

On page 3, line 5, of the printed bill, as amended, strike out "Service by mail shall"; and strike out lines 6 to 13, inclusive.

Amendment No. 9

On page 3, line 18, of the printed bill, as amended, strike out "filing", and insert "serving".

Amendment No. 10

On page 3, line 19, of the printed bill, as amended, strike out "which", and insert "in the manner provided in Section 41.5 of the State Civil Service Act which charges".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT

Mr. Potter asked for, and was granted, unanimous consent to take up Senate Bill No. 587, at this time.

CONSIDERATION OF SENATE BILL NO. 587

Senate Bill No. 587—An act to amend Section 204c of, and to add Section 261a to the Code of Civil Procedure, relating to the duties, powers, and expenses of superior court commissioners and their assistants.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended, strike out "261a", and insert "261b".

Amendment No. 2

On page 1, line 22, of said bill, strike out "261a", and insert "261b".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT

Mr. Wollenberg asked for, and was granted, unanimous consent to take up Senate Bill No. 623, at this time.

CONSIDERATION OF SENATE BILL NO. 623

Senate Bill No. 623—An act to amend Sections 10036 and 10551 of the Health and Safety Code, relating to vital statistics certificates.

Bill read third time.

Motion to Amend

Mr. Wollenberg moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 15, of the printed bill, after "copy", insert a comma.

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 1907, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1907

Assembly Bill No. 1907—An act to add Section 5.798-1 to the School Code and to add Section 14122.5 to the Education Code, relating to eligible lists and temporary appointments, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 22, of the printed bill, strike out "code", and insert "act".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

REPORTS OF STANDING COMMITTEES**Committee on Public Health**

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No 2012

Has had the same under consideration, and reports the same back with the recommendation: Do pass

POTTER, Chairman

Above reported bill ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 39

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolution ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 16—Relative to Federal participation in the construction of the highway known as the Los Angeles Freeway.

Assembly Joint Resolution No. 43—Relative to increasing the quota for Portuguese immigration from Portugal and the Azores as an aid to milk production in California;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 232—An act to amend Sections 643 and 644 of the Agricultural Code, relating to dairy sanitation;

Assembly Bill No. 479—An act to amend Sections 4530, 4531 and 4532 of the Penal Code, relating to escapes.

Assembly Bill No. 640—An act to amend Sections 4, 4a, 5, 6, 8, 9, 11, 12, 13, 14, 16, 17, 20, 21, 24, 25, 25.1, 27, 28, 29, 30, 31, 32 and 35 of, and to add three new sections to be numbered 81, 91 and 241 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 768—An act to repeal an act entitled "An act making an appropriation for the administrative expenses of the State Department of Social Welfare and establishing a revolving fund for the purposes of distributing goods and commodities in accordance with Federal goods and commodities distribution plans by the State Department of Social Welfare, declaring the urgency thereof, to take effect immediately," approved July 1, 1941, relating to State and county participation in Federal work, stamp and surplus commodity programs, providing for the termination thereof and the disposition of the proceeds, transferring powers, duties, responsibilities and jurisdiction and all records, books, papers and property connected therewith and repealing acts specified therein.

Assembly Bill No. 641—An act to amend Sections 2, 7, 7.1, 8, 9, 9.2, 9.3, 9.4, 9.5, 10, 12, 13, 16, 19 and 20 of, and to add four new sections to be numbered 7.2, 8.1, 8.3 and 34.2 to, The Personal Income Tax Act and to repeal Sections 17054, 17153, 17303, 17818, 17819, 17820 and 18156 of, and to amend Sections 17126, 17127, 17154, 17159, 17211, 17213, 17310, 17311, 17313, 17316, 17351, 17503, 17506, 17560, 17562, 17563, 17672, 17673, 17711, 17713, 17743, 17744, 17782, 17783, 17813, 17817, 17952, 18133, 18135, 18431, 18596, and 19061 of, and to add Chapter 3.5 consisting of Sections 17250 to 17257, inclusive, to Part 10 of Division 2 of, and Article 1.5, consisting of Sections 17324 to 17324.16, inclusive, to Chapter 4, of Part 10 of Division 2 of, and Article 1.7, consisting of Sections 17325 to 17350, inclusive, to Chapter 4 of Part 10 of Division 2 of, and Article 1.5, consisting of Sections 17507 to 17516, inclusive, to Chapter 5 of Part 10 of Division 2 of, and Article 4, consisting of Sections 18470 to 18479, inclusive, to Chapter 10 of Part 10 of Division 2 of, and Sections 17019.3, 17019.5, 17019.7, 17055, 17056, 17057, 17104, 17107, 17106, 17107, 17125.3, 17125.5, 17125.7, 17131, 17132, 17133, 17134, 17135, 17136, 17163.5, 17302.5, 17305.5, 17317.5, 17318.05, 17318.1, 17318.2, 17318.3, 17318.4, 17318.5, 17318.7, 17319, 17319.3, 17319.5, 17320, 17320.3, 17320.5, 17320.7, 17321, 17321.3, 17321.5, 17321.7, 17322, 17322.3, 17322.5, 17322.7, 17322.9, 17322.11, 17357, 17560.3, 17560.5, 17560.7, 17560.9, 17567, 17568, 17569, 17716.5,

17721, 17722, 17723, 17724, 17784 5, 17787, 18156, 18157, 18158, 18159, 18160, 18161, 18162, 18163, 18164, 18172 3, 18172 5, 18172.7, 19053.3, 19053 5, and 19053 7 to, the Revenue and Taxation Code, relating to taxes upon the incomes of individuals, estates and trusts and to provide that this act shall take effect immediately; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1939—An act to add Section 3466d to the Political Code, relating to reclamation districts;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 30—Relative to the problem of spastic and crippled children;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1943, at 3 p.m.

PELLETIER, Chairman

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1538

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 63: By Mr. Kraft—Relative to a survey of accounting and budgetary in the State Government.

Referred to Committee on Rules and House Functions.

Assembly Concurrent Resolution No. 64: By Messrs. Carey, Sheridan, Weybret, Johnson, Dunn, and Miller—Relative to discontinuing the use of a dated symbol on the stationery of the Members of the Legislature.

Referred to Committee on Rules and House Functions.

RECESS

At 5 p.m., on motion of Mr. Kellems, the Assembly recessed until 10 p.m.

REASSEMBLED

At 10 p.m., the Assembly reconvened

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, April 26, 1943

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 453, entitled: "An act to add Section 2873.1 to the Penal Code, relating to the sale or exchange of animals and fowls raised at the prisons"

My objections to this bill are as follows:

As originally introduced the apparent purpose of Assembly Bill No. 453 was to authorize the State prisons to sell animals and fowls to farmers for breeding purposes, but during its passage through the Legislature, the provisions to that effect were deleted from the bill. The enrolled bill merely empowers the sale or exchange of animals or fowls suitable for breeding purposes to State and county institutions. The Surplus Products Act now provides ample authority for such sale or exchange and also provides a uniform method for the disposition of such products under supervision of the Department of Finance, which is desirable. The author agrees with me that the final enactment of the measure in its present form is therefore unnecessary and inadvisable and at his request I am withholding my approval.

Respectfully submitted.

EARL WARREN, Governor

COMMUNICATIONS

By the Chief Clerk:

The following communications were received and ordered printed in the Journal:

UNITED STATES SENATE
WASHINGTON, D. C., April 21, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California*

MY DEAR MR. OHNIMUS: Supplementing my note to you under date of March 30th, with reference to House Resolution No. 139, which requested the Secretary of Agriculture to requisition any and all farm equipment now stored in the State of California and belonging to evacuees, I enclose herewith copy of a letter that has just come to me from the Acting Secretary of Agriculture, which I believe is self-explanatory.

Sincerely yours,

HIRAM W. JOHNSON

April 19, 1943

*Hon. Hiram W. Johnson
United States Senate*

DEAR SENATOR JOHNSON: We wish to acknowledge receipt of and thank you for your letter of March 30, 1943, with which you enclosed a copy of House Resolution 139, adopted by the California Assembly on March 26th, requesting the Secretary of Agriculture to take the required action to requisition farm machinery belonging to persons removed from military areas in California.

The department is now considering this problem, and you may be sure that the resolution will receive careful attention.

Sincerely yours,
(SIGNED)

SECRETARY'S FILE ROOM
PAUL H. APPLEBY, Acting Secretary

Also:

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE FOR EMERGENCY MANAGEMENT
THE OFFICE OF DEFENSE TRANSPORTATION, April 17, 1943
IN REPLY REFER TO: File: 268-0

*Mr. Arthur A. Ohnimus, Chief Clerk, California Legislature
State Capitol, Sacramento, California*

DEAR MR. OHNIMUS: President Roosevelt has referred to the Office of Defense Transportation the California Legislature's House Resolution 148.

The policy of the Office of Defense Transportation is reflected in General Order No. 10 and General Order No. 24, copies of which I attach. The effect of these orders is to prevent the operation of chartered or special busses or trains to places of amusement or sporting events, including race tracks. So that you may be completely informed, I am also attaching copy of a press release in which Mr. Eastman made a complete statement of his views on horse racing.

I wish to call to your attention that the foregoing expression and attachments are representative of the views of the Office of Defense Transportation.

I note that in the resolution you are instructed to forward a copy to Mr. William Jeffers, as Chairman of the Office of Defense Transportation. I assume that Mr. Jeffers will respond to you as Rubber Administrator inasmuch as his views on the operation of private automobiles will be pertinent.

Very truly yours,

H. F. McCARTHY, Director
Division of Traffic Movement

Also :

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES, WASHINGTON, D. C. April 22, 1943
Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
Sacramento, California

MY DEAR MR. OHNIMUS: This will acknowledge receipt of your letter of April 17th, which reached me only a few moments ago, enclosing copy of Senate Joint Resolution No. 9, favoring the permitting of hunting in the Sheepy Lake area.

I am taking the liberty of referring the matter to Director Gabrielson of the Fish and Wildlife Service, urging his every consideration, and requesting an expression of his views thereon.

You can depend upon me letting you know immediately I have any information to convey, and with kindest personal regards, believe me,

Most cordially yours,

BERTRAND W. GEARHART,
Member of Congress

Also :

UNITED STATES MARITIME COMMISSION, April 20, 1943
Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature Assembly, Sacramento, California

DEAR MR. OHNIMUS: Since I wrote to you on April 13, 1943, in regard to the possibility of naming a Liberty ship *Sequoia*, the Maritime Commission has checked with the Navy Department and finds that a naval vessel already bears this name.

Consequently we are unable to accept the proposal made in a resolution of the California Legislature.

Very truly yours,

CARROLL PERRY, JR.
Committee on Launchings

Also :

Communications from the Office of Defense Transportation were received and ordered filed with the Secretary of State.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 26, 1943

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 60
Assembly Concurrent Resolution No 61

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

The above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 26, 1943

MR SPEAKER I am directed to inform your honorable body that the Senate appointed Senators Engle, Quinn, and Keating as a Committee on Conference concerning:

Assembly Bill No. 871—An act to amend Sections 421, 490.5, 698, 698.1, 698 5, 699, 700, 701, 702, 705, 708, 711 and 724 3, of the Fish and Game Code, relating to fish.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 77
Senate Bill No. 82
Senate Bill No. 90
Senate Bill No. 145
Senate Bill No. 196
Senate Bill No. 414
Senate Bill No. 513
Senate Bill No 601
Senate Bill No. 736

Senate Bill No. 729
Senate Bill No. 741
Senate Bill No. 747
Senate Bill No. 827
Senate Bill No. 849
Senate Bill No. 1057
Senate Bill No 1075
Senate Bill No 1081

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted

Senate Constitutional Amendment No. 23
Senate Constitutional Amendment No. 25

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 77—An act to authorize the Bureau of Criminal Identification and Investigation to lease the teletype system maintained in and by the County of Mendocino for the purpose of connecting the system with the telephone-typewriter system of communication maintained under the direction of the bureau between counties and cities and counties of this State, and to make an appropriation therefor.

Referred to Committee on Ways and Means.

Senate Bill No. 82—An act making an appropriation to the State Board of Prison Directors for the establishment of a psychopathic hospital for insane prisoners at San Quentin Prison.

Referred to Committee on Ways and Means.

Senate Bill No. 90—An act making an appropriation to the State Park Commission for the restoration work at Fort Ross.

Referred to Committee on Ways and Means

Senate Bill No. 145—An act making an appropriation to the California Polytechnic School for the cultivation of herbs, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 196—An act to amend Section 658 1 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Senate Bill No. 414—An act to amend Sections 507, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2253, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2266, 2267, 2271, 2274, and 2275 of, and to add Section 2005 to the Public Resources Code, to increase the membership of the State Mining Board and to provide for its powers and duties and for the powers and duties of employees and officers of the Division of Mines, and to abolish the Ore Buyer's License Fund.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 513—An act to authorize the purchase of certain real property for the people of the State of California by the Director of Institutions, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 601—An act to amend Sections 1620, 1621, 1622, 1623, 1625, 1626, 1627, 1628, and 1630 of the Welfare and Institutions Code, to amend the chapter heading of Chapter 1 of Part 3 of Division

2 of said code, and to add Chapter 2, comprising Sections 1650 to 1660, inclusive, to Part 3 of Division 2 of said code, relating to institutions for child care and home-finding and placement agencies, and providing for the licensing and regulation of such institutions and agencies.

Referred to Committee on Social Welfare.

Senate Bill No. 736—An act to amend Section 1590 of the Labor Code, relating to bonds of employment agencies.

Referred to Committee on Labor and Capital.

Senate Bill No. 729—An act making an appropriation for the acquisition, development and maintenance of parks in Humboldt County for public use.

Referred to Committee on Ways and Means.

Senate Bill No. 741—An act to amend Section 2352 of the Labor Code, relating to conditions of places of employment.

Referred to Committee on Labor and Capital.

Senate Bill No. 747—An act to amend Section 970 of the Fish and Game Code, relating to crab traps.

Referred to Committee on Fish and Game.

Senate Bill No. 827—An act to amend Section 2.1412 of the School Code and to amend Section 144 of the Education Code, relating to the Deputy Superintendent of Public Instruction.

Referred to Committee on Education.

Senate Bill No. 849—An act to add Sections 1736.2 and 1736.3 to the Welfare and Institutions Code, relating to the cost of care of persons committed to, or confined in institutions under the control of, the Youth Correction Authority.

Referred to Committee on Social Welfare

Senate Bill No. 1057—An act to amend Sections 133 and 3661 of, and to repeal Section 3807.8 and Chapter 4.3 of Part 6 of Division 1 of, the Revenue and Taxation Code, relating to the State Land Classification Commission and to the classification of tax deeded property.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1075—An act to add Section 160.5 to the Military and Veterans Code, relating to the powers and duties of The Adjutant General, and providing for supervision and direction by him of the members of the California Highway Patrol and of fish and game wardens and other enforcing officers employed by the Division of Fish and Game.

Referred to Committee on Military Affairs.

Senate Bill No. 1081—An act making an appropriation for the acquisition of real property for the Preston School of Industry.

Referred to Committee on Ways and Means.

Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding Section 2½ to Article IX of said Constitution, relating to the Superintendent of Public Instruction

Referred to Committee on Constitutional Amendments

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California to amend Sections 2 and 34 of Article IV of the Constitution of said State, relating to the Legislature.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred.

Assembly Bill No 701

Assembly Bill No 2008

Senate Bill No. 630

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No 1397

Assembly Bill No 1881

Assembly Bill No. 1520

Assembly Bill No. 1883

Assembly Bill No. 1783

Assembly Bill No. 1970

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file and re-referred as follows:

Assembly Bill No 1520 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1397 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No 1883 re-referred to the Committee on Conservation, Natural Resources, and Planning.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILLS NOS. 1411, 1883, 1863, AND 1901 FROM COMMITTEE

Mr. Weber gave notice that on the second legislative day he would move to withdraw Assembly Bills Nos 1411, 1883, 1863, and 1901 from the Committee on Conservation, Natural Resources, and Planning, and have them placed upon the file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 672—An act to add Section 375 to the Civil Code, relating to the award and assessment of expenses and attorneys' fees in actions or proceedings against directors, officers or employees of a corporation, brought by or on behalf of the corporation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, Pelletier, Price, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Weber, Werdel, and Mr. Speaker—43.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 549—An act to add Section 1920b to the Code of Civil Procedure, relating to the preservation of documentary records by the preparation of photographic copies thereof and providing that such copies may be used in place of the original under certain conditions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Werdel, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 441—An act authorizing suit against the State of California to quiet title to lands in San Mateo County devised to the City and County of San Francisco, and to the State of California in the alternative, by the will of James M. Huddart, deceased, and regulating the procedure therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Werdel, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 736—An act to amend the title of an act entitled, "An act to provide for the acquisition by municipalities of land for public park or playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring and improving such land," approved April 22, 1909, as amended; and to add two new sections

thereto, to be numbered 1b and 1c, providing for the maintenance of improvements on such lands and for the establishment of assessment districts and the assessment of property therein to pay the expenses of maintaining said improvements

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Price, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Werdel, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1067—An act to amend Sections 130, 142, 146, 154, 164 5, 164.7, 175, 217, 222, 225, 245 5, 371 5, 374, 378, 383, 384, and 776 of, and to add Sections 10.5, 56 and 372.5 to the Vehicle Code, relating to registration of vehicles and fees, and Section 11001 of the Revenue and Taxation Code, relating to the report and deposit of moneys.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1969—An act to add Section 4 to an act entitled "An act to provide for the improvement and reconstruction of a road in the County of Mendocino, and making an appropriation therefor," approved July 11, 1941, relating to availability of any unexpended balance of the appropriation made therein.

Bill read third time.

Motion to Amend

Mr. Burns moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, strike out the period, and insert "," declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, after line 8, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California, and as such shall take effect immediately. The following is a statement of the facts constituting such necessity:

The war effort has made heavy demands on the lumber industry. Lumber is required by defense industries and the armed forces. The road referred to in the Burns-Biggar Act is the only road over which lumber products can be shipped to market from sawmills in the vicinity. Shipments of lumber are delayed due to the poor condition of this road. Certain State moneys were made available for expenditure during the Ninety-third and Ninety-fourth Fiscal Years for the improvement and reconstruction of this road. The work can not be completed, due to the lack of manpower, prior to the close of the Ninety-fourth Fiscal Year and unless this act goes into immediate effect work on the road will cease on June 30, 1943.

The cessation of work will delay the completion of the improvement and reconstruction of the road and thus hinder and delay the flow of lumber products to industry and the armed forces."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Speaker Pro Tempore Presiding

At 10.55 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Assembly Bill No. 1031—An act to add Section 1844a to the Code of Civil Procedure, relating to proof of gifts causa mortis.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carlson, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, Pelletier, Price, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, and Mr. Speaker—43.
NOES—Kilpatrick, O'Day, and Werdel—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1287—An act to amend Sections 16441, 16442, 16481, 16484, 16485 and 16461 of the Education Code, relating to supervision of the health of pupils in the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carlson, Clarke, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, and Mr. Speaker—48
NOES—None.

Bill ordered transmitted to the Senate.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 8
FROM COMMITTEE**

Mr. O'Day gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 8 from the Committee on Judiciary, and have it placed upon the file.

Speaker Presiding

At 11 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1042—An act to add Section 17.1 to the Welfare and Institutions Code, relating to the residence of minor persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carlson, Clarke, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King,

Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1043—An act to repeal Sections 834 and 835 of, and to add Section 833.5 to, the Welfare and Institutions Code, relating to proceedings in the juvenile court with respect to persons over the age of 18 years and under the age of 21 years.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carlson, Clarke, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Raup Miller Presiding

At 11.05 p. m., Hon. Raup Miller, Member of the Assembly from the Twenty-eighth District, presiding.

Assembly Bill No. 1075—An act to add Chapter 3 5, comprising Section 8301, to Division 4 of the Education Code, relating to the study of child growth and development.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Evans moved a call of the Assembly.

Motion carried. Time, 11.15 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1319—An act to repeal Sections 2244 and 2259 of the Political Code and to repeal Sections 20773 and 20923 of the Education Code, relating to the qualifications of certain teachers appointed or employed by the State Department of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carlson, Clarke, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McMillan,

Niehouse, O'Day, Pelletier, Price, Smith, Stream, Thomas, Thompson, Thorp, Waters, Werdel, and Mr. Speaker—46.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 76—An act to repeal Sections 9202, 9204, 9205, 9206, 9207, 9208, 9209, 9210, 9212, 9213, 9214, 9215, 9217, of, and to amend Sections 9164, 9200, and 9221, of the Public Resources Code, and to add Section 10058 to the Elections Code, relating to the general district elections held in soil conservation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Carlson, Clarke, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Werdel, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1028—An act to add Section 3656.5 to the Revenue and Taxation Code, relating to rental by State of tax deeded property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Carlson, Clarke, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1957—An act to add Chapter 10, consisting of Sections 3950 to 3972, inclusive, to Part 6, Division 1, of the Revenue and Taxation Code, relating to actions by purchasers of tax deeded property to determine adverse claims to or clouds upon that property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Carlson, Clarke, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1968—An act to add Section 209.5 to the Revenue and Taxation Code, relating to exemptions from taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Carlson, Clarke, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Johnson,

Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sheridan, Smith, Thomas, Thompson, Thorp, Waters, Watson, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1290—An act to add Section 9034.1 to the Education Code, relating to continuation education classes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brady, Brown, Call, Carlson, Clarke, Debs, Desmond, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Sheridan, Stream, Thomas, Thompson, Thorp, Watson, and Mr. Speaker—42.

NOES—Anderson, Burns, Dills, Ralph C., and Kilpatrick—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 153—An act to amend Section 103½ of the Code of Civil Procedure, relating to justices' clerks in cities and towns.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Carlson, Clarke, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, and Mr. Speaker—42.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1544—An act to amend Section 7 of the Unemployment Insurance Act, relating to excluded employments under said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Fourn, Guthrie, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Smith, Stream, Thompson, Thorp, Waters, Watson, and Mr. Speaker—41.

NOES—Anderson—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 136—An act to amend Section 9 of the Municipal Court Act 1925, relating to the constitution of the court and to compensation of officials.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brady, Burns, Call, Carlson, Clarke, Desmond, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Fourn, Guthrie, Haggerty, Hawkins, Hollibaugh, Knight, John B., Kraft, Leonard, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, O'Day, Price, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, and Mr. Speaker—41.

NOES—Anderson, Debs, Heisinger, Kilpatrick, Massion, and Pelletier—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 615—An act to amend Section 3476 and to postpone and suspend the operation of Sections 3511.3, 3571, 3571.3, 3571.5, 3572, 3573, 3574, 3575, 3576, 3577 and 3578 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Call, Carlson, Clarke, Debs, Desmond, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Fourt, Haggerty, Hawkins, Heisinger, Johnson, King, Knight, John B., Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1480—An act to add Section 53.2 to the Alcoholic Beverage Control Act, relating to places where alcoholic beverages are received, kept, or brought for consumption.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brown, Call, Carlson, Clarke, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, and Mr. Speaker—43.

NOES—Brady—1.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.35 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Assembly Bill No. 92—An act to add Section 1425a to the Penal Code, relating to justices of the peace acting as court commissioners of juvenile courts in misdemeanor cases involving traffic violations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brown, Call, Carlson, Clarke, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, and Mr. Speaker—43.

NOES—Brady—1.

Bill ordered transmitted to the Senate.

MOTION TO APPROVE JOURNALS

On motion of Mr. Desmond, the Journals for Monday, April 19, 1943; Tuesday, April 20, 1943; Wednesday, April 21, 1943; and Thursday, April 22, 1943, were approved as corrected by the Minute Clerk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 46—Relative to repair facilities and materials for agricultural machinery and implements.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Call, Carlson, Clarke, Collins, George D., Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weybret, and Mr. Speaker—50.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 642—An act to add Section 9651.5 to the Revenue and Taxation Code, relating to motor vehicle transportation license taxes.

Bill read third time.

Motion to Amend

Mr. Heisinger moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "9651.5", and insert "10452.2".

Amendment No. 2

On page 1, line 4, of said bill, strike out "9651.5", and insert "10452.2".

Amendment No. 3

On page 1 of said bill, strike out lines 6 to 14, inclusive, and insert "10452.2. For the duration of the war in which this Country is now engaged and for a period of six months after the cessation of hostilities the amount remaining in the Motor Vehicle Transportation Tax Fund after the payment of refunds shall upon order of the Controller be drawn therefrom and be transferred to the Motor Vehicle Fuel Fund to be apportioned to the counties, cities and counties, and to the State Highway Fund in the manner provided in Chapter 10 of Part 2 of the Revenue and Taxation Code."

Amendments read.

Motion to Table Amendments

Mr. Ralph C. Dills moved that the amendments be laid on the table.

Mr. Debs seconded the motion.

Motion carried.

The question being on the passage of Assembly Bill No. 642.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, and Mr. Speaker—64.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1308—An act to repeal Chapter 8, comprising Sections 6850 to 6955, inclusive, of Division 3 of the Business and Professions Code, and to add Chapter 8, comprising Sections 6850 to 6991, inclusive, to Division 3 of the Business and Professions Code, providing for the regulation, bonding, supervision and licensing of collection agencies and penalizing violations thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—Beck—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1848—An act to add Sections 2533.1 and 2585.1 to the Education Code, relating to elementary school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXCUSE COMMITTEE MEMBERS

On motion of Mr. Field, the following members of the Committee on Ways and Means were excused for the evening while attending to their duties on the committee: Messrs Wollenberg (Chairman), Sheridan (Vice Chairman), Burkhalter, Carey, Crichton, Crowley, Doyle, Field, Gannon, Hastain, Johnson, Knight, T. Fenton; Kraft, Potter, Robertson, Sargent, Thurman, Watson, Weber, and Weybret.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1613 FROM COMMITTEE

Mr. Desmond gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 1613 from the Committee on Ways and Means, and have it placed upon the file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 604—An act to amend Section 5 751 of the School Code and to amend Section 13842 of the Education Code, relating to salaries of persons employed by school districts in positions requiring

certification qualifications, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Collins, George D. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, and Mr. Speaker—65.

NOES—Carlson, Clarke, Potter, Smith, and Wollenberg—5.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Collins, George D. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, and Mr. Speaker—65.

NOES—Carlson, Clarke, Potter, Smith, and Wollenberg—5.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR SPEAKER. Your Committee on Legislative Procedure has examined

Assembly Bill No. 1994

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1994—An act to amend Sections 2005, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2222 and 2224 of the Welfare and Institutions Code, and to add Sections 2008.5, 2014, 2015, 2016, 2017, 2020.01, 2021.01, 2163.1, 2163.2, 2163.7, 2166, 2181.01, 2181.1, 2182.1, 2183.1, 2187.01, and 2222.5 thereto, relating to aid to the aged, to take effect immediately, and to become operative as therein provided.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Mr. Speaker—69.

NOES—Carlson and Potter—2.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Mr. Speaker—69.

NOES—Carlson and Potter—2.

Bill ordered transmitted to the Senate.

Explanation of Failure to Vote on Assembly Bill No. 1994

I had been on the fourth floor attending the Ways and Means Committee, and stopped at my office on the same floor. When I returned to the Assembly Chamber, the vote had been taken. Had I been in attendance I would have cast an "aye" vote.

EDW. J. CAREY

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1978—An act to amend Section 901 of the Probate Code, relating to compensation for administration of estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1075

At 11.40 p.m., on motion of Mr. Evans, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1075 passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Haggerty, Hastain, Hawkins, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Stream, Thomas, Thompson, and Mr. Speaker—47.

NOES—Burns, Call, Carlson, Clarke, Desmond, Field, Gaffney, Guthrie, Heisinger, McCollister, Miller, Potter, Smith, Thorp, Waters, Watson, Werdel, and Wollenberg—18.

Notice of Motion to Reconsider Assembly Bill No. 1075

Mr. Field gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1075 was this day passed.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2010 WAIVED

Mr. Field waived his notice of motion to withdraw Assembly Bill No. 2010 from committee.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1784—An act to amend Section 2 of an act entitled “An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses,” approved May 14, 1927, relating to the Commission on Uniform State Laws.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1259—An act to add Section 13003.1 to the Education Code, relating to persons employed by school districts in positions requiring certification qualifications.

Bill read third time.

Motion to Amend

Mr. Stream moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended, after “if”, insert “, without good cause,”.

Amendment No. 2

On page 2, lines 9 and 10, of said bill, strike out “in the service of the district, or his intention to”, and insert “or not to”.

Amendment No. 3

On page 2, line 12, of said bill, strike out “after a request to give such notice shall have been given”, and insert “if a request to give such notice, including a copy of this section, shall have been personally served upon”.

Amendment No. 4

On page 2 of said bill, strike out lines 13 and 14; and in line 15, strike out “of the governing board”.

Amendment No. 5

On page 2, line 16, of said bill, strike out “shall”, and insert “may”.

Amendment No. 6

On page 2, line 17, of said bill, after “for”, insert “not exceeding”.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 680—An act to amend Section 3473 of the Welfare and Institutions Code, and to repeal Section 3474 thereof, relating to aid to partially self-supporting blind residents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh,

Johnson, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 746—An act to amend Section 3083.5 of the Welfare and Institutions Code, relating to aid to the blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1983—An act to add Section 15159 to the Health and Safety Code, relating to application of the State Housing Act, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Miller, Lowrey, Price, Lyons, and Rosenthal demanded the previous question

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 1983.

The roll was called, and the urgency clause refused adoption by the following vote:

AYES—Armstrong, Brown, Burns, Call, Carey, Carlson, Clarke, Crichton, Crowley, Denny, Desmond, Dickey, Dilworth, Doyle, Erwin, Gannon, Hastain, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Middough, Miller, Price, Robertson, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Anderson, Bennett, Berry, Brady, Burkhalter, Collins, George D., Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Gaffney, Haggerty, Hawkins, Kilpatrick, Lyons, Massion, McMillan, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, and Thomas—24.

Notice of Motion to Reconsider Urgency Clause to Assembly Bill No. 1983

Mr. Watson gave notice that on the next legislative day he would move to reconsider the vote whereby the urgency clause to Assembly Bill No. 1983 was this day refused adoption.

[On April 26, 1943, above action was rescinded, and record ordered expunged whereby the urgency clause to Assembly Bill No. 1983 was this day refused adoption.]

Hon. Ernest E. Debs Presiding

At 11.45 p.m., Hon. Ernest E. Debs, Member of the Assembly from the Fifty-sixth District, presiding.

Assembly Bill No. 1853—An act to provide for the limiting or defining of electric service areas by the Railroad Commission of the State of California between utilities and irrigation districts engaged in the sale or distribution of electric power, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1854—An act to provide for the limiting or defining of electric service areas by the California Districts Securities Commission between utilities and irrigation districts engaged in the sale of electric power, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger,

Hollibaugh, Johnson, Kellems, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—86.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 776—An act to amend Sections 607 and 607f of the Civil Code, relating to the formation of corporations for the prevention of cruelty to animals and children and to the appointment of humane officers by the corporation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1263—An act to amend Section 2160.5 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C. Dunn, Erwin, Field, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Potter and Thorp—2.

Notice of Motion to Reconsider Assembly Bill No. 1263

Mr. Desmond gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1263 was thus day passed.

Assembly Bill No. 1603—An act to amend Sections 2350, 2351, 2353, and 2357 of the Welfare and Institutions Code, and to add Sections 2350.5, 2353.1, 2353.2, and 2354.1 thereto, relating to agreements for the care of aged persons, providing for regulation and supervision of organizations and persons entering into such agreements by the State Department of Social Welfare, and providing for the issuance of writs of attachment in actions for the enforcement thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent,

Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 1603

Mr. Desmond gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1603 was this day passed.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Watson moved to expunge the record, and rescind the action whereby the urgency clause to Assembly Bill No. 1983 was this day refused adoption.

The roll was called, and the motion carried by the following vote:

AYES—Armstrong, Berry, Brady, Brown, Burns, Call, Carlson, Clarke, Collins, George D. Crichton, Crowley, Debs, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B. Knight, T. Fenton; Leonard, Lyons, Maloney, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Further Consideration of Assembly Bill No. 1983

Assembly Bill No. 1983—An act to add Section 15159 to the Health and Safety Code, relating to application of the State Housing Act, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Watson moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, between lines 11 and 12, insert
 "This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 645
 FROM COMMITTEE WAIVED**

Mr. Crowley waived his notice of motion to withdraw Assembly Bill No. 545 from committee.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1132—An act to amend Section 8406 of the Education Code, relating to kindergartens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream,

Thomas, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1906—An act to add Section 5806 to the Education Code, relating to the Vocational Rehabilitation Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, Knight, John B., Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Weber, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1909—An act to add Article 8 to Chapter 8, Division 4, of the Education Code, consisting of Section 9501, relating to the maintenance of classes in student harvest camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Weber, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 83—An act to amend Section 664a of the Political Code, relating to the payment of State officers and employees.

Bill read third time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, after "employees", insert a comma and "and making an appropriation".

Amendment No. 2

On page 1 of the printed bill, following line 14, insert

"Sec. 2 The sum of three hundred fifty-two thousand dollars (\$352,000) is hereby appropriated, to be paid as hereinafter described, to carry out the provisions of this act

Sec. 3. The sum of three hundred fifty-two thousand dollars (\$352,000) shall be paid as follows: Two hundred ninety-five thousand four hundred dollars (\$295,400) out of any money in the State treasury not otherwise appropriated and fifty-six thousand six hundred dollars (\$56,600) out of any money in the Motor Vehicle Fund. The sum payable from money in the State treasury not otherwise appropriated shall be allocated only on authorization of the State Department of Finance to the several State officers, departments, boards, bureaus, commissions, and other State agencies in augmentation of their respective appropriations for support for the Ninety-fifth and Ninety-sixth Fiscal Years in such amounts as may be necessary to carry out the provisions of this act.

The sum payable from the Motor Vehicle Fund shall be transferred to the Motor Vehicle Support Fund upon written authorization of the Director of Finance in accordance with the provisions of Item 149 of the "Budget Act of 1943."

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Armstrong, Call, Carey, Carlson, Crichton, Desmond, Dilworth, Doyle, Erwin, Field, Gannon, Hastain, Heisinger, Johnson, Kellems, Knight, T. Fenton; Leonard, Maloney, Miller, Price, Smith, Stream, Thompson, Thurman, Watson, Weber, and Mr. Speaker—27.

NOES—Anderson, Bennett, Berry, Brady, Brown, Clarke, Collins, George D., Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Fourt, Gaffney, Haggerty, Hawkins, Hollibaugh, Kilpatrick, Knight, John B., Lyons, Massion, McMillan, Middough, O'Day, Pelletier, Potter, Sargent, Sheridan, Thomas, Thorp, and Waters—30.

The question being on the passage of Assembly Bill No. 83.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Lyons, Maloney, Massion, McMillan, Middough, O'Day, Pelletier, Potter, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, and Waters—45.

NOES—Armstrong, Call, Carey, Carlson, Clarke, Dilworth, Hastain, Heisinger, Knight, T. Fenton; Leonard, Miller, Price, Thorp, Thurman, Watson, and Mr. Speaker—16.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF RULES BY UNANIMOUS CONSENT

Mr. Field asked for, and was granted, unanimous consent to temporarily suspend the Rules to reconsider the vote whereby Assembly Bill No. 1075 was this day passed, at this time.

Reconsideration of Assembly Bill No. 1075

In compliance with a notice given previously, Mr. Field moved that the vote whereby Assembly Bill No. 1075 was passed be reconsidered. Assembly Bill No. 1075 reconsidered by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Wollenberg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1075 ordered to third reading.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1263 WAIVED

Mr. Desmond waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1263 was passed.

Assembly Bill No. 1263 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1603 WAIVED

Mr. Desmond waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1603 was passed.

Assembly Bill No. 1603 ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Johnson:

Resolved, That Assembly Bill No. 2012 presents a case of urgency, as that term is used in Article IV, Section 15. of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Sargent, Shendan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Wollenberg, and Mr. Speaker—60.

NOES—None.

Article IV, Section 15. of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 2012

Assembly Bill No. 2012—An act to repeal Section 2553.5 of the Business and Professions Code.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1996	Assembly Bill No. 998
Assembly Bill No. 1999	Assembly Bill No. 545
Assembly Bill No. 2001	Assembly Bill No. 602
Assembly Bill No. 1601	Assembly Bill No. 603
Assembly Bill No. 2010	Assembly Bill No. 805
Assembly Bill No. 57	Assembly Bill No. 2007

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Hawkins:

Resolved, That Assembly Bill No. 2010 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion.

McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Wollenberg, and Mr. Speaker—60.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 2010

Assembly Bill No. 2010—An act to amend Section 10 of the Public Utilities Act, relating to salaries of commissioners.

Bill read second time, and ordered engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 552—An act to add Sections 5002.5 and 5002.6 to the Elections Code, making it a misdemeanor for any candidate seeking election or reelection to any office, board or agency authorized to issue licenses, or any officer, employee or appointee of such office, board or agency, to solicit or receive from persons holding licenses issued by said office, board or agency, any money or other thing of value for any political campaign for election or reelection to such office, board or agency, and making it a misdemeanor for any licensee or holder of a license to contribute or give money or any other thing of value for any such political campaign.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Masson, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—62

NOES—Brady—1.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1834—An act to add Section 83.1 to the State Civil Service Act, relating to oral examinations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, Masson, McMillan, Middough, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 411
FROM COMMITTEE**

Mr. Middough gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 411 from the Committee on Ways and Means, and have it placed upon the file.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 174
FROM COMMITTEE WAIVED**

Mr. Heisinger waived his notice of motion to withdraw Assembly Bill No. 174 from committee.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1973
FROM COMMITTEE**

Mr. Gaffney gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 1973 from the Committee on Ways and Means, and have it placed upon the file.

**WITHDRAWAL OF ASSEMBLY BILL NO. 1565 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Desmond asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1565 from the Committee on Judiciary, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1565

Assembly Bill No. 1565—An act to amend Sections 584 and 1557 of the Probate Code, relating to investments by executors, administrators or guardians in life or annuity contracts.

Bill read second time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 584 and 1557", and insert "Section 584".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "life or".

Amendment No. 3

On page 1, line 3, of the printed bill, after "estate," insert "*or at the time of settlement of an estate,*".

Amendment No. 4

In lines 8 and 9 of the printed bill, strike out "in life insurance policies, endowment or annuity contracts", and insert "*in the purchase from an insurer admitted to do business in this State and for any legatee named in the will of an annuity expressly granted to him by said will.*"

Amendment No. 5

On page 1 of the printed bill, strike out lines 14 to 28, both inclusive.

Amendment No. 6

On page 2 of the printed bill, strike out lines 1 to 9, both inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 7—Relative to memorializing Congress to give a larger part in the war effort to the small businesses of the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Lyons, Maloney, Masson, McMillan, Middough, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Wollenberg and Mr. Speaker—61.

NOES—None

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1988—An act to amend Section 11010 of, and to add Section 11011.5 to, the Business and Professions Code, relating to real estate subdivision.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Masson, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 576—An act to amend Section 151 of the Business and Professions Code, relating to the salary of the Director of Professional and Vocational Standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Crichton, Crowley, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Knight, T. Penton; Kraft, Leonard, Lyons, Maloney, McMillan, Miller, Potter, Price, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—Anderson, Bashore, Carlson, Masson, Pelletier, and Smith—6

Bill ordered transmitted to the Senate.

Assembly Bill No. 1381—An act to add Section 1641 to the Military and Veterans Code, relating to the compensation of The Adjutant General.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bennett, Berry, Brady, Burkhalter, Burns, Carey, Clarke, Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn,

Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Leonard, Lyons, Maloney, McMillan, Miller, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Anderson, Bashore, Debs, Heisinger, Kilpatrick, Knight, John B., Massion, Middough, Pelletier, and Waters—10

Bill ordered transmitted to the Senate.

Assembly Bill No. 475—An act making an appropriation to The Adjutant General for the maintenance of the California High School Cadets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, T. Fenton, Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Burkhalter, Evans, Knight, John B., Pelletier, and Watson—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 899—An act to add Section 800.7 and Chapter 6, comprising Sections 980 to 993, inclusive, to Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1944.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1106—An act to repeal Chapter 4.3 of Part 6, Division 1 and to amend Sections 3660 and 3661, and Sections 3662 and 3663 of, and to add Chapter 4.3 to Part 6, Division 1 of the Revenue and Taxation Code, relating to real property taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 224

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 224—An act to add Sections 3211.2, 3211.4, 3211.6, 3211.7, 3211.8, and 3352.5 to, and Chapter 10, comprising Sections 4301 to 4337, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 10.5 to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to civilian defense workers, including the limiting of the liability of the State of California, counties, cities, and civilian defense organizations for injuries arising out of and occurring in the course of activities as a civilian defense worker, authorizing the California State War Council to certify civilian defense organizations and to make rules and regulations for the classifying and registering of civilian defense workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggey, Hastan, Hawkins, Heisinger, Hollbaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Mason, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO WRITE LETTER TO JACK SALT

Mr. Maloney moved that the Chief Clerk be instructed to write a letter to Mr. Jack Salt, expressing the best wishes of the Assembly for a speedy recovery.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 500

Assembly Bill No. 1234

Senate Bill No. 528

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 583

Assembly Bill No. 1989

Assembly Bill No. 1560

Assembly Bill No. 1697

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 648

Senate Bill No. 962

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

- Assembly Bill No. 1037
- Assembly Bill No. 1038

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

WATERS, Chairman

Above reported bills re-referred to Committee on Ways and Means.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

- Assembly Bill No. 89

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CARLSON, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

- Assembly Bill No. 616

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

- Assembly Bill No. 1235
- Assembly Bill No. 1424

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

- Assembly Bill No. 1684

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATSON, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 406 | Assembly Bill No. 1975 |
| Assembly Bill No. 1772 | Assembly Bill No. 1140 |
| Assembly Bill No. 1733 | Assembly Bill No. 1821 |
| Assembly Bill No. 440 | Assembly Bill No. 1388 |

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred:

Senate Bill No. 197

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

MIDDOUGH, Chairman

Above reported bill ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 1276

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ROBERTSON, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 498

Assembly Bill No. 963

Assembly Bill No. 962

Assembly Bill No. 1412

Respectfully reports the same back without recommendation.

WOLLENBERG, Chairman

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)**Assembly Bill No. 805**—An act making an appropriation for the destruction of beet leaf hoppers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2007—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land in Santa Barbara County as part of the State Park System.

Bill read second time, and ordered engrossed.

Assembly Bill No. 701—An act to add Section 281.5 to the Agricultural Code, relating to licensed wax-salvage plants, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2008—An act to add Section 797 to the Agricultural Code, relating to citrus fruits.

Bill read second time, and ordered engrossed.

Assembly Bill No. 500—An act to amend Section 4701 of the Labor Code, relating to workmen's compensation, including burial expenses and death benefits.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1234—An act to amend Sections 41 and 61, and to repeal Section 41.3 of, and to add Section 41.6 to, the Unemployment Insurance Act, relating to contributions, funds and accounts under the act.

Bill read second time, and ordered to third reading.

Assembly Bill No. 648—An act to add Section 53.65 to the Alcoholic Beverage Control Act, relating to bottles.

Bill read second time, and ordered to third reading.

Assembly Bill No. 583—An act to add Sections 102 and 611.7 to the Fish and Game Code, creating a new fish and game district and regulating the taking of trout therein.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1560—An act to amend Sections 658 and 658.1 of the Fish and Game Code, relating to the taking of salmon.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1989—An act to add Section 22.5 to the Fish and Game Code, to empower the State Fish and Game Commission to insure boats and personnel, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1697—An act to add Section 995.3 to the Fish and Game Code, relating to fish traps.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1996—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fifth Session of the Legislature including committee expenses, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1999—An act making an appropriation to the Reclamation Board for the purpose of acquiring by purchase, condemnation or other legal means, property, lands, rights of way and easements for the construction, completion and operation of the Yolo By-pass and for the construction of incidental works and for settlement and payment of claims for damages done to property by the flood waters of the Yolo By-pass; and declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2001—An act creating the Palm Springs Winter Park Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Natural Resources in connection therewith, and authorizing the Department of Natural Resources to cooperate with the authority; authorizing the authority to construct and operate systems for the transportation of persons and property to Mount San Jacinto State Park and for the improvement of the recreational facilities in said park, including the development, operation and maintenance of ski grounds and all

facilities necessary or convenient for winter sports; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; appropriating such proceeds and all revenues received from the operation of the projects to the uses and purposes set forth herein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1601—An act to amend Sections 4.52, 4.923, 4.930, 4.942, and 4.950 of the School Code and to amend Sections 5453, 7303, 7307, 7203 and 7226 of the Education Code, relating to the support of public junior colleges, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 57—An act making an appropriation to meet the deficiency in the appropriation for workmen's compensation benefits of State officers and employees and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 998—An act to add Section 2264 to the Political Code and to add Section 20924 to the Education Code, relating to the employment of a field worker at the California School for the Blind.

Bill read second time, and ordered engrossed.

Assembly Bill No. 545—An act relating to the construction, installation, equipping, stocking and operation of vending stands in public buildings of the State and counties, cities and counties and counties and cities, and providing for their operation by licensed blind persons, and making an appropriation therefor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 602—An act to amend Sections 3420 and 3472 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, increasing the amount of such aid, and making an appropriation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 603—An act to amend Sections 3025 and 3084 of the Welfare and Institutions Code, relating to aid to the needy blind, increasing the amount of such aid, and making an appropriation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 498—An act limiting the amount of taxes that may be imposed for county or city and county purposes upon real and personal property according to the valuation thereof, providing for the determination of the revenue deficiency resulting from the limitation hereby prescribed, and for the apportionment to each county and city and county of an amount equal to that deficiency, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 962—An act to add Sections 5015, 5016, and 5017 to the Public Resources Code, relating to parks and beaches.

Bill read second time, and ordered to third reading.

Assembly Bill No. 963—An act to add Sections 506.6 and 506.7 to the Public Resources Code, relating to the powers and duties of the State Park Commission respecting shoreline protection, improvement and development of State or publicly owned ocean beaches, and to appointment of a Beach Erosion Control Engineer.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1412—An act to add Division 8, comprising Sections 8001 to 8212, inclusive, to the Public Resources Code, relating to surveys and maps, creating a State Board of Maps and Surveys, and prescribing its powers and duties

Bill read second time, and ordered to third reading.

Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California to amend Sections 3, 4 and 5 of Article IV of the Constitution of said State, relating to the term of office of Members of the Assembly and Senate.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 2, line 3, of the printed measure, strike out "for five", and insert "three".

Amendment read and adopted.

Resolution ordered reprinted and engrossed.

Assembly Bill No. 616—An act to amend Section 337a of, and to add Section 337g to, the Penal Code, relating to gaming and gambling by pool-selling, bookmaking, bets and wagers, and providing the punishment for the violation thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 2 of the printed bill, strike out lines 35 to 41, inclusive, and insert

"337g. Every person who furnishes, supplies or transmits to any pool-selling or bookmaking establishment conducted in violation of the provisions of Section 337a of this code or to the owners, operators or patrons of any such establishment any information, by radio or by other means, directly or indirectly, concerning the entries, starting time, probable betting odds, winners, results, bettors' winnings or pari-mutuel prices of any trial or purported trial or contest or purported contest of skill, speed or power of endurance of man or beast or between men, beasts or mechanical apparatus, knowing or having reasonable grounds for believing that such information will be used in such establishment in violation of any of the provisions of Section 337a of this code, is punishable as provided in said section."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1235—An act to amend Sections 53, and 54 of the Unemployment Insurance Act, relating to base periods and benefits under said act.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, immediately following line 21, insert "For the purpose of this section and Section 54, wages due to an individual but unpaid within the time limit set forth in Sections 201, 202, and 204 of the Labor Code of the State of California, shall be deemed wages paid to such individual."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1424—An act to add Section 763.4 to the Insurance Code, relating to the payment of commissions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out line 11, and insert "1120.5. During the administration of a testamentary trust and where not".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1276—An act to amend Sections 132, 1515, 5901, and 5931 of, and to add Sections 5884 and 5885 to, the Elections Code, relating to the absentee registration and voting of the members of the armed forces of the United States, or any auxiliary branch thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1515".

Amendment No. 2

In line 2 of the title of said bill, strike out "Sections 5884 and 5885", and insert "Section 5884".

Amendment No. 3

On page 2, line 8, of said bill, strike out "five", and insert "forty".

Amendment No. 4

On page 2 of said bill, strike out lines 10 to 23, inclusive.

Amendment No. 5

On page 2, line 26, of said bill, strike out "Thirty days", and insert "Six months".

Amendment No. 6

On page 2 of said bill, strike out lines 40 to 51, inclusive; and on page 3, strike out lines 1 to 9, inclusive.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1538—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 1 and 5, of the printed bill, strike out "\$244,550.55", and insert "\$674,818.97".

Amendment No. 2

On page 1, line 6, of said bill, strike out "\$211,131.99", and insert "\$559,075.70".

Amendment No. 3

On page 1, line 8, of said bill, strike out "113.15", and insert "1,067.50".

Amendment No. 4

On page 1, line 10, of said bill, strike out "625.00", and insert "1,733.87".

Amendment No. 5

On page 1 of said bill, between lines 11 and 12, insert "524.46 out of any money in the Contractors' License Fund in the State treasury; 147.60 out of any money in the Dentistry Fund in the State treasury;"

Amendment No. 6

On page 1, line 18, of said bill, strike out "600.00", and insert "1,613.66".

Amendment No. 7

On page 1, line 20, of said bill, strike out "23,299.96", and insert "22,849.81".

Amendment No. 8

On page 1, line 22, of said bill, strike out "131.91", and insert "433.07".

Amendment No. 9

On page 1, line 24, of said bill, strike out "21.17", and insert "30.12"

Amendment No. 10

On page 2 of said bill, between lines 2 and 3, insert "117.70 out of any money in the Medical Examiners' Contingent Fund in the State treasury;"

Amendment No. 11

On page 2, line 3, of said bill, strike out "232.36", and insert "1,697.20".

Amendment No. 12

On page 2 of said bill, between lines 4 and 5, insert "33.38 out of any money in the Motor Vehicle Transportation License Tax Fund in the State treasury; 11,355.47 out of any money in the Motor Vehicle Fuel Fund in the State treasury;"

Amendment No. 13

On page 2 of said bill, between lines 6 and 7, insert "80.00 out of any money in the Pharmacy Board Contingent Fund in the State treasury;"

Amendment No. 14

On page 2 of said bill, strike out lines 7 and 8, and insert "1,362.80 out of any money in the Sacramento and San Joaquin Drainage District Fund, General Assessment No. 1, Administrative, in the State treasury; 3,597.42 out of any money in the Real Estate Fund in the State treasury;"

Amendment No. 15

On page 2, line 9, of said bill, strike out "3,462.30", and insert "57,777.20".

Amendment No. 16

On page 2, line 11, of said bill, strike out "1,487.60", and insert "8.613.14".

Amendment No. 17

On page 2 of said bill, between lines 12 and 13, insert "6.56 out of any money in the Service Revolving Fund in the State treasury;".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1684—An act to amend Sections 717.5 and 868, of the Fish and Game Code, relating to fish.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "1700", and insert "2,500".

Amendment No. 2

On page 1, lines 11 to 22, inclusive, of said bill, strike out all matter therein.

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 406—An act making an appropriation to the Department of Agriculture for the purpose of establishing, equipping, and operating a Poultry Disease Diagnostic and Testing Laboratory in San Diego County.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "the", and insert "expenditure during the Ninety-fifth and Ninety-sixth Fiscal Years for".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 440—An act to amend Sections 758 and 759, and to repeal Section 758a, of the Political Code, all relating to officers and employees of the district courts of appeal.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out all of lines 5 to 9, inclusive, and insert "lows: One clerk at four thousand three hundred dollars (\$4,300) per annum until July 1, 1945, when said salary shall be four thousand six hundred dollars (\$4,600) per annum; two deputy clerks at three thousand three hundred dollars (\$3,300) per annum until July 1, 1945, when said salaries shall be three thousand six hundred dollars (\$3,600) per annum; two phonographic reporters as provided in Section 759; two bailiffs at two thousand seven hundred dollars (\$2,700) per annum until July 1, 1945, when said salaries shall be three thousand dollars (\$3,000) per annum; one deputy".

Amendment No. 2

On page 1 of said bill, strike out all of lines 14 to 18, inclusive, and insert "be as follows: One clerk at four thousand three hundred dollars (\$4,300) per annum

until July 1, 1945, when said salary shall be four thousand six hundred dollars (\$4,600) per annum; two deputy clerks at three thousand three hundred dollars (\$3,300) per annum until July 1, 1945, when said salaries shall be three thousand six hundred dollars (\$3,600) per annum; two phonographic reporters as provided in Section 759; one bailiff at two thousand seven hundred dollars (\$2,700) per annum until July 1, 1945, when said salary shall be three thousand dollars (\$3,000) per annum."

Amendment No. 3

On page 1 of said bill, strike out all of lines 21 to 23, inclusive.

Amendment No. 4

On page 2 of said bill, strike out all of lines 1 and 2, and insert "follows: One clerk at four thousand three hundred dollars (\$4,300) per annum until July 1, 1945, when said salary shall be four thousand six hundred dollars (\$4,600) per annum; three deputy clerks at three thousand three hundred dollars (\$3,300) per annum until July 1, 1945, when said salaries shall be three thousand six hundred dollars (\$3,600) per annum; one phonographic reporter as provided by Section 759; one bailiff at two thousand seven hundred dollars (\$2,700) per annum until July 1, 1945, when said salary shall be three thousand dollars (\$3,000) per".

Amendment No. 5

On page 2 of said bill, strike out all of lines 23 and 24, and insert "His compensation shall be at the rate of three thousand seven hundred fifty dollars (\$3,750) per annum until July 1, 1945, when said salary shall be four thousand dollars (\$4,000) per annum."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1975—An act to provide for the augmentation of the food and fiber supply of this State and Nation by authorizing public officers of this State to acquire by eminent domain any otherwise agricultural machinery and equipment, and for the use of such agricultural machinery and equipment, making an appropriation therefor, and declaring the urgency of said act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, between lines 17 and 18, insert "Sec. 1.5 The term "idle and unused agricultural machinery and implements," as used in this act, does not apply to any machine or implement which is
(a) in actual, but not necessarily continuous, use in farming operations; or
(b) owned by persons, associations or corporations engaged in farming operations in California; or
(c) owned by manufacturers or dealers."

Amendment No. 2

On page 1, line 20, of the printed bill, after "of", insert "such".

Amendment No. 3

On page 4 of said bill, after line 9, insert "Sec. 10. When title to any such machinery or equipment is vested in the State, the Director of Finance may sell any of such machinery or equipment to the highest bidder after giving public notice of such sale."

Amendment No. 4

On page 4, line 10, of said bill, strike out "10", and insert "11".

Amendment No. 5

On page 4, line 11, of said bill, strike out "Director", and insert "Department".

Amendment No. 6

On page 4 of said bill, between lines 13 and 14, insert "Sec. 12. Any money received for use or sale of any such machinery or equipment shall be remitted to the State Treasurer for credit to the General Fund."

Amendment No. 7

On page 4, line 14, of said bill, strike out "11", and insert "13".

Amendment No. 8

On page 4, line 23, of said bill, strike out "12", and insert "14".

Amendment No. 9

On page 4, line 27, of said bill, strike out "13", and insert "15".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1140—An act to provide for the erection and equipment of a building or buildings on the Campus of the University of California at Los Angeles for use in connection with instruction in engineering, for the establishment and maintenance of a course in engineering on the Campus of the University of California at Los Angeles, and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2 of the printed bill, as amended, after line 16, insert "Of the money hereby appropriated the sum of six hundred thousand dollars (\$600,000), if expended, shall be expended for construction of a building or buildings during the Ninety-fifth and Ninety-sixth Fiscal Years and if not so expended shall revert to the General Fund."

Amendment read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1821—An act to add Sections 542.2 and 542.3 to the Political Code, relating to charges for State printing and providing for furnishing public documents to libraries and schools without charge, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 542.2 and", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 18, inclusive.

Amendment No. 3

On page 1, line 20, of said bill, strike out "Sec. 2", and insert "Section 1".

Amendment No. 4

On page 1, line 23, of said bill, strike out "general circulation", and insert "distribution".

Amendment No. 5

On page 1, lines 24 and 25, of said bill, strike out "to all county libraries and to all educational institutions approved by the Department of Education," and insert "to such county public libraries or branches thereof as may be approved by the State Librarian,".

Amendment No. 6

On page 2, lines 1 and 2, of said bill, strike out "and educational institutions and without their being required to make a request therefor.", and insert ". When-

ever a request is made to the State Librarian by a county public library, or branches thereof, the delivery of the document or documents requested shall be made by the State Printer."

Amendment No. 7

On page 2, line 4, of said bill, after "appropriated", insert "during the Ninety-fifth and Ninety-sixth Fiscal Years".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1388—An act to add Section 7½ to "An act providing for a State Nautical School in the Port of San Francisco, creating a board to govern and manage the same, determining the power, duty and authority of the board, and its officers, providing for the appointment of the members of the board and its officers and employees, creating a fund for the support of the board and the school and equipment for the use thereof, and authorizing the Governor to secure a suitable vessel from the Federal Government for the use of the school, and making an appropriation therefor," relating to State Nautical School.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "7½ to "An act providing for a State"; and strike out lines 2 to 10, both inclusive, and insert "21155.1 to the Education Code, relating".

Amendment No. 2

In line 11 of the title of the printed bill, after "to", insert "the".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 and 2, and insert "SECTION 1. Section 21155.1 is added to the Education Code, to read:".

Amendment No. 4

On page 1, line 3, of the printed bill, strike out "Sec. 7½.", and insert "21155.1."

Amendment No. 5

On page 1, line 4, of the printed bill, after "be", insert "reduced or".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 89—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "fifty dollars (\$250)", and insert "sixty-five dollars (\$265)".

Amendment No. 2

On page 1, lines 14 and 15, of said bill, strike out "forty dollars (\$240)", and insert "fifty-five dollars (\$255)".

Amendment No. 3

On page 1, lines 16 and 17, of said bill, strike out "eighty-three dollars and seventy-five cents (\$83.75)", and insert "ninety-eight dollars and seventy-five cents (\$98.75)".

Amendment No. 4

On page 1, line 19, of said bill, strike out "sixty-five dollars (\$65)", and insert "ninety-five dollars (\$95)".

Amendment No. 5

On page 1, lines 21 and 22, of said bill, strike out "forty-five dollars (\$45)", and insert "sixty dollars (\$60)".

Amendment No. 6

On page 1, line 24, of said bill, strike out "forty-five dollars (\$45)", and insert "sixty dollars (\$60)".

Amendment No. 7

On page 1, lines 26 and 27, of said bill, strike out "forty-five dollars (\$45)", and insert "sixty dollars (\$60)".

Amendment No. 8

On page 2, lines 1 and 2, of said bill, strike out "twenty-five dollars (\$25)", and insert "forty dollars (\$40)".

Amendment No. 9

On page 2, lines 4 and 5, of said bill, strike out "twenty-five dollars (\$25)", and insert "forty dollars (\$40)".

Amendment No. 10

On page 2, lines 7 and 8, of said bill, strike out "dollars (\$200)", and insert "fifteen dollars (\$215)".

Amendment No. 11

On page 2 of said bill, strike out lines 9, 10, and 11, and insert "One chief deputy marshal and one deputy marshal, each of whom shall receive one hundred ninety dollars (\$190) per month; and".

Amendment No. 12

On page 2, lines 14 and 15, of said bill, strike out "forty-five dollars (\$45)", and insert "sixty dollars (\$60)".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1772—An act making an appropriation from the State Parks Maintenance and Acquisition Fund to the State Park Commission to salvage and move cottages at Seacliff State Park, Santa Cruz County.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "of", and insert "any money allocated by subdivision (a) of Section 5014 of the Public Resources Code to".

Amendment read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1079—An act to provide for the organization, incorporation and government of county water authorities, authorizing and empowering such authorities to acquire water and water rights, and to acquire, construct, operate and manage works and property, to incur bonded indebtedness therefor, to provide for the taxation of property

therein, and the performance of certain functions relating thereto by officers of county within which any such authority may be located, to provide for addition of areas thereto, and the exclusion of areas therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 10, line 25, of said bill, after "a", insert "two-thirds".

Amendment No. 2

On page 15, line 24, of said bill, after "authority", insert ", except that the vote of a majority of the electors voting upon the proposition shall be sufficient to authorize the incurring of such indebtedness".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 322—An act to amend Section 38c of the State Employees' Retirement Act, relating to a retirement system for public officers and employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 2 of the printed bill, strike out lines 34 to 52, inclusive; and on page 3, strike out lines 1 and 2, and insert

"Upon the termination of said contract, the accumulated contributions of the employees who are members under said contract, shall remain in the State Employees' Retirement Fund until July 1, 1946; provided, that should any such employee cease to be employed by said contracting city, or should he die, his accumulated contributions shall be paid to him, or to his beneficiary, estate or next of kin, as the case may be, and as provided in this act for the refund of accumulated contributions and the payment of death benefits

The right to a retirement allowance, of a person who has retired prior to the effective date of the termination of said contract, or who has qualified and applied for retirement by written document received at the board's office in Sacramento, California, prior to said effective date, even though the board shall not approve said application until a later date, and the right of any person to a benefit on account of a death which occurred prior to said effective date, shall not be affected by said termination of said contract, except as herein provided in the event the contracting city shall fail to make contributions required of it because of the participation of its employees in the system"

Amendment No. 2

On page 3 of said bill, strike out line 16, and insert "Administration shall hold for said contracting city until July 1, 1946, such por-".

Amendment No. 3

On page 3, line 41, of said bill, after the period, strike out "The Board of Administration may"; and strike out lines 42 to 52, inclusive

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 197—An act to add Section 2729 to the Penal Code, relating to prisons, the employment of prisoners and the sale of prison-

made products, and declaring the urgency thereof and that this act shall go into immediate effect.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime and Correction:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, strike out “, the employment of prisoners”.

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 630—An act to amend Sections 1300.15, 1300.16 and 1300.19 of the Agricultural Code, relating to the marketing of agricultural commodities.

Bill read second time, and ordered to third reading.

Senate Bill No. 528—An act to amend Sections 4803 and 4804 of the Labor Code, relating to disability indemnities for members of the California Highway Patrol.

Bill read second time, and ordered to third reading.

Senate Bill No. 962—An act to amend Section 397 of the Penal Code, relating to the sale of intoxicating liquors to common drunkards, Indians, insane or incompetent persons.

Bill read second time, and ordered to third reading.

ADJOURNMENT

At 11.59 p.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, April 27, 1943.

C. WILLIAM QUEALE, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FOURTH LEGISLATIVE DAY
ONE HUNDRED FOURTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, April 27, 1943

The Assembly met at 9.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Pelletier suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Burns, Collins, Sam L., Doyle, Heisinger, Maloney, Pelletier, Werdel, and Mr. Speaker—8.

Call of the Assembly

Mr. Pelletier moved a call of the Assembly.

Motion carried. Time, 9.32 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON QUORUM CALL**

At 10.07 a.m., on motion of Mr. Pelletier, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Anderson, Armstrong, Beck, Bennett, Brown, Burns, Carlson, Clarke, Collins, Sam L., Debs, Desmond, Dickey, Dilworth, Doyle, Erwin, Fourt, Gaffney, Guthrie, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Stream, Thurman, Werdel, Weybret, and Mr. Speaker—42.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Gracious God, this day comes to us from Thee with its mystery and its promise. We thank Thee for life and strength, joy, and blessing. We ask Thy watch over our families and loved ones. Where there is illness we pray for the touch of the Great

Physician. May our paths be daily brightened with the clear shining of Thy loving face.

"O Love that wilt not let me go,
I rest my weary soul in Thee,
I give Thee back the life I owe,
That in Thine ocean depths its flow
May richer, fuller be."

AMEN

By order of the Speaker, the following was ordered printed in the Journal:

The State of this Nation is good
The Heart of this Nation is sound
The Spirit of this Nation is strong
The Faith of this Nation is Eternal

JOHN PELLETIER

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Beck.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined.

Assembly Bill No. 226	Assembly Bill No. 805
Assembly Bill No. 500	Assembly Bill No. 1514
Assembly Bill No. 545	Assembly Bill No. 2010
Assembly Bill No. 602	Assembly Bill No. 2012
Assembly Bill No. 603	

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 998	Assembly Bill No. 1996
Assembly Bill No. 1601	Assembly Bill No. 1999
Assembly Bill No. 1697	Assembly Bill No. 2007
Assembly Bill No. 1989	Assembly Bill No. 2008

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Hollibaugh:

Resolved, That Assembly Bill No. 2009 presents a case of urgency as the term is used in Article IV, Section 15, of the Constitution, and the provision of this section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Price,

Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62
 NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 2009

Assembly Bill No. 2009—An act to amend Sections 9023, 9150, 9151, 9171, 9191, 9192, 9196, and 9321 of the Government Code, relating to officers and employees of the Senate and Assembly.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Catev, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.
 NOES—None.

Assembly Bill No. 2009—An act to amend Sections 9023, 9150, 9151, 9171, 9191, 9192, 9196, and 9321 of the Government Code, relating to officers and employees of the Senate and Assembly.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dilworth, Doyle, Erwin, Fourn, Gaffney, Guthrie, Hawkins, Hollibaugh, Johnson, Kilpatrick, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Stream, Thurman, Werdel, Weybret, and Mr. Speaker—42.
 NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1996—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fifth Session of the Legislature including committee expenses, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sam L. Collins moved a call of the Assembly.

Motion carried. Time, 10.12 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 58.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1601
FROM COMMITTEE WAIVED**

Mr. Debs waived his notice of motion to withdraw Assembly Bill No. 1601 from committee.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 606 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Evans moved that Assembly Bill No. 606 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Collins, Sam L., Crichton, Debs, Desmond, Dickey, Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Weybret, and Mr. Speaker—42.

NOES—Burns, Carey, Carlson, Clarke, Heisinger, Lowrey, and Werdel—7.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 606—An act to add Section 486 to the Streets and Highways Code, relating to State highways.

Bill read second time, and ordered to third reading.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 1960 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Middough moved that Assembly Bill No. 1960 be withdrawn from the Committee on Public Health, and be placed upon the file.

Demand for Previous Question

Messrs. Heisinger, Johnson, Beck, Evans, and Carlson demanded the previous question.

Demand for previous question sustained.

The question being on the motion to withdraw Assembly Bill No. 1960 from the Committee on Public Health, and have it placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Beck, Bennett, Burkhalter, Clarke, Debs, Evans, Hawkins, Heisinger, Kilpatrick, Knight, John B., Lyons, Massion, McMillan, Middough, Potter, Watson, Weybret, and Mr. Speaker—19.

NOES—Bashore, Berry, Burns, Call, Carlson, Collins, George D., Collins, Sam L., Crichton, Desmond, Dunn, Erwin, Fourt, Gaffney, Gannon, Haggerty, Hollibaugh, Johnson, Kraft, Leonard, Maloney, Pelletier, Price, Sargent, Sawallisch, Smith, Stream, Thompson, Thurman, Waters, Werdel, and Wollenberg—31.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 692 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Smith moved that Assembly Bill No. 692 be withdrawn from the Committee on Finance and Insurance, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Bennett, Burkhalter, Clarke, Collins, George D., Desmond, Doyle, Erwin, Evans, Gaffney, Gannon, Kellems, Knight, John B., Price, and Smith—15.

NOES—Bashore, Beck, Berry, Brown, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Debs, Denny, Dickey, Dunn, Fourt, Guthrie, Haggerty, Hollibaugh, Johnson, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Sargent, Sawalisch, Stream, Thurman, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—37.

Speaker Pro Tempore Presiding

At 11.08 a. m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1733—An act making an appropriation for child care centers, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 21, inclusive; and in line 22, strike out "SEC. 4.", and insert

"SECTION 1. The sum of twenty-two thousand two hundred dollars (\$22,200) is hereby appropriated out of any moneys in the State treasury not otherwise appropriated to the Director of Education to be expended during the Ninety-fifth and Ninety-sixth Fiscal Years for the purpose of supervising child care centers under and in accordance with Chapter 11 of Division 9 of the Education Code.

SEC. 2."

Amendment No. 2

On page 2 of said bill, strike out lines 3 to 7, inclusive.

Amendment No. 3

On page 2 of said bill, strike out lines 10 and 11, and insert "by the inability of the Department of Education to provide proper supervision for child care centers it is necessary that".

Amendments read.

Substitute Motion to Amend

Mr. Hawkins moved, as a substitute motion, the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. In addition to any other sum appropriated, there is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of two million dollars (\$2,000,000), or as much thereof as may be necessary, to the California State War Council, to be used by the War Council during the Ninety-fifth and Ninety-sixth Fiscal Years for supplemental support of child care centers created pursuant to Chapter 3 of Part 3 of Division 6 of the School Code and Chapter 11 of Division 9 of the Education Code.

SEC. 2. The funds hereby appropriated shall be allocated by the California State War Council to local districts which have established such child care centers for the purpose of supplementing support from the Federal Government, parents of children cared for, and industry where those sources are insufficient to meet the costs of operating the child care centers.

SEC. 3. In making this appropriation, the Legislature makes the following statement of its intent:

(a) That child care centers are intended as emergency institutions, to be conducted for the period of the war only, and are to be discontinued completely within six months after the cessation of hostilities.

(b) That the Legislature views the problem of caring for children whose parents are employed in essential war industries as essentially a part of the National defense effort, and that the obligation of supporting the child care centers is primarily a Federal responsibility.

(c) That since the parents of the children are employed in industry, they are able to contribute to the cost of their care, and are primarily liable for furnishing the necessities of life for the children.

(d) That participation by the State or locality in payment of the costs of the program should be of supplementary or emergency nature only, until the Federal Government, parents, and industry can maintain its full support.

(e) That limitation of the operation to care for children of day workers only should be encouraged, and industry, parents, and school districts should be encouraged to arrange for employment of mothers in daytime only.

(f) That employment of mothers of more than two children of very tender years appears inadvisable except in extreme cases.

(g) That the Legislature recognizes that the cost of maintenance of the child care centers should not be imposed against local real property, but must be paid for upon a broader tax basis.

SEC. 4. Before allocating the funds appropriated the California State War Council shall make every effort to arrange for support of the child care centers by the Federal Government, parents of the children, and industry. If sufficient funds for the purpose can not be secured from these sources the War Council may allocate to the respective child care centers such sums as it deems necessary for supplemental use only.

SEC. 5. Before making any allocation to any district, the California State War Council shall determine that the district is operating efficiently. In making such allocations the War Council shall not recognize costs based on elaborate organization or standards that are excessively high or extravagant.

SEC. 6. The California State War Council shall make a survey of the respective child care centers petitioning for allocation of funds, and after determining the necessity, costs, and support derived from the Federal Government, parents, and industry, shall allocate such sums to the respective child care centers as it deems necessary to insure their efficient operation.

SEC. 7. This act shall remain in effect until the one hundred eighty-first day after the cessation of hostilities in all wars in which the United States is now engaged, and the powers hereby conferred upon the California State War Council shall thereupon terminate.

SEC. 8. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

It is essential to the successful prosecution of the wars in which the United States is now engaged that manpower and womanpower available for industry be utilized to the fullest extent. The care of children of these workers is of the utmost importance, and the cost of maintenance of child care centers for this purpose must be provided. While responsibility of the Federal Government, the parents of such children, and industry for such support is fully recognized, it is essential that the State grant supplemental aid to the districts maintaining these child care centers, varying in amount with the service rendered and the ability of the district to be self-supporting. The California State War Council, having authority throughout the State, must be given immediate authority to carry out this program for the duration of the war only."

Amendment read.

Demand for Previous Question

Messrs. Robertson, Waters, Fourt, Kellems, and Doyle demanded the previous question.

Demand for previous question sustained.

The question being on the substitute amendment offered by Mr. Hawkins to Assembly Bill No. 1733.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Collins, George D., Debs, Dunn, Evans, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Kraft, Massion, McMillan, Middough, O'Day, Pelletier, Price, Robertson, Rosenthal, and Sargent—28.

NOES—Armstrong, Bashore, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Desmond, Dickey, Doyle, Erwin, Fourt, Guthrie, Johnson, Kel-

Iems, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, McCollister Miller, Niehouse, Potter, Sawallisch, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—39

The question being on the adoption of the amendments proposed by the Committee on Ways and Means to Assembly Bill No. 1733.

Demand for Previous Question

Messrs. Robertson, Dickey, Waters, Werdel, and Guthrie demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments proposed by the Committee on Ways and Means to Assembly Bill No. 1733

The roll was called, and the amendments adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hasaun, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Maloney, Masson, McCollister, McMillan, Midlough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thurman, Watson, Weybret, and Wollenberg—56.

NOES—Burns, Clarke, Desmond, Hollibaugh, Kellems, Knight, John B., Lowrey, Lyons, Robertson, Sargent, Thorp, Waters, Weber, and Werdel—14.

Bill ordered reprinted and engrossed.

MOTION TO RESTORE SENATE BILL NO. 33 TO PROPER PLACE ON FILE

Mr. Wollenberg moved that Senate Bill No. 33 be restored to its proper place on the file.

Mr. Lowrey seconded the motion

Motion carried unanimously.

Speaker Presiding

At 11.55 a. m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

WITHDRAWAL OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 20 FROM THE INACTIVE FILE

Mr. Bashore moved that Assembly Constitutional Amendment No. 20 be withdrawn from the inactive file, and placed upon the third reading file.

Motion carried.

WITHDRAWAL OF SENATE BILL NO. 267 FROM THE INACTIVE FILE

Mr. Lowrey moved that Senate Bill No. 267 be withdrawn from the inactive file, and placed upon the third reading file.

Motion carried.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1999 FROM COMMITTEE WAIVED

Mr. King waived his notice of motion to withdraw Assembly Bill No. 1999 from committee.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 498
FROM COMMITTEE WAIVED**

Mr. Lyon waived his notice of motion to withdraw Assembly Bill No. 498 from committee.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILLS NOS. 602 AND 603
FROM COMMITTEE WAIVED**

Mr. Evans waived his notice of motion to withdraw Assembly Bills Nos. 602 and 603 from committee.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 291 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Heisinger moved that Assembly Bill No. 291 be withdrawn from the Committee on Judiciary, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Collins, George D., Crichton, Dunn, Guthrie, Heisinger, Kilpatrick, King, Kraft, Lowrey, Massion, McMillan, Niehouse, O'Day, Robertson, Rosenthal, Smith, and Weber—23.

NOES—Armstrong, Carey, Carlson, Clarke, Desmond, Dickey, Fourt, Gannon, Haggerty, Hastam, Hollibaugh, Kellem, Knight, John B., Leonard, Lyons, Maloney, McCollister, Middough, Miller, Pelletier, Potter, Price, Sargent, Stream, Thomas, Thompson, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—31.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Senate Bill No. 705 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 226 re-referred to the Committee on Public Morals.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 1996**

At 12.06 p.m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 1996 adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. McCollister, Maloney, Haggerty, O'Day, and Lyon:

House Resolution No. 210

Relating to the death of the Right Reverend Monsignor Francis P. McElroy

WHEREAS, In San Rafael, California, on April 25th, death claimed the Right Reverend Monsignor Francis P. McElroy, head of St. Vincent's Home in that city; and

WHEREAS, That beautiful home and school is the fruit of a labor begun 21 years ago when Father Francis McElroy removed the sign "orphanage" from a wooden building in San Rafael and set himself to create a refuge where homeless boys might be given the love and care of a real home and an education to fit them for an active share in the life of a great Democracy; and

WHEREAS, This great hearted man was to the 300 boys of St. Vincent's Home, and to the hundreds of graduates of that home, benefactor, guide, and beloved friend; and

WHEREAS, His innovations and enlightened methods of working in this field brought him National recognition, advanced the cause of true education, and contributed immeasurably to a better community life; now, therefore, be it

Resolved by the Assembly of the State of California, That when this Assembly today adjourns it do so out of respect to the memory of the Right Reverend Monsignor Francis P. McElroy; and be it further

Resolved, That the Chief Clerk of the Assembly is requested to transmit a suitable copy of this resolution to St. Vincent's Home at San Rafael.

Request for Unanimous Consent

Mr. McCollister asked for, and was granted, unanimous consent to take up House Resolution No. 210, at this time, without reference to committee.

Resolution read and adopted by a rising vote of the Assembly.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILLS NOS. 1037 AND 1038 FROM COMMITTEE

Mr. Dickey gave notice that on the second legislative day he would move to withdraw Assembly Bills Nos. 1037 and 1038 from the Committee on Ways and Means, and have them placed upon the file.

PERMISSION TO HOLD COMMITTEE MEETING GRANTED BY UNANIMOUS CONSENT

Mr. Carlson asked for, and was granted, unanimous consent to hold a meeting of the Committee on Municipal and County Government during the noon recess of the Assembly.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 705

Mr. Dilworth moved that Senate Bill No. 705 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Public Morals.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Fish and Game**

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER. Your Committee on Fish and Game, to which were referred:

Senate Bill No. 94

Senate Bill No. 398

Senate Bill No. 1102

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 143

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATSON, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 226

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 94—An act to amend Sections 990, 990.1, and 990.5 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read second time, and ordered to third reading.

Senate Bill No. 398—An act to amend Section 1035 of the Fish and Game Code, relating to domesticated fish.

Bill read second time, and ordered to third reading.

Senate Bill No. 1102—An act to provide for the control of certain property of the State in Napa County by the Fish and Game Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 143—An act to amend Sections 582, 583, 584, 585, 587, 588, 589, 590, 591, 592, 593, 594, 596 of the Fish and Game Code, relating to kelp and other aquatic plants

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "help", and insert "kelp".

Amendment No. 2

On page 2, line 39, of the printed bill, strike out "ten cents (\$0.10)", and insert "five cents (\$.05)".

Amendment No. 3

On page 3, line 3, of the printed bill, strike out "15", and insert "5".

Amendment No. 4

On page 3, line 28, of the printed bill, strike out "ten cents (\$0.10)", and insert "five cents (\$.05)".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 226—An act to add Section 53 55 to the Alcoholic Beverage Control Act, relating to containers and cartons.

Bill read second time, and ordered engrossed.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 411
FROM COMMITTEE WAIVED**

Mr. Middough waived his notice of motion to withdraw Assembly Bill No. 411 from committee.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 44
FROM COMMITTEE WAIVED**

Mr. Massion waived his notice of motion to withdraw Assembly Bill No. 44 from committee.

RECESS

At 12:20 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnibus at the desk.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1771—An act to amend Section 87 of the Agricultural Code, relating to agricultural societies;
And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 12 m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 458—An act to amend Section 2720 of the Penal Code, relating to the Jute Mill Revolving Fund;

Assembly Bill No. 529—An act to repeal Section 5 of an act entitled "An act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation," approved April 14, 1913, relating to the reconversion of registered bonds into coupon bonds;

Assembly Bill No. 564—An act to add Section 1514.5 to the Elections Code, relating to ballot pamphlets;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 12 m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 227—An act to amend Sections 1859 and 1860 of the Civil Code, relating to the liability of innkeepers, to include voluntary hospitals, rest homes and sanitariums;

Assembly Bill No. 228—An act to amend Section 341a of the Code of Civil Procedure, relating to personal property left by tenants, guests or patients;

Assembly Bill No. 325—An act to amend Section 605e of the Civil Code, relating to the disposition of assets of nonprofit corporations upon dissolution or winding up; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 12 m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 192—An act to repeal Section 3715 of the Elections Code, relating to ballots;

Assembly Bill No. 212—An act to amend Section 3714 of the Elections Code, relating to ballots;

Assembly Bill No. 216—An act to amend Section 1406 of the Elections Code, relating to initiative and referendum petitions; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 12 m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 21—An act to amend Section 8322 of the Streets and Highways Code, relating to the vacation of city streets;

Assembly Bill No. 55—An act to amend Section 4 of the California Water Storage District Act, relating to giving of notice of proposed organization of a water storage district to landowners;

Assembly Bill No. 90—An act to add Chapter 3, consisting of Sections 8330 and 8331, to Part 3, Division 9, of the Streets and Highways Code, relating to the vacation of city streets and providing for the reservation of certain easements therein; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 12 m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 342—An act to amend Sections 2353, 2705, and 5556 of the Elections Code, relating to the time for opening and closing the polls;

Assembly Bill No. 380—An act to amend Section 1003 of the Elections Code, relating to proclamation of election days;

Assembly Bill No. 443—An act to amend Section 4965 of the School Code and to amend Section 7406 of the Education Code, relating to the canvassing of votes cast at elections for the issuance of school district bonds; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 12 m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 613—An act to amend Section 2617 of the Revenue and Taxation Code, relating to taxation;

Assembly Bill No. 626—An act to amend Section 41325 of the Political Code, relating to duties of county recorders;

Assembly Bill No. 627—An act to add Section 4539 to the Elections Code, relating to campaign statements; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 12 m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 632—An act amending Section 4300c of the Political Code, relating to the fees of county recorders;

Assembly Bill No. 693—An act to add Section 833 to the Revenue and Taxation Code, relating to inspection of information and records in the State Board of Equalization Office;

Assembly Bill No. 753—An act to amend Section 201 of the Fish and Game Code, relating to the San Leandro Waterfowl Refuge; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 12 m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 784—An act to amend Section 92 of the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs;

Assembly Bill No. 786—An act to add Section 4041i to the Political Code, relating to the transfer of county property used for fair purposes;

Assembly Bill No. 889—An act to amend Section 737dd of the Political Code, relating to the salary of judges;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 12 m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1475—An act to amend Section 3472 of the Welfare and Institutions Code, relating to aid and income of partially self-supporting blind residents;

Assembly Bill No. 1564—An act to amend Section 7 of the "American River Flood Control District Act," approved May 28, 1927, relating to the board of trustees;

Assembly Bill No. 1648—An act to amend Section 2671.5 of the Elections Code, relating to declarations of candidacy;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 12 m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1347—An act to amend Sections 595, 596 and 605e of the Civil Code, relating to nonprofit corporations;

Assembly Bill No. 1472—An act to add Sections 3083.3 and 3471.5 to the Welfare and Institutions Code, relating to aid to the blind;

Assembly Bill No. 1473—An act to add Sections 3401.5 and 3432.1 to the Welfare and Institutions Code, relating to aid to the blind;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 12 m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 928—An act to amend Section 11003 of the Health and Safety Code, relating to narcotics;

Assembly Bill No. 969—An act to repeal Article 1 of Chapter 5 of Division 5 of the Agricultural Code, and to add to said chapter a new article, to be numbered Article 1, relating to seeds;

Assembly Bill No. 975—An act to amend Section 67.5 of the Alcoholic Beverage Control Act, relating to alcoholic beverages;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 12 m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 992—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, by adding thereto Section 7.1, relating to the incurring of indebtedness for the repair or replacement of district works damaged or demolished by reason of fire, flood, earthquake, sabotage, or act of God or the public enemy, the refunding of such indebtedness, the levy and collection of taxes to pay such indebtedness, and providing the manner of adoption of ordinances relating thereto;

Assembly Bill No. 1198—An act to amend Section 1461 of the Probate Code, relating to the appointment of guardians for insane or incompetent persons. And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 12 m

PELLETER, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1990—An act to amend Section 4029 of the Political Code, relating to supervisorial districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brady, Brown, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dills, Clayton A., Dilworth, Dunn, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Robertson, Sargent, Sheridan, Stream, Thompson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—46.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 55—Relative to requesting the Department of Finance to make a survey of sleeping cots, beds, mattresses, and bedding which the State has on hand, with the view to making the same available to cities, counties, cities and counties, for use of the armed forces of the United States when on leave.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Sargent, Sheridan, Stream, Thompson, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Carlson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2000, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2000

Assembly Bill No. 2000—An act to amend Sections 2701, 2709, 2722 and 2724 of the Penal Code, relating to prison-made goods, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Carlson asked for, and was granted, unanimous consent to take up Assembly Bill No. 1729, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1729

Assembly Bill No. 1729—An act to add Section 367f to the Penal Code, relating to intoxication.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 370—An act to add Section 2181 5 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO CLEAR REAR OF ASSEMBLY CHAMBER

Mr. John B. Knight moved that the rear of the Assembly Chamber be cleared for the balance of the legislative session, with the exception of families of the members or State officers.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 1746—An act to amend Sections 3656 and 3659, of and to add Sections 3659.3, 3659.5, 3659.6, 3659.7, 3659.9, 3791.5, and 4653.1 to the Revenue and Taxation Code, relating to the management of tax deeded property, providing for the distribution of the proceeds therefrom to the taxing agencies and revenue districts having interests in such property, prescribing the powers and duties of the State Controller and of the taxing agencies, revenue districts, and the officers thereof in relation to such property, establishing a Redemption Tax Fund, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourn. Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1962—An act making an appropriation for the protection of the ocean beach at the City of Redondo Beach.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourn. Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1676—An act making an appropriation for the cost of repair and restoration of property damaged or destroyed by storms and floods and for the cost of prevention of further damage and destruction; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Robertson, Guthrie, Dickey, Dills, Ralph C., and Heisinger demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 1676.

The roll was called, and urgency clause adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—Potter—1.

Bill ordered transmitted to the Senate.

Explanation of Vote

I voted "Aye" on the urgency clause, and moved that the vote whereby the urgency clause was adopted be deemed the roll call on the final passage of the bill. Then there was a member requested a roll call on the final passage of the bill. I was busy explaining my bill, I was away from my seat, and did not get back in time to record my vote "Aye" on the bill before the Speaker had announced the final vote.

EVERETT G BURKHALTER

Hon. Don A. Allen Presiding

At 2.35 p.m., Hon. Don A. Allen, Member of the Assembly from the Sixty-third District, presiding.

Assembly Bill No. 388—An act to amend Section 5005 of the Elections Code, relating to the writing and circulation of publications intended to injure or defeat a candidate for public office.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Beck, Bennett, Brown, Burkhalter, Carey, Carlson, Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourn, Gannon, Guthrie, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McMillan, Niehouse, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, and Weybret—46.

NOES—Anderson, Bashore, Berry, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Desmond, Dilworth, Erwin, Gaffney, Haggerty, Hawkins, Kraft, Lyons, McCollister, Miller, O'Day, Pelletier, Potter, Thomas, Thorp, and Wollenberg—24.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1653—An act to add Section 1340.7 to the Fish and Game Code, relating to the taking of bear.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, King, Knight, John B., Leonard, Lowrey, Lyons, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Werdel, and Weybret—60.

NOES—Call, Maloney, and Watson—3.

Bill ordered transmitted to the Senate

Assembly Bill No. 1774—An act to amend Sections 3, 4, 12, 15.1, 15.2, 15.3, 15.4, and 15.5 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, to amend and renumber Sections 8, 23, 24, 24.5, and 25 thereof to be Sections 24.4, 23.1, 24.1, 8 and 28 respectively, and to add Sections 2.1, 21.3, 21.6, 23.2, 23.3, 23.4, 23.5, 23.6, 23.7, 24.2, 24.3, 25.1, 25.2, 25.3, 25.4, 25.5, 25.6, 25.7, 25.8, 25.9, 26, 26.1, and 27 thereto, all relating to credit unions, specifying the powers and duties thereof, providing procedures for merger and for dissolution thereof, transferring the supervision thereof and the administration of the act from the Commissioner of Corporations to a new Credit Union Commission established hereby, providing for the appointment, establishment, powers and duties of said commission, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, and Weybret—61.

NOES—Collins, Sam L., Hollibaugh, Potter, Sargent, Waters, and Wollenberg—6.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred: Assembly Bill No. 1018

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1018—An act to add Chapter 3, comprising Sections 12980 to 12981, inclusive, to Division 3 of the Insurance Code, relating to agreements between insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Chapter 3, comprising Sections 12980 to 12981,"; strike out lines 2 and 3 of said title, and insert "amend Sections 11561 and 11699 of the Insurance Code, relating to insurance."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23, inclusive, and insert

"SECTION 1. Section 11561 of the Insurance Code is amended to read:

11561. For all compensation claims under policies written in the three years immediately preceding the date as of which the statement is made, there shall be charged as part of the reserve under Section 11556 an amount computed by taking [70] 65 per cent of the earned compensation premiums of each of such three years, and deducting all loss and loss expense payments made in connection with such claims under policies written in the corresponding years from such [70] 65 per cent; except that for [the furthest preceding] each year of any such three-year period there shall be charged not less than the present value at 4 per cent interest of the determined and the estimated unpaid compensation claims under policies written during such year.

SEC 2. Section 11699 of said code is amended to read:

11699 [The bond shall be in an amount:

(a) Not less than the insurer's required reserve for outstanding losses on compensation insurance in this State on the preceding December 31st, calculated as prescribed by this code.

(b) Not less than one hundred thousand dollars (\$100,000)

(c) If such reserve exceeds fifty thousand dollars (\$50,000), not more than double the amount of that reserve.]

The bond shall be in an amount:

(a) Not less than the sum of the following amounts computed as of the close of the last preceding December 31st in respect to workmen's compensation insurance written subject to the workmen's compensation laws of this State:

(1) The aggregate of the present values at 4 per cent interest, of the determined and estimated future payments upon claims under compensation policies written more than three years prior to such date

(2) The aggregate of the amounts computed as follows: For each of the preceding three years take 70 per cent of the earned compensation premiums for that year and deduct all loss and loss expense payments made upon claims under policies written in the corresponding year from such 70 per cent; except that the amount for each such year shall not be less than the present value at 4 per cent interest of the determined and the estimated unpaid claims under compensation policies in that year.

(b) Not less than one hundred thousand dollars (\$100,000).

(c) If the aggregate amount computed under subdivision (a) exceeds fifty thousand dollars (\$50,000), not more than double such aggregate amount."

Amendments read and adopted.

Bill ordered reprinted and engrossed

Assembly Bill No. 1623—An act making an appropriation to the State Park Commission, for the acquisition of land in Orange County as part of the State Park System.

Bill read second time, and ordered to third reading

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1976—An act to add Section 699.5 to the Military and Veterans Code, relating to assistance to veterans, prescribing the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences, and making an appropriation.

Bill read third time.

Motion to Amend

Mr Gannon moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, strike out line 3, and insert "one hundred fifty thousand dollars (\$150,000) to be expended".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 111—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land in Marin County as part of the State Park System, and to repeal an act entitled "An act making an appropriation to the Department of Natural Resources, Division of Parks, for the acquisition of land in Marin County as part of the State Park System," approved July 12, 1941.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—71.

NOES—Thorp—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1672—An act to provide aid to counties, cities and counties, cities and districts for civilian defense purposes; to prescribe the duties and powers of the State Board of Control to administer such aid; to make an appropriation for such purposes; and to declare the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kulpatrik, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 543—An act to amend Sections 1 and 5a of an act entitled "The California Air Navigation Act," relating to air navigation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1492—An act to amend Sections 736.2 and 736.15 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream provisions of said code and to control boards thereunder, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 3 07 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Assembly Bill No. 1839—An act to add Section 1944.1 to the Labor Code, relating to the employment of certain aliens and declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—King and Lowrey—2.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—King and Lowrey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1529—An act to add Section 512 to the Vehicle Code, relating to speed limits on highways under construction or repair.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. John B. Knight Presiding

At 3.14 p.m., Hon. John B. Knight, Member of the Assembly from the Fifty-fourth District, presiding.

Assembly Bill No. 1995—An act to increase the statutory salary and the statutory compensation of State officers and State employees, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Rosenthal, Sargent, Sawallsch, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Weybret, and Wollenberg—58.

NOES—Dilworth, Massion, and Pelletier—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 1621—An act to amend Sections 736 and 736a of the Political Code, relating to the salaries of Justices of the Supreme Court and the district courts of appeal.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brady, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Doyle, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Johnson, Kellems, King, Leonard, Lyons, Maloney, McCollister, McMillan, O'Day, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Smith, Stream, Thomas, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Anderson, Beck, Brown, Burns, Clarke, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourn, Hollibaugh, Knight, John B., Knight, T. Fenton, Kraft, Lowrey, Massion, Middough, Miller, Niehouse, Pelletier, Thompson, Thorp, and Waters—26

Bill ordered transmitted to the Senate.

Assembly Bill No. 856—An act to amend Section 186 of the Vehicle Code, relating to transfers of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 378—An act providing for the preparation and publication of the California Administrative Register and the California Administrative Code, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dilworth, Doyle, Dunn, Erwin, Fourn, Gannon, Guthrie, Haggerty, Hastam, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, McCollister, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Anderson, Bashore, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Johnson, Kilpatrick, Lowrey, Lyons, Massion, McMillan, Middough, Pelletier, Sheridan, and Thorp—16

Bill ordered transmitted to the Senate.

Assembly Bill No. 1605—An act to add Sections 7393.5, 7400.5 and 7442.5 to the Business and Professions Code, relating to schools of cosmetology.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Brown, Carlson, Collins, Sam L. Crichton, Debs, Desmond, Dilworth, Fourt, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Knight, John B., McCollister, Miller, Robertson, Sheridan, Smith, Stream, Thorp, Waters, Watson, Weber, Weybret, and Mr. Speaker—27.

NOES—Anderson, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Call, Clarke, Collins, George D., Crowley, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Hollibaugh, Johnson, Kellems, Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Thompson, Thurman, Werdel, and Wollenberg—36.

Assembly Bill No. 590—An act to add Section 9606.7 to the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Mas-ion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Beck—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1205—An act to amend Section 1713 of the Welfare and Institutions' Code, relating to the Advisory Panel created by the Youth Correction Authority Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—71.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Lee T. Bashore Presiding

At 4.10 p.m., Hon. Lee T. Bashore, Member of the Assembly from the Forty-ninth District, presiding.

Assembly Bill No. 1624—An act to add Section 356.5 to the Streets and Highways Code, relating to the powers of the California Highway Commission and Department of Public Works in respect to the abandonment of State highways, and declaring the urgency hereof to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 17—Relative to assistance to needy disabled persons.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—70.

NOES—None

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 4.18 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Assembly Bill No. 306—An act to establish a Postwar Reserve for the construction and reconstruction of State buildings and institutions; defining the powers and duties of State officers in connection therewith, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 42, of the printed bill, after "Sec. 5.", insert "The money in the Postwar Reserve shall only be expended for the construction, reconstruction, rehabilitation and replacement of buildings and other facilities under contracts providing that no person employed by the contractor for the work on such buildings and other facilities shall be required to join or to remain a member of, or to resign or refrain from joining, a labor organization.

Sec. 6."

Amendment No. 2

On page 3, line 44, of said bill, strike out "or", and insert "and".

Amendments read.

Motion to Table Amendments

Mr. Wollenberg moved that the amendments be laid on the table.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Werdel, Weybret, and Wollenberg—58

NOES—Bashore, Collins, Sam L., Dilworth, and Knight, T. Fenton—4.

The question being on the adoption of the urgency clause to Assembly Bill No. 306.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kelless, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70

NOES—Bashore—1.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kelless, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—Bashore—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 211

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of seven hundred ninety dollars (\$790), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding seven hundred ninety dollars (\$790) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of ten dollars (\$10).

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 211, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carlson, Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Helsing, Johnson, Kellems, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—52.

NOES—None.

By Mr. Sam L. Collins:

House Resolution No. 212

Resolved. That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same for the sum of one hundred fifty dollars (\$150), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 212, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carlson, Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Helsing, Johnson, Kellems, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—52.

NOES—None.

By Mr. Sam L. Collins:

House Resolution No. 213

Resolved. That during the remainder of the present session no Member of the Assembly shall be excused from attendance at sessions of the Assembly except for illness or because of serious illness or death in his family, or because of service in the armed forces of the United States.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 213, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Armstrong:

House Resolution No. 214

Relative to postwar construction of a State highway into Bear Valley

WHEREAS, It is proposed to establish a State Commission for Postwar Reconstruction to plan a program for the continuous full employment of all Americans able and willing to work; and

WHEREAS, A direct highway route to Bear Valley from Redlands, Beaumont, Banning and all the desert area to Yuma is needed and desirable for the convenience of the public; and

WHEREAS, Such a highway, if constructed, would relieve the congestion of traffic on high gear highway, as well as save mileage to residents of the eastern portion of San Bernardino, Riverside and Imperial Counties; and

WHEREAS, The completion of a highway through Bear Valley would reduce fire hazards by providing quick access of fire fighting vehicles and apparatus to and beyond Barton Flats; and

WHEREAS, Such a highway would add a scenic mountain drive to the State Highway System not to be exceeded for beautiful vistas by any other in California and would provide a beautiful mountain drive exceeding 100 miles in length from Mill Creek near Redlands to Arrowhead Spa, near San Bernardino, now, therefore, be it

Resolved by the Assembly of the State of California. That the State Commission for Postwar Reconstruction be requested to include in its postwar construction program a State highway into Bear Valley from the end of the pavement in Barton Flats to the paved road near Baldwin Lake; and be it further

Resolved. That the Clerk of the Assembly be and is hereby instructed to prepare and transmit a copy of this resolution to each member of the State Commission for Postwar Reconstruction

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Waters, Fourt, and Johnson:

House Resolution No. 215

WHEREAS, Nothing is of more importance in a society based on law and justice than the caliber of its judiciary; and

WHEREAS, In addition to the methods of judicial selection, appointment, election and tenure now existing in this State, various other methods have been adopted in the United States of America; and

WHEREAS, This matter has been and is the subject of study by numerous groups and organizations in this State and elsewhere; and

WHEREAS, It is desirable that the results of these studies be carefully analyzed and that such additional study be made as shall be necessary, to the end that this Assembly be fully informed and advised in its consideration of legislation or constitutional amendments relating to this subject; now, therefore, be it

Resolved by the Assembly of the State of California. That a committee consisting of three Members of the Assembly be appointed by the Speaker for the purpose of studying, considering and formulating plans and methods relating to judicial selection, appointment, election, and tenure.

Upon the appointment of its members the committee may organize, appoint a secretary, and employ such clerical and technical assistants and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein.

The committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records, of every kind and description, and to take all necessary means to compel the attendance of witnesses and to procure testimony. The members of the committee may each administer oaths, and all of the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it.

The committee may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter, defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The committee may hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee. The committee may also meet in executive session. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-sixth Legislature. The committee may report to any session of this Legislature or to the Regular Session of the Fifty-sixth Legislature, on or before March 15 1945.

Every department, commission, board, agency, officer, and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee upon request, any and all assistance and information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of ten dollars (\$10) per day for accommodations and meals.

The sum of two thousand five hundred dollars (\$2,500) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee hereby created and its members, and for any other charges, expenses or claims it may incur under this resolution to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. John B. Knight:

House Resolution No. 216

Relating to the creation of an Assembly Committee on Mechanics Liens, defining its powers and duties and making an appropriation for its expenses

WHEREAS, Legislation on the subject of mechanics liens must face and solve many complicated problems arising from the great variety of relationships and situations; and

WHEREAS, During the interim between sessions it is desirable to ascertain and collate the facts upon which such legislation may be based; now, therefore, be it

Resolved by the Assembly of the State of California. That there is hereby created an Assembly Committee on Mechanics Liens, which committee shall study and investigate, accurately, and in detail, all phases of the subject of mechanics liens for the purpose of making recommendations and proposing legislation to achieve the just and efficient solution of all problems arising in this field.

The committee shall consist of five (5) Members of the Assembly appointed by the Speaker of the Assembly. Vacancies on the committee shall be filled by appointment by the Speaker.

Upon the appointment of its members, the committee may organize, appoint a secretary, and employ such clerical and technical assistants, and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein.

The committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records, of every kind and description, and to take all necessary means to compel the attendance of witnesses and to procure testimony. The members of the committee may each administer oaths, and all of the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it

The committee may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter, defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee

The committee may hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee. The committee may also meet in executive session. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-sixth Legislature. The committee may report to any session of this Legislature or to the regular session of the Fifty-sixth Legislature, on or before March 15, 1945.

Every department, commission, board, agency, officer, and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee upon request, any and all assistance and information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of ten dollars (\$10) per day for accommodations and meals.

The sum of one thousand five hundred dollars (\$1,500) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee hereby created and its members, and for any other charges, expenses, or claims it may incur under this resolution to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions

WITHDRAWAL OF ASSEMBLY BILL NO. 1417 FROM THE INACTIVE FILE

Mr. Sawallisch moved that Assembly Bill No 1417 be withdrawn from the inactive file, and placed upon the third reading file.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1235

Assembly Bill No. 1844

Assembly Bill No. 1259

Assembly Bill No. 1983

Assembly Bill No. 1424

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 265

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2001

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 440

Assembly Bill No. 1907

Assembly Bill No. 1140

Assembly Bill No. 1960

Assembly Bill No. 1500

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 422

Assembly Bill No. 1404

Assembly Bill No. 1570

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 39

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No 1759

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CARLSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 265

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bill ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 12

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ROBERTSON, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No 731

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1037—An act to add Section 136e to the Bank Act, relating to annual reports and accounts by the Superintendent of Banks, and making an appropriation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1038—An act to add Section 13.16f to the Building and Loan Association Act, relating to annual reports and accounts by the Building and Loan Commissioner, and making an appropriation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 265—An act to amend the title and Sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district, or flood control district," approved April 23, 1913, as amended, and to repeal an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, relating to the investment of moneys in the sinking funds of or surplus moneys in the treasury of any county, city and county, or other public or municipal corporation or public district, and declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered engrossed

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 731—An act to amend Section 5014 of the Public Resources Code, relating to the State Park Maintenance and Acquisition Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert "and Section 5003.5, and to add Section 5014.1 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "relating to", and insert "abolishing".

Amendment No. 3

In line 3 of the title of said bill, after "Fund", insert "and creating the State Beach Fund and the State Park Fund, relating to State parks and beaches, declaring the urgency thereof, to take effect immediately."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 15, inclusive, and insert "5014. There is hereby created in the State treasury the State Beach Fund, which shall be expended only for the acquisition, improvement and maintenance of State beaches.

The State Controller shall transfer to the State Beach Fund the following sums.

(a) The sums appropriated to the fund pursuant to Section 6816;

(b) The balances of all appropriations made to the State Park Maintenance and Acquisition Fund which are available specifically for the acquisition, improvement and maintenance of State beaches;

(c) One-third of the unappropriated cash surplus in the State Park Maintenance and Acquisition Fund

Any appropriations made out of the moneys deposited in the State Park Maintenance and Acquisition Fund for the acquisition, improvement and maintenance of State beaches shall be payable from the State Beach Fund.

SEC. 2. Section 5003.5 of the Public Resources Code is amended to read.

5003.5. The State Park Commission is authorized to provide means of ingress to and egress from all State parks in order to provide ready access thereto by the public and for that purpose may enter into contracts or agreements with cities, counties, and other political subdivisions of the State and with other State agencies or with persons, firms or corporations for the acquisition, construction, and maintenance of suitable roads, trails, and pathways.

SEC. 3. Section 5014.1 is added to the Public Resources Code, to read:

5014.1 There is hereby created in the State treasury the State Park Fund, which is appropriated and shall be expended for the acquisition, improvement and maintenance of State parks and State monuments, including the cost of acquisition, construction and maintenance of roads, trails and pathways providing access to State parks.

The State Controller shall transfer to the State Park Fund the following sums

- (a) The sums appropriated to the fund pursuant to Section 6816;
- (b) The balances of all appropriations made to the State Park Maintenance and Acquisition Fund which are available specifically for the acquisition, improvement and maintenance of State parks and State monuments, including the cost of acquisition, construction and maintenance of roads, trails and pathways providing access to State parks;
- (c) Two-thirds of the unappropriated cash surplus in the State Maintenance and Acquisition Fund

Any appropriations made out of the moneys deposited in the State Park Maintenance and Acquisition Fund for the acquisition, improvement and maintenance of State parks and State monuments, including the cost of acquisition, construction and maintenance of roads, trails and pathways providing access to State parks, shall be payable from the State Park Fund.

SEC. 4 The State Controller shall transfer from the State Park Maintenance and Acquisition Fund to the State Park Maintenance Fund the balances remaining and available in the following appropriations, which shall be available for expenditure out of said fund for the same purposes for which the appropriations were originally made:

- (a) Support, Division of Parks, Department of Natural Resources, Chapter 600, Statutes of 1941.
- (b) Support, Division of State Parks, Department of Natural Resources, Chapter 603, Statutes of 1940
- (c) Support, Division of Beaches and Parks, Department of Natural Resources, Chapter 62, Statutes of 1943.
- (d) Support, Division of Beaches and Parks, Department of Natural Resources, appropriated by the Fifty-fifth Session of the Legislature.

SEC 5 The State Park Maintenance and Acquisition Fund is hereby abolished.

SEC 6 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Much money is expended biennially in the maintenance and acquisition of State parks and State beaches, thereby preserving to the State many valuable scenic places of healthful recreation. This act will facilitate the most economical expenditure of such money, by better enabling the department to control the expenditure of such sums and to apply the sums in such manner, as will best serve the recreational and health needs of the people of the State. If this act does not take effect immediately, the disbursement of the money to these ends will be difficult, uneconomical, wasteful and slow."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 12—An act to amend Section 501 of the Elections Code, relating to election precincts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "501", and insert "662".

Amendment No. 2

In the title of said bill, strike out line 2, and insert "election officers".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert :
 "SECTION 1. Section 662 of the Elections Code is amended to read :
 662. No person is eligible to act as an election officer until he has [taken the oath] *signed the declaration* required in this chapter."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Bill No. 1789—An act to amend Section 4233 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fourth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government :

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 4233", and insert "Sections 4233 and 4265".

Amendment No. 2

In line 3 of the title of said bill, after "fourth", insert "and thirty-sixth".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 13 of said bill, after line 25, insert
 "SEC. 2. Section 4265 of said code is amended to read :
 4265. In counties of the thirty-sixth class the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums :

1. The auditor, two thousand [four] *seven* hundred dollars [(\$2,400)] (*\$2,700*) per annum.

2 The district attorney, three thousand dollars (\$3,000) per annum.

3. Each member of the board of supervisors, [one] *two* thousand [eight] *one* hundred dollars [(\$1,800)] (*\$2,100*) per annum, in full payment for services as member of the board of supervisors, and as member of the board of equalization. Each member shall receive his actual mileage as road commissioner not to exceed three hundred dollars (\$300) per annum.

4. Grand jurors and jurors in the superior court shall receive the following fees : For each day's attendance three dollars (\$3), and for each mile actually traveled in attending court as a juror, or otherwise traveled in the performance of their duties, six cents (\$0 06) per mile each way."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

RECESS

At 4.40 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed. until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Hon. Frank J. Waters Presiding

At 8 50 p.m., Hon. Frank J. Waters, Member of the Assembly from the Fifty-eighth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 731—An act to amend Section 4287 and to repeal Section 4287a of the Political Code, relating to compensation for public services in counties of the fifty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dilworth, Doyle, Dunn, Fourn, Gannon, Guthrie, Haggerty, Hollibaugh, Kilpatrick, King, Knight, John B., Kraft, Lyons, Maloney, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Werdel, and Mr. Speaker—45.

NOES—Anderson and Massion—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1626—An act to amend Section 4013 of the Business and Professions Code, relating to the California State Board of Pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dilworth, Doyle, Dunn, Fourn, Gannon, Guthrie, Haggerty, Hollibaugh, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1012—An act to amend Sections 102 and 112 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Burkhalter, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dilworth, Doyle, Dunn, Fourn, Gannon, Guthrie, Haggerty, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1021—An act to amend Sections 10490, 10492, 10493, 10494, 10495, 10497, 10498, 10499 and 10501 and to add Sections 10494.5 and 10498.5 to, the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Burkhalter, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dilworth, Doyle, Dunn, Fourn, Gannon, Guthrie, Haggerty, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Miller, Niehouse,

O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, and Mr. Speaker—48.
 NAYS—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1334—An act to amend Section 7 of the "Unemployment Insurance Act," relating to exemptions.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Kraft moved a call of the Assembly.

Motion carried. Time, 9.17 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1242—An act to amend Section 4.5 of an act entitled "An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California to adopt a system of group life, health and accident insurance and health services for the benefit of officers and employees and to deduct from the compensation thereof the premiums upon such insurance," approved May 25, 1939, relating to group insurance of public employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carlson, Collins, George D. Collins, Sam L. Crowley, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gannon, Guthrie, Hersinger, Hollibaugh, Kilpatrick, King, Leonard, Lowrey, Lyons, Muloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—53.

NAYS—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1802—An act to repeal Section 45.9 of the Unemployment Insurance Act, relating to judgments and liens thereunder.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brady, Burkhalter, Burns, Call, Carlson, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Dunn, Erwin, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hersinger, Hollibaugh, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—53.

NAYS—Bennett, Kilpatrick, and Niehouse—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 2002—An act to provide for the payment of a portion of the bonded indebtedness of the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—60.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2003—An act to amend Sections 1701 and 1710 of, the heading of Chapter 1 of Division 2.5 of, and the headings of Articles 2, 3 and 4 of Chapter 1 of Division 2.5 of, and to repeal Section 1711.5 of, and to add Sections 1725 and 1742 to, the Welfare and Institutions Code, relating to the Youth Authority and the care, custody and rehabilitation of youths, providing for the costs of such care, custody and rehabilitation, and making an appropriation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Potter moved a call of the Assembly.

Motion carried. Time, 9.35 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

CONSIDERATION OF DAILY FILE (RESUMED)

MOTION TO WITHDRAW ASSEMBLY BILL NO. 366 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Thurman moved that Assembly Bill No. 366 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Beck, Bennett, Brown, Crowley, Dilworth, Evans, Fourt, Kelens, King, Knight, T. Feuton; Leonard, Miller, Niehouse, O'Day, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thurman, and Weybret—23.

NOES—Armstrong, Bashore, Berry, Brady, Burns, Call, Carey, Carlson, Collins,

Sam L., Crichton, Denny, Desmond, Dickey, Dunn, Erwin, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Kilpatrick, Knight, John B., Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Potter, Price, Sargent, Smith, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—42.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILLS NOS. 1411
AND 1412 FROM COMMITTEE WAIVED**

Mr. Weber waived his notice of motion to withdraw Assembly Bills Nos. 1411 and 1412 from the Committee on Ways and Means, and have them placed upon the file.

Speaker Presiding

At 9.50 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 361—An act to amend Sections 860 and 862 of the Welfare and Institutions Code, relating to expenditures by the counties for the support of wards.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Desmond, Dilworth, King, and Lowrey—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1139—An act to add Section Sections 153.1, 153.2, and 153.3 to the Agricultural Code, relating to eradication of Oriental fruit moth and indemnification for host plants removed and destroyed in connection therewith, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs Burns, Waters, Doyle, Anderson, and Dills, Clayton A., demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 1139.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—Bennett, Lowrey, and Massion—3.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69

NOES—Bennett, Lowrey, and Massion—3.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1334

At 10.08 p.m., on motion of Mr. Kraft, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 1334 passed by the following vote:

AYES—Allen, Armstrong, Bashore, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourn, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton, Kraft, Leonard, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Anderson, Beck, Bennett, Berry, Collins, George D., Crichton, Dickey, Doyle, Gaffney, Hawkins, Kilpatrick, King, Lowrey, Lyons, Maloney, Massion, McMillan, and O'Day—18.

Bill ordered transmitted to the Senate.

Assembly Bill No. 698—An act making an appropriation for the control and eradication of Oriental fruit moth, and declaring the urgency thereof to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1969—An act to add Section 4 to an act entitled "An act to provide for the improvement and reconstruction of a road in the County of Mendocino, and making an appropriation therefor," approved July 11, 1941, relating to availability of any unexpended balance of the appropriation made therein, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, George D., Collins, Sam L.,

Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Masson, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Masson, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS ATTENDING COMMITTEE MEETING

The Speaker announced that the following members of the Committee on Public Utilities, Manufacturing, and Corporations were in attendance at a special meeting of that committee during the early part of the evening: Messrs. Bashore, Erwin, Evans, Hawkins, Kellems, Knight, T. Fenton; Watson, Armstrong, and Allen.

MEMBERS ATTENDING COMMITTEE MEETING

The Speaker announced that the following members of the Committee on Live Stock and Dairies were in attendance at a special meeting of that committee during the early part of the evening: Messrs. Sawallisch, Erwin, Desmond, Dills, Clayton A., McCollister, Weybret, Heisinger, Lowrey, Burns, and Thorp.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 193—An act to amend Section 57.7 of the Unemployment Insurance Act, relating to unemployment benefits for persons who have served in the armed forces.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Masson, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 257—An act to add Section 252.5 to the Health and Safety Code, relating to children with an impaired sense of hearing, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Earl D. Desmond Presiding

At 10.30 p m., Hon Earl D. Desmond, Member of the Assembly from the Ninth District, presiding.

Assembly Bill No. 1222—An act to add Section 2.1364-2 to the School Code and to add Article 21 to Chapter 15 of Division 2 of the Education Code, relating to the powers and duties of the Director of Education, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1991—An act making an appropriation for the support of the California Commission on Interstate Cooperation, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1306—An act making an appropriation of two thousand dollars (\$2,000) for the purchase of the files of "American Flag."

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty,

Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 628—An act to amend Sections 8963 and 8982 of the Health and Safety Code, relating to public cemetery districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1415—An act to add Section 25 to an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, and to add Section 27173 to the Streets and Highways Code, to provide for the building of approach roads in cooperation with city, city and county, county, district, and State authorities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—75.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1516—An act to amend Section 52.1 of the Unemployment Insurance Act, relating to the filing of claims.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle,

Dunn, Erwin, Eyans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1513—An act providing for the acquisition of specified property by the Department of Employment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1515—An act to add Sections 56.6 and 56.7 to the Unemployment Insurance Act, relating to cooperation between States in the collection of contributions and obtaining of wage records.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1518—An act to amend Sections 45.2, 45.3 and 45.5 of the Unemployment Insurance Act, relating to wage records and the collection of contributions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

NOES—None.

Motion to Amend Title

Mr. Maloney moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out ", 453"

Amendment to the title read and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Assembly Bill No. 1519—An act to amend Sections 44, 45 11 and 46.1 of the Unemployment Insurance Act, relating to the collection of contributions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1521—An act to amend Section 27 of the Unemployment Insurance Act, relating to the escheating of funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1522—An act to amend Section 9.7 of the Unemployment Insurance Act, relating to the termination of subject status.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1232—An act to amend Sections 2, 45, 45.9, 45.10, 91, 92, and 94 of the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2003

At 10.45 p.m., on motion of Mr. Potter, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2003 passed by the following vote:

AYES—Armstrong, Beck, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Price, Robertson, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Allen, Anderson, Bashore, Bennett, Berry, Burkhalter, Collins, George D., Crowley, Gaffney, Haggerty, Heisinger, King, Lowrey, Massion, O'Day, and Pelletier—16.

Bill ordered transmitted to the Senate.

Assembly Bill No. 178—An act add Sections 18191.5 and 18202.5 to the Education Code, relating to the powers and duties of the State Division of Architecture with respect to protection from fire and panic hazard.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyons moved a call of the Assembly.

Motion carried. Time, 10.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 822—An act to add Section 5501.5 to and to amend Section 5537 of the Business and Professions Code, relating to licensed contractors.

Bill read third time.

Motion to Amend

Mr. Weber moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 5501.5", and insert "Sections 5501.5 and 5537.5".

Amendment No. 2

In line 2 of the title of said bill, strike out "licensed"; and strike out line 3, and insert "architecture."

Amendment No. 3

On page 1 of said bill, strike out lines 4 and 5, and insert "to a licensed contractor who is the holder of a valid "General Building Contractor's" license issued under the provisions of Chapter 9 of Division 3 of this code."

Amendment No. 4

On page 1 of said bill, strike out lines 9 to 21, inclusive; and on page 2, strike out lines 1 to 11, inclusive, and insert

"5537. This chapter does not prohibit the preparation of plans, drawings, specifications, estimates, or instruments of service for single or multiple dwellings not more than two stories and basement in height; garages or other structures appurtenant to such dwellings; farm or ranch buildings; or any other buildings, except concrete buildings, not over one story in height, where the span between bearing walls does not exceed twenty-five (25) feet, by:

(a) Any person, when such plans, drawings or estimates are for his own use on property owned, leased or controlled by him; or by

(b) A licensed contractor."

Amendment No. 5

On page 2 of said bill, after line 14, insert

"SEC. 3. Section 5537.5 is added to said code, to read:

5537.5. This chapter does not apply to any person who is registered under Chapter 7 of Division 3 of this code."

Amendments read.

Motion to Table

Mr. Ralph C. Dills moved that the amendments be laid on the table.

Roll Call Demanded

Messrs. Robertson, McCollister, and Erwin demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Armstrong, Bashore, Bennett, Berry, Brown, Call, Clarke, Collins, Sam L., Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Hastain, Johnson, Kilpatrick, Kraft, Leonard, McCollister, Middough, Niehouse, Potter, Price, Smith, Stream, Thomas, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—37.

NOES—Beck, Brady, Burkhalter, Carey, Carlson, Collins, George D., Crichton, Debs, Denny, Dickey, Gannon, Haggerty, Heisinger, Hollibaugh, King, Lowrey, Lyons, Maloney, McMillan, Miller, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, and Weber—26.

The question being on the passage of Assembly Bill No. 822.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 10.55 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

Speaker Presiding

At 10.57 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1514—An act to add Section 64 and amend Section 101 of the Unemployment Insurance Act, relating to the recoupment of erroneous payments and the prevention of collusion.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Crichton, Crowley, Debs, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1705—An act to amend Section 105 of the Vehicle Code, relating to the office of director.

Bill read third time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, strike out "nine", and insert "eight".

Amendment No. 2

On page 1, line 8, of said bill, strike out "\$9,000", and insert "\$8,000".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Bill No. 2010, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2010

Assembly Bill No. 2010—An act to amend Section 10 of the Public Utilities Act, relating to salaries of commissioners.

Bill read third time.

Motion to Amend

Mr. Field moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "payable"; strike out all of line 5; and in line 6, strike out "portation Rate Fund".

Amendment read and adopted

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 268—An act to amend Sections 101, 102, and 103 of the Welfare and Institutions Code, to repeal Sections 105, 106, and

130 thereof, and to add Section 105 thereto, relating to the State Department of Social Welfare, abolishing the present Social Welfare Board in the department and transferring its powers, duties, responsibilities and jurisdiction to a Social Welfare Board created by this act, abolishing the Office of Director of the Department of Social Welfare and transferring its powers, duties, responsibilities and jurisdiction to a new Office of Director of Social Welfare, and providing for the appointment and tenure of office of the members of the board and of the director.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Field moved a call of the Assembly.

Motion carried. Time, 11 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 377—An act to add Chapter 5 to Part 1, Division 7 of the Business and Professions Code, regulating defense training schools, and providing for the issuance of licenses, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—64

NOES—Dickey, Knight, John B., Pelletier, and Werdel—4.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—Dickey, Knight, John B., Pelletier, and Werdel—4.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON ASSEMBLY BILL NO. 178

At 11.05 p.m., on motion of Mr Lyons, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 178 passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Collins, George D, Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Gaffney, Haggerty, Hawkins, Hollibaugh, Kilpatrick, King, Kraft, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, and Wollenberg—47.

NOES—Armstrong, Burns, Carlson, Clarke, Collins, Sam L., Denny, Dilworth, Erwin, Gannon, Hastain, Heisinger, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, McCollister, Miller, Potter, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Weybret—29.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 990—An act to amend Section 721 of the Political Code, relating to the filing of regulations of State agencies

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1186—An act to amend Sections 6650, 6651, 6655 and 6662, and to repeal Section 6657 of, and to add Section 6727.5 of the Welfare and Institutions Code, relating to the property and support of patients in State hospitals or patients on parole from such hospitals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1538—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1485—An act to amend Section 412 of the Political Code, relating to the Secretary of State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, De-mond, Dickey, Dilworth, Erwin, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Carlson—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1979—An act to be known as the "Local Area Rehabilitation Act" to authorize cities, counties and cities and counties to reorganize, rehabilitate and reconstruct retrograde areas within the territories thereof; defining such retrograde areas and declaring the existence thereof; declaring the necessity of such reorganization, rehabilitation and reconstruction of such retrograde areas for the preservation of the public peace, health and safety and that same constitutes a public use and purpose for which private property may be condemned and granting such cities, counties and cities and counties the right to exercise the power of eminent domain and to enter into contracts for such purposes and that for such purposes public moneys may be spent and other aid given; establishing planning commissions in certain cases and conferring certain powers and duties upon such planning commissions and the legislative bodies of such communities for the purpose of carrying out the purposes of this act; empowering such legislative bodies to make contracts with property owners and others; to sell such

properties in the manner prescribed in this act and to take and foreclose mortgages, and to take and enforce undertakings given in the performance of the terms of this act; to maintain actions for the enforcement of such contracts, and prescribing procedure for the performance of the duties of such legislative bodies and planning commissions under this act, and establishing such commissions as State agencies and waiving the trust status of the properties bought and sold in pursuance of the purposes of this act and declaring that this act and the powers thereby conferred are for public use and purpose.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Haggerty, Hastan, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—Armstrong and Evans—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 301—An act to amend Section 79.07 of the Civil Code, relating to destruction of records by county clerks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Weber, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 302—An act to amend Section 925 of the Probate Code, relating to disposal of vouchers filed by executors or administrators.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Weber, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1348—An act to amend Section 14483 of the Business and Professions Code, relating to the registration of laundry supply designations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B. Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent Sheridan, Smith, Stream, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1346—An act to amend Section 14427 of the Business and Professions Code, relating to the registration of container brands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B. Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent Sheridan, Smith, Stream, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1345—An act to amend Section 409 of the Political Code, relating to the fees of the Secretary of State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B. Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent Sheridan, Smith, Stream, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1582—An act to amend Sections 290 and 403c of the Civil Code, relating to corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B. Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent Sheridan, Smith, Stream, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1581—An act to amend Section 12 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended, relating to the reinstatement of corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1997—An act prohibiting black market transactions in any rationed commodity, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1628—An act to add Section 108.5 to the Business and Professions Code, relating to fees and expenses of witnesses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan,

Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.
 NOES—Pelletier—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1386—An act to add Section 16 to “An act to establish police courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts, and fix the compensation of certain officers thereof,” approved March 23, 1901, relating to jurors fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 754—An act to repeal Section 685 and to amend Sections 336 and 337.5 of the Code of Civil Procedure of the State of California, all relating to limitation of actions and execution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 268

At 11.30 p m., on motion of Mr. Field, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No. 268 passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Burns, Carlson, Clarke, Collins, Sam L., Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Fourt, Gannon, Hastain, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Miller, Niehouse, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—53

NOES—Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Collins, George D., Crichton, Crowley, Dills, Ralph C., Dunn, Evans, Gaffney, Haggerty, Hawkins, Heisinger, Lowrey, Massion, McMillan, Middough, Pelletier, Sawallisch, and Smith—24.

Bill ordered transmitted to the Senate.

Explanation of Vote

After having spoken and voted against Assembly Bill No. 268, a roll call was taken and vote totaled which vote showed 35 ayes, 28 noes, and 16 not voting (79 members present). The author, Mr. Field, proposed to offer amendments in Senate committee which would eliminate some of the objectionable features hence my yes vote as shown above.

VERNON KILPATRICK

Assembly Bill No. 427—An act to amend Sections 6304 and 6320 of the Business and Professions Code, relating to boards of law library trustees and law libraries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Muller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1343—An act to amend Section 6731 of the Welfare and Institutions Code, relating to the discharge of patients from State hospitals, and for their subsequent care and support.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Muller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2004—An act to amend Sections 1, 2, 4.5, 9, 10, 11, and 13 and to add Sections 4.1, 9.1, and 9.2 to an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, as amended, relating to county peace officer's retirement systems and providing for the inclusion in such systems of county and district employees engaged in fire prevention and suppression work, including work related thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty,

Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Earl D. Desmond Presiding

At 11.35 p.m., Hon. Earl D. Desmond, Member of the Assembly from the Ninth District, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 822

At 11.37 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and ~~Assembly Bill No. 822 refused passage by the following vote:~~

AYES—Anderson, Armstrong, Bashore, Bennett, Burns, Carey, Collins, Sam L., Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Field, Fourt, Hastain, Hawkins, Kellems, Kilpatrick, King, Knight, John B., Leonard, Middough, Pelletier, Price, Stream, Thomas, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—35.

NOES—Allen, Beck, Berry, Brady, Brown, Burkhalter, Carlson, Clarke, Collins, George D., Crichton, Debs, Dickey, Erwin, Evans, Gaffney, Gannon, Haggerty, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Thompson, Weber, and Wollenberg—41.

Motion to Expunge Record and Rescind Action

Mr. Lyon moved to expunge the record, and rescind the action whereby Assembly Bill No. 822 was this day refused passage.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dilworth, Dovie, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Leonard, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—Beck, Burkhalter, Carlson, Dickey, Dills, Ralph C., Dunn, Erwin, Johnson, Kilpatrick, Knight, T. Fenton; Kraft, Lowrey, Lyons, Massion, McMillan, Potter, Rosenthal, Sargent, Sawallsch, and Watson—20.

Further Consideration of Assembly Bill No. 822

Assembly Bill No. 822—An act to add Section 5501.5 to and to amend Section 5537 of the Business and Professions Code, relating to licensed contractors.

Bill read third time.

Motion to Amend

Mr. Weber moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 5501.5", and insert "Sections 5501.5 and 5537.5".

Amendment No. 2

In line 2 of the title of said bill, strike out "licensed"; and strike out line 3, and insert "architecture."

Amendment No. 3

On page 1 of said bill, strike out lines 4 and 5, and insert "to a licensed contractor who is the holder of a valid "General Building Contractor's" license issued under the provisions of Chapter 9 of Division 3 of this code."

Amendment No. 4

On page 1 of said bill, strike out lines 9 to 21, inclusive; and on page 2, strike out lines 1 to 11, inclusive, and insert

"5537. This chapter does not prohibit the preparation of plans, drawings, specifications, estimates, or instruments of service for single or multiple dwellings not more than two stories and basement in height; garages or other structures appurtenant to such dwellings; farm or ranch buildings; or any other buildings, except concrete buildings, not over one story in height, where the span between bearing walls does not exceed twenty-five (25) feet, by:

(a) Any person, when such plans, drawings or estimates are for his own use on property owned, leased or controlled by him; or by

(b) A licensed contractor."

Amendment No. 5

On page 2 of said bill, after line 14, insert

"SEC 3 Section 5537.5 is added to said code, to read:
5537.5 This chapter does not apply to any person who is registered under Chapter 7 of Division 3 of this code."

Amendments read.

Roll Call Demanded

Messrs. Werdel, Beck, and Evans demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L. Crowley, Debs, Denny, Dilworth, Doyle, Dunn, Field, Fourn, Gaffney, Gannon, Hawkins, Heisinger, Kellems, King, Leonard, Maloney, McCollister, Middough, Miller, Niehouse, Pelletier, Robertson, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—45.

NOTES—Armstrong, Beck, Brady, Carlson, Collins, George D, Crichton, Desmond, Dickey, Erwin, Evans, Haggerty, Hollibaugh, Johnson, Kilpatrick, Kraft, Lowrey, Lyons, Massion, McMillan, O'Day, Potter, Price, Rosenthal, Sargent, Sawallsch, Stream, and Watson—27.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 360—An act to amend Section 1711.5 of the Welfare and Institutions Code and to make an appropriation for the support of the Youth Authority, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Collins, George D, Collins, Sam L, Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOTES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Collins, George D, Collins, Sam L, Crichton, Debs.

Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF ASSEMBLY BILL NO. 773

Mr. Johnson moved that Assembly Bill No. 773 be withdrawn from the file, and re-referred to the Committee on Governmental Efficiency and Economy.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1185—An act to add Section 6564 to the Welfare and Institutions Code, relating to nonprofit stores on the grounds of State institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, and Wollenberg—69.

NOES—O'Day—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1192—An act to amend Sections 5404 and 5406 of the Welfare and Institutions Code, relating to dipsomaniacs, inebriates and stimulant addicts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—68.

NOES—Lowrey and O'Day—2

Bill ordered transmitted to the Senate

Assembly Bill No. 1823—An act to add Section 4090.2 to the Political Code, relating to county coroners.

Bill read third time.

Demand for Previous Question

Messrs. Doyle, Carlson, Dickey, Berry, and Hastain demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1823.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—Evans—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1824—An act to amend Section 454 of the Health and Safety Code, relating to county health officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.47 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

WITHDRAWAL OF ASSEMBLY BILL NO. 1266 FROM THE INACTIVE FILE

Mr. Middough moved that Assembly Bill No. 1266 be withdrawn from the inactive file, and placed upon the third reading file.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 798—An act to add Section 6009.1 to the Revenue and Taxation Code, relating to the definition of "storage" and "use" in the Sales and Use Tax Law, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King,

Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1336—An act to amend Section 4212 of, and to add Section 4215 to, the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Fourt, Gaffney, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59

NOES—Erwin and Evans—2.

Bill ordered transmitted to the Senate

Assembly Bill No. 900—An act to amend Section 226 of the Civil Code, relating to the adoption of children

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Evans—1

Bill ordered transmitted to the Senate

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Wollenberg:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

• An act to repeal Section 5007 of the Government Code, relating to the reconversion of registered bonds into coupon bonds

Respectfully submitted.

ALBERT C. WOLLENBERG

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR SPEAKER. Your Committee on Legislative Procedure, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Wollenberg:

An act to repeal Section 5007 of the Government Code, relating to the reconversion of registered bonds into coupon bonds.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kelless, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64
 NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2013: By Mr. Wollenberg—An act to repeal Section 5007 of the Government Code, relating to the reconversion of registered bonds into coupon bonds.

Without reference to committee.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1943

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 871—An act to amend Sections 421, 490 5, 698, 698 1, 698 5, 699, 700, 701, 702, 705, 708, 711 and 724.3, of the Fish and Game Code, relating to fish;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill, as amended on April 21, 1943, be further amended as follows:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "Kentucky Bass", and insert "spotted bass".

Amendment No. 2

On page 2, line 6, of the printed bill, strike out "Kentucky Bass", and insert "spotted bass".

ENGLE
 QUINN
 KEATING
 Senate Committee on Conference

LOWREY
 ROSENTHAL
 SHERIDAN
 Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burns, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thurman, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1142
FROM COMMITTEE WAIVED**

Mr. King waived his notice of motion to withdraw Assembly Bill No. 1142 from committee.

CONSIDERATION OF DAILY FILE (OUT OF ORDER)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 561—An act to add Sections 13841.1 to the Education Code, relating to leaves of absence for persons employed by school districts in positions requiring certification qualifications.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 20, of the printed bill, as amended, strike out "90,000", and insert "60,000".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Messrs. Burns, Allen, Weber, and Field:

House Resolution No. 217

Relating to Albert C. Wollenberg and the Assembly Committee on Ways and Means

WHEREAS, Albert C. Wollenberg, Chairman of the Assembly Committee on Ways and Means, and his fellow members of that committee, by their businesslike, energetic and vigorous work were able to bring the Budget Bill to the consideration of this Assembly earlier in the session than has ever before been possible, and to present the bill in such form as to enable this Legislature to consider and pass upon that most important legislation in record time; now, therefore, be it

Resolved by the Assembly of the State of California. That by this resolution the Members of this Assembly commend Albert C. Wollenberg and the members of the Assembly Committee on Ways and Means and express to them the appreciation of this Assembly for the capable and expeditious manner in which the Budget Bill was brought to the floor of this Assembly.

Request for Unanimous Consent

Mr. Allen asked for, and was granted, unanimous consent to take up House Resolution No. 217, at this time, without reference to committee.

Resolution read and adopted.

CONSIDERATION OF DAILY FILE (OUT OF ORDER)

THIRD READING OF SENATE BILLS

Senate Bill No. 423—An act to amend the title of, to amend Sections 26457, 26472, 26490, 26491, 26492, 26493, 26494, 26495, 26496, 26510, 26511, 26512, 26518, 26520, 26522, 26526, 26527, 26541, 26548, 26549, 26560, 26561, 26562, 26566, 26567, 26581, 26584, 26586, 26587, 26588, 26600, 26617, 26621, and 26622 of, to add Section 26463 to, and to delete Section 5 from an action entitled "An act adding Division 21, comprising Chapter 3 and Sections 26450 to 26624, inclusive, to the Health and

Safety Code, relating to adulterating, mislabeling, misbranding, false advertising, and sale of foods and the powers of the State Department of Public Health in relation thereto," approved July 13, 1939.

Bill read third time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 41 and 42, and insert "(f)".

Amendment No. 2

On page 2 of said bill, between lines 49 and 50, insert "(g) Nothing in this article shall be deemed to prohibit the introduction into meat or the addition to meat of common salt."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 12

Assembly Bill No. 1018

Assembly Bill No. 1789

And reports the same correctly engrossed

PELLETIER, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT

Mr. Clarke asked for, and was granted, unanimous consent to take up Assembly Bill No. 1789, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1789

Assembly Bill No. 1789—An act to amend Section 4233 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fourth class.

Bill read third time.

Motion to Amend

Mr. Clarke moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Sections 4233 and", and insert "Section".

Amendment No. 2

In line 3 of the title of said bill, strike out "fourth and".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 24, inclusive; and on page 2, strike out lines 1 to 8, inclusive; and in line 10, strike out "Sec 2 Section 4265 of said", and insert

"SECTION 1. Section 4265 of the Political".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1565

Assembly Bill No. 1733

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1538

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 89

Assembly Bill No. 1684

Assembly Bill No. 406

Assembly Bill No. 1821

Assembly Bill No. 1037

Assembly Bill No. 2005

Assembly Bill No. 1388

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1078

Assembly Bill No. 1975

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 616

Assembly Bill No. 1276

Assembly Bill No. 1038

Assembly Bill No. 1772

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 126—An act to amend Sections 5245 and 5252 of the Streets and Highways Code, relating to special assessment proceedings and the calling for bids;

Assembly Bill No. 327—An act to amend Section 1215 of the Health and Safety Code, relating to applicability of clinic and dispensary licensing provisions;

Assembly Bill No. 407—An act to amend Sections 427, 428, and 990 of the Fish and Game Code, relating to hunting and fishing, and the issuance of licenses therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 8 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1505—An act to amend Sections 1196, 1200, 1201 and 1202 of the Agricultural Code, relating to cooperative marketing associations;

Assembly Bill No. 1588—An act to add Section 444 to the Vehicle Code, relating to authorized emergency vehicles;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 8 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 979—An act to amend Section 666 of the Agricultural Code, relating to the labeling of milk products and imitations thereof;

Assembly Bill No. 1158—An act to add Section 474b to the Political Code, relating to the collection of claims or judgments due the State, or to any department, board or commission, under one thousand dollars (\$1,000), and payment for services therefor;

Assembly Bill No. 1474—An act to amend Sections 1550 and 3082 of the Welfare and Institutions Code, relating to public assistance, providing for investigations into applications therefor, and for the time of commencement of payments thereof;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 8 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 465—An act to amend Sections 2049 and 2701 of the Penal Code, and to add Sections 2090.5, 2714, 3020.5 and 3040.5 to the Penal Code, relating to prisons and prisoners;

Assembly Bill No. 788—An act to amend Section 88 of the Agricultural Code, relating to property transfers by district agricultural associations;

Assembly Bill No. 915—An act to amend the title of the Municipal Improvement Act of 1913, and to add Section 1f thereto, relating to the formation of maintenance districts;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 8 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1976
And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 60—Approving an amendment to the charter of the City of San Mateo, a municipal corporation in the County of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the sixth day of April, 1943;

Assembly Concurrent Resolution No. 61—Relative to the death of W. O. Russell.
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1943, at 8 p.m.

PELLETIER, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 1996

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 934—An act to amend Section 643 of, and to add Section 643 2 to, the Agricultural Code, relating to the definition for insanitary dairy farms, declaring the urgency thereof to take effect immediately.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 871—An act to amend Sections 421, 490.5, 698, 698 1, 698 5, 699, 700, 701, 702, 705, 708, 711 and 724.3, of the Fish and Game Code, relating to fish.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 424	Senate Bill No. 1086
Senate Bill No. 503	Senate Bill No. 1093
Senate Bill No. 661	Senate Bill No. 126
Senate Bill No. 754	Senate Bill No. 288
Senate Bill No. 767	Senate Bill No. 449
Senate Bill No. 797	Senate Bill No. 459
Senate Bill No. 882	Senate Bill No. 756
Senate Bill No. 898	Senate Bill No. 877
Senate Bill No. 960	Senate Bill No. 965
Senate Bill No. 1007	Senate Bill No. 1008
Senate Bill No. 1022	Senate Bill No. 1010

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 11	Senate Bill No. 833
Senate Bill No. 57	Senate Bill No. 921
Senate Bill No. 248	Senate Bill No. 1011
Senate Bill No. 319	Senate Bill No. 1013
Senate Bill No. 448	Senate Bill No. 1040
Senate Bill No. 581	Senate Bill No. 1095
Senate Bill No. 781	Senate Bill No. 1099
Senate Bill No. 809	Senate Bill No. 727

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 48	Senate Bill No. 1071
Senate Bill No. 229	Senate Bill No. 1100
Senate Bill No. 480	Senate Bill No. 1107
Senate Bill No. 554	Senate Bill No. 1108
Senate Bill No. 1044	Senate Bill No. 1112

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No 1

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 424—An act to add Section 806.5 to the Agricultural Code, relating to standards for plums, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 503—An act to amend Sections 5.127-1 and 5.141-1 to the School Code and to add 12008.1 and 12042.1 to the Education Code, relating to emergency credentials authorizing service in the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 131—An act to add Section 131 to the Welfare and Institutions Code, relating to county refunds to the State for aid furnished.

Referred to Committee on Social Welfare.

Senate Bill No. 754—An act to amend Section 953e of the Code of Civil Procedure, relating to appeals in civil actions and proceedings.

Referred to Committee on Judiciary.

Senate Bill No. 767—An act to prohibit hazing by members of any fraternity at any school, college, or university receiving tax exemption or State appropriations, and to provide penalties therefor.

Referred to Committee on Universities and Colleges

Senate Bill No. 797—An act to amend Sections 3418 and 3423 of the Public Resources Code, relating to the record of assessments and charges for the Petroleum and Gas Fund and the imposition of a tax lien and the enforcement, release or subordination thereof.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 882—An act to add Sections 1530, 2167, 3052 and 3451 to, and to repeal Section 2183 9 of, the Welfare and Institutions Code, relating to the restoration of previously granted aid under the Public Assistance Laws.

Referred to Committee on Social Welfare.

Senate Bill No. 898—An act to amend Section 612 of the Fish and Game Code, relating to steelhead fishing.

Referred to Committee on Fish and Game.

Senate Bill No. 960—An act to add Chapter 2.5, comprising Sections 1165 to 1167, inclusive, to Division 6 of the Agricultural Code, relating to the sale of edible farm commodities, unless such commodities are unfit for human consumption.

Referred to Committee on Agriculture.

Senate Bill No. 1007—An act to add Chapter 2.5, comprising Section 8180, to Division 4 of the Education Code, relating to report cards.

Referred to Committee on Education.

Senate Bill No. 1022—An act to amend Section 337f of the Penal Code, relating to crimes in connection with horse racing.

Referred to Committee on Public Morals.

Senate Bill No. 1086—An act to add Section 2021 001 to, and to amend Section 2187 of the Welfare and Institutions Code, all relating to aid to the aged, providing for the respective participation of the State and the counties in the cost thereof, and making an appropriation

Referred to Committee on Social Welfare.

Senate Bill No. 1093—An act to add Section 5015 to Article 1 of Chapter 1 of Division 5 of the Public Resources Code, relating to investigations, reports, plans and cooperative projects for the acquisition, development, improvement and maintenance of ocean beaches for public use and the control and correction of beach and cliff erosion

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 126—An act making an appropriation for surveys, investigations, explorations, studies and preliminary plans for conservation, development and utilization of the water resources of San Diego County and supplemental supplies which may be obtained and imported from outside of said county.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 288—An act making appropriation of money to be used by the Attorney General in the payment of expenses in the proceeding brought by the Attorney General in the Court of Claims of the United States in behalf of the Indians of the State of California, in accordance with an act of the Legislature of 1927, Statutes of 1927, Chapter 643.

Referred to Committee on Ways and Means.

Senate Bill No. 449—An act making an appropriation for landscaping and auto parking at Marshall's Monument grounds.

Referred to Committee on Ways and Means.

Senate Bill No. 459—An act to amend Sections 11535, 11552, 11554, 11555, 11593 and 11612 of the Business and Professions Code, relating to real estate subdivisions, procedure for surveying, subdividing and mapping of real estate, the sale and disposal of real estate by reference to maps; regulating the powers and duties of cities, counties and towns with reference to the procedure for surveying, subdividing and mapping of real estate, and the preparation of official maps; and prescribing penalties for violations thereof.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 756—An act to amend Section 13841 of the Education Code, relating to absences from duty of employees of school districts.

Referred to Committee on Education.

Senate Bill No. 877—An act making an appropriation for maintenance and repair of the Jenner Jetty on the Russian River.

Referred to Committee on Fish and Game.

Senate Bill No. 965—An act to add Section 395.1 to the Code of Civil Procedure, relating to the venue of actions.

Referred to Committee on Judiciary.

Senate Bill No. 1008—An act to add Section 1181.1 to the Education Code, relating to school textbooks.

Referred to Committee on Education.

Senate Bill No. 1010—An act to add Section 13201.1 to the Education Code, relating to persons employed by school districts in positions requiring certification qualifications.

Referred to Committee on Education.

Senate Bill No. 11—An act to add Section 8821.1 to the Education Code, relating to admission of students to junior colleges, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Universities and Colleges.

Senate Bill No. 57—An act to add Sections 588 and 589 to the Military and Veterans Code, relating to care, treatment and benefits of members of the State Guard, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military Affairs.

Senate Bill No. 248—An act to add Section 1325.5 to the Streets and Highways Code, relating to county bridges and subways.

Referred to Committee on Roads and Highways.

Senate Bill No. 319—An act to amend Section 1 of an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts," approved July 1, 1937, relating to retirement of judges.

Referred to Committee on Judiciary.

Senate Bill No. 448—An act to repeal an act entitled "An act granting rights of way for lines, roads, structures, levees, canals and excavations to the United States over the proprietary lands of this State," approved May 18, 1921, declaring the urgency hereof to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 581—An act to amend 3493 of the Political Code, relating to reclamation districts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 781—An act to add Section 19532.1 to to repeal Section 19532.5 of the Business and Professions Code, relating to horse racing and horse race meetings, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Morals.

Senate Bill No. 809—An act providing for the transfer of all lands owned by the State on Sherman Island to the State Lands Commission and providing for the sale thereof.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 833—An act to add Section 6759 to the Education Code, relating to audit of average daily attendance.

Referred to Committee on Education.

Senate Bill No. 921—An act to amend Sections 1956 and 1981 of the Government Code, relating to injury to person or property by reason of the defective condition of public property or the negligence or carelessness of any officer or employee and authorizing the State and other public agencies to insure such officers and employees against liability therefor.

Referred to Committee on Judiciary.

Senate Bill No. 1011—An act to add Section 12756 to the Education Code, relating to suspension of diplomas, certificates, credentials and other documents.

Referred to Committee on Education.

Senate Bill No. 1013—An act to add Section 13654 to the Education Code, relating to reappointment rights of permanent employees.

Referred to Committee on Education.

Senate Bill No. 1040—An act to add Article 3, comprising Section 24541, to Chapter 5 of Division 12, of the Education Code, relating to identification emblems for children

Referred to Committee on Education.

Senate Bill No. 1095—An act to add Section 205 to the Water Code, relating to membership of the Department of Public Works in National associations for the promotion of reclamation and irrigation and making an appropriation.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 1099—An act to amend Section 373 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment

Senate Bill No. 727—An act making an appropriation to the emergency fund specified in Item 221 of the Budget Act of 1943, relating to the repair and restoration of property damaged or destroyed by storms

or floods and the expenditure of money appropriated therefor, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 48—An act to amend Section 221 of the State Civil Service Act, relating to preferences to veterans and their widows in examinations.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 229—An act to amend Section 5005 of the Public Resources Code, relating to the acceptance of lands for State park purposes.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 480—An act to repeal an act entitled "An act to regulate motorboats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved June 19, 1931, relating to motorboat regulation and the disposition of money in the Boat Fund.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 554—An act to add Section 6220 to the Public Resources Code, relating to acceptance of quitclaim deeds by the State Land Commission.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 1044—An act to add Section 4460 to the Labor Code, relating to workmen's compensation

Referred to Committee on Labor and Capital.

Senate Bill No. 1071—An act to amend Sections 321 and 324, of the Military and Veterans Code, relating to the military and naval forces of the State.

Referred to Committee on Military Affairs.

Senate Bill No. 1100—An act to add Sections 28.5, 28.6, 28.7, and 28.8 to the California Water District Act, relating to the liability of districts organized under said act and the liability of officers, agents, and employees of said districts, and providing that such districts may insure against such liabilities.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 1107—An act to amend Section 505 of, and to add Sections 505.5 and 505.6 to, the Public Resources Code, relating to forestry and providing for the administration of the laws relating thereto.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 1108—An act to add Section 8 to an act entitled “An act to authorize the county judge of Tehama County to distribute town lots held by him in trust for the citizens of the Town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests,” approved March 6, 1868, as amended and supplemented, relating to the conveyance of certain streets and alleys.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1112—An act to amend Section 11 of an act entitled “An act to define the boundary, provide for the care, strengthening and repairing of levees, and the payment of the indebtedness of Levee District No. 1 of Sutter County,” approved March 20, 1874, relating to the compensation and powers of officers of said district.

Referred to Committee on Municipal and County Government.

Senate Joint Resolution No. 1—Relative to old-age assistance.

Referred to Committee on Social Welfare.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, April 27, 1943

*To the Honorable Members of the Assembly
State of California, Sacramento, California*

GREETINGS: I am returning herewith without my signature Assembly Bill No. 1387, entitled: “An act to add Sections 53.55 and 53.65 to the Alcoholic Beverage Control Act, relating to containers, cartons and bottles.”

My objections to this bill are as follows.

(1) It constitutes a trade barrier against sister States of the Union in that it denies to them the right to ship beer into this State in containers which the bill specifically authorizes the brewing industry of California to use for shipment into those States.

(2) It attempts to delegate the power of legislation under the police power of the State to a part of the beer industry.

The bill, said to be for the protection of California workmen engaged in bottling beer, provides in part that beer can not be sold in so-called “single trip bottles” for consumption in California, regardless of where bottled, but specifically reserves to the brewing industry of California the right to bottle beer in such containers here and export it to other States and to the armed forces overseas for consumption there. This clearly constitutes an economic trade barrier between the States, and if valid must be sustained as a police measure for the protection of the bottlers, handlers, or consumers of beer in California. If the bill is for the protection of the bottlers, I can not see how the bottlers of this State can be protected by prohibiting beer bottled by workmen in other States from being sold in California. If it is for the protection of handlers or consumers, I do not see how we can justify the prohibition against “single trip” bottles coming into this State while we sanction the sending of beer similarly bottled into other States and to our armed forces overseas.

Section 2 of the bill provides that the “manufacturers of the major part of the production of beer in California” may repeal the statute by the mere filing of a declaration that the use of “single trip” bottles “are necessary to the continued operation of the brewing industry in this State by reason of the lack of sufficient supply of standard returnable bottles.”

The Attorney General has advised—and I agree with him—that this provision is “a delegation of the whole legislative function to those who are manufacturers of a major part of the production of beer in California, and is void.”

Laws such as this, which prevent the free flow of interstate commerce between the States, have been well characterized as trade barriers, and have been frowned upon by the courts. We, in California, have created the Commission on Interstate Cooperation, composed of Members of the Legislature and other State officials, principally to discourage “trade barriers.” The Attorney General, who is chairman

of that commission, advises that "There seems to be no question, therefore, but that Assembly Bill No. 1387 in some respects may be considered as constituting a barrier to inter-state trade."

I would like to see California take the lead in the elimination of trade barriers wherever possible. To that end I have already asked the cooperation of other Governors. On March 16, 1943, at the request of the wine industry of California, I requested the Governor of a sister State to urge in his Legislature the passage of a bill to repeal a wine container law which was discriminatory against California wines. He complied with my request. The law was repealed, and he now very properly advises me that Assembly Bill No. 1387 discriminates against the glass industry of his State in almost identical manner. I have had letters from other Governors, trade associations, labor councils, and unions, stressing the trade barrier character of the bill. I am, therefore, of the opinion that it would be not only unwise as a matter of policy for the State to enact such legislation, but also ineffectual as a matter of law because of the unconstitutional delegation of legislative power contained therein.

After a full discussion of the bill, the representatives of the California State Brewers' Institute have asked me to state that this action is taken with their consent.

Respectfully submitted.

EARL WARREN, Governor

Above bill ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1623

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out by committee)

WOLLENBERG, Chairman	BURKHALTER
ROBERTSON	CAREY
CROWLEY	CRICHTON
DOYLE	GANNON
HASTAIN	WEYBRET
POTTER	JOHNSON

Above reported bill ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 1501

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BURNS, Chairman

Above reported bill ordered to second reading

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 29

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolution ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 6
Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 14
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CROWLEY, Chairman

Above reported resolution ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1623—An act making an appropriation to the State Park Commission, for the acquisition of land in Orange County as part of the State Park System.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1501—An act to repeal Section 307 and Chapter 2 of Division 7 of the Vehicle Code, consisting of Sections 410 to 418, inclusive, to add Section 307 to the Vehicle Code and to add Chapter 2 to Division 7 of the Vehicle Code, consisting of Sections 405 to 423.7, inclusive, relating to financial responsibility

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In line 6 of the title of the printed bill, as amended, strike out the period, and insert “, and making an appropriation therefor.”

Amendment No. 2

On page 22, line 43, of said bill, after “and”, insert “if”.

Amendment No. 3

On page 27, line 34, of said bill, strike out “now”, and insert “not”.

Amendment No. 4

On page 29, line 37, of said bill, strike out “to”, and insert “by”.

Amendment No. 5

On page 34, line 8, of said bill, strike out “Article”, and insert “Chapter”.

Amendment No. 6

On page 37, line 15, of said bill, strike out “This chapter does not Prevent Other Process”, and insert “Other Process of Law Not Prohibited”.

Amendment No. 7

On page 37, line 31, of said bill, strike out “2 of Division 7”, and insert “4 of Division 4”.

Amendment No. 8

On page 37, lines 41 and 42, of said bill, after "of", strike out "ability to respond in damages", and insert "financial responsibility".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding two new sections to Article XIII thereof, to be numbered 1.1 and 1.2, relating to limitation of tax rates.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 11, of the printed measure, strike out "1½", and insert "3¼".

Amendment No. 2

On page 1, line 20, of said measure, after the period, insert "The assessed valuation shall be 50 per cent of the true and fair value of the property in money."

Amendment No. 3

On page 1, line 26, of said measure, strike out "1½", and insert "3¼".

Amendments read and adopted.

Resolution ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California to amend the Constitution of said State by adding Section 22 to Article V thereof, relating to the compensation of State officers.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 10, of the printed measure, before "State", insert "Lieutenant Governor, the".

Amendment read and adopted.

Resolution ordered reprinted, and on file for adoption.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 265 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1404 re-referred to the Committee on Conservation, Natural Resources, and Planning.

Assembly Bill No. 1078 re-referred to the Committee on Ways and Means.

Assembly Bill No. 1565 re-referred to the Committee on Judiciary.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Thomas Rolph, Congressman from San Francisco.

On request of Mr. Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. John W. Evans of Los Angeles and Mr. Leonard Difani of Riverside.

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. George G. Radcliff, former member, of Sacramento, and Mr. Irving Martin of Stockton.

On request of Mr. Watson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Russell R. McComb of Los Angeles.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Michael Brodovsky and Misses Carol Ann and Sue Allen Brodovsky of Sacramento.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Arthur J. Welter of Sacramento and Mr. and Mrs. Alexander Hunter of San Francisco.

On request of Mr. Carey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John Elberling and Mr. and Mrs. Ralph Campbell of Oakland.

On request of Mr. McMillan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Fred Price, wife of Assemblyman Price, of Ontario.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Harold Slanc of Los Angeles.

On request of Messrs. Crichton and Heisinger and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Privates C. Hart, Ted H. Hill, Alfred Lange, Irving Feinman, David Trembas, Philip Glazer, Harry Ziegler, United States Army, from New York on way to Fresno.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain George M. Luhn, Colorado Springs.

On request of the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to R. L. Dawes, United States Navy, and Judge Walsh of San Francisco.

ADJOURNMENT

At 11.55 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, April 28, 1943, out of respect to the memory of the late Rt. Rev. Monsignor Francis P. McElroy.

C. WILLIAM QUEALE, Minute Clerk



CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FIFTH LEGISLATIVE DAY
ONE HUNDRED FIFTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 28, 1943

The Assembly met at 9.30 a m.
Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF A QUORUM SUGGESTED

Mr. Weybret suggested the absence of a quorum.
The roll was called, and the following answered to their names:

Anderson, Clarke, Dills, Ralph C., Evans, Middough, Pelletier, Price, Stream, Weybret, and Mr. Speaker—10.

Call of the Assembly

Mr. Weybret moved a call of the Assembly.

Motion carried. Time, 9.31 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 10.11 a.m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The roll was called, and the following answered to their names:

Anderson, Beck, Bennett, Brown, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Fourt, Gannon, Guthrie, Heisinger, Hollibaugh, Kellems, King, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sargent, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—42.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

O wise and eternal God, Thou art the Beacon on the pathway to truth and righteousness.

Help us rise above all petty irritations and unworthy annoyance that we may go forward with unconquerable faith and thus fulfill the purpose Thou hast for us

in life. Teach us love, understanding, and self-control that we may take the bitter with the sweet, and recognize that "in quietness and confidence shall be our strength"

"Behind the cloud the starlight lurks,
Through showers the sunbeams fall;
For God who loveth all His works
Has left His hope with all."

Through Jesus Christ our Lord.

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Stream.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:
Mr. Carlson, on motion of Mr. Wollenberg.

MEMBER EXCUSED BY UNANIMOUS CONSENT

By unanimous consent, Mr. Lowrey was excused from the morning session to attend a funeral.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received and ordered printed in the Journal:

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD DISTRIBUTION ADMINISTRATION, WASHINGTON, D. C., April 22, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislative Assembly, Sacramento, California*

DEAR MR OHNIMUS: The White House has referred to this office your letter of April 9th, enclosing a copy of House Resolution No. 167 relative to a program evolved by the American Meat Institute.

This program has been given very serious consideration with the view of adopting as many as possible of the features that are applicable to the program in operation. To assist us in this work, we recently have engaged as consultants two very capable men from the meat packing industry. Through this approach to the problem we hope to develop an integrated program that is both practicable and effective and at the same time acceptable to the industry and the public.

Sincerely yours,

H. E. REED, Chief
Livestock and Meats Branch

PERMISSION TO PRINT IN JOURNAL GRANTED

Upon favorable consideration by the Committee on Rules and House Functions, the following expression of legislative intent concerning Assembly Bill No. 582 was ordered printed in the Journal:

Expression of Legislative Intent in Enacting Assembly Bill No. 582

One. The expense of printing ballots and holding a primary election is an unjustifiable expense and burden to the State for any political party, the registration of which has fallen below one-tenth of 1 per cent of the total State registration.

Two. A group of voters, constituting less than one-tenth of 1 per cent of the total registration is too small a group from which to select candidates for important constitutional offices.

Three. The judgment and selection of a group of voters constituting less than one-tenth of 1 per cent of the total State registration could not be representative of the consensus of the majority of citizens.

Four. It is undesirable to have the supporters of one party vote in the primary election as an advocate of another party, thereby disrupting the harmony of such party.

NELSON S. DILWORTH
Author of Assembly Bill No. 582

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER. Your Committee on Rules and House Functions, to which were referred:

- Assembly Concurrent Resolution No. 45
- Assembly Concurrent Resolution No. 46
- House Resolution No. 64
- House Resolution No. 203

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 190

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

- Assembly Bill No. 1705
- Assembly Bill No. 2010

And reports the same correctly re-engrossed

PELLETIER, Chairman

Above reported bills ordered to third reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 200

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

SAM L. COLLINS, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 200

House Resolution No. 200

Resolved. That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same.

Department of Finance (2 tables used by legislative bill room).....	\$41 17
Department of Finance (Construction of small rack).....	3 75
Department of Finance (Replacing lights—March).....	113 50
Department of Finance (Installing wooden case).....	10 20
Department of Finance (Prorate cost of telephone).....	39 38
Shorrock's Hardware (Hardware).....	2 73
Walsh and Day (Radio pick-up).....	15 00
H. S. Crocker Company (Supplies).....	5 03
George N. Hammond Typewriter Co. (Typewriter repair).....	2 25

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Diekey, Dills, Clayton A., Dilworth, Doyle, Erwin, Fourt, Gannon, Guthrie, Hollibaugh, Kellems, Knight, John B., Lyons, Maloney, Masson,

McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Rosenthal, Sargent, Sawallsch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—43.

NOES—None.

RESOLUTIONS

The following resolutions were offered:

By the Committee on Rules and House Functions:

House Resolution No. 218

Resolved, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly, to take effect upon the completion of work on Saturday, April 24, 1943:

	<i>Per day</i>
Pete Actis, Assistant Sergeant-at-Arms.....	\$6 00
William Collard, Page.....	3 00
<i>Upon the completion of work on Tuesday, April 27, 1943:</i>	
Leal Norton, Page.....	3 00

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 218, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Carey, Collins, Sam L., Crichton, Crowley, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Fourn, Gannon, Guthrie, Hollibaugh, Kellems, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Rosenthal, Sargent, Sawallsch, Sheridan Stream, Thomas, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—45.

NOES—None.

By the Committee on Rules and House Functions:

House Resolution No. 219

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth, with the compensation set opposite his name payable weekly, on a seven-day-per-week basis, and the Controller is hereby directed to draw his warrant in favor of said person for said amount, and the Treasurer is hereby directed to pay the same:

Commencing Sunday, April 25, 1943:

	<i>Per day</i>
Warren Gabrielli, Page.....	\$3 00

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 219, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Collins, Sam L., Crichton, Crowley, Desmond, Dills, Clayton A., Doyle, Erwin, Field, Fourn, Gannon, Guthrie, Hollibaugh, King, Knight, John B., Kraft, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Rosenthal, Sargent, Sawallsch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—45.

NOES—None.

By the Committee on Rules and House Functions:

House Resolution No. 220

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth, with the compensation set opposite their respective names, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing Monday, May 3, 1943, and ending upon the completion of work on Tuesday, May 4, 1943:

Page:	<i>Per day</i>
Richard Dills -----	\$3 00
Doris Dills -----	3 00
Stafford Lothrop Smith -----	3 00
John B. Knight, II -----	3 00
Janice E. Knight -----	3 00
Denise Desmond -----	3 00

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 220, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Desmond, Dills, Clayton A., Doyle, Erwin, Field, Fourt, Gannon, Guthrie, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—50.

NOES—None.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 807
Senate Bill No. 806

Senate Bill No. 1109
Senate Bill No. 1111

J. A. BEFK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 807—An act to repeal an act entitled "An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof," approved by the Governor, June 14, 1935, to establish the "State Economic Planning Commission"

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 866—An act to add Sections 5015, 5016, 5017 to the Public Resources Code, relating to parks and beaches

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 1109—An act to amend Section 37 of the Unemployment Insurance Act, relating to contributions.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1111—An act to amend Section 10074 of, to add Sections 10009.5, 10023, 10024, 10025 and 11011.5 to, and to add Chapter 7, comprising Sections 10500 to 10600, to Part 1 of Division 4 of, the Business and Professions Code, relating to transactions in mineral, oil or gas property, regulating mineral, oil and gas brokers and salesmen and prescribing the powers and duties of the State Division of Real Estate with respect thereto.

Referred to Committee on Conservation, Natural Resources, and Planning.

CONSIDERATION OF DAILY FILE

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 58 FROM COMMITTEE WAIVED

Mr. Beck waived his notice of motion to withdraw Assembly Bill No. 58 from the Committee on Ways and Means, and have it placed upon the file.

UNFINISHED BUSINESS

Consideration of Governor's Veto

Assembly Bill No. 1387—An act to add Sections 53.55, and 53.65 to the Alcoholic Beverage Control Act, relating to containers, cartons and bottles.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1387 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Anderson, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Clarke, Crichton, Crowley, Desmond, Dilworth, Doyle, Erwin, Evans, Fourt, Gannon, Hollibaugh, Kellems, Kilpatrick, Knight, John B. Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Werdel, Wevbret, and Mr. Speaker—45

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 934—An act to amend Section 643 of, and to add Section 643.2 to, the Agricultural Code, relating to the definition for insanitary dairy farms, declaring the urgency thereof to take effect immediately

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

CRITTENDEN
BIGGAR
HATFIELD

Senate Committee on Conference

THORP
DILLS, RALPH C

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gannon, Hollibaugh, Kilpatrick, King, Knight,

John B. Kraft, Lyons, Maloney, Massion, McColhster, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, and Mr. Speaker—51.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1981 FROM COMMITTEE WAIVED

Mr. Rosenthal waived his notice of motion to withdraw Assembly Bill No. 1981 from the Committee on Ways and Means.

THIRD READING OF ASSEMBLY BILLS

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1341—An act to amend Section 5054 of the Welfare and Institutions Code, relating to the procedure for the commitment of mentally ill persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Werdel, Weybret, and Mr. Speaker—45

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1342—An act to amend Sections 5050 2 and 5050 6 of the Welfare and Institutions Code, relating to procedure for the commitment of mentally ill persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Clarke, Collins, Sam L., Crichton, Crowley, Desmond, Dills, Claxton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McColhster, McMillan, Middough, Miller, Pelletier, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—54

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been

granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 422—An act to add Section 5.503-1 to the School Code and to add Section 13099.1 to the Education Code, relating to the classification of persons as permanent employees of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Clarke, Collins, Sam L. Crichton, Crowley, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—54.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Clarke, Collins, Sam L. Crichton, Crowley, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Earl D. Desmond Presiding

At 10.38 a.m., Hon. Earl D. Desmond, Member of the Assembly from the Ninth District, presiding.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 684—An act to amend Section 6015 of the Revenue and Taxation Code, relating to the taxation of the privilege of selling and storing, using, or otherwise consuming tangible personal property, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—58.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 10.45 a m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1847—An act to repeal and add Section 4101.5 of the Revenue and Taxation Code, relating to property taxation, and the redemption of property, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, Kellems, King, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—54.

NOES—Dilworth—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, Kellems, King, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—54.

NOES—Dilworth—1.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1959—An act to add Sections 134, 1651, 2902, 2909.1, and 2910.1 to, and to amend Sections 2901, 2903, 2904, 2905, 2906, 2908 and 2914 of the Revenue and Taxation Code, relating to the assess-

ment and collection of taxes which are not a lien on real property sufficient to secure payment of such taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Diekey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Kraft, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Werdel, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1439—An act to amend Section 456 of the Political Code, relating to the salaries of State officers and employees in the State Treasurers Office.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Desmond, Diekey, Doyle, Dunn, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, McCollister, Miller, Niehouse, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weybret, and Mr. Speaker—53.

NOES—Dilworth, Erwin, Massion, and Pelletier—4.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 363—An act to amend Section 5.409a of the School Code and to amend Section 13011 of the Education Code, relating to the absence of exchange teachers from duty because of illness, injury or quarantine.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Diekey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Guthrie, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 440—An act to amend Sections 758 and 759, and to repeal Section 758a, of the Political Code, all relating to officers and employees of the district courts of appeal.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 12, of the printed bill, as amended, strike out "two".

Amendment No. 2

On page 2, line 25, of said bill, strike out "three", and insert "one".

Amendment No. 3

On page 2, line 26, of said bill, strike out "clerks", and insert "clerk".

Amendment No. 4

On page 2, line 29, of said bill, strike out "report", and insert "reporter".

Amendment No. 5

On page 2, line 32, of said bill, after "per", insert "annum" and a period.

Amendment No. 6

On page 2 of said bill, strike out all of lines 35 to 39, inclusive, and insert "be as follows. One clerk at four thousand three hundred dollars (\$4,300) per annum until July 1, 1945, when said salary shall be four thousand six hundred dollars (\$4,600) per annum; three deputy clerks at three thousand three hundred dollars (\$3,300) each per annum until July 1, 1945, when said salaries shall be three thousand six hundred dollars (\$3,600) per annum; one phonographic reporter as provided by Section 759; one bailiff at two thousand seven hundred dollars (\$2,700) per annum until July 1, 1945, when said salary shall be three thousand dollars (\$3,000) per".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Rush Order Placed on Printing

Upon request of Mr. Call, the Speaker ordered a rush order placed upon the reprinting of Assembly Bill No. 440.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 586—An act to amend Section 3.760 of the School Code and to amend Section 10301 of the Education Code, relating to courses of study in elementary schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A. Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Heisinger, Hollibaugh, Kellems, King, Knight, John B.

Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1500—An act to repeal Chapters 2 and 3 of, to add Chapter 2 to Division 7, and to amend Sections 12604, 13031, and 13226, all of the Education Code, relating to the authorization of persons to serve in the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Heisinger, Hollibaugh, Kellems, King, Knight, John B. Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 259—An act to add Section 709.5 to the Code of Civil Procedure, relating to contributions by joint defendants in actions for personal injury or property damage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, and Weybret—64.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been

granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 86—An act to amend the headings of Division 4, of Chapters 1 and 2 of Division 4, and of Article 4 of Chapter 2 of Division 4 of, and to amend Sections 2500, 2502, 2503, 2504, 2505, 2601, 2602, 2603, and 2606 of the Welfare and Institutions Code, relating to aid to needy persons.

Bill read third time.
The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Kilpatrick moved a call of the Assembly.

Motion carried. Time, 11.12 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 941—An act to amend Section 117p of the Code of Civil Procedure, relating to fees charged by public officers in connection with small claims actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Nichouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 942—An act to amend Section 1463 of the Penal Code, relating to the disposition of fines and forfeitures in municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1907—An act to add Section 5.798-1 to the School Code and to add Section 14122.5 to the Education Code, relating to eligible lists and temporary appointments, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, and Mr. Speaker—62.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 409—An act to add Section 1182.5 to the Labor Code, relating to wages for women.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dills, Clayton A.,

Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellem, Kilpatrick, Knight, John B., Lyons, Maloney, Massion, McCollister, Middough, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Thomas, Thorp, and Werdel—44.

NOES—Armstrong, Collins, Sam L., Denny, Erwin, King, Miller, and Thompson—7.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.22 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 263—An act to amend Section 42360 of the Political Code, relating to the compensation of jurors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dunn, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1993—An act to amend Section 338 of the Code of Civil Procedure, relating to limitation of actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been

granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 719—An act to amend Section 254 of the Probate Code, relating to succession by kindred of the half blood.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 339—An act to amend Section 337 of the Code of Civil Procedure, relating to the time within which an action must be commenced.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Crowley and Heisinger—2.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 2013

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Request for Unanimous Consent

Mr. Wollenberg asked for, and was granted, unanimous consent to take up Assembly Bill No. 2013, at this time, without reference to committee.

CONSIDERATION OF ASSEMBLY BILL NO. 2013

Resolution to Suspend Constitutional Provision

The following resolution was offered :

By Mr. Wollenberg :

Resolved, That Assembly Bill No. 2013 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOTS—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 2013—An act to repeal Section 5007 of the Government Code, relating to the reconversion of registered bonds into coupon bonds.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOTS—None.

Assembly Bill No. 2013—An act to repeal Section 5007 of the Government Code, relating to the reconversion of registered bonds into coupon bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan,

Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70
 NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 265—An act to amend the title and Sections 1 and 2 of an act entitled “An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district, or flood control district,” approved April 23, 1913, as amended, and to repeal an act entitled “An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled ‘An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,’ approved March 3, 1909,” approved April 3, 1911, relating to the investment of moneys in the sinking funds of or surplus moneys in the treasury of any county, city and county, incorporated city, or other public or municipal corporation or public district, and declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 308—An act to amend Section 868 10 of, and to add Section 871 to, the Welfare and Institutions Code, relating to wards of the juvenile court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hersinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Wevret, Wollenberg, and Mr Speaker—70
NOES—None

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1093—An act to amend Sections 18108 and 18201 of the Health and Safety Code, relating to auto courts and resorts and auto and trailer camps, to nuisances therein and to the abatement, prevention and punishment of such nuisances.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Gaffney, Gannon, Guthrie, Haggerty, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Wevret, Wollenberg, and Mr Speaker—57.
NOES—Kellems, Knight, John B., and Robertson—3.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 783—An act to add Section 9112.5 to the Public Resources Code, relating to soil conservation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley,

Debs, Denny, Desmond, Dickey, Dills, Clayton A. Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lyons, Malouey, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.
 NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1699—An act to amend Section 152.5 of the State Civil Service Act, relating to leaves of absence to employees who enter war industries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C., Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Heisinger and Werdel—2.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 372—An act to add Section 2222.5 to the Welfare and Institutions Code, relating to aid to the aged, and imposing limitations upon the cancellation, suspension, or revocation of aid granted.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been

granted by a three-quarter vote of the members, the following Assembly bill was considered :

Assembly Bill No. 526—An act to amend Section 189 of the Code of Civil Procedure, relating to the destruction of records, files and exhibits in justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered :

Assembly Bill No. 1340—An act to add Section 7501.5 to the Welfare and Institutions Code, relating to mentally ill persons and persons alleged to be mentally ill.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 12.07 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered :

Assembly Bill No. 1783—An act to amend Section 1663 of the Probate Code, relating to incompetent veterans and other incompetent and minor beneficiaries of the Veterans Administration, and providing for commitments and transfers to the Veterans Administration or other agency of the United States of persons eligible for care or treatment thereby.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO TABLE ASSEMBLY BILL NO. 1974

Mr. Fourt moved that Assembly Bill No. 1974 be laid on the table.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 86

At 12.12 p.m., on motion of Mr. Kilpatrick, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 86 passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Kilpatrick, King, Knight, John B., Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Thomas, Thompson, and Mr. Speaker—41.

NOES—Armstrong, Bashore, Beck, Burns, Call, Clarke, Denny, Desmond, Dilworth, Erwin, Fourt, Heisinger, Johnson, Kellems, Knight, T. Fenton, Kraft, Leonard, McCollister, Miller, Potter, Price, Smith, Stream, Thorp, Thurman, Watson, Werdel, and Weybret—28.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1881—An act to amend Sections 202, 173 and 153 5 of the State Civil Service Act, relating to the State civil service, and declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fout, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 894—An act to amend Sections 9605, 9779, 9877.5, 10251, 10255 and 10454 of, and to add Sections 9654, 9914 and 10251.5 to, and to repeal Section 9901.5 of Part 4, Division 2 of the Revenue and Taxation Code, relating to the taxation of the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Biady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Sheridan, Thompson, Thorp, Thurman, Weber, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Biady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Sheridan, Thompson, Thorp, Thurman, Weber, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Crichton:

House Resolution No. 221

Relative to the creation of an Assembly Committee on Industrial Loan Companies, defining its powers and duties, and making an appropriation for its expenses.

WHEREAS, Numerous bills are proposed at each session of the Legislature with respect to the regulation of industrial loan companies. The complicated provisions of such bills and probable effect upon the industrial loan companies and the general public can not be definitely determined during the course of the legislative session. It

is necessary for the Legislature to study all of the circumstances carefully so that the laws relating to industrial loan companies may be revised and amended in order to permit them to operate economically and efficiently, and properly protect the public. The best means by which this can be done is for the Legislature to create a fact-finding committee; therefore, be it

Resolved by the Assembly of the State of California. That there is hereby created an Assembly Committee on Industrial Loan Companies, which committee shall study and investigate, accurately and in detail, the organization, functions and operations of industrial loan companies and the administration of all laws appertaining thereto for the purpose of recommending changes and proposing legislation in order to provide sound and proper legislation fully protective of the borrowing public and fair and equitable regulation of industrial loan companies.

The committee shall consist of the Speaker of the Assembly and four Members of the Assembly appointed by the Speaker. Vacancies on the committee shall be filled by appointment by the Speaker.

Upon the appointment of its members, the committee may organize, appoint a secretary, and employ such clerical and technical assistants, and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein.

The committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records, of every kind and description, and to take all necessary means to compel the attendance of witnesses and to procure testimony. The members of the committee may each administer oaths, and all of the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, and Sections 9400 to 9412 of the Government Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects heretofore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it.

The committee may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter, defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The committee may hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee. The committee may also meet in executive session. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-sixth Legislature. The committee may report to any session of this Legislature or to the Regular Session of the Fifty-sixth Legislature, on or before March 15, 1945.

Every department, commission, board, agency, officer, and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee upon request, any and all assistance and information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of ten dollars (\$10) per day for accommodations and meals.

The sum of two thousand dollars (\$2,000) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee hereby created and its members, and for any other charges, expenses, or claims it may incur under this resolution to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Bashore :

House Resolution No. 222

WHEREAS, The postwar period promises to be characterized by the predominance of the airplane as a carrier of both passengers and freight; and

WHEREAS, The greatest drawback to transportation by air is the waste of time resulting from traveling between the home or office and the place of embarkation which, unless a remedy is found, will become greater with the growth of population; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works is authorized and directed to make a complete investigation and survey as a basis for the plan and construction of an elevated airport for the City of Los Angeles and for other cities in the State which would form part of an international chain of airports; and be it further

Resolved, That the said department shall report its findings and the result of its investigation and survey to the next regular session of the Legislature or to any earlier special session at which it may be feasible to so report.

Resolution read, and referred to Committee on Rules and House Functions

By Mr. Heisinger :

House Resolution No. 223

WHEREAS, The unnecessarily large membership of some of the Assembly committees and the overlapping committee meetings have resulted in the lack of a good working majority at many meetings and in the consequent failure to get prompt and adequate hearing and action on many bills; now, therefore, be it

Resolved, That it is the sense of the Assembly that a reduction of the membership of several committees providing that no Assemblyman be a member of more than five committees would result in more speedy and efficient action and would be in the interests of the public service; and be it further

Resolved, That the Committee on Rules and House Functions is requested to consider the suggestions herein made and to submit such amendments to the Rules of this House as will correct the shortcomings of the present organization and facilitate the work of legislation.

Resolution read, and referred to Committee on Rules and House Functions

By Mr. Kraft :

House Resolution No. 224

Relating to Golden Wedding Anniversaries

WHEREAS, The Members of this Assembly have learned that one of their colleagues is celebrating his Golden Wedding Anniversary; and

WHEREAS, It has been suggested that youthful Members of this Assembly who have but short years ago set foot upon the matrimonial path might benefit by a knowledge of how their colleague has attained this golden success; and

WHEREAS, Investigation has revealed some interesting facts and brought forth a number of even more interesting theories; to wit

The fact that this Master of Matrimony, also sometimes known as the Sage of Chula Vista, spent some 31 years traveling for a harvester company led some to suggest that his success was due solely to the fact that his wife had to have him around only half the time;

While some statisticians have even gone so far as to claim that his frequency of absence from the family hearth cuts down his record to only 25 instead of 50 years;

And yet again others point out that this Assembly has been quick to utilize the special knowledge of this traveling man by making him Chairman of its Committee on Roads and Highways, and that therefore he may have had some special escort down this road of matrimonial bliss; and

WHEREAS, All this inconclusive investigation and speculation was brought to an abrupt and proper end and the entire secret disclosed when some discerning person observed the light in Charlie Stream's eye when looking upon his lovely bride of 50 years, the former Florence E. Nordyke; now, therefore, be it

Resolved by the Assembly of the State of California, That on this sixth day of May, 1943, the Members of this Assembly congratulate Assemblyman and Mrs. Charles W. Stream upon the completion of 50 years of married life and wish them joy in the untold years to come, and give them felicitations upon this their Golden

Wedding Anniversary; and be it further

Resolved. That the Chief Clerk of the Assembly be requested to transmit a suitably engrossed copy of this resolution to Assemblyman and Mrs. Stream

Request for Unanimous Consent

Mr. Kraft asked for, and was granted, unanimous consent to take up House Resolution No. 224, at this time, without reference to committee.

Resolution read and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Bill No. 1504

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SAM L. COLLINS, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1504—An act relating to the National Flag and the Flag of the State of California, and other flags.

Bill read second time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, strike out all of lines 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22.

Amendment No. 2

On page 2, line 23, of the printed bill, strike out "k", and insert "f".

Amendment No. 3

On page 2 of the printed bill, strike out all of lines 30, 31, and 32.

Amendment No. 4

On page 3, line 2, of the printed bill, beginning with "In other", strike out the remainder of the paragraph.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred: Senate Bill No. 364

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THORP, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 364—An act to add Sections 333.7 and 333.8 to the Agricultural Code, relating to cattle brands.

Bill read second time, and ordered to third reading.

COMMUNICATIONS

By Speaker Lyon :

A communication from Mrs. Mabel S. Hart, relative to receipt of resolution on the death of her husband, the late Senator Hart, was received, and ordered filed with the presiding officer of the Senate.

By the Chief Clerk :

The following communications were received and ordered printed in the Journal :

U. S. NAVAL CONSTRUCTION TRAINING CENTER
CAMP PEARY, WILLIAMSBURG, VIRGINIA, April 22, 1943

*Mr Arthur A. Ohnimus, Chief Clerk, Assembly
California Legislature, Sacramento, California*

DEAR ARTHUR. Express to the Members of the Assembly my sincere appreciation for their splendid thoughts in my behalf. Still going through boot camp. In my barracks of 60 men, all are from the Pacific Coast—10 from Southern California, so we all have something in common in that we make an effort to uphold the virtues of the West against the rest of the U. S. A., and we do a darn good job too. I'm going to school to become a pontoon expert. Can't say much relative to our duties other than it should prove to be both interesting and exciting when we reach islands. Say hello, Arthur, to my many friends who helped make my time spent in Sacramento so pleasant.

So, expressing hope that you and each of them may be successful in that which they most desire,

I am

BILL POOLE, S. F. 1/c
Platoon 1405, Area C4
Camp Peary, Virginia

Also :

LOS ANGELES, CALIFORNIA, April 27, 1943

DEAR MR. OHNIMUS: Yesterday we received the copies of the Assembly concurrent resolution expressing the sympathy of the Legislature in the passing of our brother. It is indeed comforting to know that he had so many friends. Thank you for your expressions of sympathy.

Yours sincerely,

CLARA TIMMONS

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1996—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fifth Session of the Legislature including committee expenses, to take effect immediately ;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1943, at 11 a m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined :

Assembly Concurrent Resolution No. 45

Assembly Concurrent Resolution No 46

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Constitutional Amendment No. 14
And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined.
Assembly Bill No. 561
Assembly Bill No. 822
And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

RECESS

At 12.27 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Bashore suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Bashore, Carey, Crichton, Crowley, Dilworth, Guthrie, Heisinger, Lowrey, Maloney, O'Day, Pelletier, Stream, and Mr. Speaker—13

Call of the Assembly

Mr. Carey moved a call of the Assembly.

Motion carried. Time, 1.32 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 1.37 p.m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The roll was called, and the following answered to their names:

Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Crichton, Crowley, Dills, Clayton A. Dills, Ralph C. Dilworth, Evans, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Stream, Thompson, Weber, Werdel, Weybret, and Mr. Speaker—44.

Quorum present.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been

granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1411—An act to provide for the establishment of master and official plans in cities, cities and counties, and counties and for the adoption of ordinances pursuant thereto; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and the composition and effects thereof; providing for the appointment of planning commissions by cities, cities and counties, and counties, and for the creation of regional planning districts and the establishment of regional planning commissions and the State Conservation and Planning Board; providing the powers and duties of such commissions and the State Conservation and Planning Board; providing for the levy of a special tax for the support of a planning commission and making certain expenditures legal charges against the funds of cities, cities and counties, and counties; making certain acts misdemeanors; and repealing Chapter 331, Statutes of 1935, and the Planning Act, relating to planning commissions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Berry, Brown, Burkhalter, Burns, Carey, Collins, Sam L. Crichton, Crowley, Denny, Dills, Clayton A., Evans, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollbaugh, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Stream, Thompson, Thurman, Weber, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Bashore—1.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1045—An act making an appropriation to pay the claim of the City and County of San Francisco against the State of California, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Crowley, Denny, Dills, Clayton A., Dills, Ralph C., Erwin, Fourt, Guthrie, Haggerty, Heisinger, Hollbaugh, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Potter, Robertson, Sheridan, Stream, Thompson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been

granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1776—An act to add Section 2013 to the Welfare and Institutions Code, relating to the filing of statements by persons or organizations promoting old age pensions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dills, Ralph C., Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Middough, Miller, O'Day, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—Pelletier—1.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1970—An act to add Section 86.3 to, and to amend Section 173 of, the State Civil Service Act, relating to time limit for protesting examinations and holding hearings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Thompson, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 2005—An act to add Section 429.5 to the Fish and Game Code, relating to fishing by persons in the armed forces of the United States and the auxiliary branches thereof, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans,

Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Thompson, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Thompson, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO TABLE ASSEMBLY BILL NO. 128

Mr. Leonard moved that Assembly Bill No. 128 be laid on the table.

Mr. Bashore seconded the motion.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 85—An act to add Section 2504.5 to the Welfare and Institutions Code, relating to county aid and relief to indigents.

Bill read third time.

Demand for Previous Question

Messrs. Werdel, Evans, Knight, John B., Kilpatrick, and Robertson demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 85.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Kilpatrick moved a call of the Assembly.

Motion carried. Time, 2.22 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Speaker Presiding

At 2.24 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 154—An act to amend Section 2571 and to repeal Section 2570 of the Elections Code, relating to statement of number of voters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1803—An act to amend Sections 132, 5901, 5931 and 5932 of, and to add Sections 5912, 5933 and 5934 to the Elections Code, relating to absentee registration and voting of members of the armed forces of the United States, or any auxiliary branch thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dills, Ralph C., Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1102—An act making an appropriation for the purchase of land for State forests and restricting expenditures of the money appropriated.

Bill read third time.

Demand for Previous Question

Messrs. Robertson, Knight, John B., Evans, Debs, and Stream demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 1102.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Berry, Brady, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Ralph C., Dunn, Erwin, Evans, Field, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sawallach, Sheridan, Stream, Thomas, Thompson, Thorp, Weber, Werdel, Weybret, and Mr Speaker—56

NOES—Beck, Bennett, Brown, Carlson, Denny, Guthrie, Knight, T. Fenton; Lowrey, Lyons, Potter, Rosenthal, Smith, and Wollenberg—13

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1103—An act to amend Sections 4381 and 4382 of, and to add Section 4382.5 to, the Public Resources Code, relating to State forests and providing for the reimbursement of counties for the loss of tax revenues resulting from the acquisition of lands for State forest purposes.

Bill read third time.

Demand for Previous Question

Messrs. Armstrong, McMillan, Evans, Knight, John B., and Debs demanded the previous question.

Demand for previous question sustained

The question being on the passage of Assembly Bill No. 1103.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Leonard moved a call of the Assembly.

Motion carried. Time, 3.15 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON ASSEMBLY BILL NO. 85**

At 3 16 p.m., on motion of Mr. Kilpatrick, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 85 passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Collins, George D., Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick,

King, Knight, John B. Lyons, Maloney, Massion, McCollister, McMillan, Middough, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Thomas, and Weber—41.

• NOES—Armstrong, Bashore, Call, Carlson, Clarke, Crichton, Denny, Dilworth, Erwin, Field, Fourt, Hastain, Johnson, Kellems, Knight, T. Fenton; Kraft, Leonard, Lowrey, Miller, Niehouse, Potter, Price, Smith, Stream, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—32.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1571—An act to amend Section 1203.6 of, and to add Sections 1203.7, 1203.8, 1203.9, 1203.10, 1203.11, 1203.12, 1203.13, 1203.14, 1203.15 and 1203.16 to, the Fish and Game Code, relating to pheasants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1705—An act to amend Section 105 of the Vehicle Code, relating to the office of director.

Bill read third time.

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Demand for Previous Question

Messrs. Thurman, Evans, Watson, Middough, and Allen demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1705.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Berry, Brady, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B. Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Miller, O'Day, Potter, Price, Robertson, Sargent, Sawallsch, Sheridan, Stream, Thomas, Thompson, Thorp.

Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—57

NOES—Anderson, Brown, Carlson, Erwin, Heisinger, Kilpatrick, Knight, T. Fenton; Kraft, Masson, Middough, and Pelletier—11.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 343—An act to add Section 7421 to the Business and Professions Code, relating to temporary licenses for hairdressers and cosmeticians or cosmetologists.

Bill read third time.

Demand for Previous Question

Messrs. Robertson, Middough, Lyons, Evans, and Debs demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 343

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dilworth moved a call of the Assembly.

Motion carried. Time, 4.03 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

Hon. Arthur W. Carlson Presiding

At 4 10 p m. Hon. Arthur W. Carlson, Member of the Assembly from the Sixteenth District, presiding.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1525—An act to add Section 6365 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Gutliue, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellens, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons,

Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Collins, Sam L., and Sargent—2.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 561—An act to add Section 13841.1 to the Education Code, relating to leaves of absence for persons employed by school districts in positions requiring certification qualifications.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Thurman, Weber, Weybret, and Wollenberg—61.

NOES—Sam L. Collins—1.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 343

At 4:35 p.m., on motion of Mr. Dilworth, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 343 passed by the following vote:

AYES—Allen, Armstrong, Beck, Brown, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dills, Clayton A., Dilworth, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Hastain, Kellems, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Middough, Miller, Niehouse, Potter, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thorp, Watson, Weber, Werdel, Weybret, and Mr. Speaker—41.

NOES—Anderson, Bashore, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Crowley, Desmond, Dills, Ralph C., Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Lyons, Maloney, Massion, McCollister, McMillan, O'Day, Pelletier, Price, Sheridan, Thompson, Thurman, and Wollenberg—33.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been

granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 347—An act to amend Section 7 of the Unemployment Insurance Act, relating to excluded employments under said act.

Bill read third time.

Demand for Previous Question

Messrs. Erwin, Werdel, Stream, Middough, and Debs demanded the previous question

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 347.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Armstrong moved a call of the Assembly.

Motion carried. Time, 4.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

Speaker Presiding

At 5 p.m., Hon Charles W. Lyon, Speaker of the Assembly, presiding.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1225—An act to amend Section 9.2 of the Unemployment Insurance Act, relating to employment and wages under said act.

Bill read third time.

Demand for Previous Question

Messrs. Potter, Johnson, Thurman, Erwin, and Price demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1225.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. John B. Knight moved a call of the Assembly.

Motion carried. Time, 5.23 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1233—An act to amend Section 15 of the Unemployment Insurance Act, relating to election to become an employer and to have services deemed employment under said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowlev, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dulworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Mid dough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 46

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 46—Approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the twentieth day of April, 1943

Request for Unanimous Consent

Mrs. Niehouse asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 46, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 46

Senate Concurrent Resolution No. 46—Approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified

by the qualified electors of said city at the regular municipal election held therein on the twentieth day of April, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON ASSEMBLY BILL NO. 347**

At 5.32 p.m., on motion of Mr. Armstrong, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 347 passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Brown, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Desmond, Dilworth, Doyle, Erwin, Field, Fourt, Guthrie, Hastain, Heisinger, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Middough, Miller, Potter, Price, Sawallisch, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Mr. Speaker—42.

NOES—Anderson, Bennett, Berry, Brady, Burkhalter, Carey, Collins, George D., Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Kilpatrick, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sheridan, Thomas, and Wollenberg—32.

Bill ordered transmitted to the Senate.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON ASSEMBLY BILL NO. 1103**

At 5.35 p.m., on motion of Mr. Leonard, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1103 passed by the following vote:

AYES—Anderson, Armstrong, Berry, Brady, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Mr. Speaker—56.

NOES—Allen, Bashore, Beck, Bennett, Brown, Carlson, Denny, Evans, Gannon, Guthrie, Johnson, Knight, T. Fenton; Lowrey, Lyons, Potter, Price, Rosenthal, Smith, and Wollenberg—19.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been

granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1231—An act to amend Sections 55, 56, 57 and 57.5 and repeal Section 58 of the Unemployment Insurance Act, relating to eligibility for benefits under said act.

Bill read third time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out '55, 56, 57 and 57.5 and repeal section', and insert "56".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 6, inclusive, and insert "Sec 56. (a) An individual is not eligible for benefits for unemployment, and no such benefit shall be payable to him [under any of the following conditions: (a)] if he left his work because of a trade dispute and for the period during which he continues out of work by reason of the fact that the trade dispute is still in active progress in the establishment in which he was employed.

(b) If without good cause he has refused to accept suitable employment when offered to him, or failed to apply for suitable employment when notified by the district public employment office, he shall be disqualified for not less than one nor more than eight weeks as determined by the commission and his benefit account shall be charged with the benefits that would have been paid to him during this period if he had not been disqualified.

SEC. 2. Section 58 of said act is amended to read:

Sec. 58. [An individual shall not be eligible for benefits.]

(a) [For the week in which he has left] If an individual leaves his most recent work voluntarily without good cause, if so found by the commission, he shall be disqualified for not less than one nor more than eight weeks as determined by the commission and his benefit account shall be charged with the benefits that would have been paid to him during this period if he had not been disqualified. [and for the week which immediately follows such week]

(b) [For the week in which he] If an individual has been discharged for misconduct connected with his most recent work, if so found by the commission, [and for not more than the five weeks which immediately follow such week, as determined by the commission in each case according to the seriousness of the misconduct.] he shall be disqualified for not less than one nor more than eight weeks as determined by the commission and his benefit account shall be charged with the benefits that would have been paid to him during this period if he had not been disqualified.

(c) An individual shall be presumed to have been discharged for reasons other than misconduct in connection with his work and not to have voluntarily left his work without good cause unless his employer shall have given notice to the contrary to the commission in writing within five days after the termination of service, setting forth such facts as are necessary to establish a prima facie case in support thereof. If the employer files such notice, the question shall immediately be determined in the same manner as benefit claims.

(d) For the week in which he has willfully made a false statement or representation or willfully failed to report a material fact to obtain any benefits under the provisions of this act and for the [three next following weeks] 52 weeks immediately succeeding such week "

Amendment No. 3

On page 1 of said bill, strike out lines 7 to 24, inclusive; and strike out pages 2, 3, and 4.

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Collins, George D., Crichton, Debs, Denny, Dills, Clayton A., Dills, Ralph C,

Doyle, Dunn, Evans, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sawallisch, Sheridan, Thomas, and Weber—42.
 NOES—Armstrong, Call, Carlson, Clarke, Collins, Sam L. Desmond, Dilworth, Erwin, Field, Guthrie, Hastain, Johnson, Knight, John B. Knight, T. Fenton; Middough, Miller, Potter, Price, Smith, Stream, Thompson, Thorp, Watson, Werdel, Weybret, and Mr. Speaker—26

Bill ordered reprinted and re-engrossed.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1844—An act to amend Sections 422, 423, 450, and 452 of the Probate Code, relating to administration of estates of decedents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L. Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Mr. Speaker—61.

NOES—Beck and Sawallisch—2.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 209—An act to amend Sections 423, 450 and 452 of the Probate Code, relating to administration of estates of decedents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Field, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Johnson, King, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1095

Mr. Ralph C. Dills moved that Senate Bill No. 1095 be withdrawn from the Committee on Conservation, Natural Resources, and Planning, and re-referred to the Committee on Ways and Means.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1829—An act to amend Section 422 of the Probate Code, relating to the administration of estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Field, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Leonard, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Weber, Weybret, and Mr. Speaker—51.

NOES—Beck, Crichton, Dilworth, Sawallisch, Thomas, and Werdel—6.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1661—An act to add Section 885 to Article 2 of Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to appeals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, John B., Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF ASSEMBLY BILL NO. 123

Mr. Bashore moved that Assembly Bill No. 123 be withdrawn from the file, and re-referred to the Committee on Revenue and Taxation. Motion carried.

MOTION TO PRINT IN JOURNAL

Mr. Sam L. Collins asked for, and was granted, unanimous consent to have the following report printed in the Journal:

*Honorable Charles W. Lyon, Speaker of the Assembly
California Legislature, State Capitol, Sacramento, California*

DEAR MR. SPEAKER: Pursuant to the adoption of House Resolution No. 271, adopted by the Assembly on June 12, 1941, the Speaker appointed the following

Members of the Assembly to serve as members of the Assembly Interim Committee on State-Federal Cooperation in Production, Distribution, Processing, and Use of Petroleum Products: Honorable Fred N. Howser, Honorable Sam L. Collins, Honorable Ralph C. Dills, and Honorable Charles W. Lyon. Subsequent to their appointment, and in keeping with the provisions of the resolution, they met on October 9, 1941, in Los Angeles for the purpose of organizing and of dealing with such matters as might properly come before them. During the meeting, Speaker Gordon H. Garland was elected chairman of the committee, Honorable Fred N. Howser was elected vice chairman, and Honorable Ralph C. Dills was elected secretary.

After a lengthy discussion, it was decided to hold a series of meetings for the purpose of giving the people interested in the oil industry an opportunity to lay their problems before the committee and also for the purpose of acquainting the committee members with the problems of the industry in order that they might act more intelligently upon those problems and make a report to the Legislature for its use and information when dealing with matters pertaining to the oil industry during future sessions.

It will be noted from the date of the adoption of the resolution and also from the date of the subsequent meeting for organization, that the committee was authorized and organized prior to the time of the attack upon Pearl Harbor by Japan and, of course, prior to the time the United States became actively engaged in the present world conflict.

The purposes enumerated in the resolution for a study of the industry were, therefore, purposes or causes that originated during a peacetime economy insofar as the United States was concerned. Many of the problems studied and discussed, however, were problems that had risen from the fact that the United States was participating indirectly in the activity of the war through both the sale and the granting of oil products and commodities to the military authorities of this country and the sale and granting through the Lend-Lease arrangements of the Federal Government to foreign agencies.

Problems which were at that time of paramount interest and importance to the industry were soon to disappear through a solution to these problems which came with the entry of the United States directly and actively into the war against the Axis powers.

At the time this committee began its series of meetings, there was widespread concern and discussion with regard to the rationing or restriction of the development and production of oil and oil by-products in California, in particular, and the United States in general. Also, it was alleged by some people, particularly the Honorable Harold L. Ickes, Secretary of the Interior and Oil Coordinator appointed by President Roosevelt, that there was considerable waste occurring in the oil fields of California and that corrective measures should be taken to curb and, if possible, eliminate the alleged waste. The committee having come into possession of this information concluded at a meeting held on October 29, 1941, to ask Secretary Ickes to appear before the committee and state the facts concerning the allegation he had made of "waste" occurring in the development, production, and processing of oil commodities in California. The chairman wired Secretary Ickes inviting him to attend a hearing of the committee in San Francisco on November 6, 1941, at which time he was present in San Francisco attending a meeting of the American Petroleum Institute. He did not appear, however, and the chairman, acting upon the instructions of the committee, prepared and sent Secretary Ickes the following letter:

November 10, 1941

Honorable Harold L. Ickes
National Petroleum Coordinator
Washington, D. C.

MY DEAR MR ICKES: We regret very much that it was not possible for the committee to have the benefit of your personal advice while you were in San Francisco. Failing in that, however, I am instructed pursuant to a motion adopted by the Assembly Interim Committee on State-Federal Cooperation in Production, Distribution, Processing, and Use of Petroleum Products convened in San Francisco on November 6th, to request that you prepare a statement for the committee setting forth your views concerning the following matters of interest to the committee and the oil industry in the State of California:

1. The committee would like to have your definition of the term "waste" as you have used that term in connection with the industry in California;
2. We should like you to tell the committee where, how, and in your opinion to what extent waste is occurring in the oil industry in California; and,
3. We should like to have your suggestions and advice concerning corrective measures for remedial legislation to correct the alleged waste and all other detrimental practices in the industry.

May I again inform you that it is the desire of the committee to do everything possible to aid and assist in solving the problems of the industry, but, in order to act intelligently and in a helpful manner, it is absolutely necessary and essential that the committee have all information pertaining to the problem. In order that the committee may have the assurance that the information you furnish to the committee meets with your approval, we should like to have the same over your own signature.

Looking forward to hearing from you at your earliest convenience, I am,
Respectfully yours,

GORDON H. GARLAND, Chairman

In reply to the above communication, the committee received the following reply from Secretary Ickes:

*Hon. Gordon H. Garland, Speaker of the Assembly
California Legislature, Sacramento, California*

MY DEAR MR. GARLAND: Thank you for your letter of November 10th, informing me of the desires of the "Assembly Interim Committee on State-Federal Cooperation in Production, Distribution, Processing and Use of Petroleum Products" as expressed in a motion adopted on November 6, 1941, while that committee was convened in San Francisco.

My definition of "waste" in connection with the production of petroleum in California is the same used with reference to "waste" in all other oil areas. It is a generally accepted principle that the oil and gas in a field, prior to extraction, exist within the reservoir in a natural state of balanced energy. The moment the reservoir is tapped and a pressure differential created, the equilibrium of this natural energy is upset. It is the release of this natural energy from within the reservoir to the surface that brings oil and gas to the well and permits us to reduce it to surface possession.

During the gradual dissipation of this original natural energy, the efficiency with which it is harnessed and controlled for useful work determines the percentage of the original oil and gas content of the reservoir which can be produced and recovered. Inefficient use of reservoir energy in the production of petroleum is one form of waste.

The President of the United States, in a letter dated May 28, 1941, made the following statement:

Some of the problems . . . which require immediate action are: The proper development, production, and utilization of those reserves of crude oils and natural gas that are of strategic importance both in quality and location; . . . the most economical use of the raw materials, and efficiency of production and distribution; and the elimination of the drilling of unnecessary wells in proven fields.

Any practice or method of operation that is contrary to the principles set forth by the President is "waste" as I define the word in connection with oil and gas production.

The importance of the matter is twofold. There is to be considered, first, the immediate and urgent necessities of National defense, and secondly, the general welfare of the people of the United States over a long period of years. Oil and gas that is left economically unrecoverable in the reservoir, because of wasteful production methods, is lost to the public as well as to the industry.

In your second question you ask me where, how, and, in my opinion, to what extent waste is occurring in the oil industry in California. This is a matter involving many fields and many practices. In some cases there is little question but that "waste" exists and that it is avoidable "waste." In other cases there is "waste" but some question as to whether all of it is "avoidable waste." In still other cases the situation is not completely clear as yet, but is being studied.

I do not hesitate to state that there is "waste" taking place in California's oil and gas fields because it is true. Nevertheless, I feel that it would be unjust to single out certain fields for public criticism unless at the same time I was in a position to list all fields where waste was taking place. Furthermore, any such public statement, in my opinion, should include the kind and degree of waste taking place in each instance cited. There are very few oil producers in California who would deny that there is "some waste" in "some places." Among themselves, they differ only as to the degree of the waste and as to how much of it is avoidable and how much is unavoidable.

In order to deal justly with this situation and to have each particular situation adjudged by men familiar with California oil fields, their local distinctive characteristics and local operating problems, I have asked the Production Committee of District Five to work on this problem. It is composed

of representative California oil men of recognized ability and thoroughly familiar with California oil and gas production problems. The personnel of the committee is as follows: E. E. Pyles, Chairman, L. L. Auber, F. S. Bryant, R. E. Collins, L. A. Cranson, E. F. Davis, W. M. Keck, Jr., A. D. Mitchell, L. P. St. Clair, Lawrence Vander Leek, W. C. Whaley, and Lloyd Williamson.

On September 16, 1941, I asked this committee to formulate a definite plan for the maximum economic recovery of petroleum resources of California. The members of the Production Committee for District Five know that I am not merely interested in blaming someone or publicly stating that some operators in some particular field are guilty of "waste." My objective is to secure a constructive program that will eliminate such "waste" in the future. I trust that this makes my attitude on your second question clear.

The third point of your letter asked for suggestions and advice concerning corrective measures for remedial legislation to correct the alleged waste and all other detrimental practices in the industry. I can best reply to this by quoting from my letter to the Production Committee, the following:

...it would seem that any program proposed should include three major subjects, namely:

1. A statement of the purposes of the plan and the principles upon which it is founded

2. A detailed and definite plan for accomplishing the defined purposes in conformity with the basic principles

3. A scheme of organization which will indicate the function to be performed by such existing or other groups as your committee may deem necessary

In order to approach the realization of the foregoing objectives, it would seem that your committee should formulate and propose some definite plans for:

1. Encouraging and fostering the exploration for and discovery of petroleum and natural gas reserves at a rate not less than that by which known reserves are annually depleted.

2. The further development of all petroleum and natural gas reserves in such orderly and efficient manner as to result in the most effective and economical use of raw materials, supplies and equipment

3. The future development and production of the petroleum and natural gas reserves in such a way as to result in the most efficient and effective use of the natural reservoir energy or of the energy which may be artificially restored or augmented

4. Obtaining the maximum economic recovery of the limited petroleum and natural gas reserves

5. Efficiently supplying reasonable special demands for certain grades or kinds of petroleum at particular places.

6. Accomplishing the foregoing objectives without impairing or jeopardizing the present defense requirements or the defense and civilian needs of the future.

In addition to asking this committee of outstanding California oil men to work on a program aimed at these broad objectives, I also pointed out certain problems involved in the broad objectives, as follows:

You will appreciate, of course, that the formulation of working policies and plans, including the broad topics outlined above, will necessarily include such items as the spacing of wells for maximum economic recovery, and to accomplish the most effective use of materials and supplies that will be available under the priority system; the drilling of wells in such fields and at such a rate that the necessary additional reserves may become available as needed and so that the most effective use may be made of the limited supplies of equipment and material; the allocation of deliveries of crude from producing wells in such a way that unnecessary drilling will not be stimulated, the conservation of the resources of each reservoir reasonably conserved rather than unreasonably spent, the production and gathering of oil and natural gas in such manner and by such means that there may be no inefficient duplication of the equipment and facilities which again will be limited both in amount and availability.

I trust that this information makes my position clear to your committee. My objective is to achieve sound conservation practices and to eliminate avoidable "waste" of our petroleum and gas resources. I have outlined broad objectives of immediate vital importance to National defense and of long range vital importance to the State of California and the United States. These things are either self-evident necessities of the defense program or established scientific principles.

Since I have invited the assistance of a representative group of California oil producers in formulating a plan which will provide for a practical application of these principles, I feel confident that a satisfactory program will be evolved.

Sincerely yours,
(Signed)

HAROLD L. ICKES
Petroleum Coordinator for National Defense

It is felt that for whatever use this definition of "waste" on the part of the Oil Coordinator may be to the present or future sessions of the Legislature when dealing with problems of the oil industry, that the secretary's letter and definition of "waste" should be made a part of the official record of the Legislature.

As pointed out earlier in this report, many of these problems were soon to change and, in many cases, disappear. For example, when our work was begun, many of the small producers and refiners were complaining that they had a tremendous amount of gasoline and other refined products in storage for which they could not find a sale at a price which justified the production and processing of the commodity. They were also faced with the restrictions of materials and supplies for the drilling of wells because of a program that had been laid down by Federal authorities to curtail the production and processing of oil and oil products. In endeavoring to find a solution to the problems presented by the people in the industry, particularly the problem of the small refiners, the committee prepared and sent to the purchasing departments of the Army and the Navy a letter in which it pointed out the desirability and advisability of the military authorities' making purchases of certain materials from the small refiners in order that these small refiners might not be, at that time, forced out of business; that they might be kept solvent for the purpose of aiding and assisting in providing the strategic fuels and commodities so necessary to this Country should it become involved in the then impending world war. The following letter was forwarded on November 10, 1941:

*Purchasing Department
United States Army, Washington, D. C.*

GENTLEMEN: The California Assembly Interim Committee on State-Federal Cooperation in Production, Distribution, Processing and Use of Petroleum Products has held several meetings for the purpose of studying the problems of the oil industry in California. The first problem considered was that of the independent refineries, the status of which is indicated in this communication.

The Honorable Harold L. Ickes, Petroleum Coordinator for National Defense, addressing the American Petroleum Institute at San Francisco, warned that "Unfortunately, we are not even sure we have sufficient capacity for producing all of the ordinary gasoline that we will need. Our refineries of motor fuel are now pretty close to 100 per cent capacity, and the demand continues to rise."

In the face of these warnings we have, today, a critical situation facing a substantial portion of the total independent refining capacity of the Pacific Coast.

At the present time, there are 70 independent refiners in California representing a total daily through-put skimming capacity of 220,000 barrels of crude, or 23.01 per cent of the capacity of this area. The daily cracked gasoline capacity is 19,535 barrels, or 15.78 per cent of the total of that grade of gasoline. The capacity ratings used in this computation are taken from the report published by the United States Bureau of Mines, on January 1, 1941. Translated into maximum total capacity of gasoline production, based on an average yield of 24 per cent from skimming operations, these independent refineries represent a potential production of 91,432,000 gallons of finished gasoline per month. On October 1, 1941, 28 of these independent units were found to be closed down. These nonoperating plants included 36.95 per cent of the total independent skimming capacity.

Many of the independent refineries mentioned have been forced to close since June, 1940. Some of these have continued to operate at a loss month after month in an attempt to preserve the security of their employees, to protect their invested capital which, in the aggregate, represents an impressive total, to fulfill their obligations to their crude suppliers, and particularly, since the National defense effort has become of prime importance, to maintain their plants in condition to permit their maximum contribution to the service of the Nation when needed.

These shutdowns have occurred because the burdens of National defense have fallen and will continue to fall equally on all operating units in the industry, regardless of size, in the form of increased taxes, higher labor and material costs, restrictions on operating and maintenance supplies, and other hampering and expensive regulations. Offsetting economies, such as water terminals, extended pipe line systems, and exchange accounts, are generally not available to independents, resulting in a higher manufacturing cost than that of the integrated company.

These plants are vitally necessary to National defense in that they can produce all the commercial, and some of the special, grades of motor fuel required for defense purposes. A market on a cost-plus basis must be provided if these suspensions and abandonments are to be forestalled to preserve this refining capacity for defense output. *The Coordinator's office has plainly stated that the competitive status of all units within the industry must be preserved, and that no refiner should be permitted to close.*

It must be conceded that the highly decentralized locations of the numerous independent refining units in this area make their preservation necessary from a defense standpoint, their vulnerability being much lower and less susceptible to damage or destruction by sabotage or other forms of attack, than that of the closely grouped larger units operating in certain concentrated refining districts.

Taking one or more of the following steps immediately will preserve these units, which represent a substantial portion of the entire Pacific Coast capacity.

1. The accumulation by the Government of large stock piles of those products which will unquestionably be needed in vast quantities should the military and naval situation become acute. These products to be stored in existing tankage, or isolated inland storage to be constructed for that purpose.

2. Gathering cargoes of gasoline suitable for use in ordinary military or naval equipment not requiring maximum performance fuels.

3. Requiring prime contractors of maximum octane aviation fuels to subcontract with independents for straight run base stocks. Such requirements are reasonable in that public moneys are available for use by majors for construction of 100-octane plants with the probability of assured long-term profitable markets. Size and scope of operations of most independents prevent their sharing in such subsidies.

4. Arranging for participation by independents in Lease-Lend purchases for Russia and Britain, routing a portion of British requirements from Pacific Coast ports, at which independents can obtain terminal facilities.

5. Concede independents the same preference on Army and Navy bids for commercial grades of gasoline as is being granted to higher cost units in other industries, giving recognition to the principle voiced by certain administration officials to the effect that disparity in manufacturing costs should be overlooked in order to enable all industrial units to function normally.

6. Invitations to bid covering deliveries in the Pacific Coast area should be called for in unit quantities of smaller size than now prevails permitting independent participation in this type of business.

The committee would appreciate an expression from your department on the points set forth in this letter.

Respectfully yours,

GORDON H. GARLAND, Chairman,
Committee on State-Federal Cooperation in Production,
Distribution, Processing and Use of Petroleum Products

In reply to the above communication, the following reply was received from Brigadier General Charles Hines of the United States Army.

*Mr. Gordon H. Garland, Chairman,
Committee on State-Federal Cooperation in Production,
Distribution, Processing and Use of Petroleum Products,
California Legislature,
Sacramento, California*

DEAR MR. GARLAND: Your letter of November 10, 1941, addressed to the Purchasing Department, United States Army, has been referred to this office for reply.

This is an important matter and is receiving careful consideration by those agencies involved in its solution.

The Director of Refining in the Office of Petroleum Coordinator for National Defense has already had a preliminary survey made of this situation by the Pacific Coast Refining Committee, assisted by the United States Bureau of Mines. He is now sending a special representative to California to make a check of these plants to determine the potential value, mechanical condition, and the position of these plants in the National Defense Program. He has also taken up the subject of production from such plants with the British and Russian Petroleum Missions to determine the possibilities of supplies of materials from such plants. The man going to the Pacific Coast at the present time will summarize these preliminary data with his findings and determine their possibilities in this broad program.

Both this office and the Office of Petroleum Coordinator are cooperating fully to the end that all elements of this important industry will be used to the fullest possible extent at this critical time.

Very truly yours,

(Signed)

CHARLES HINES,
Brigadier General, U S A, Director, Planning Branch

These situations, however, no longer exist, for the committee is now reliably informed that whereas the Federal authorities were, at that time, advising and enforcing production and processing regulations and curtailment programs, they are now recommending and insisting upon maximum production and processing of all oil and oil commodities in order to facilitate the war effort.

During the numerous meetings held by the committee, many other problems peculiar to the oil industry were presented to and discussed by the committee as indicated by the minutes of the meetings which are appended to this report. It was apparent to the committee that a great deal of misunderstanding and lack of understanding concerning problems of the oil industry existed in the Legislature and we are of the opinion that a great deal more study could be most profitably given to the problems of the industry by similar committees of the Legislature in the future.

The committee was very careful in all of its operations to protect all of the legitimate interests of the industry. It was also economical in the conduct of its business as is witnessed from the fact that we return out of the \$2,500 appropriated for the use of the committee a balance of \$805 13

Respectfully submitted,

GORDON H. GARLAND, Chairman
CHARLES W. LYON
RALPH C. DILLS
SAM L. COLLINS

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1259—An act to add Section 13003.1 to the Education Code, relating to persons employed by school districts in positions requiring certification qualifications.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Carey, Carlson, Collins, Sam L. Crichton, Crowley, Dilworth, Doyle, Dunn, Field, Haggerty, Hastain, Hawkins, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—42.
NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1383—An act to add Section 20355 to the Education Code, relating to dormitories, cafeterias and student stores.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bashore moved a call of the Assembly.

Motion carried. Time, 8.43 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

MOTION TO ALLOW SERVICE MEN TO ENTER CHAMBER

Mr. Gannon moved that all men in uniform and their escorts be allowed the privilege of being seated in the rear of the chamber.

Motion carried unanimously.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1983—An act to add Section 15159 to the Health and Safety Code, relating to application of the State Housing Act, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Harvey E. Hastain Presiding

At 8.50 p.m., Hon. Harvey E. Hastain, Member of the Assembly from the Seventy-seventh District, presiding.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 759—An act to amend Section 30 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Field, Gaffney, Gannon, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—55.

NOES—None

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 902—An act to amend Section 8 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Burkhalter, Call, Carey, Carlson, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—57.

NOES—Brown, Heisinger, and Lowrey—3.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1383

At 9.01 p.m., on motion of Mr. Bashore, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1383 refused passage by the following vote:

AYES—Allen, Bashore, Berry, Burkhalter, Crichton, Crowley, Dills, Ralph C., Doyle, Evans, Haggerty, Heisinger, King, Knight, John B., Maloney, Niehouse, O'Day, Sargent, Stream, and Weber—19.

NOES—Anderson, Beck, Bennett, Brown, Call, Carey, Carlson, Collins, Sam L., Debs, Denny, Desmond, Dills, Clayton A., Dilworth, Gaffney, Gannon, Hawkins, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Smith, Thorp, Thurman, Waters, Watson, Werdel, and Weybret—38.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 903—An act to amend Section 7 of the Corporation Income Tax Act, relating to corporation taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Doyle, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, King, Leonard, Lyons, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—54.

NOES—Anderson, Dills, Ralph C., Heisinger, Kilpatrick, Lowrey, and Massion—6.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1396—An act to amend Section 4 of the Corporation Income Tax Act of 1937, relating to corporation taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—60.

NOES—Heisinger and Lowrey—2.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1399—An act to amend Section 4 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Kellems, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—60.

NOES—Heisinger and Kilpatrick—2.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 720—An act to add Sections 741.1, 741.3, 741.5, 741.7, 741.8 and 741.9 to the Code of Civil Procedure, all relating to compensation for taxes paid and improvements made by occupying claimants of real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1265—An act to add Article 9 to Chapter 7 of Part 3 of Division 5 of the School Code, comprising Sections 5.725 to 5.725q, inclusive, and to add Article 8 to Chapter 11 of Division 7 of the Education Code, comprising Sections 13701 to 13718, inclusive, relating to emergency leaves of absence, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Robertson, Pelletier, Knight, John B., Weber, and Potter demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 1265.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Fourt, Gaffney, Haggerty, Hawkins, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Mr. Speaker—54.

NOES—Armstrong, Bashore, Call, Denny, Dickey, Gannon, Heisinger, Lowrey, Pelletier, Sheridan, and Werdel—11.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Fourt, Gaffney, Haggerty, Hastam, Hawkins, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—59.

NOES—Bashore, Dickey, Heisinger, Lowrey, Pelletier, and Sheridan—6.

Bill ordered transmitted to the Senate.

MOTION TO TABLE ASSEMBLY BILL NO. 258

Mr. Gannon moved that Assembly Bill No 258 be laid on the table.
Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 520—An act to add Section 87.5 to the State Civil Service Act, relating to promotions and promotional examinations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Evans, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1897—An act to add Section 6722 to the Welfare and Institutions Code, and to repeal Section 6664 thereof, relating to State institutions, including the inmates thereof and persons committed thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney,

Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, and Weybret—65.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered :

Assembly Bill No. 428—An act to add Section 6346.5 to the Business and Professions Code, relating to the retirement of officers and employees of county law libraries.

Bill read third time.

The bill was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered :

Assembly Bill No. 1062—An act to amend Section 5.1112 of the School Code and to add Section 14702 to the Education Code, relating to members of district retirement systems, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—64.

NOES—None.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price,

Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 701—An act to add Section 281.5 to the Agricultural Code, relating to licensed wax-salvage plants, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 2008—An act to add Section 797 to the Agricultural Code, relating to citrus fruits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered :

Assembly Bill No. 500—An act to amend Section 4701 of the Labor Code, relating to workmen's compensation, including burial expenses and death benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McColhister, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Werbret, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered :

Assembly Bill No. 1234—An act to amend Sections 41 and 61, and to repeal Section 41.3 of, and to add Section 41.6 to, the Unemployment Insurance Act, relating to contributions, funds and accounts under the act.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. John B. Knight moved a call of the Assembly.

Motion carried. Time, 10.15 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT****Speaker Presiding**

At 10.25 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)****Permission to Consider Assembly Bill**

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been

granted by a three-quarter vote of the members, the following Assembly bill was considered :

Assembly Bill No. 648—An act to add Section 53.65 to the Alcoholic Beverage Act, relating to bottles.

Bill read third time.

Demand for Previous Question

Messrs. Robertson, Waters, Debs, Knight, John B., and Rosenthal demanded the previous question.

The roll was called, and the demand for previous question sustained by the following vote :

AYES—Allen, Anderson, Bennett, Berry, Burkhalter, Burns, Call, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Evans, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Price, Robertson, Rosenthal, Thomas, Thorp, Thurman, Waters, Weber, Weybret, and Mr. Speaker—44.

NOES—Armstrong, Bashore, Brown, Carey, Carlson, Collins, George D., Desmond, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Hastain, Johnson, Knight, John B., Knight, T. Fenton; Kraft, Maloney, O'Day, Pelletier, Potter, Sargent, Smith, Stream, Watson, Werdel, and Wollenberg—28.

The question being on the passage of Assembly Bill No. 648.

The bill was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sawallsch, Sheridan, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Weybret, and Mr. Speaker—56.

NOES—Carlson, Collins, George D., Dilworth, Dunn, Erwin, Fourt, Johnson, Kellems, Knight, T. Fenton; Potter, Price, Sargent, Smith, Watson, Werdel, and Wollenberg—16.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered :

Assembly Bill No. 583—An act to add Sections 102 and 611.7 to the Fish and Game Code, creating a new fish and game district and regulating the taking of trout therein.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Constitutional Amendment No. 40: By Mr. Ralph C. Dills—A resolution proposing to the people of the State of California to amend Section 9 of Article IX of the Constitution of said State, relating to the ex officio membership of The Board of Regents of the University of California.

Without reference to committee.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1976—An act to add Section 699.5 to the Military and Veterans Code, relating to assistance to veterans, prescribing the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1560—An act to amend Sections 658 and 658.1 of the Fish and Game Code, relating to the taking of salmon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Potter, Price, Rosenthal,

Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1989—An act to add Section 22.5 to the Fish and Game Code, to empower the State Fish and Game Commission to insure boats and personnel, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly resolution was considered:

Assembly Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 1 of Article XX relating to the seat of Government.

Resolution read.

Demand for Previous Question

Messrs. Lowrey, Kellems, Watson, King, and Beck demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 38.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Burkhalter, Call, Debs, Dilworth, Field, Fourt, Hastain, Hollibaugh, Kellems, Knight, T. Fenton; Leonard, Massion, Miller, Pelletier, Price, Robertson, Sawallisch, Sheridan, Stream, Waters, Werdel, Weybret, and Mr. Speaker—27.

NOES—Beck, Bennett, Berry, Brown, Burns, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Kraft, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Niehouse, O'Day, Potter, Rosenthal, Sargent, Smith, Thomas, Thorp, Thurman, Watson, Weber, and Wollenberg—45.

Speaker Pro Tempore Presiding

At 10.30 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 822—An act to add Sections 5501.5 and 5537.5 to and to amend Section 5537 of the Business and Professions Code, relating to architecture.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Maloney, McMillan, Middough, Niehouse, Price, Robertson, Sawallisch, Smith, Stream, Thomas, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—54.

NOES—Allen, Beck, Carlson, Dickey, Knight, T. Fenton; Lowrey, Lyons, Massion, McCollister, Miller, Potter, Rosenthal, Sargent, Sheridan, Thompson, and Thurman—16.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1225

At 10.31 p.m., on motion of Mr. John B. Knight, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1225 passed by the following vote:

AYES—Allen, Armstrong, Bashore, Call, Carlson, Clarke, Collins, Sam L., Denny, Desmond, Dickey, Dilworth, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Hastain, Heisinger, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, McCollister, Middough, Miller, Potter, Price, Sawallisch, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—43.

NOES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Gaffney, Haggerty, Hawkins, Hollibaugh, Kilpatrick, Lowrey, Lyons, Maloney, Massion, McMillan, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sheridan, and Thomas—34.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 157—An act to amend Sections 5000, 5001, and 5002 of the Business and Professions Code, relating to the State Board of Accountancy.

Bill read third time.

Demand for Previous Question

Messrs. Robertson, Dilworth, Dills, Ralph C., Watson, and Stream demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 157.

The roll was called, and the bill refused passage by the following vote:

AYES—Anderson, Brady, Call, Crichton, Dills, Ralph C., Doyle, Evans, Fourt, Hollibaugh, King, Knight, John B., Leonard, Lyons, McCollister, Middough, Niehouse, Robertson, Sawallisch, Smith, and Thurman—20.

NOES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carlson, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dunn, Erwin, Field, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Lowrey, Maloney, Massion, McMillan, Miller, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Watson, Werdel, Wollenberg, and Mr. Speaker—48.

MOTION TO TABLE ASSEMBLY BILL NO. 158

Mr. Sawallisch moved that Assembly Bill No. 158 be laid on the table.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)****Permission to Consider Assembly Bill**

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1697—An act to add Section 995.3 to the Fish and Game Code, relating to fish traps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Has-tan, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1999—An act making an appropriation to the Reclamation Board for the purpose of acquiring by purchase, condemnation or other legal means, property, lands, rights of way and easements for the construction, completion and operation of the Yolo By-pass and for the construction of incidental works and for settlement and payment of claims for damages done to property by the flood waters of the Yolo By-pass; and declaring the urgency hereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A. Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Holibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Pelletier and Thorp—2

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A. Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Holibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Pelletier and Thorp—2

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 2001—An act creating the Palm Springs Winter Park Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Natural Resources in connection therewith, and authorizing the Department of Natural Resources to cooperate with the Authority; authorizing the Authority to construct and operate systems for the transportation of persons and property to Mt. San Jacinto State Park and for the improvement of the recreational facilities in said park, including the development, operation and maintenance of ski grounds and all facilities necessary or convenient for winter sports; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; appropriating such proceeds

and all revenues received from the operation of the projects to the uses and purposes set forth herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Berry, Brown, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—59.

NOES—Beck, Kilpatrick, Lyons, Massion, and McMillan—5.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 674—An act to add Section 325 to Article 2 of Chapter 1, of Division 3 of the Agricultural Code, relating to foreign cold storage meat.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

MOTION TO SEND FLOWERS TO MRS. WATERS

Mr. Sam L. Collins moved that the Chief Clerk be instructed to send flowers to Mrs. Frank Waters, who is ill in the hospital, and to express to her the best wishes of the Assembly for a speedy recovery.

Motion carried.

RE-REFERENCE OF ASSEMBLY BILL NO. 616

Mr. Bashore moved that Assembly Bill No. 616 be withdrawn from the file, and re-referred to the Committee on Public Morals.

Motion carried unanimously.

EXPRESSION OF THANKS

An expression of thanks to the following ladies for serving refreshments to the members was expressed by Speaker Lyon on behalf of the Assembly: Mesdames Fred H. Kraft, J. J. Hollibaugh, William H. Rosenthal, Elwyn Bennett, Edward Carey, Lee Bashore, Lothrop Smith, and Franklin Potter.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1601—An act to amend Sections 452, 4923, 4930, 4942, and 4950 of the School Code and to amend Sections 5453, 7303, 7307, 7203 and 7226 of the Education Code, relating to the support of public junior colleges, declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Watson, Weber, Werdel, Weybret, and Mr. Speaker—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Watson, Weber, Werdel, Weybret, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 57—An act making an appropriation to meet the deficiency in the appropriation for workmen's compensation benefits of State officers and employees and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Field, Fourt,

Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thurman, Watson, Weber, Werdel, Weybret, and Mr. Speaker—60

NOES—Armstrong, Carlson, Clarke, Deuny, Erwin, Stream, and Thorp—7.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered :

Assembly Bill No. 998—An act to add Section 2264 to the Political Code and to add Section 20924 to the Education Code, relating to the employment of a field worker at the California School for the Blind.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered :

Assembly Bill No. 545—An act relating to the construction, installation, equipping, stocking and operation of vending stands in public buildings of the State and counties, cities and counties and counties and cities, and providing for their operation by licensed blind persons, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 602—An act to amend Sections 3420 and 3472 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, increasing the amount of such aid, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—65.

NOES—Carlson, Collins, Sam L., Denny, Dilworth, Hastain, Heisinger, Knight, T. Fenton; Potter, and Stream—9.

Bill ordered transmitted to the Senate.

Hon. C. Don Field Presiding

At 10.32 p.m., Hon. C. Don Field, Member of the Assembly from the Forty-third District, presiding.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 603—An act to amend Sections 3025 and 3084 of the Welfare and Institutions Code, relating to aid to the needy blind, increasing the amount of such aid, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—61.

NOES—Carlson, Erwin, Heisinger, Knight, T. Fenton; Potter, and Stream—6.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1234

At 10.33 p.m. on motion of Mr. John B. Knight, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1234 passed by the following vote:

AYES—Allen, Armstrong, Bashore, Call, Carlson, Clarke, Collins, Sam L., Denny, Desmond, Dickey, Dilworth, Erwin, Field, Fourt, Gannon, Hastain, Heisinger,

Johnson, Kellems, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, McCollister, Middough, Miller, Potter, Price, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Haggerty, Hawkins, Hollibaugh, Kilpatrick, Lowrey, Lyons, Maloney, Massion, McMillan, O'Day, Pelletier, Rosenthal, Sargent, Sawalisch, Sheridan, and Thomas—35.

Motion to Amend Title

Mr. McCollister moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out “, and to add Section 41.6 to,”.

Amendment read and adopted.

Bill ordered reprinted, and transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 805—An act making an appropriation for the destruction of beet leaf hoppers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hastan, Hawkins, Hirsinger, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—66

NOES—Denny—1.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 2007—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land in Santa Barbara County as part of the State Park System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Burkhalter, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Diekey, Dills, Clayton A.,

Dills, Ralph C., Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Stream, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—52.

NOES—Allen, Carlson, Clarke, Dunn, Hastain, Lowrey, Massion, Potter, and Thomas—9.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 10.35 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 2012—An act to repeal Section 2553.5 of the Business and Professions Code.

Bill read third time.

Motion to Re-refer Assembly Bill No. 2012 to Committee

Mr. Desmond moved that Assembly Bill No. 2012 be re-referred to the Committee on Public Health.

Mr. Ralph C. Dills seconded the motion

Demand for Previous Question

Messrs. Evans, Lowrey, Thurman, Berry, and Beck demanded the previous question.

Demand for the previous question sustained.

The question being on the motion to re-refer Assembly Bill No. 2012 to the Committee on Public Health.

The roll was called, and the motion carried by the following vote:

AYES—Bashore, Beck, Berry, Brown, Burkhalter, Burns, Carlson, Clarke, Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Hastain, Heisinger, Johnson, Kellems, Leonard, Lowrey, Lyons, Miller, Niehouse, Pelletier, Price, Robertson, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, and Werdel—42.

NOES—Anderson, Bennett, Brady, Call, Collins, George D., Collins, Sam L., Debs, Haggerty, Hawkins, Hollibaugh, Knight, John B., Maloney, Massion, McCollister, McMillan, Middough, O'Day, Potter, Sargent, Thomas, and Mr. Speaker—21.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 2010—An act to amend Section 10 of the Public Utilities Act, relating to salaries of commissioners.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Field moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Berry, Brady, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Denny, Desmond, Doyle, Field, Fourt, Gaffney, Hastain, Hollibaugh, Johnson, Kellem, Knight, John B., Leonard, Lyons, Maloney, McCollister, Price, Robertson, Sargent, Sawallisch, Thomas, Watson, Weber, Weybret, and Mr. Speaker—33

NOES—Bennett, Burkhalter, Carey, Carlson, Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Evans, Haggerty, Hawkins, Heisinger, Kilpatrick, Kraft, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Smith, Stream, and Werdel—24.

Time, 10.36 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

MOTION TO WITHDRAW ASSEMBLY BILL NO. 1973 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Gaffney moved that Assembly Bill No. 1973 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Gaffney moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bennett, Berry, Burkhalter, Call, Carey, Denny, Desmond, Doyle, Dunn, Field, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, Maloney, Massion, McMillan, Middough, O'Day, Robertson, Sargent, and Thomas—27.

NOES—Bashore, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Evans, Fourt, Hastain, Kraft, Lyons, Miller, Pelletier, Price, Smith, Stream, Watson, Werdel, and Weybret—19.

Time, 10.37 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

MOTION TO PLACE ASSEMBLY BILL NO. 1722 ON FILE

Mr. Johnson moved that Assembly Bill No. 1722, as amended, be placed upon the file.

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON ASSEMBLY BILL NO. 2010**

At 10 38 p.m., on motion of Mr. Field, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2010 passed by the following vote:

AYES—Allen, Bennett, Berry, Brady, Call, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lyons, Maloney, McMillan, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Weybret, and Mr. Speaker—47

NOES—Anderson, Beek, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Denny, Dills, Ralph C., King, Kraft, Lowrey, Massion, McCollister, Middough, Miller, Pelletier, Potter, Sheridan, Thomas, and Werdel—22.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. O'Day, Gaffney, Collins, George D., Haggerty, Maloney, Wollenberg, Berry, Brady, and Allen:

House Resolution No. 225

Relative to the demise of Anthony Boicelli

WHEREAS, Anthony Boicelli was ever active in affairs having to do with the advancement of the interests of veterans in San Francisco and the State of California, having been Chairman of the Veterans' Welfare Board since 1940, was a Past Commander of the Zane-Irwin Post, American Legion, Past President of the 91st Division Association and a member of the McQuaide Post, Veterans of Foreign Wars; and

WHEREAS, His kindly efforts on behalf of his fellow men have endeared him to the people of San Francisco and to the people of the whole State; and

WHEREAS, Anthony Boicelli was stricken while engaged in his official duties and passed over the Great Divide on Monday, April 26, 1943; now, therefore, be it

Resolved by the Assembly of the State of California. That the Members of the Assembly hereby express their distinct sense of shock and loss in the untimely death of so faithful a public servant and their heartfelt sympathy to Mrs. Jane Boicelli, his widow; and be it further

Resolved. That when this Assembly this day adjourns, it do so in honor and remembrance of the said Anthony Boicelli; and be it further

Resolved. That the Chief Clerk of this Assembly be instructed to prepare and transmit to Mrs. Jane Boicelli a copy of this resolution

Request for Unanimous Consent

Mr. O'Day asked for, and was granted, unanimous consent to take up House Resolution No. 225, at this time, without reference to committee.

Resolution read and adopted by a rising vote of the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON WITHDRAWAL OF ASSEMBLY BILL NO. 1973

At 10.39 p.m., on motion of Mr. Gaffney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion to withdraw Assembly Bill No. 1973 from the Committee on Ways and Means lost by the following vote:

AYES—Bennett, Berry, Brady, Burkhalter, Collins, George D., Collins, Sam L., Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dovie, Dunn, Gaffney, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Kraft, Maloney, Massion, McMillan, Middough, O'Day, Robertson, Thomas, Weber, and Mr. Speaker—29.

NOES—Allen, Bashore, Call, Carlson, Clarke, Crichton, Denny, Evans, Hastain, Hollibaugh, Leonard, Lyons, Miller, Niehouse, Pelletier, Potter, Price, Sargent, Smith, Stream, Thurman, and Watson—22.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1322

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1322—An act to amend Sections 799 and 800 of the Political Code, relating to qualification of notaries public.

Bill read second time, and ordered engrossed.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1501 re-referred to the Committee on Motor Vehicles.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 440

Assembly Bill No. 1501

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1789

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1504

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1231

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 876
 Assembly Bill No. 883
 Assembly Bill No. 884

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 35	Senate Bill No. 502
Senate Bill No. 234	Senate Bill No. 538
Senate Bill No. 240	Senate Bill No. 618
Senate Bill No. 270	Senate Bill No. 620
Senate Bill No. 365	Senate Bill No. 647
Senate Bill No. 367	Senate Bill No. 1061
Senate Bill No. 406	Senate Bill No. 1110
Senate Bill No. 431	

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 370	Senate Bill No. 910
Senate Bill No. 410	Senate Bill No. 987
Senate Bill No. 611	Senate Bill No. 1082
Senate Bill No. 669	Senate Bill No. 1083
Senate Bill No. 692	Senate Bill No. 1090
Senate Bill No. 746	Senate Bill No. 1103
Senate Bill No. 830	Senate Bill No. 1104
Senate Bill No. 865	Senate Bill No. 1114
Senate Bill No. 890	Senate Bill No. 1115
Senate Bill No. 902	

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 103	Senate Bill No. 445
Senate Bill No. 129	Senate Bill No. 509
Senate Bill No. 198	Senate Bill No. 796

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 27, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 40	Senate Concurrent Resolution No. 45
Senate Concurrent Resolution No. 44	Senate Concurrent Resolution No. 47
Senate Concurrent Resolution No. 10	

J. A. BEEK, Secretary of the Senate
 By MARGARET DOUVILLE, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 35—An act to amend Sections 65, 66, 79, 83, 83b, 84, 86, 88, 93, 108 and 109 of, and to add Section 100b to, the State

Employees' Retirement Act, relating to a retirement system for public employees.

Referred to Committee on Civil Service and State Departments.

Senate Bill No. 234—An act making an appropriation to the State Department of Education for the acquisition of real property for the San Jose State College.

Referred to Committee on Ways and Means.

Senate Bill No. 240—An act making an appropriation for the purchase of land for the Fresno State College.

Referred to Committee on Ways and Means.

Senate Bill No. 270—An act making an appropriation for the acquisition of real property for the Humboldt State College.

Referred to Committee on Ways and Means.

Senate Bill No. 365—An act to amend Section 312 of the Agricultural Code, relating to meat inspection.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 367—An act to amend Section 472 of the Political Code, relating to the powers and duties of the Attorney General, the employment of special counsel, and the appointment of assistants and deputies in such office, and fixing the salaries of such assistants and deputies.

Referred to Committee on Judiciary.

Senate Bill No. 406—An act making an appropriation to the Department of Agriculture for the construction, maintenance and operation of a highway inspection station for the purpose of enforcing certain provisions of the Agricultural Code.

Referred to Committee on Agriculture.

Senate Bill No. 431—An act appropriating money for construction, improvement, and equipment for the California Maritime Academy.

Referred to Committee on Ways and Means.

Senate Bill No. 502—An act to amend Sections 1071, 2422, 2423, 2481, 2502, 2561, 2584, 2802, 2833, 2893, 2922, 2962, 3431, 3462, 3591, 3661, 3691, 3722, 3742, 3743, 3761, 3825, 3841, 3851, 3962, 4281, 4341, 18461 and 18478, and to repeal Section 3403 of, and to amend the article heading of Article 14, of Chapter 11, Division 2 of the Education Code, relating to the Public School System.

Referred to Committee on Education

Senate Bill No. 538—An act making an appropriation for the improvement of county airports in the County of Inyo.

Referred to Committee on Municipal and County Government.

Senate Bill No. 618—An act to add Section 4.925 to the School Code and to add Section 7305 to the Education Code, relating to the

average daily attendance of high school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 620—An act making an appropriation for the purchase of land for the San Francisco State College.

Referred to Committee on Ways and Means.

Senate Bill No. 647—An act making an appropriation for the acquisition of real property for the Santa Barbara State College.

Referred to Committee on Ways and Means.

Senate Bill No. 1061—An act to amend Sections 1 and 4 of an act entitled "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, relating to the California Farm Debt Adjustment Commission, including extension of the period of existence of and membership upon the commission; making an appropriation therefor.

Referred to Committee on Agriculture.

Senate Bill No. 1110—An act to add Article 2.5 to Chapter 5 of Division 9 of the Education Code, relating to the leasing of real property by school districts, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Education

Senate Bill No. 370—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 13.13a, relating to the duties of the Building and Loan Commissioner while in possession of the property, business and assets of a building and loan association, and to accounts, inspection of records and annual reports.

Referred to Committee on Education.

Senate Bill No. 410—An act making an appropriation for the acquisition for State park purposes of certain lands in San Mateo County to be incorporated in the State Park System.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 611—An act to provide for the acquisition of the Mount Tamalpais Ridgecrest Boulevard by the State, and the inclusion thereof in the Park System, and making an appropriation therefor.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 669—An act to add Section 6829 to the Revenue and Taxation Code, relating to the sales tax.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 692—An act making an appropriation for the purchase of land by the Director of Institutions.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 746—An act to amend Sections 2761, 2762, 2763, 2764, 2765, 2766, 2769 and 2770 of, to add Section 2775 to, and repeal Sections 2773 and 2774 of, the Penal Code, relating to prison road camps.

Referred to Committee on Judiciary.

Senate Bill No. 830—An act to amend Section 10055 of the Business and Professions Code, relating to the Real Estate Commissioner.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 865—An act making an appropriation for the acquisition, development and protection of ocean beaches for public recreational use and for correction of beach and cliff erosion.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 890—An act making an appropriation to the Department of Agriculture for predatory animal control.

Referred to Committee on Agriculture.

Senate Bill No. 902—An act to add Section 6359.5 to the Revenue and Taxation Code, relating to the sales and use taxes and exemptions therefrom.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 910—An act making an appropriation to the Department of Agriculture for the purpose of constructing, establishing, equipping, and operating a poultry and animal disease diagnostic and testing laboratory in Stanislaus County.

Referred to Committee on Agriculture.

Senate Bill No. 987—An act to amend Section 6004 of the Water Code, relating to dams and to amend Section 2 of an act entitled "An act providing for the supervision of dams by the Department of Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and providing penalties for violations thereof and making an appropriation therefor," approved June 10, 1929, as amended, relating to dams

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 1082—An act providing for preparation for post-war State highway construction projects, and making an appropriation therefor.

Referred to Committee on Roads and Highways.

Senate Bill No. 1083—An act providing for preparation for post-war county highway construction projects, and making an appropriation therefor.

Referred to Committee on Roads and Highways.

Senate Bill No. 1090—An act to amend Section 1015 of the Fish and Game Code, relating to the privilege tax for the taking of salmon.

Referred to Committee on Fish and Game.

Senate Bill No. 1103—An act to amend Sections 2003, 2005, 2008, 2020, 2021, 2140, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2187, 2222, and 2224 of the Welfare and Institutions Code, and to add Sections 2014, 2016, 2017, 2020.05, 2142.5, 2143, 2162.5, 2163.1, 2163.2, 2163.7, 2181.1, 2182.1, 2183.1, and 2194 thereto, relating to aid to the aged, to take effect immediately, and to become operative as therein provided.

Referred to Committee on Social Welfare.

Senate Bill No. 1104—An act to add Section 6077.6 to the Harbors and Navigation Code, relating to harbor districts.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 1114—An act making an appropriation for the contingent expenses of the Senate for the Fifty-fifth Session of the Legislature including committee expenses, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 1115—An act to amend Section 4237.9 of the Political Code, relating to grand jurors and trial jurors fees and mileage in counties of the eighth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 103—An act to amend Section 6051 and Section 6201 of the Revenue and Taxation Code, relating to the rates of the sales and use taxes, providing for the use of part of the proceeds of said taxes, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 129—An act to amend Section 54 of the Unemployment Insurance Act, relating to the weekly benefit amount.

Referred to Committee on Finance and Insurance.

Senate Bill No. 198—An act to amend Section 4803 of, and add Sections 4807.2, 4807.3, 4812.5 and 4814 to, the Penal Code, relating to commutations, pardons, and the Advisory Pardon Board.

Referred to Committee on Crime and Correction.

Senate Bill No. 445—An act to add Sections 506.6 and 506.7 to the Public Resources Code, relating to the powers and duties of the State Park Commission respecting shoreline protection, improvement and development of State or publicly owned beaches and to appointment of a Beach Erosion Control Engineer.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 509—An act to add Article 6, comprising Sections 4421 to 4432, inclusive, to Chapter 2 of Division 4 of the Public Resources Code, relating to the acquisition and reforestation of cutover lands, making an appropriation and creating a fund.

Referred to Committee on Conservation, Natural Resources, and Planning.

Senate Bill No. 796—An act to provide for civilian defense activities and for the allocation of State funds to counties, cities and counties, cities, and public districts, to establish a Civilian Defense Allocation Board and prescribe its powers, duties and functions, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Senate Concurrent Resolution No. 40—Relative to continuing in existence the Fact-finding Committee created by Senate Concurrent Resolution No. 13 of the Fifty-fifth Session, and authorizing the study of economic planning.

Referred to Committee on Rules and House Functions.

Senate Concurrent Resolution No. 44—Relative to providing for the appointment of a Joint Committee to study and to report upon the water, flood control and erosion problems of the State.

Referred to Committee on Rules and House Functions.

Senate Concurrent Resolution No. 10—Relative to the creation of a Joint Committee on the Tax Structure of the State to study, investigate, and report on the subject of taxation in the State.

Referred to Committee on Rules and House Functions.

Senate Concurrent Resolution No. 45—Relative to the creation of a Joint Committee to Investigate the Water Situation at Needles and Vicinity.

Referred to Committee on Rules and House Functions.

Senate Concurrent Resolution No. 47—Relative to investigating committees.

Referred to Committee on Rules and House Functions.

RECESS

At 10.40 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 10.41 p.m.

REASSEMBLED

At 10.41 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dunn:

House Resolution No. 226

Relative to the "Spirit of Freedom" Monument as designed by Mr. Amos A. Wyckoff

WHEREAS, The Flag of the United States of America and the Liberty Bell are symbols of the highest American ideals; and

WHEREAS, No monument has been erected to personify the ideals and spirit for which the American Flag and the Liberty Bell are fitting emblems; and

WHEREAS, One Amos A. Wyckoff of Oakland has designed a monument which is known as "Spirit of Freedom," which would be a most fitting, imposing and inspiring memorial to the people of the United States, and which monument is more particularly described as follows:

1. The 13 steps represent the 13 colonies.

2. There are 48 columns, one to represent each State.
3. The gear wheel represents the power of our United States.
4. There are 48 cogs, one for each State in the Union, to represent the power of each State. Inside each cog will be the exhibit room for each State.
5. Between each cog there will be placed a statue of the pioneers who fought their way here to make it possible for our people to live.
6. The building is constructed of four cross-like sections with niches in which to place statues.
7. On top of the building will be the statue of the California bear.
8. Facing the east will be a statue of the first mother of California, holding a child, which represents, as the sun rises the new-born is coming to light.
9. Facing the west will be a statue of the first immigrant scout of California.
10. The Liberty Bell forms the dome. Inside the dome will be the paintings of war scenes. Also a statue of the man who rang the Liberty Bell so hard he cracked it.
11. Then comes the tower rising to a great height of approximately 800 feet. In this tower will be elevators running to the observation room, where visitors will pay a small fee to have a view of beautiful cities and surrounding area, as well as the beautiful blue Pacific Ocean. The income can be used for the upkeep.
12. On top of the tower will be a powerful light for protection and guidance of airplanes.
13. Four large American Eagles, representing the keenness of vision of our United States, will face the north, south, east and west. The eagles to be outlined in neon lights are guarding the American Flag, which is flying high over their heads.
14. On the point of each cog shall be a duplicate of each State Seal; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly hereby commend Mr. Amos A. Wyckoff as the originator and designer of the artistic and symbolic "Spirit of Freedom"; and be it further

Resolved, That the Members of this Assembly do recommend the construction of this symbolic monument on a suitable site to any commission for postwar reconstruction or planning as a project worthy of their most careful consideration; and be it further

Resolved, That the Chief Clerk of the Assembly be instructed to prepare and transmit copies of this resolution to any commission for postwar reconstruction or planning and to the commission in charge of the celebration of the one hundredth anniversary of the State of California, as a project worthy of their most careful consideration, to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and each Member of the House of Representatives from California in the Congress of the United States and to the aforesaid Mr. Amos A. Wyckoff, of Oakland, California.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Burkhalter, Price, Fourt, Dunn, Guthrie, and Bashore:

House Resolution No. 227

Relative to appointment of Assembly Fact-Finding Committee on Flood Damage

WHEREAS, Grievous damage done by floods in recent years has emphasized the need for legislative action toward repairing the damage done and preventing future damage; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Fact-Finding Committee on Flood Damage to consist of five Members of the Assembly appointed by the Speaker, which shall investigate, ascertain and appraise all facts concerning the repair or restoration, or both, of, and the prevention of further damage to, levees, flood control works, irrigation works, city and county roads and bridges and other property damaged or destroyed by storm and flood; and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have: (i) All the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) and Sections 9400 to 9412, inclusive, of the Government Code, except when inconsistent with this resolution, all the powers conferred upon committees by the Rules of the Assembly and the Joint Rules of the Senate and Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

- (1) To select a chairman from its membership and to employ and fix the compen-

sation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws both Federal and State, in anywise bearing upon or relating to the subject of this resolution;

(7) To meet either during sessions of this Legislature or during any recess thereof at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature including any recess thereof, and until the convening of the Fifty-sixth Legislature;

(9) To file reports with the Legislature during the Fifty-fifth Session thereof or any special extraordinary session thereof, and to file its final report with the Fifty-sixth Legislature;

(10) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and

(11) To cooperate with and secure the cooperation of county, city, city and county and other local law enforcement agencies in investigating any matter within the scope of this resolution, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee; and

(12) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution;

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the committee may make such representations and recommendations to the Federal Government as it may deem advisable, on any subject relating to the subject of its investigation, during such times as the Legislature may not be in session, and such representations and recommendations shall be representations and recommendations of the committee, and not of the Legislature; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.054) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges expenses or claims it may incur under this resolution, to be paid equally from the Contingent Fund of the Assembly and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Thorp :

House Resolution No. 228

Resolved by the Assembly of the State of California, That House Resolution No. 70, as it appears on pages 558 and 559 of the Assembly Journal for January 29, 1943, be amended by striking out in the first line of the last paragraph, "two thousand five hundred dollars (\$2,500)" and inserting "three thousand five hundred dollars (\$3,500)".

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Maloney :

House Resolution No. 229

Relating to Elizabeth Mary O'Day

WHEREAS, On September 9, 1942, in the City of San Francisco, a daughter, Elizabeth Mary, was born to Elizabeth Margaret O'Day, the wife of our young but seasoned colleague, Edward F. O'Day; and

WHEREAS, The ninth day of September is California's birthday, the anniversary of the admission of this State into the Union in 1850; and

WHEREAS, This lovely baby girl shares the birthday of our beloved State; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly by this resolution greet Elizabeth Mary O'Day as California's Sweetheart, and congratulate her upon her felicitous choice of a birthday; and be it further

Resolved, That the Chief Clerk of the Assembly is requested to transmit a suitably engrossed copy of this resolution to Elizabeth Mary O'Day.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 229, at this time, without reference to committee.

Resolution read and adopted unanimously.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered :

Assembly Bill No. 962—An act to add Sections 5015, 5016, and 5017 to the Public Resources Code, relating to parks and beaches.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, Sam L. Dickey, Dilworth, Doyle, Evans, Fount, Gaffney, Guthrie, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Knight, T. Fenton; Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thurman, Weybret, and Mr. Speaker—41.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered :

Assembly Bill No. 963—An act to add Sections 506.6 and 506.7 to the Public Resources Code, relating to the powers and duties of the

State Park Commission respecting shoreline protection, improvement and development of State or publicly owned ocean beaches, and to appointment of a Beach Erosion Control Engineer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, Sam L., Dickey, Dilworth, Doyle, Evans, Fourt, Gaffney, Guthrie, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Knight, T. Fenton; Lyons, Maloney, Massjon, McCollister, McMillan, Middough, Miller, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thurman, Weybret, and Mr. Speaker—41.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly resolution was considered:

Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California to amend Sections 3, 4 and 5 of Article IV of the Constitution of said State, relating to the term of office of Members of the Assembly and Senate.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Miller moved a call of the Assembly.

Motion carried. Time, 10.42 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1235—An act to amend Sections 53, and 54 of the Unemployment Insurance Act, relating to base periods and benefits under said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Dickey, Dilworth, Doyle, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney,

Massion, McCollister, McMillan, Miller, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thurman, Werdel, Weybret, and Mr. Speaker—47.
 NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1276—An act to amend Sections 132, 5901, and 5931 of, and to add Section 5884 to, the Elections Code, relating to the absentee registration and voting of the members of the armed forces of the United States, or any auxiliary branch thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Guthrie, Hawkins, Helsing, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Feuton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thompson, Thurman, Werdel, Weybret, and Mr. Speaker—53
 NOES—None.

Bill ordered transmitted to the Senate

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon the recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 406—An act making an appropriation to the Department of Agriculture for the purpose of establishing, equipping, and operating a poultry disease diagnostic and testing laboratory in San Diego County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, Sam L., Crichton, Desmond, Dickey, Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gannon, Guthrie, Helsing, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thurman, Werdel, Weybret, and Mr. Speaker—55.
 NOES—Carlson—1.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon the recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1772—An act making an appropriation from the State Parks Maintenance and Acquisition Fund to the State Park Com-

mission to salvage and move cottages at Seacliff State Park, Santa Cruz County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thompson, Thurman, Werdel, Weybret, and Mr. Speaker—55
NOES—None

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon the recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1975—An act to provide for the augmentation of the food and fiber supply of this State and Nation by authorizing public officers of this State to acquire by eminent domain any otherwise agricultural machinery and equipment, and for the use of such agricultural machinery and equipment, making an appropriation therefor, and declaring the urgency of said act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Field, Gannon, Guthrie, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thurman, Werdel, Weybret, Wollenberg, and Mr. Speaker—54
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Field, Gannon, Guthrie, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thurman, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.
NOES—None

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 606—An act to add Section 486 to the Streets and Highways Code, relating to State highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Clarke, Collins, Sam L. Crichton, Dickey, Dills, Ralph C. Doyle, Dunn, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B. Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Rosenthal, Sargent, Smith, Wollenberg, and Mr. Speaker—42.

NOES—Burns, Carey, Carlson, Heisinger, Miller, Price, Sheridan, Thompson, and Werdel—9.

Bill ordered transmitted to the Senate.

Explanation of Vote

Explanation of my vote on Assembly Bill No. 606 and my reason for not voting on the bill: I am co-author of the bill, and one of its ardent supporters.

I was called out of the Assembly just before the bill came up for passage. Those are my reasons for being absent on the roll call.

EVERETT G BURKHALTER

MOTION TO TABLE ASSEMBLY BILL NO. 1417

Mr. Sawallisch moved that Assembly Bill No. 1417 be laid on the table.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 226—An act to add Section 53 55 to the Alcoholic Beverage Control Act, relating to containers and cartons

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Dickey, Dills, Ralph C. Doyle, Dunn, Evans, Field, Gaffney, Guthrie, Haggerty, Hawkins, Johnson, Kellems, King, Knight, John B. Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sawallisch, Sheridan, Smith, Thompson, Thurman, Werdel, Weybret, Wollenberg, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1038—An act to add Section 13.16f to the Building and Loan Association Act, relating to annual reports and accounts by the Building and Loan Commissioner, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—King—1.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1037—An act to add Section 136e to the Bank Act, relating to annual reports and accounts by the Superintendent of Banks, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—King—1.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By Mr. Lowrey:

The following communication was received, and ordered printed in the Journal:

(COPY)

TULELAKE, CALIFORNIA, April 20, 1943

Mr. Lloyd Lowrey, California State Assemblyman
Sacramento, California

DEAR MR. LOWREY: I hope this information is not too late for you. This is a very busy season here and I have not had time to get it out sooner.

To start with, the people here do not want the Japs here after the war. It would be the ruination of this basin. Nearly 90 per cent of the farmers here are ex-service men from the last war.

When the camp was first started, the local directors informed the Japs all their work would be voluntary, and I am telling you that is exactly what they are doing. They work when they feel like doing something and go on strike when they do not want to work. It makes no difference to them what kind of work they are doing or how important it is.

They are supposed to work eight hours per day. But several of the foremen told me in order to keep them peaceable they are letting them work two hours per day and giving them credit for eight hours.

They take enough men out to work on a job that they are in one another's way. The first thing they do is to set up a stove and build a fire. The gang stands around the stove while a few do a little work.

Last fall the WRA had to close their high school and put the school children in the fields to get what crops they did have harvested, the older people going on so many strikes they could not get the job done.

When they are working machinery in the fields, it is left wherever they take a notion to quit. I have seen tractors and plows and other pieces of equipment left in

the middle of the fields and several miles from camp; left there over night and sometimes for several days.

Seems as though the management tries to spend all the money possible. And they do a good job of it. They get and have several times more of everything than they can use for years to come—hoes, hand rakes, and such things as those. When it comes to farm equipment, it is the same story. They are supposed to be farming 3,300 acres this year.

I called on Mr. Zimmer and Mr. Callum, farm manager and assistant. I know they had no knowledge of me doing any looking around for anyone else. I asked the assistant what they were planting this year and the acreage. He showed a map of their expected plantings for this year which was all right. I then told him it sure must take a lot of machinery to farm so much ground. He then told me the number of tractors they were using and led to me about one-half as I had a very close check at that time.

The WRA purchased 20 Model H International tractors from Floyd A. Boyd Co., Tulelake, last year. During that time and since they have purchased 12 Ford tractors. Two large grain combines were used last year and two new ones set up in a warehouse and have never been out. The new ones set there and are not being used, and it will not be necessary for them to use them. Our farmers here need this equipment badly.

They have 10 International one-row potato diggers which is six more than they need. They have 10 tracklayer tractors from 50's down to 20's. Two of these big tractors would prepare all their ground for planting. There are 6 Ford tractor trailers, 8 five-bottom plows (two is all that is necessary), 40 sections of spike tooth harrow, 10 two-row Iron Age potato planters (three properly used is all that is necessary). Seven of these same planters now setting in a warehouse have never been out, while growers here need this kind of machinery and have a hard time getting any.

With 6,000 acres more potatoes planted here this year than was ever planted before in the Klamath and Tulelake area, it sure burns a farmer up to see such a condition exist.

I was not able to get an exact count on the number of trucks and cars, but there are close to 180 trucks besides the cars. One foreman told me that was not far off. When a truck or car breaks down, it goes on a pile near their garage and parts are robbed from them and put on some other piece of equipment. You should see the so-called boneyard. Farmers here are needing trucks and will need them more than ever this year. Then to have a condition like that, what do you think?

There are farmers here farming considerable more acreage than the WRA and with so much less equipment that it looks like a mere drop in the bucket. They are good operators making money.

After the camp was built and the Japs moved in, they said they wanted to do something to help the war effort so they wanted a tent factory. The WRA built them a large building with concrete floor and on a railroad spur. In storage in this warehouse now there are eight carloads of heavy waterproof canvas, about four carloads of rope, and 300 electric sewing machines. Half of these have never been uncrated and none have ever been used by the Japs. After this was all ready, they voted not to do any of this kind of work and there it sets. Canvas our Army needs being held in storage by the Japs.

When the camp was first started, the Jap quarters were furnished with sheetiron stoves. A few weeks later these were piled in a huge pile outside and left all winter to rust. In their place was put expensive coal heaters of which there are about two carloads still in storage in one of the warehouses.

Coal and wood is shipped in by carloads and trainloads. Most any day one can drive by on the highway and see the Japs unloading coal and enough men on the car to eat it, let alone unload it. They are in each others way, and still pay demurrage. Some months as much as \$1,000. There is one spur on a slight grade. A good many cars of coal are run on this spur and dumped, and then pushed out of the way with a bulldozer. Smearing it around and wasting a large amount.

They have had on hand a large amount of antifreeze all winter and since last spring, with all their equipment full. A large percentage of the machinery being idle.

They have a stock of Karo syrup large enough to supply the Klamath Basin. Merchants in Tulelake can not obtain enough to supply the local babies.

Recently, when they were asked to register for the Selective Service they all refused, but a very few.

Army men were sent in here to endeavor to put on a little pressure. They did not have much results. After several weeks they finally got the job done, having much trouble while they were doing it. It was necessary to take a good many to concentration camps. I am not able to tell you the exact number, but it must be close to 300 since the camp was filled. Most of these were taken out while the registering was taking place. About 130 are in a CCC camp close by here.

The Japs talk about being Americans. There might be a few that are O.K., but surely they are a very few. The Federal Government would be much better off financially if these Japs were confined to the camp and did not try to farm, and buy what they needed to eat and put them on ration.

I have a neighbor that has a garbage contract with the WRA. I have looked at this garbage many times and there is so much waste of good food it is pitiful.

We have a war on, and I think these people should be made to produce. They have taken over 3,800 acres of the best land in the world and are playing around with it at a time like this.

We have farmers here who could really produce a great quantity of food from this land if given the chance. They did do it before this land was taken away from them. And another thing, the Klamath Basin, which takes in Tulelake and part of Klamath County will have an estimated potato acreage this year of 23,000 acres. Six thousand more than was ever planted here before with a real labor shortage problem.

This camp is not in our opinion in a dangerous spot or the Army wouldn't have put it here in the first place. So, why not let or rather, put these Japs out to help harvest these crops this fall. Farmers would be willing to pay them a fair wage, and get a war job done. The Government is and has been taking them out of the camp and sending them east to work, and this year we will have to import labor or we will not get our crops harvested. Last fall Japs were being sent out to Idaho and Oregon and Indians were brought in here to harvest beets. Transportation is needed for our armed forces and this does not look right to me.

I hope I have given you some information that will be of some help. I could go on writing a book on this camp I think. One good way to get some real first-hand information would be for one of your committee to come to this camp dressed for work and get a job for a month and that would be all that is necessary.

There has been U. S. investigating men here but they let the management know when they are coming and are taken to camp and showed just what the men in charge want them to see and taken back to the train. Probably given a good meal before leaving as the personnel sure live well. After they have been there they do not know what the score is.

Very truly yours,
(Signed)

C. J. MAIN
Tulelake Growers Assn.

REQUEST FOR UNANIMOUS CONSENT

Mr. Weybret asked for, and was granted, unanimous consent to take up Senate Bill No. 907, at this time.

CONSIDERATION OF SENATE BILL NO. 907

Senate Bill No. 907—An act to amend Sections 1509.4 and 1571 of and to add Sections 1509.6, 1509.7, 1509.8, and 1509.9 to the Military and Veterans Code, relating to and providing for State and local participation in civilian defense and the war effort and for the administration of the California War Powers Act, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellem, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thurman, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellem, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thurman, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 89—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Desmond, Dickey, Dills, Ralph C. Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hollibaugh, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, McCollister, Miller, Niehouse, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Anderson, Bashore, Heisinger, Massion, and Pelletier—5.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10:43 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1424—An act to add Section 1120.5 to the Probate Code, relating to the investment of trust funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Ralph C., Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1018—An act to amend Sections 11561 and 11699 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Ralph C., Dunn, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellem, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sawallsch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1623—An act making an appropriation to the State Park Commission, for the acquisition of land in Orange County as part of the State Park System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Ralph C., Dilworth, Dunn, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellem, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Allen, Brown, Carlson, Erwin, and Lyons—5.

Bill ordered transmitted to the Senate.

PERMISSION TO CONSIDER ASSEMBLY BILL

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Request for Unanimous Consent

Mr. Carlson asked for, and was granted, unanimous consent to take up Assembly Bill No. 1712, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1712

Assembly Bill No. 1712—An act to amend Sections 752, 757, 763 and 771 of the Code of Civil Procedure, relating to partition of real and personal property.

Bill read third time.

Motion to Amend

Mr. Carlson moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, strike out "owners", and insert "owner's".

Amendment No. 2

On page 2, line 20, of said bill, insert
"When the site of an incorporated city or town is included within the exterior boundaries of the property to be partitioned, the court must direct the referees to

survey and appraise the entire property to be partitioned by actual lots and subdivisions then existing in the actual possession of the several tenants in common, exclusive of the value of improvements thereon, first setting apart necessary portions of the property for ways, roads and streets, as in Section 704 provided, and to report such survey and separate appraisement on each lot and subdivision to the court.

The court may confirm, change, modify, or set aside the report in whole or in part, and if necessary appoint new referees.

When, after the final confirmation of the report of such survey and appraisement, it appears by evidence to the satisfaction of the court that an equitable partition of the whole property is impracticable, and a sale of the site of such city or town, or any portion thereof, will be for the best interests of the owners of the whole property, it must order a sale thereof, provided, that within 60 days thereafter any tenant in common or tenants in common, having improvements erected on any town or city lot or subdivision included in such order of sale, shall have the prior right to purchase the same at such appraised valuation, and may pay into court the amount so appraised as the value thereof, and upon such payment the title shall vest in such purchaser or purchasers, and the court shall cause to be executed by such referees a deed for such lot or subdivision in fee and in severalty to such purchaser or purchasers, such further proceeding shall then be had as to the remainder of the property, and the money so paid to the court, as by this chapter provided.

If, during the pendency of this section, any of the parties die, or become insane, or otherwise incompetent, the proceedings shall not for that cause be delayed or suspended, but the attorney who has appeared for such party may continue to represent such interest; and in case any such party has not appeared by an attorney, the court must appoint an attorney to represent the interest which was held by such party, until his heirs or legal representatives, or successors in interest, shall have appeared in the action; and an attorney so appointed must be allowed by the court a reasonable compensation for his services, which may be taxed as costs against the share or interest represented by such attorney, and may be adjudged a lien thereon in the discretion of the court."

Amendment No. 3

On page 2, line 29, of said bill, strike out "owners", and insert "owner's".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1789—An act to amend Section 4265 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fout, Gaffney, Gannon, Haggerty, Hollbaugh, Kellems, King, Knight, John B., Leonard, Lyons, Maloney, McCollister, Miller, O'Day, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Wollenberg, and Mr. Speaker—53.

NOES—Allen, Anderson, Bashore, Heisinger, Massion, and Pelletier—6

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been

granted by a three-quarter vote of the members, the following Assembly bill was considered :

Assembly Bill No. 12—An act to amend Section 662 of the Elections Code, relating to election officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Haggerty, Hollibaugh, Kellems, King, Knight, John B., Leonard, Lyons, Maloney, McCollister, Miller, O'Day, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Wollenberg, and Mr. Speaker—53

NOES—Allen, Anderson, Bashore, Heisinger, Massion, and Pelletier—6.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered :

Assembly Bill No. 1266—An act to revise an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and county fire protection district officers and employees, namely county foresters, fire wardens and county fire protection district firemen as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 19, 1939, Statutes 1939, Chapter 174, relating to the county foresters, fire wardens and firemens pension system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Deuny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dulworth, Doyle, Dunn, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Kellems, King, Knight, John B., Leonard, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS NOS. 1082 AND 1083 BY UNANIMOUS CONSENT

Mr. Wollenberg asked for, and was granted, unanimous consent to have Senate Bills Nos. 1082 and 1083 withdrawn from the Committee on Roads and Highways, and re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been

granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1412—An act to add Division 8, comprising Sections 8001 to 8212, inclusive, to the Public Resources Code, relating to surveys and maps, creating a State Board of Maps and Surveys, and prescribing its powers and duties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Fourt, Gaffney, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Massion, McCollister, Middough, O'Day, Pelletier, Robertson, Rosenthal, Sheridan, Thomas, Thurman, Waters, Weber, Werdel, and Mr. Speaker—42.

NOES—Allen, Armstrong, Bashore, Carlson, Clarke, Denny, Desmond, Evans, Gannon, Guthrie, Haggerty, Lyons, Maloney, Miller, Niehouse, Price, Sawallisch, Smith, Stream, Thompson, Thorp, Weybret, and Wollenberg—23

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 498—An act limiting the amount of taxes that may be imposed for county or city and county purposes upon real and personal property according to the valuation thereof, providing for the determination of the revenue deficiency resulting from the limitation hereby prescribed, and for the apportionment to each county and city and county of an amount equal to that deficiency, and providing that this act shall take effect immediately.

Bill read third time.

Demand for Previous Question

Messrs. Armstrong, Smith, Anderson, Dilworth, and Heisinger demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 498.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Brady, Doyle, Erwin, Gannon, Haggerty, Hollibaugh, Knight, John B., Middough, Niehouse, Smith, Stream, Thorp, Waters, Werdel, and Mr. Speaker—16.

NOES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Fourt, Gaffney, Guthrie, Heisinger, Kellems, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, Miller, O'Day, Pelletier, Price, Sawallisch, Sheridan, Thompson, Thurman, Weber, Weybret, and Wollenberg—46.

Speaker Presiding

At 10.45 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 692

Mr. Miller moved that Senate Bill No. 692 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Ways and Means.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Rules and House Functions**

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Concurrent Resolution No. 59

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

PERMISSION TO CONSIDER ASSEMBLY BILL

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly resolution was considered:

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 59

Assembly Concurrent Resolution No. 59—Relative to the creation of a Joint Fact-Finding Committee on Un-American Activities in California to investigate the activities of persons and groups known or suspected to be foreign dominated or controlled and recommend legislation for their regulation.

Resolution read.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 4, line 4, of the printed measure, strike out "fifty thousand dollars (\$50,000)", and inset "twenty thousand dollars (\$20,000)".

Amendment read and adopted.

Resolution ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE (OUT OF ORDER)**THIRD READING OF SENATE BILLS (OUT OF ORDER)**

Senate Bill No. 423—An act to amend the title of, to amend Sections 26457, 26472, 26490, 26491, 26492, 26493, 26494, 26495, 26496, 26510, 26511, 26512, 26518, 26520, 26522, 26526, 26527, 26541, 26548, 26549, 26560, 26561, 26562, 26566, 26567, 26581, 26584, 26586, 26587, 26588, 26600, 26617, 26621, and 26622 of, to add Section 26463 to, and to delete Section 5 from an act entitled "An act adding Division 21, comprising Chapter 3 and Sections 26450 to 26624, inclusive, to the Health and Safety Code, relating to adulterating, mislabeling, misbranding, false advertising, and sale of foods and the powers of the State Department of Public Health in relation thereto," approved July 13, 1939.

Bill read third time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "the title of, to amend".

Amendment No. 2

In the title of said bill, strike out lines 6 to 12, inclusive, and insert "26022 of," and to add Section 26463 to, the Health and Safety Code, relating to adulterating, misbranding, false advertising, and sale of foods and the powers of the State Department of Public Health in relation thereto."

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert "SECTION 1. Section 26457 of the Health and Safety Code is".

Amendment No. 4

On page 2 of said bill, strike out line 1, and insert "SEC. 2. Section 26463 is added to said code, to read".

Amendment No. 5

On page 2 of said bill, strike out line 7, and insert "SEC. 3. Section 26472 of said code is amended to read".

Amendment No. 6

On page 3 of said bill, strike out line 12, and insert "SEC. 5. Section 26490 of said code is amended to read".

Amendment No. 7

On page 3 of said bill, strike out line 24, and insert "SEC. 5. Section 26491 of said code is amended to".

Amendment No. 8

On page 3 of said bill, strike out line 35, and insert "SEC. 6. Section 26492 of said code is amended to".

Amendment No. 9

On page 3 of said bill, strike out line 46, and insert "SEC. 7. Section 26493 of said code is amended to".

Amendment No. 10

On page 4 of said bill, strike out line 6, and insert "SEC. 8. Section 26494 of said code is amended to".

Amendment No. 11

On page 4 of said bill, strike out line 22, and insert "SEC. 9. Section 26495 of said code is amended to".

Amendment No. 12

On page 4 of said bill, strike out line 43, and insert "SEC. 10. Section 26496 of said code is amended to".

Amendment No. 13

On page 5 of said bill, strike out line 10, and insert "SEC. 11. Section 26510 of said code is amended to".

Amendment No. 14

On page 5 of said bill, strike out line 20, and insert "SEC. 12. Section 26511 of said code is amended to".

Amendment No. 15

On page 5 of said bill, strike out line 33, and insert "SEC. 13. Section 26512 of said code is amended to".

Amendment No. 16

On page 5 of said bill, strike out line 48, and insert "SEC. 14. Section 26518 of said code is amended to".

Amendment No. 17

On page 6 of said bill, strike out line 5, and insert "SEC. 15. Section 26520 of said code is amended to".

Amendment No. 18

On page 6 of said bill, strike out line 26, and insert "SEC. 16. Section 26522 of said code is amended to".

Amendment No. 19

On page 6 of said bill, strike out line 34, and insert
"SEC. 17. Section 26526 of said code is amended to".

Amendment No. 20

On page 6 of said bill, strike out line 43, and insert
"SEC. 18. Section 26527 of said code is amended to".

Amendment No. 21

On page 7 of said bill, strike out line 1, and insert
"SEC. 19. Section 26541 of said code is amended to".

Amendment No. 22

On page 7 of said bill, strike out line 19, and insert
"SEC. 20. Section 26548 of said code is amended to".

Amendment No. 23

On page 7 of said bill, strike out line 26, and insert
"SEC. 21. Section 26549 of said code is amended to".

Amendment No. 24

On page 7 of said bill, strike out line 34, and insert
"SEC. 22. Section 26560 of said code is amended to".

Amendment No. 25

On page 7 of said bill, strike out line 41, and insert
"SEC. 23. Section 26561 of said code is amended to".

Amendment No. 26

On page 8 of said bill, strike out line 1, and insert
"SEC. 24. Section 26562 of said code is amended to".

Amendment No. 27

On page 8 of said bill, strike out line 9, and insert
"SEC. 25. Section 26566 of said code is amended to".

Amendment No. 28

On page 8 of said bill, strike out line 19, and insert
"SEC. 26. Section 26567 of said code is amended to".

Amendment No. 29

On page 8 of said bill, strike out line 31, and insert
"SEC. 27. Section 26581 of said code is amended to".

Amendment No. 30

On page 8 of said bill, strike out line 39, and insert
"SEC. 28. Section 26584 of said code is amended to".

Amendment No. 31

On page 8 of said bill, strike out line 46, and insert
"SEC. 29. Section 26586 of said code is amended to".

Amendment No. 32

On page 9 of said bill, strike out line 4, and insert
"SEC. 30. Section 26587 of said code is amended to".

Amendment No. 33

On page 9 of said bill, strike out line 13, and insert
"SEC. 31. Section 26588 of said code is amended to".

Amendment No. 34

On page 9 of said bill, strike out line 25, and insert
"SEC. 32. Section 26600 of said code is amended to".

Amendment No. 35

On page 9 of said bill, strike out line 38, and insert
"SEC. 33. Section 26617 of said code is amended to".

Amendment No. 36

On page 9 of said bill, strike out line 46, and insert
"SEC. 34. Section 26621 of said code is amended to".

Amendment No. 37

On page 10 of said bill, strike out line 5, and insert
"SEC. 35. Section 26622 of said code is amended to".

Amendment No. 38

On page 10 of said bill, strike out lines 17 and 18.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 39

At 10.46 p.m., on motion of Mr. Miller, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 39 adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burnus, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hoesinger, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Armstrong, Doyle, Sargent, and Weber—4.

Resolution ordered transmitted to the Senate.

RECESS

At 10.48 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 10.52 p.m.

REASSEMBLED

At 10.52 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 40

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

PERMISSION TO CONSIDER ASSEMBLY BILL

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly resolution was considered:

Request for Unanimous Consent

Mr. Ralph C. Dills asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 40, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 40

Assembly Constitutional Amendment No. 40—A resolution proposing to the people of the State of California to amend Section 9 of Article IX of the Constitution of said State, relating to the ex officio membership of The Board of Regents of the University of California.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Ralph C. Dills moved a call of the Assembly.

Motion carried. Time, 10.53 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

**WITHDRAWAL OF ASSEMBLY BILL NO. 173 FROM INACTIVE FILE
BY UNANIMOUS CONSENT**

Mr. Robertson asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 173 from the inactive file, and have it placed upon the active file.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)****Permission to Consider Assembly Bill**

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1231—An act to amend Sections 56 58 of the Unemployment Insurance Act, relating to eligibility for benefits under said act

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourn, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, and Weybret—55.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1684—An act to amend Sections 717.5 and 868, of the Fish and Game Code, relating to fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 440—An act to amend Sections 758 and 759, and to repeal Section 758a, of the Political Code, all relating to officers and employees of the district courts of appeal.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brady, Brown, Burns, Call, Carey, Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sheri-dan, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—Dilworth, Heisinger, and Lowrey—3.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF ASSEMBLY BILL NO. 1702 FROM INACTIVE FILE BY UNANIMOUS CONSENT

Mr. Sawallisch asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1702 from the inactive file, and have it placed upon the active file.

Speaker Presiding

At 10.55 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, pre-siding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly resolution was considered:

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Article XVIa thereto, relating to pensions. Resolution read.

Demand for Previous Question

Messrs. Evans, Waters, Price, Werdel, and King demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 20.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Anderson, Bashore, Bennett, Brady, Brown, Burkhalter, Collins, Sam L. Crowley, Dills, Clayton A., Dills, Ralph C. Dunn, Evans, Hawkins, Kilpatrick, Knight, John B. Lyons, Maloney, Massion, McMillan, Pelletier, Robertson, Sawallisch, Sheridan, Thomas, Thorp, and Mr. Speaker—26

NOES—Allen, Armstrong, Beck, Berry, Carey, Carlson, Clarke, Collins, George D. Crichton, Denny, Dilworth, Doyle, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Middough, Miller, O'Day, Potter, Price, Smith, Stream, Thompson, Waters, Watson, Werdel, and Weybret—39

Explanation of Vote

I was absent on official business when Assembly Constitutional Amendment No. 20 was voted on. If I had been present, I would have voted in favor of its passage.

ERNEST E. DEBS

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 173—An act to add Section 957 5 to the Fish and Game Code, relating to the use of nets in San Luis Obispo Bay.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, George D. Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A. Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, and Mr. Speaker—60

NOES—Bashore, Burkhalter, Evans, and Weybret—4

Bill ordered transmitted to the Senate.

COMMUNICATIONS

The following communications were received, and ordered printed in the Journal:

By Mr. Fourt:

COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA

WHEREAS, State Senators and Assemblymen receive one hundred dollars (\$100) per month as compensation for their legislative services, and

WHEREAS, This present salary of one hundred dollars (\$100) per month was fixed by vote of the people 20 years ago, and

WHEREAS, Since that time the business of the State has increased from \$75,000,000 to \$550,000,000 during the biennial period, and

WHEREAS, The functions of the Legislature are of the greatest importance to the people of the State and necessitate practically continuous service by the Members of the Legislature, and

WHEREAS, The Members of the Legislature receive no added compensation for their services at special sessions, except mileage, and only receive actual or per diem expenses for practically constant committee work between sessions of the Legislature; now, therefore, be it

Resolved, That the County Supervisors Association of California go on record as favoring an increase of from \$100 to \$200 per month as compensation for the services of the Members of the California Legislature; and be it further

Resolved, That we request appropriate legislation be drawn and introduced at this Fifty-fifth Session of the California Legislature, namely, a proposed constitutional amendment; and be it further

Resolved, That a copy of this resolution be sent to Honorable Joseph A. Beek, Secretary of the State Senate and Honorable Arthur A. Ommus, Chief Clerk, California Legislature Assembly.

Moved by Earl S. Hurlbut

Seconded by Harry Bartell

And adopted this twenty-ninth day of April, 1943.

ROSCOE L. PATTERSON, President
J. H. HUNTER, Secretary

By Mr. Lyon:

MEMO TO: Charles W. Lyon, Speaker of the Assembly

Will you announce that a special meeting of the Senate Revenue and Taxation Committee will be held at 9 a.m. on Saturday morning, May 1st, in Room 414?

Any Assemblyman having a bill before that committee should be there, as there will be no further hearings until Tuesday evening, May 4th.

W. P. RICH, Chairman
Senate Revenue and Taxation Committee

Also:

Members of the Legislature:

The official photograph of this historic wartime Fifty-fifth Session of the California Legislature will be taken at 12 o'clock noon, sharp, Friday, April 30, 1943, on the northeast lawn of the Capitol Grounds.

Governor Warren, Lieutenant Governor Houser, President pro tempore of the Senate, Jerrold L. Seawell; Speaker of the Assembly, Charles W. Lyon; Speaker pro tempore of the Assembly, Thomas A. Maloney; and all other elected officials are to be present. Please be on hand promptly.

The presiding officers of both houses make a special request that all Members of the Legislature plan their Friday schedule accordingly.

Special request is made of the Senate Sergeant-at-Arms, Joseph F. Nolan, and the Assembly Sergeant-at-Arms, Wilkie Ogg, to see that every member has due and sufficient notice to be on hand.

GLENN D. WILLAMAN, Editor
California Real Estate Magazine

Hon. Edward J. Carey Presiding

At 10.59 p.m., Hon. Edward J. Carey, Member of the Assembly from the Seventeenth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1702—An act to add Section 106 5 to, and to amend Section 106 of, the Vehicle Code, relating to personnel of the Department of Motor Vehicles.

Bill read third time.

Demand for Previous Question

Messrs. Doyle, Waters, Denny, Berry, and King demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1702.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Kellems, King, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Weybret, and Mr. Speaker—50.

NOES—Beck, Brady, Brown, Burkhalter, Denny, Dilworth, Dunn, Guthrie, Hastain, Heisinger, Hollibaugh, Johnson, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Middough, Sargent, and Watson—19.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 334—An act to amend Sections 2139 and 2148 of, and to add Sections 2149 and 2150 to, the Business and Professions Code, relating to chiroprody.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, after "manufacture", insert "the recommendation".

Amendment No. 2

On page 1, line 17, of the printed bill, as amended, after "ditions", strike out "or prescribe foot corrective shoes or appliances".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 19, 20, 21, 22, and 23.

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Dills, Ralph C., Dilworth, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Rosenthal, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Weybret—49.

NOES—Armstrong, Carlson, Crichton, Doyle, Evans, Knight, John B., Leonard, Massion, Robertson, Sargent, and Mr. Speaker—11.

Bill ordered reprinted and re-engrossed.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1570—An act to amend Sections 149, and 152.5 of and to add Sections 96.7 and 152.6 to the State Civil Service Act, relating to the State civil service, declaring the urgency thereof and to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Doyle, Waters, Lyons, Brady, and Dills, Ralph C., demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 1570.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Call, Clarke, Collins, George D., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—56
NOES—Burns, Carlson, Field, Guthrie, Heisinger, Lowrey, and Price—7.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Call, Clarke, Collins, George D., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—56
NOES—Burns, Carlson, Field, Guthrie, Heisinger, Lowrey, and Price—7.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1086

Mr. Bashore moved that Senate Bill No. 1086 be withdrawn from the Committee on Social Welfare, and re-referred to the Committee on Revenue and Taxation.

Motion carried.

Speaker Pro Tempore Presiding

At 11.05 p m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1140—An act to provide for the erection and equipment of a building or buildings on the Campus of the University of

California at Los Angeles for use in connection with instruction in engineering, for the establishment and maintenance of a course in engineering on the Campus of the University of California at Los Angeles, and to make an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollbaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—67.
NOES—Bashore, Carlson, Denny, and Wollenberg—4.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1821—An act to add Section 542.3 to the Political Code, relating to charges for State printing and providing for furnishing public documents to libraries and schools without charge, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Armstrong, Denny, Erwin, and Stream—4.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 40

At 11.10 p. m., on motion of Mr. Ralph C. Dills, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 40 adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollbaugh, Kellems, King, Knight, John B., Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Knight, T. Fenton—1.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1388—An act to add Section 21155.1 to the Education Code, relating to the State Nautical School.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollbaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Weybret, and Mr. Speaker—62.

NOES—Wollenberg—1.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1504—An act relating to the National Flag and the Flag of the State of California, and other flags.

Bill read third time.

Demand for Previous Question

Messrs. Werdel, Haggerty, Doyle, Waters, and Lowrey demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1504.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Clayton A., Dunn, Erwin, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollbaugh, Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Price, Robertson, Rosenthal, Sheridan, Smith, Thompson, Thurman, Waters, Weber, Werdel, and Mr. Speaker—49.

NOES—Burkhalter, Carlson, Denny, Evans, King, Knight, T. Fenton; Miller, Stream, Thorp, and Weybret—10.

Bill ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been

granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 1733—An act making an appropriation for child care centers, declaring the urgency thereof, to take effect immediately. Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—Armstrong, Burns, Desmond, Knight, John B., Leonard, Lowrey, Potter, and Thorp—8.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—Armstrong, Burns, Desmond, Knight, John B., Leonard, Lowrey, Potter, and Thorp—8.

Bill ordered transmitted to the Senate.

PERMISSION TO CONSIDER ASSEMBLY BILL

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Johnson:

Resolved, That Assembly Bill No. 1322 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Johnson, Kellems, Kilpatrick, King, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 1322

Assembly Bill No. 1322—An act to amend Sections 799 and 800 of the Political Code, relating to qualification of notaries public.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Johnson, Kellems, Kilpatrick, King, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Johnson, Kellems, Kilpatrick, King, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.15 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1712

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

PERMISSION TO CONSIDER ASSEMBLY BILL

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1712—An act to amend Sections 752, 757, 763 and 771 of the Code of Civil Procedure, relating to partition of real and personal property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 59

And reports the same correctly engrossed.

PELLETIER, Chairman

PERMISSION TO CONSIDER ASSEMBLY BILL

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly resolution was considered:

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 59

Assembly Concurrent Resolution No. 59—Relative to the creation of a Joint Fact-Finding Committee on Un-American Activities in California to investigate the activities of persons and groups known or suspected to be foreign dominated or controlled and recommend legislation for their regulation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Armstrong, Bashore, Beck, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Niehouse, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Bennett, Berry, Collins, George D., Dunn, Gaffney, Hawkins, Heisinger, Massion, McMillan, O'Day, Pelletier, and Rosenthal—12.

Resolution ordered transmitted to the Senate.

Explanation of Vote

I voted "No" because I resent any fellow-American's patriotism being challenged by mere gossip and inference as contained in the "Report on un-American Activities." Such inquiries should be made by the trained staffs of the Department of Justice and the Army and Navy Intelligence.

EDWARD M. GAFFNEY

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Joint Resolution No. 50: By Messrs. Gaffney, Collins, George D., Maloney, Berry, Brady, Haggerty, O'Day, and Wollenberg—Relative to decentralization of the steel industry.

Referred to Committee on Rules and House Functions.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly resolution was considered:

Assembly Concurrent Resolution No. 45—Relative to a Fact-Finding Committee on Old-Age Pension Advocacy and Promotion, and defining its powers and duties.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—Pelletier—1.

Resolution ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly resolution was considered:

Assembly Concurrent Resolution No. 46—Relative to the creation of a Joint Committee to Investigate Fish and Game Problems.

Resolution read.

Demand for Previous Question

Messrs. Dills, Ralph C., Werdel, Guthrie, Fourt, and Dilworth demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Concurrent Resolution No. 46.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion,

McCollister, McMillan, Middough, Miller, O'Day, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Collins, George D., and Pelletier—2.

Resolution ordered transmitted to the Senate.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by a three-quarter vote of the members, the following Assembly bill was considered:

Assembly Bill No. 300—An act to amend Section 1 of an act entitled "An act relating to bids for the construction of public works and improvements," approved July 19, 1941, relating to subcontracts for construction of public works and improvements

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 4 to 21; and strike out pages 2 and 3, and insert

"Section 1. Any officer, department, board or commission taking bids for the construction of any public work or improvement shall provide in the specifications prepared for the work or improvement or in the general conditions under which bids will be received for the doing of the work incident to the public work or improvement that any person making a bid or offer to perform the work, shall, in his bid or offer, set forth the name and the location of the mill, shop or office of each subcontractor who will perform work or labor or render service to the contractor in or about the construction of the work or improvement and the portion of the work which will be done by each subcontractor.

Any subcontractor desiring to submit an estimate or bid as a subcontractor on a portion of the project must submit his estimate or other bid to the contractor 24 hours prior to the time set for closing of bids on the work or improvement and must deposit with the officer, department, board, commission, or other awarding authority receiving bids for the construction, 24 hours prior to the time set for closing of bids, a duplicate of the estimate or bid so submitted. Such duplicate shall be in a sealed envelope showing on the outside thereof that it contains a duplicate of the subcontractor's estimate furnished to the contractor on the specific project. The sealed envelope shall also contain a certified check in the sum of 10 per cent of the amount of the estimate.

In the event different estimates have been given to different contractors on the same project, separate sealed envelopes, each containing a duplicate of each estimate, with a separate certified check in the amount of 10 per cent of the estimate shall be deposited. If only one estimate to one contractor has been submitted, or different estimates to different contractors, the certified check shall be made payable to the contractor to whom the estimate was furnished. If the same estimate has been furnished to more than one contractor, the certified check shall be made to the awarding authority with instructions to the awarding authority to endorse the check as hereinafter provided. If estimates are given for subcontracts for different portions of the contract, separate sealed envelopes each containing separate certified checks and duplicate estimates shall be deposited for each class of subcontract work.

Each estimate submitted to a contractor, and the duplicate deposited as herein provided, shall set forth the name and the location of each mill, shop or office which will supply materials or services to the subcontractor in or about the construction of the work or improvement and the portion thereof to be so supplied.

Sealed envelopes containing the duplicate estimates and certified checks shall be deposited with the awarding authority, accompanied by a statement open to the awarding authority, which statement shall give the name and address of the contractor to whom an estimate has been furnished. The subcontractor in such statement shall also set forth that the subcontractor depositing the estimate and certified check, if named by the successful bidder as a subcontractor, will enter into the subcontract with the successful bidder in accordance with the terms of the estimate deposited, and that in default thereof on the part of the subcontractor such check shall be forfeited to the successful bidder.

Immediately upon awarding the contract the awarding authority shall return all the sealed envelopes deposited except those deposited by subcontractors named in the bid of the successful bidder.

The awarding authority shall at the time of awarding the bid open the sealed estimates of all subcontractors named in the bid of the successful bidder. Should any subcontractor so named in the bid of the successful bidder fail to qualify as above provided, this act shall have no application to that portion of the work wherein the subcontractor is named in the bid of the successful bidder. If the subcontractor has qualified as herein provided, the awarding authority shall retain the duplicate of the estimate and the certified check until notified by the contractor that the subcontract has been executed. If the subcontractor fails to execute the contract, the certified check deposited with the awarding authority shall be forfeited and shall be paid by the awarding authority to the contractor with such endorsements by the awarding authority as may be necessary. Thereafter, that portion of the contract for which the subcontractor has failed to enter into a subcontract shall be exempt from the operations of this act.

If a contractor fails to specify a subcontractor for any portion of the work to be performed under the contract, he shall be deemed to have agreed to perform such portion himself, and he shall not be permitted to subcontract that portion of the work except under the conditions hereinafter set forth.

No contractor whose bid is accepted shall, without the consent of the awarding authority, either:

(a) Substitute any person as subcontractor in place of the subcontractor designated in the original bid, or

(b) Permit any subcontract to be assigned or transferred or allow it to be performed by anyone other than the original subcontractor, or

(c) Sublet or subcontract any portion of the work as to which his original bid did not designate a subcontractor.

Subletting or subcontracting of any portion of the work as to which no subcontractor was designated in the original bid shall only be permitted in cases of emergency or necessity, and then only after a finding reduced to writing as a public record of the awarding authority setting forth the facts constituting such emergency or necessity.

Should the contractor violate any of the provisions of this act, his so doing will be deemed a violation of that portion of his contract wherein the violation occurs, and he may be penalized by the awarding authority in the amount of the subcontract wherein the violation has occurred.

The failure on the part of a contractor to comply with any provision of this act shall not constitute a defense to such contractor in any action brought against him by a subcontractor.

This act shall not apply to contracts for the construction or improvement or repair of State highways, including bridges, nor to city or county projects financed in whole or in part with motor vehicle fuel funds.

Nothing in this act contained shall be deemed to limit or diminish any rights or remedies, either legal or equitable, which either an original or substituted subcontractor may have against the contractor, his successors or assigns, nor any such rights or remedies (including the right to take over and complete the contract) which the State of California, or any municipal corporation, county, body politic, or public corporation, or public agency may have against the contractor, his successors or assigns."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS NOS. 677 AND 300

Mr. Fourt moved that Senate Bill Nos. 677 and 300 be withdrawn from the inactive file, and placed upon the third reading file.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John T. Breckton of San Francisco and Mr. John Henry Martin of Palo Alto.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended

to Sergeants Vic Kormaiki, Milwaukee; Wilmer O. Wiggins, Longmont; Miss Vi Roden of Orland; Privates Charles Vale, Indiana; Edward Vejsicky, Cleveland; Howard Venelslasen of Michigan, U. S. A.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private William Wylder of Illinois.

On request of Mr Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to W. B. Ellis, Mrs. Misenhimer, Mrs Burkhead, Mrs. Camarena, and pupils of the Lafayette School of Contra Costa County, including: Lou McKim, Carolyn Eckwall, Betty Moody, Edith Powell, Ida Beth Stirton, Jack Cotteral, Crozier Mauer, Monnie Blackwood, Barbara Stewart, Norine Bargones, Bill Brannan, Addison Ausplund, Clifford Tressider, Verdene Van Horn, Joyce Lynn, Eddie Coleman, Jack Manners, Marilyn Bryan, Jack McCausland, Dorothy Miller, Ed Bill, Joane Schneider, Roger Duncan, Keith Kapfer, Betty Schaefer, Delfina Soares, Jo Ann Hedman, Angelo Mangini, Teddy Miller, Earldean Torbett, Paul Findlay, Bengi Duvander, Don Ferrarese, Kirby Morgan, Bob Rhoades, Jack Oliveira, Betty Beck, Pat Anderson, Bill Sullivan, Norma Amtoft, Harold Hunt, Richard Stolper, Bob Martland, Charles Snell, Gloria Schirmer, Gerry Mortensen, Bill Janzen, Carol Bargones, Jean Grimes, Marie Inman Kane, Jeanne Vanderwinkle, Bob Bowbeer, John Taffemire, Roy Johnson, Eleanor Brooks, William Tucker, Robert Carlisle, Charles Hallum, Barbara Oliveria, Carol Jane Forbes, Dick Pittman, Barbara Goeppert, Joanne Tompson, Barbara Sullivan, Marianne Malley, Jimmy Blevins, Ruth and Vivien Duvander, Chuck Miller, Walden Mason, Norma Schreuder, Don Shreve, Carol Greub, Marion Bayliss, Tom LaVigne, Jillian Westerlund, Nancy Clark, Robert Davis, Barbara Smith, Marion Scofield, Beverly Crook, Vivienne Schmidt, Lorraine Guerra, Marjorie Slaven, Ruth Maloni, John Coulsen, Jessie Borger, Jeanne St. Hill, Paul Perstein, Kenneth Meserve, Alvin Keefauver, and Janet Whittaker.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Corporals Santiago Jaramilla and Ceferino Sison of Chicago.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Frank Hull of Medford of the United States Navy.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Anne McAnear of Sacramento.

On request of Mr Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant Edmond Piercy and Privates Leo Garrison and Ernest L. Lewis, United States Army.

ADJOURNMENT

At 11.55 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 5.15 p.m., Thursday, April 29, 1943, out of respect to the memory of the late Anthony Boicelli.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SIXTH LEGISLATIVE DAY
ONE HUNDRED SIXTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, April 29, 1943

The Assembly met at 5.15 p.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Nichouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—79.

Quorum present.

PRAYER

Upon invitation of the Speaker, the following prayer was offered by the Hon. Jesse Randolph Kellems, Member of the Assembly from the Sixtieth District:

Blessed Father, breathe into our troubled hearts the sweetness and calm of Thy Holy Spirit that we may be rooted and grounded in our faith. Forgive us the mistakes we have made in this session, and approve the fine things we have tried to do. May we remember the days we have spent together in the service of our beloved State, that out of defeats and victories there may come resolution for more noble endeavors.

In the name of Jesus Christ, Our Lord

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Johnson.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 871—An act to amend Sections 421, 490.5, 698, 698.1, 698.5, 699, 700, 701, 702, 705, 708, 711 and 724.3, of the Fish and Game Code, relating to fish;

Assembly Bill No. 934—An act to amend Section 643 of, and to add Section 643.2 to, the Agricultural Code, relating to the definition for insanitary dairy farms, declaring the urgency thereof, to take effect immediately; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1943, at 2 p.m.

PELLETIER, Chairman

MOTION TO STRIKE BILLS FROM FILE

Mr. Sam L. Collins moved that all Assembly Bills left on the inactive file be stricken from the file.

Motion carried.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 412—An act to amend Section 11871 of the Insurance Code, relating to representation of State agencies by State Compensation Insurance Fund.

Bill read third time.

Motion to Amend

Mr. O'Day moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended, after "file", insert ", pursuant to Chapter 5, Part 1, Division 4 of the Labor Code,".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 413—An act amending Section 4300a of the Political Code, relating to fees of the county clerk.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, following line 29, insert

"For preparing an abstract of a judgment, twenty-five cents, (\$0.25).
For issuing an abstract of a judgment, fifty cents, (\$0.50)".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

ADJOURNMENT

At 5.22 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, April 30, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SEVENTH LEGISLATIVE DAY
ONE HUNDRED SEVENTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, April 30, 1943

The Assembly met at 9.30 a.m.
Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Bashore, Burns, Clarke, Collins, Sam L., Crichton, Doyle, Fourt, Guthrie, Hawkins, Heisinger, Hollibaugh, Leonard, Lyons, Maloney, Massion, Middough, Miller, Pelletier, Price, Robertson, Sargent, Stream, Watson, Weybret, and Mr. Speaker—25.

Absence of Quorum Suggested

Mr. Burns suggested the absence of a quorum.

Call of the Assembly

Mr. Burns moved a call of the Assembly.

Motion carried. Time, 9.32 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 9.50 a.m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The roll was called, and the following answered to their names:

Anderson, Bashore, Beck, Brown, Burns, Clarke, Collins, Sam L., Crichton, Denny, Dills, Ralph C., Doyle, Erwin, Fourt, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—43

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Eternal Spirit, we thank Thee for giving us this new day. Guide us through it with insight and understanding, courage and strength, patience and forgiveness.

Be Thou at our side in every time of tension and in our hearts that we may worship Thee in spirit and in truth. Strengthened by Thy resources we would be "pure and gentle, truthful and highminded, brave and able, courteous and generous, dutiful and useful."

"Yet in the maddening maze of things,
And tossed by storm and flood,
To one fixed trust my spirit clings;
I know that God is good"

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Denny.

COMMUNICATIONS

By Speaker Lyon:

The following communications were received, and ordered printed in the Journal:

PAIS CLUB, STATE CAPITOL, SACRAMENTO, April 21, 1943

To the Speaker and Members of the California State Assembly

The members of the Pais Club wish to express their appreciation for the beautiful dinner-dance, Friday evening, April 16th.

The graciousness of our hosts, the beauty of the arrangements, the charm of the entertainment have made this dinner a high standard by which to gauge all future gatherings.

We fully realize these are war times. But for the sake of our gallant men and women in the armed forces, we must not forget how to live graciously and normally, as well as patriotically. Because . . . We are Americans.

Sincerely appreciatively,

MRS. RANDOLPH COLLIER, President
MRS. ALLEN G. THURMAN, Secretary

Also:

STATE CAPITOL, SACRAMENTO, April 26, 1943

*Hon. Charles Lyon, Speaker of the Assembly
State Capitol, Sacramento, California*

MY DEAR SPEAKER: I was exceedingly pleased when the Assembly adopted the resolution of good wishes on my birthday. Coming as it did during my first year as Governor, it meant much to me. I am very happy to have it in the beautiful, permanent form which was recently presented to me, and shall always treasure it as a souvenir of the happy associations which it represents.

Sincerely,

EARL WARREN

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 448

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALL, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Natural Resources, and Planning *

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Senate Joint Resolution No. 24

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

RALPH C. DILLS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Senate Bill No. 126

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

RALPH C. DILLS, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Senate Bill No. 249

Senate Bill No. 581

Senate Bill No. 357

Senate Bill No. 1093

Senate Bill No. 414

Senate Bill No. 1100

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1943

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 513

Senate Bill No. 612

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Joint Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

FIELD, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 31

Senate Bill No. 714

Senate Bill No. 400

Senate Bill No. 806

Senate Bill No. 480

Senate Bill No. 809

Senate Bill No. 527

Senate Bill No. 813

Senate Bill No. 598

Senate Bill No. 820

Senate Bill No. 669

Senate Bill No. 822

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1943

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 599

Has had the same under consideration, and reports the same back with amendment with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

FIELD, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 37	Senate Bill No. 804
Senate Bill No. 360	Senate Bill No. 812
Senate Bill No. 463	Senate Bill No. 819
Senate Bill No. 464	Senate Bill No. 1088
Senate Bill No. 551	

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 65	Senate Bill No. 148
Senate Bill No. 116	Senate Bill No. 335
Senate Bill No. 273	Senate Bill No. 754
Senate Bill No. 1023	Senate Bill No. 1076

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 168
Senate Bill No. 650
Senate Bill No. 752

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DILWORTH, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Senate Bill No. 58	Senate Bill No. 797
Senate Bill No. 146	Senate Bill No. 987
Senate Bill No. 356	Senate Bill No. 1107
Senate Bill No. 656	

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Senate Bill No. 509
Senate Bill No. 727

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 53

Senate Bill No. 381

Senate Bill No. 502

Senate Bill No. 825

Senate Bill No. 318

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DILWORTH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 827

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DILWORTH, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 472

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

DILWORTH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 31—An act to repeal the article heading of Article 6, Chapter 2, Title 1, Part 3 of, and to add Article 6 consisting of Sections 280 to 284, inclusive, to Chapter 2, Title 1, Part 3 to, the Political Code and to add Article 4, comprising Sections 9100 to 9104, inclusive, to Chapter 1, Part 1, Division 2, Title 2, of the Government Code, relating to offices for the Legislature and the members thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 460—An act to amend Section 658.5 of, and to add Section 658.8 to, the Political Code, relating to refund of fees without approval of the Department of Finance.

Bill read second time, and ordered to third reading.

Senate Bill No. 480—An act to repeal an act entitled "An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved June 19, 1931, relating to motor boat regulation and the disposition of money in the Boat Fund.

Bill read second time, and ordered to third reading

Senate Bill No. 527—An act to amend Section 101 of and to add Section 103a to the State Employees' Retirement Act, relating to retirement benefits for members of the California Highway Patrol.

Bill read second time, and ordered to third reading.

Senate Bill No. 598—An act to add Section 692.5 to the Political Code, relating to approval by the Director of Finance of leases and licenses to use real property executed by the Reclamation Board.

Bill read second time, and ordered to third reading.

Senate Bill No. 669—An act to add Section 6829 to the Revenue and Taxation Code, relating to the sales tax.

Bill read second time, and ordered to third reading.

Senate Bill No. 714—An act to amend Section 5227 of the Business and Professions Code, relating to outdoor advertising.

Bill read second time, and ordered to third reading.

Senate Bill No. 806—An act to add Section 661.2 to the Political Code, relating to appropriations and the expenditure thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 809—An act providing for the transfer of all lands owned by the State on Sherman Island to the State Lands Commission, and providing for the sale thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 813—An act to amend Section 1030 of the Political Code, relating to hours of employment of State employees.

Bill read second time, and ordered to third reading.

Senate Bill No. 820—An act to add Section 408.5 to the Political Code, relating to the filing of contracts made by or on behalf of the State, providing for the examination of such contracts.

Bill read second time, and ordered to third reading.

Senate Bill No. 822—An act to amend Section 356a of the Political Code, relating to contracts between State agencies.

Bill read second time, and ordered to third reading.

Senate Bill No. 249—An act to amend Section 1 of an act entitled "An act expressing the consent of the Legislature of the State of California to the acquisition of lands in the State under the provisions of the act of Congress entitled 'An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers,' approved March 1, 1911, as amended," approved by the Governor September 20, 1934, relating to the acquisition of land in the State by the United States.

Bill read second time, and ordered to third reading.

Senate Bill No. 357—An act to add Section 4014 to the Public Resources Code, relating to the acceptance by the State of the provisions of the Clarke-McNary Act.

Bill read second time, and ordered to third reading.

Senate Bill No. 414—An act to amend Sections 507, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2253, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2266, 2267, 2271, 2274 and 2275 of, and to add Section 2005 to the Public Resources Code, to increase the membership of the State Mining Board and to provide for its powers and duties and for the powers and duties of employees and officers of the Division of Mines, and to abolish the Ore Buyer's License Fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 581—An act to amend Section 3493 of the Political Code, relating to reclamation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1093—An act to add Section 5015 to Article 1 of Chapter 1 of Division 5 of the Public Resources Code, relating to investigations, reports, plans and cooperative projects for the acquisition, development, improvement and maintenance of ocean beaches for public use and the control and correction of beach and cliff erosion.

Bill read second time, and ordered to third reading.

Senate Bill No. 1100—An act to add Sections 28.5, 28.6, 28.7, and 28.8 to the California Water District Act, relating to the liability of districts organized under said act and the liability of officers, agents, and employees of said districts, and providing that such districts may insure against such liabilities.

Bill read second time, and ordered to third reading.

Senate Bill No. 58—An act to add Section 5.3 to the Metropolitan Water District Act, relating to contracts for transportation of water.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 4 to 17, inclusive, and insert "No such contract shall be entered into by a metropolitan water district excepting upon the unanimous vote of its board of directors."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 146—An act to amend Section 1 of an act entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, relating to appropriation of waters by the State Department of Finance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, after "amend", insert "Sections 10501 and 10503 of the Water Code and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 30, insert

"SEC. 2. Section 10501 of the Water Code is amended to read:

10501. Any application filed by the Department of Finance within nine months after July 29, 1927, has priority as of that date and such priority shall be retained over any application made by others subsequent to that date in conflict therewith, regardless of any requirements or provisions relating to diligence in the completion of applications for water or the use thereof, until October 1, [1943] 1947.

SEC. 3. Section 10503 of the Water Code is amended to read:

10503. The Department of Finance, under the requirements of Division 2 and the rules and regulations of the State Engineer relating to applications for the appropriation of water, may publish a notice that it intends to file upon an amount of water necessary to the development of any part or unit of a general or coordinated plan and in that event the publication of the notice shall preserve, as of the date of publication, the priority of any application made and filed subsequently by the Department of Finance for the benefit of such part or unit prior to October 1, [1943] 1947.

SEC. 4. Sections 2 and 3 of this act become operative only if the Water Code is enacted by the Legislature at its Fifty-fifth Session, and, in such case, at the same time said code takes effect; at which time Section 1 of the act cited in the title hereof amended by this act is hereby repealed."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 356—An act to add Section 4015 to the Public Resources Code, relating to money received by this State pursuant to the Clarke-McNary Act and other cooperative agreements with the Federal Government.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, strike out "and other cooperative agreements with the Federal Government", and insert "or under cooperative agreements or contracts."

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "any", and insert "all".

Amendment No. 3

On page 1, line 10, of the printed bill, strike out the comma, and insert "or".

Amendment No. 4

On page 1, line 10, of the printed bill, strike out "or other".

Amendment No. 5

On page 1, line 11, of the printed bill, strike out "agreements and understandings".

Amendment No. 6

On page 1, line 13, of the printed bill, strike out "first".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 656—An act to amend Section 6816 and to repeal Section 6817 of the Public Resources Code, relating to the disposition of moneys credited to the State Lands Act Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1 of the printed bill, strike out lines 24 to 26, inclusive, and insert "sion; 23½ per cent of the remaining balance shall be transferred to the State Beach Fund; and 46½ per cent thereof shall be transferred to the State Park Fund."

Amendment No. 2

In line 3 of the title of the said bill, after "Fund", insert a comma and "declaring the urgency thereof, to become effective immediately".

Amendment No. 3

On page 1 of said bill, following line 30, insert

"SEC. 3 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect, to become operative July 1, 1943. A statement of the facts constituting such necessity is as follows:

Much money is expended biennially in the maintenance and acquisition of State parks and State beaches, thereby preserving to the State many valuable scenic places of healthful recreation. This act will facilitate the most economical expenditure of such money, by better enabling the department to control the expenditure of such sums and to apply the sums in such manner as will best serve the recreational and health needs of the people of the State. If this act does not take effect immediately, the disbursement of the money to these ends will be difficult, uneconomical, wasteful and slow."

Amendments read ~~and adopted.~~

~~Bill ordered reprinted, and to third reading.~~

[On April 30, 1943, above action was rescinded, and record ordered expunged whereby the above amendments to Senate Bill No. 656 were this day adopted.]

Senate Bill No. 1107—An act to amend Section 505 of, and to add Sections 505.5 and 505.6 to, the Public Resources Code, relating to forestry and providing for the administration of the laws relating thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 2, line 38, of the printed bill, after "appoint", insert "with advice and consent of the Senate".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 509—An act to add Article 6, comprising Sections 4421 to 4432, inclusive, to Chapter 2 of Division 4 of the Public Resources Code, relating to the acquisition and reforestation of cut-over lands, making an appropriation and creating a fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "to add Article 6, comprising Sections 4421 to 4432,"; and strike out lines 2, 3, and 4 of said title, and insert "relating to the forest situation in California and making an appropriation."

Amendment No. 2

On page 4, line 1, of said bill, after "by", insert "a committee which is hereby created and whose members shall consist of two Members of the Senate to be appointed by the Rules Committee of the Senate, two Members of the Assembly, to be appointed by the Speaker thereof, the Chairman of the State Board of Forestry, and".

Amendment No. 3

On page 4, line 15, of said bill, strike out "Director of Natural Resources", and insert "committee".

Amendment No. 4

On page 4, line 16, of said bill, strike out "his", and insert "its"

Amendment No. 5

On page 4, line 17, of said bill, strike out "he", and insert "it".

Amendment No. 6

On page 4 of said bill, after line 21, insert
 "The members of the committee shall serve without compensation, but shall be allowed mileage at the rate of five and one-half cents ($\$0.05\frac{1}{2}$) each way, incurred in connection with their services upon the committee, and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of expenses for accommodations and meals, an allowance of ten dollars ($\$10$) per day."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 727—An act making an appropriation to the Emergency Fund specified in Item 221 of the Budget Act of 1943, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 2, line 5, of the printed bill, strike out "person, firm, association, corporation,".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 987—An act to amend Section 6004 of the Water Code, relating to dams and to amend Section 2 of an act entitled "An act providing for the supervision of dams by the Department of Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and providing penalties for violations thereof and making an appropriation therefor," approved June 10, 1929, as amended, relating to dams.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 2, line 16, of the printed bill, as amended, insert

"The word "owner" whenever used in this act means the State and all its departments, institutions and agencies and its political subdivisions, every municipal or quasi municipal corporation, every public utility, district, corporation, company, association or person and their duly authorized agents, lessees, trustees, and receivers or trustees appointed by any court whatsoever, owning, controlling, operating, maintaining or managing or proposing to construct any dam as defined in this act, but does not mean the United States

The words "alterations" and "repairs" or either of them, whenever used in this act shall mean only such alterations or repairs as may affect the safety of the dam."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 448—An act to repeal an act entitled "An act granting rights of way for lines, roads, structures, levees, canals and excavations to the United States over the proprietary lands of this State," approved May 18, 1921, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 4 of the title of the printed bill, after "1921", insert "and Section 8351 of the Public Resources Code, making a statement of legislative intent and defining certain terms,".

Amendment No. 2

On page 1 of said bill, between lines 1 and 2, insert'

"SEC. 2. Section 8351 of the Public Resources Code is repealed.

SEC. 3. It is hereby declared that the term "proprietary lands" or terms or designations of like or similar purport and meaning as used in the act cited in the title hereof and as used in the continuation and extension of said act in Section 8351 of the Public Resources Code does not include, has never included and was not intended by the Legislature to include lands held by the State in trust for a particular purpose nor to lands which have been sold or deeded or both to the State because of tax delinquency on the part of the person liable for such taxes assessed against such lands."

Amendment No. 3

On page 1, line 2, of said bill, strike out "2", and insert "4".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 797—An act to amend Sections 3418 and 3423 of the Public Resources Code, relating to the record of assessments and charges for the Petroleum and Gas Fund and the imposition of a tax lien and the enforcement, release or subordination thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, after "assessed", insert a period.

Amendment No. 2

On page 1 of said bill, strike out lines 8 to 10, inclusive; and in line 11, strike out "portion thereof is situate."

Amendment No. 3

On page 1, line 13, of said bill, after the period, insert "If such charges and assessments become delinquent as provided in Section 3420 of this code, in addition to the information contained in the "Record of Assessments and Charges for the Petroleum and Gas Fund" as herein provided, the department shall furnish to the State Controller upon his request the name and address of any owner of property assessed as such name and address last appears in the office of the tax assessor for county in which such land or a major portion thereof is situate."

Amendment No. 4

On page 2, line 9, of said bill, after "levy," insert "if the certificate of delinquency is to be recorded as hereinafter provided,".

Amendment No. 5

On page 2, line 9, of said bill, after "within", strike out "ten (10)", and insert "fifteen (15)".

Amendment No. 6

On page 2, line 14, of said bill, strike out "known to the Controller.", and insert "as last shown on the records of the said county assessor."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 472—An act to add Section 4.283 to the School Code and to add Section 5007 to the Education Code, relating to the investment of funds of school districts in bonds issued by the United States of America for the prosecution of the war.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "for the prosecution of the war", and insert "declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "established under this code".

Amendment No. 3

On page 1, line 5, of the printed bill, after "district", insert "or any surplus moneys".

Amendment No. 4

On page 1 of the printed bill, beginning in line 8, strike out "for the prosecution of the war".

Amendment No. 5

On page 1 of the printed bill, following line 12, insert
 "This section shall not be construed as in any way limiting or modifying the application of any other law providing for or authorizing the investment of any funds of a school district."

Amendment No. 6

On page 1, line 17, of the printed bill, strike out "established under this code".

Amendment No. 7

On page 1, line 17, of the printed bill, after "district", insert "or any surplus moneys".

Amendment No. 8

On page 1 of the printed bill, beginning in line 20, strike out "for the prosecution of the war".

Amendment No. 9

On page 1 of the printed bill, following line 24, insert
 "This section shall not be construed as in any way limiting or modifying the application of any other law providing for or authorizing the investment of any funds of a school district."

Amendment No. 10

On page 1 of the printed bill, following line 29, insert
 "Sec. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:
 A number of school districts have heretofore accumulated moneys for capital outlay and other purposes which they can not presently expend for such purposes because of conditions created by the wars in which the United States of America is now engaged. It is desirable that such funds be used immediately for the purposes of aiding the United States of America in financing its war effort."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 168—An act to amend Section 3661 of, and to add Section 3661.1 to, the Education Code, relating to the formation of union or joint union high school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 2, line 25, of the printed bill, as amended, strike out "of the heads of families or".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 650—An act to add Section 3.735-3 to the School Code and to add Section 10126.1 to the Education Code, relating to attendance of pupils upon courses of physical education.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "to add Section 3.735-3 to the School Code and".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 21, both inclusive.

Amendment No. 3

On page 1, line 23, of the printed bill, as amended, strike out "Sec. 2.", and insert "Section 1."

Amendment No. 4

On page 1, line 25, of the printed bill, as amended, after "may", insert ", with the written approval of the Superintendent of Public Instruction and under such terms and conditions as he may prescribe,".

Amendment No. 5

On page 2 of the printed bill, as amended, following line 7, insert, as a new paragraph.

"Any approval of the Superintendent of Public Instruction given hereunder may be suspended, modified, or revoked by him for cause"

Amendment No. 6

On page 2 of the printed bill, as amended, strike out lines 18 to 22, both inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading

Senate Bill No. 752—An act to add Article 7.5 consisting of Sections 20490 to 20493, inclusive, to Chapter 2 of Division 10 of the Education Code, relating to the granting of degrees to vocational teachers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out line 23; and on page 2, line 1, strike out "minimum requirements for the Baccalaureate Degree, and".

Amendment No. 2

On page 2, line 4, of the printed bill, as amended, after "board", insert "is authorized to recommend to State colleges the number of units to be allowed toward a Baccalaureate Degree, but shall not recommend that a candidate be granted".

Amendment No. 3

On page 2, line 5, of the printed bill, as amended, strike out "shall not grant to a candidate".

Amendment No. 4

On page 2, line 23, of the printed bill, as amended, strike out "prescribe", and insert "evaluate and make recommendations concerning".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 37—An act to aid the prosecution of the war by authorizing housing authorities to develop or administer projects to provide housing for persons engaged in war industries or activities and to cooperate with the Federal Government in making housing available for such persons; to grant certain powers to public bodies; declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 6 of the title of the printed bill, as amended, strike out the semicolon, and insert a period.

Amendment No. 2

Strike out lines 9 and 10 of the title of said bill.

Amendment No. 3

On page 1, line 15, of said bill, strike out "now or hereafter established", and insert "established and authorized to transact business on or before March 1, 1943,".

Amendment No. 4

On page 2, line 17, of said bill, strike out "administered".

Amendment No. 5

On page 3 of said bill, strike out lines 17 to 35, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 360—An act to add Section 444.2 to the Political Code, relating to temporary transfers of money from the general to special funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "or", and insert "and".

Amendment No. 2

On page 1, line 12, of the printed bill, after "return it.", insert "If such a sufficiency does not accumulate within one year, the amount of the money transferred or whatever portion of such amount is in the fund at that time shall be then returned, and the balance, if any, shall be returned thereafter in monthly installments as it accumulates. Any fund which fails to return the full amount of any transfer within one year from and after the transfer shall be ineligible to receive further transfers until such time as it shall have returned the full amount."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 463—An act to amend Section 692 of the Political Code, relating to the approval of land contracts by the Director of Finance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "land", and insert "real property."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 464—An act to amend Section 675a of the Political Code, relating to approval of contracts by the Department of Finance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy :

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 675b to,".

Amendment No. 2

On page 1 of the printed bill, after line 28, insert
 "SEC. 2. Section 675b is added to the Political Code, to read :
 675b. With reference to the contracts mentioned in Section 675a of this code, the Department of Finance may except from the operation of said section certain classes or types of contracts of any particular State officer, board, commission, department or bureau, and may thereupon authorize such State agency to enter into such contracts without submitting the same for approval by notifying such State agency and the State Controller in writing."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 551—An act to add a new section to the Political Code, to be numbered 695.5, relating to services furnished by State agencies, and repealing Section 695 of the Political Code, as added by Chapter 923, Statutes of 1933.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy :

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "a new section to the Political Code, to be numbered 695 5", and insert "Sections 695.4 and 695.5 to the Political Code".

Amendment No. 2

On page 1, line 2, of the printed bill, as amended, strike out "695 5", and insert "695.4".

Amendment No. 3

On page 1, line 3, of the printed bill, as amended, strike out "695.5", and insert "695 4".

Amendment No. 4

On page 1, line 8, of the printed bill, as amended, strike out "The", and insert
 "SEC. 2. A new section is hereby added to the Political Code to be numbered 695 5 and to read as follows :
 695.5. The".

Amendment No. 5

On page 2, line 8, of the printed bill, as amended, after the period, insert
 "In determining such fair share, the Board of Control may take into consideration the approximate amount of interest earned on such special funds. The board may estimate such interest, and shall not be required to compute the same."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 804—An act to prevent any officers, employees or agencies of the State Government from assuming or performing any functions of counties, cities or other local governmental agencies, or interfering therein without the express approval of the Legislature.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In lines 4 and 5 of the title of the printed bill, as amended, strike out "without the express approval of the Legislature", and insert "except in such cases as are authorized by law."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 812—An act to add Section 472.1 to the Political Code, relating to the Attorney General, his assistants and deputies, and counsel employed or appointed by the Superintendent of Banks, Building and Loan Commissioner, or the Insurance Commissioner.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 472.1", and insert "Sections 472.1 and 472.2".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "Neither", and insert "Except as provided in Section 472.2, neither".

Amendment No. 3

On page 1, line 5, of the printed bill, strike out "trustee of a private trust", and insert "statutory liquidator or conservator of a bank, building and loan association, or insurer".

Amendment No. 4

On page 1, lines 8 and 9, of the printed bill, strike out "private trust and in maintaining and defending the integrity of such trust", and insert "statutory liquidation or conservation matters".

Amendment No. 5

On page 1 of the printed bill, after line 21, insert "SEC. 2. Section 472.2 is added to the Political Code, to read 472.2. The Attorney General shall have the power to appoint and employ such special counsel as may by him be deemed necessary to assist
(a) the Superintendent of Banks
(b) the Building and Loan Commissioner
(c) the Insurance Commissioner
in the performance of their respective duties in the capacity of conservator, liquidator, trustee or receiver of any person subject to the jurisdiction of said officer.

The compensation of such special counsel shall be fixed by the Attorney General, and shall be paid out of the assets of the person against whom conservatorship or liquidation proceedings are taken under and in accordance with the provisions of the Bank Act, the Building and Loan Association Act, or under the Insurance Code"

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 819—An act to regulate the employment of publicists employed by State departments and agencies, and prescribing penalties for the violation hereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 8, of the printed bill, after the period, insert "The provisions of this section do not apply to any person so employed, in the State civil service, prior to January 2, 1939, and still so employed in the State civil service, nor to the department, board, bureau, commission or other agency of the State employing him"

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1088—An act to amend the Bank Act by adding a new section to be numbered 123 1, relating to travel expenses by the Superintendent of Banks Office.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend the Bank Act by adding a new section to be"; and strike out lines 2 and 3, and insert "add Section 123 1 to the Bank Act, relating to travel expense of the State Banking Department."

Amendment No. 2

On page 1, line 9, of said bill, strike out "among other purposes", and insert "among other purposes".

Amendment No. 3

On page 1, line 13, of said bill, strike out the period, and insert a colon.

Amendment No. 4

On page 1, line 17, of said bill, strike out the semicolon, and insert "or".

Amendment No. 5

On page 1, line 18, of said bill, strike out "or administration;" and insert "of administration."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 599—An act providing that revenues, rents and proceeds from lands lying within any by-pass area under the control of the Reclamation Board shall be paid into the General Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, after "Fund", insert "and making an appropriation".

Amendment No. 2

On page 1 of said bill, following line 7, insert "Sec. 2. The sum of sixty-three thousand seven hundred dollars (\$63,700) is hereby appropriated out of any money in the State treasury not otherwise appropriated to the State Reclamation Board for support to be expended during the Ninety-fifth and Ninety-sixth Fiscal Years."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 29, 1943

Mr. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 67	Assembly Bill No. 1747
Assembly Bill No. 142	Assembly Bill No. 1762
Assembly Bill No. 353	Assembly Bill No. 1951

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 29, 1943

Mr. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage on

Assembly Bill No. 145

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 29, 1943

Mr. SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 256	Assembly Bill No. 787
Assembly Bill No. 279	Assembly Bill No. 945
Assembly Bill No. 280	Assembly Bill No. 1061
Assembly Bill No. 413	Assembly Bill No. 1281
Assembly Bill No. 414	Assembly Bill No. 1337
Assembly Bill No. 415	Assembly Bill No. 1338
Assembly Bill No. 416	Assembly Bill No. 1528
Assembly Bill No. 553	Assembly Bill No. 1787

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 29, 1943

Mr. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 307

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

Senate Bill No. 307—An act to add Sections 4.1-1, 4.781-1, 4.782-1, 4.74-1, 4.791-1, 4.793-1, 4.794-1, and 4.796-1 to the School Code and to add Sections 5151.1, 6952.1, 6953 1, 6957 1, 6972 1, 6974.1, 6975.1, and 6977.1 to the Education Code, relating to the support of the public elementary schools, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 230

WHEREAS, There exists no constitutional inhibition against service in the capacity of President of the United States for more than two terms; and

WHEREAS, The great men who founded our Country, established its principles, and drafted the Constitution which was to guide all the future policy and action of

the Nation, felt that no man should serve as President of the United States for more than two terms; and

WHEREAS, The great founder of our Country, George Washington, realized the wisdom of such policy and in pursuance thereof declined all suggestions for an additional term in the Presidency of the United States after he had served his second term; and

WHEREAS, The United States is engaged in a struggle to preserve the ideals of Democracy, and it would be a proper time to enact positive law to embody the policy and tradition that heretofore and now exists; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Congress of the United States be, and the same is hereby memorialized to propose an amendment to the Constitution of the United States providing that no person shall serve for more than two terms as President of the United States; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the Assembly to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Member of the House of Representatives in the Congress of the United States from California.

Resolution read, and referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO. April 30, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 334

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE

CONSIDERATION OF HOUSE RESOLUTION NO. 190

House Resolution No. 190—Relative to the creation of an Assembly Interim Committee on Postwar Rehabilitation.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 2, line 10, of the typewritten resolution, after "chairman and", strike out "six", and insert "four".

Amendment No. 2

On page 6 of the typewritten resolution, in the last *Resolved* paragraph, strike out "ten thousand dollars (\$10,000)", and insert "seven thousand five hundred dollars (\$7,500)".

Amendments read and adopted.

Request for Unanimous Consent

Mr. T. Fenton Knight asked for, and was granted, unanimous consent to take up House Resolution No. 190, as amended, at this time.

Consideration of House Resolution No. 190, as Amended

House Resolution No. 190

Relative to the creation of an Assembly Interim Committee on Postwar Rehabilitation

WHEREAS, Upon the termination of the present armed conflict there will be an immediate need for employment of thousands of California citizens now engaged in wartime efforts, military and otherwise; and

WHEREAS, It is sound economy now to plan and promulgate a program designed to absorb and assimilate into civilian business, pursuits, and employment the men and women demobilized from the armed forces and the men and women released from war industries; and

WHEREAS, It is desirable:

(a) That ways and means be devised tending to assure the continuous operation of industries, businesses and projects, presently situated in this State;

(b) That a program or plan be designed to induce and encourage the establishment of new industries and businesses within the State;

(c) That liaison be established and maintained with Federal, State and local officials and agencies having duties and responsibilities relating to postwar planning; and

WHEREAS, Many privately owned enterprises in this State have suspended or drastically reduced their activities during the present emergency in order that the war may be prosecuted to an early and successful conclusion; and

WHEREAS, Many of these enterprises will need financial assistance to rehabilitate them to their full productive capacity upon the cessation of hostilities; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on Postwar Rehabilitation, consisting of a chairman and four other members to be appointed by the Speaker of the Assembly, and that the powers, duties, and responsibilities of said committee shall include the following:

1. To make a thorough study and investigation of the resources of the State and of the problems of agriculture, industry and allied matters as they pertain to the postwar period problems of unemployment and reemployment in private enterprise;

2. To make or cause to be made studies of labor supply, wartime population movements or changes, and such other social factors as define the extent of the postwar employment problems;

3. To formulate plans to develop the fuller postwar use of the facilities of the ports of the State for foreign and domestic commerce;

4. To prepare plans and to recommend measures to rehabilitate disabled veterans and provide immediate employment and civilian readjustment for the men and women honorably discharged from the armed forces of the United States;

5. To formulate plans for and to assist in the establishment of agricultural and other industries for postwar employment of persons otherwise unemployed because of age, physical incapacity, or otherwise, in the manufacture of useful and necessary products from raw materials;

6. To investigate and recommend to what extent, if any, the State of California can help to restore the men and women now in the armed forces, or otherwise engaged in the war effort, to private industry;

7. To investigate all fields of private industry, including agriculture, manufacturing and mining, for the purpose of devising ways and means of supplying the maximums of postwar employment in private enterprises;

8. To devise ways and means of financing, either through public or private agencies, enterprises within this State that may, with such aid, create employment for our returning soldiers and others and be it further

Resolved, That said committee shall have and may exercise all of the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code and by the Joint Rules and Assembly Rules; and be it further

Resolved, That said committee shall have power:

(1) To select a vice chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in anywise bearing on the subject matter of this resolution;

(7) To meet at any time during this session of the Legislature or after the final adjournment thereof;

(8) To report to this Assembly at any time prior to final adjournment of the Fifty-sixth Regular Session of the Legislature;

(9) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and procure testimony;

(10) To do any and all things necessary to carry out the purposes and intent of this resolution; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly or other officers designated by him, are hereby directed to serve any and all subpoenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of seven thousand five hundred dollars (\$7,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Brown, Burns, Clarke, Collins, Sam L. Denny, Desmond, Dills, Ralph C. Doyle, Evans, Fourt, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, John B. Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—44.

NOES—None.

THIRD READING OF SENATE BILLS

Senate Bill No. 160—An act to amend Sections 154, 159, 160, 161, 740, 741, 742, 743, 744, 745, 747, 749, 834, 835, 836, 869, 901, 903, 905, 906, 907, 908, 909, 910, 911, 1000, 1001, 1002, 1003, 1004, 1005, 1050, 1075, 1076, 1120, 1124, 1125, 1127, 1129, 1150, 1152, 1153, 1175, 1176, 1177, 1178, 1179, 1200, and 5252 of the Welfare and Institutions Code, to add Sections 1008, 1009, 1010, 1011, 1014, 1015, 1049, and 1077 thereto, to repeal Sections 1007 and 1202 thereof, to repeal Article 2 of Chapter 3 of Part 1 of Division 2 thereof, comprising Sections 1020, 1021, 1022, 1023, and 1024, and Article 5 of said chapter, comprising Sections 1100, 1101, and 1102, and to amend and renumber Section 155.5 of said code to be Section 1000.5, all relating to the Youth Authority, providing for commitments thereto by the juvenile courts, transferring thereto the correctional schools and forestry camps now subject to the jurisdiction of the State Department of Institutions, and specifying the powers and duties of the Youth Authority and its officers and

employees in regard to the inmates of such institutions and to other persons committed to the Authority, and providing for the transfer of funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Berry, Brown, Burns, Clarke, Collins, Sam L. Crichton, Denny, Desmond, Dills, Ralph C. Doyle, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, John B. Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—46

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.15 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 64

House Resolution No. 64

WHEREAS, Each session of the Legislature is confronted with hundreds of bills proposing to regulate various phases of public morality, including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar nature; and

WHEREAS, The importance of the subject requires that an investigation be made of such proposals, and of the administration of present laws regulating such matters, and of the necessity of amendment of such laws; now, therefore, be it

Resolved by the Assembly of the State of California, That an Assembly Interim Committee on Public Morals, to consist of five members, appointed by the Speaker, is hereby created, which committee shall study and investigate all matters pertaining to public morality, and shall report its recommendations for legislation to the Legislature not later than March 15, 1945

For the purposes of this resolution, and in addition to the other powers conferred by this resolution, the committee shall have all the powers granted to investigating committees by the Joint Rules of the Senate and Assembly, as they now exist or as they may be hereafter amended, and the provisions of those rules, insofar as they relate to investigating committees, are hereby made applicable to the committee hereby created the same as though they were incorporated in this resolution.

The committee hereby created is hereby authorized to act either during sessions of the Legislature, including any recess thereof, and after final adjournment, but, except for the purposes of making a report, not beyond the convening of the Fifty-sixth Legislature.

In addition to the powers conferred upon the committee by the Rules, it may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee

The Sergeant-at-Arms of the Assembly, the Sergeant-at-Arms of the Senate, or other officers designated by either of them are hereby directed to serve any and all subpoenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day.

The sum of two thousand five hundred dollars (\$2,500), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses

or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the Controller upon the Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Berry, Brown, Burns, Carey, Clarke, Collins, Sam L., Crichton, Denny, Desmond, Dills, Ralph C., Doyle, Fourt, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Robertson, Sargent, Sawallisch, Sheridan, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—43.

NOES—None.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 63—An act to amend Section 737kk of the Political Code, relating to the salary of superior judges in and for the County of San Diego.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Berry, Brown, Burns, Call, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Doyle, Erwin, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Hollibaugh, King, Knight, John B., Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, Potter, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Werdel, Wollenberg, and Mr. Speaker—42.

NOES—Anderson, Bashore, Heisinger, Knight, T. Fenton; Massion, and Pelletier—6.

Bill ordered transmitted to the Senate.

Senate Bill No. 139—An act to amend Section 231 of the Code of Civil Procedure, relating to the manner of summoning jurors for courts not of record.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Ralph C., Doyle, Erwin, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 468—An act to amend an act entitled "An act providing for the joint exercise of powers by counties, by municipalities, or by municipalities and counties approved May 20, 1921," by amending the title and Section 1 thereof to extend the provisions of the act to other public agencies including the Federal Government, the State, a county, city and county, city, public corporation, municipal corporation and public district, and defining public agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Ralph C., Doyle, Erwin, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney,

Massion, McCollister, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Ralph C. Dills moved to expunge the record and rescind the action whereby the committee amendments to Senate Bill No. 656 were this day adopted.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—None.

Re-reference of Senate Bill No. 656

Mr. Ralph C. Dills moved that Senate Bill No. 656 be re-referred to the Committee on Conservation, Natural Resources, and Planning.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Bashore, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, Sam L., Crowley, Debs, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—49.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 3.5 to Article XX thereof, relating to public officers and employees, and authorizing the Legislature to provide for the rights of such officers and employees after service in the armed forces.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Heisinger and Potter—2.

Resolution ordered transmitted to the Senate.

MOTION TO PERMIT REMOVAL OF COATS

Due to poor ventilation in the Assembly Chamber, Mrs. Niehouse moved that the members and attaches be permitted the privilege of removing their coats.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 280—An act to add Section 395.3 to the Military and Veterans Code, relating to public officers and employees, and providing for the rights of such officers and employees after service in the armed forces, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Wollenberg—58.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 799—An act to amend Section 9608 of the Government Code, relating to the termination or suspension of a law and the effect thereof upon penalties for violations committed during the operative period of the law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Johnson, Knight, John B., Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1059—An act to add Section 9611 to the Government Code, relating to interpretation of statutes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Johnson, Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Watson, Werdel, and Weybret—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 179—An act to amend Section 3070 of the Labor Code, relating to the Apprenticeship Council.

Bill read second time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, King, Lyons, Maloney, Massion, McMillan, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Stream, Thompson, Thurman, Werdel, Weybret, and Mr Speaker—44.

NOES—Bashore, Call, Denny, Dilworth, Hastain, Knight, John B., Knight, T. Fenton; Smith, and Thomas—9.

Bill ordered transmitted to the Senate.

Senate Bill No. 685—An act to validate certain acts of counties, cities and counties and of their officers relating to taxation of property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Helsing, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Werdel, and Weybret—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 750—An act to repeal Section 3001 of the Revenue and Taxation Code, relating to real property taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Helsing, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Werdel, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 268—An act to amend Section 2 of an act entitled "An act creating a reclamation district to be called and known as 'Reclamation District No. 1500'; providing for the management and

control thereof and dissolving all levee districts, swamp land districts and reclamation districts, lying wholly within the boundaries of said Reclamation District No. 1500; providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500," approved April 30, 1913, as amended, relating to the election, appointment, powers, and duties of the trustees of said district, and to the office and principal place of business of the said district, and relating to the management and control thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Holibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 588—An act to add Section 125 to the Water Conservation Act of 1929, relating to the offices of the directors of water conservation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Holibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 11.13 a.m., on motion of Mr. Desmond, the Assembly recessed until 11.25 a.m. to hear from Col. Arthur Evans, Member of Parliament.

REASSEMBLED

At 11.25 a.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MOTION TO PRINT ADDRESS IN JOURNAL

Upon motion of Mr. Carlson, the following address, delivered by Col. Arthur Evans, was ordered printed in the Journal:

I am deeply grateful to you, Mr. Speaker, and to the California State Assembly for the compliment which you have paid to me in inviting me to speak to you here in your State Capitol.

I appreciate, of course, that the compliment is paid not to me personally but to the British Parliament—four of whose committees I have the privilege to represent during my present visit to the United States.

I feel sure that all my colleagues in the House of Commons at Westminster would wish me to express to you their warmest thanks and gratitude for this truly thoughtful gesture.

There is no compliment that could appeal more to the heart of any House of Commons man.

Sir, I can not fail to observe that your august Chamber is somewhat less battered than ours. In fact—as a result of enemy action in May of 1941—our Chamber has ceased to exist, but its spirit is undismayed—in spite of the fact that the great Parliamentary figures of the past now gaze down upon us sitting on the red plush benches of the House of Lords instead of on the more democratic “Green” of the House of Commons.

Recently, Mr. Speaker—in the name of my Parliamentary colleagues—I was privileged to ask the President of the United States of America, to accept a relic from the bombed Chamber of the House of Commons. It was a fragment of stone from the fabric of the Chamber and the portcullis crest of the Houses of Parliament which adorns it is worked in lead from the roof.

I hope you will agree, Mr. Speaker, that this souvenir is not without its symbolic significance to the United Nations resisting Nazi tyranny.

The enemy thought to terrorize the British people into submission by the destruction of the cradle of representative Government, but, instead, he was faced with a determination and spirit of defiance that kept him at bay for over a year, and so permitted the other free nations to marshal their resources.

In her long history, Great Britain has never suffered—in defense of the right—as she is suffering today. Since the glorious days of Dunkirk—“Britain’s finest hour”—when Prime Minister Winston Churchill gathered his flock around him—when she had fewer than fifty tanks—only a couple of hundred field guns, some of them brought out of the museum, to defend her island home. Britain has suffered the bombing of her cities—the slaughter of her women and children—and the loss of some of her best sons.

But now, Mr. Speaker, the scene is changing—and changing rapidly—and for the better, and so, today, I am privileged to bring you this message of greeting and good will from your British Parliamentary colleagues at a time when the joint efforts of American-British arms are being blessed with VICTORY in North Africa.

In TUNISIA—yes, sir—where the blood of AMERICANS AND BRITISH is being mingled and shed in defense of those high principles of justice, honor, and freedom, for which the English-speaking peoples of the world have always stood.

In that Army—under the supreme command of General Eisenhower—in which the British Generals Alexander and Montgomery have played their part—many brave Californians have fallen. Californians who are not only serving in the ranks of the United States Army, but in the ranks of the British forces also. Since the early days of September, 1939, we have been honored to welcome to the ranks of the Royal Air Force, brave young men from the Coast and the Golden Gate, many of whom have been decorated for outstanding acts of bravery by His Majesty, the King.

We welcomed their cooperation in war—we will welcome their cooperation in peace.

But peace is not with us yet—and North Africa is not the only theater of war. There is the Far East—there remains Japan. A nation which has once again distinguished itself by further acts of barbarism. They have shocked us—but they have not frightened us—on the contrary, they have strengthened our irrevocable will never to relax the struggle until complete victory has been achieved and the freedom of the peoples of the world ensured. That is why the British people welcomed the prompt pronouncement of Prime Minister Churchill in the House of Commons that the Royal Air Force will take pride and pleasure in joining with their comrades of the American Army Air Force in dealing with the question in a manner suited to the occasion.

Shortly the North African Campaign will be concluded, and the invasion of Europe from many points will be the order of the day. Exactly when or where we do not know, but come it will—and soon—there is no doubt—nor is there any doubt as to its conclusion.

Its conclusion is as certain as the fact that the overwhelming of the enemy in Europe will be followed by the overwhelming of the enemy in the Far East, by the freeing of China from her long years of struggle and by the liberation of all territories in Asia which are now in enemy hands.

This is a global war, and we in Britain hope that the time is not far distant when the total resources and striking strength of the United Nations—and particularly our own, will be freed to turn their eyes to the East and so eradicate an evil force from the world which is looking—with eyes of envy—on this rich and pleasant land of the Golden West.

And when the day of peace finally dawns, and the lights of the world are lit again, it will be our task—Members of State Assemblies, Members of Congress and Members of Parliament—to see to it that the peace—so hardly won—is kept and made safe—NOT ONLY FOR OUR TIME—but for our children's children and those that come after them.

This, I venture to suggest, is a particular responsibility of the English-speaking peoples of the world.

The American and British peoples have today a rendezvous with destiny

Everything that we hold dear today is being ruthlessly attacked. The British people—whose representative salutes you with affectionate regard this morning—are, as we meet here in Sacramento, together with the men of the United States Armies, on watch and ward at the focal point of the whole of the defenses of the United Nations.

We pledge our lives that we will not fail in our duty.

Speaker Presiding

At 11.50 a. m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 33—An act to amend Section 182 of the Penal Code, relating to criminal conspiracy.

Bill read third time.

Demand for Previous Question

Messrs. Guthrie, Dickey, Evans, Robertson, and Knight, John B., demanded the previous question.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Allen, Bashore, Beck, Berry, Brown, Burkhalter, Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Evans, Guthrie, Haggerty, Hawkins, Heisinger, Hollbaugh, Knight, John B., Lyons, Masson, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Thomas, Thompson, Thorp, Weybret, and Mr. Speaker—37

NOES—Anderson, Bennett, Brady, Burns, Call, Carey, Carlson, Collins, George D., Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fount, Gaffney, Hastain, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Potter, Rosenthal, Stream, Thurman, Watson, Werdel, and Wollenberg—34.

The question being on the passage of Senate Bill No. 33

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Field, Fount, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollbaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Masson, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62

NOES—Allen, Bashore, Collins, Sam L., Dills, Clayton A., Dills, Ralph C., Evans, Hawkins, Knight, John B., Lyons, Maloney, Pelletier, Rosenthal, and Thomas—13.

(Notice of motion to reconsider given later this day by Mr Evans)

RECESS

At 12.15 p. m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p. m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1171

Assembly Bill No. 1174

Assembly Bill No. 1175

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled

SENATE CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 48

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 48—Approving certain amendments to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twentieth day of April, 1943

Request for Unanimous Consent

Mr. Carlson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 48, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 48

Senate Concurrent Resolution No. 48—Approving certain amendments to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twentieth day of April, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brown, Call, Carlson, Clarke, Collins, George D., Crowley, Denny, Dickey, Dills, Clayton A., Dunn, Erwin, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—46.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Call:

House Resolution No. 231

Relative to the creation of an Assembly Interim Committee to Investigate the Judiciary System of the State

WHEREAS, In a government of laws and not of men the importance of the judiciary and its system of operation can not be over-emphasized; and

WHEREAS, The constitutional and statutory provisions relating to the composition and jurisdiction of the courts, the method of selection of judicial officers, the procedure and administration of the courts, and the compensation and retirement rights of the several classes of justices and judges have been subjected to piecemeal amendment and modification with little attention to the coherence of the judiciary system of the State, and

WHEREAS, The need of a thorough investigation of all phases is manifest from the number of measures relating to these matters proposed in this Fifty-fifth Session, and

WHEREAS, In order to perform its duties in connection with these matters this body requires information which can best be obtained by a thorough study and analysis of the entire held from the legislative standpoint; now, therefore, be it

Resolved, That there is hereby created the Assembly Committee on the Judiciary System, consisting of five members appointed by the Speaker, which committee shall investigate, study, ascertain and appraise all of the facts concerning the Judiciary System of the State of California, including but not limited to matters relating to:

(a) The composition and jurisdiction of the several courts;

(b) The method of selection of judicial officers;

(c) The procedure and administration of the courts and the rules thereof, whether statutory or otherwise; and

(d) The compensation and retirement of judges and justices; and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have: (1) All the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) and Sections 9400 to 9412, inclusive, of the Government Code, and except when inconsistent with this resolution, all the powers conferred upon committees by the Rules of the Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws and constitutional provisions in anywise bearing upon or relating to the subject of this resolution;

(7) To meet either during sessions of this Legislature or during any recess thereof at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature including any recess thereof, and until the convening of the Fifty-sixth Legislature;

(9) To file reports with the Assembly during the Fifty-fifth Session thereof or any special extraordinary session thereof, and to file its final report with the Fifty-sixth Legislature;

(10) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and

(11) To cooperate with and secure the cooperation of county, city, city and county and other local law enforcement agencies in investigating any matter within the scope of this resolution, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee; and

(12) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Allen:

House Resolution No. 232

Relative to the Postwar International Economic and Food Conference

WHEREAS, The State Department of the Government of the United States has announced that a Conference of the United Nations will be held at Hot Springs, Virginia, on Tuesday, May 18th, to discuss, study and plan the problems of freedom from want, postwar interests in full employment, free enterprise, the lightening of government controls, relief of devastated countries, international currency arrangements and trade reciprocity; and

WHEREAS, This recital of the agenda of the food and economic conference marks it as one of the greatest National and international importance and of paramount interest to the world and to the people of the United States; and

WHEREAS, Forty-two nations have been invited to send representatives to this noted conference; and

WHEREAS, It has been declared by those in charge of the arrangements for the holding of the said conference that all representatives of the press will be barred from attendance at all meetings of the conference; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly protest the closing of the conference to representatives of the press as undemocratic, declare it to be a breach of the American principle of freedom of the press, deplore it as a reversion to star chamber procedures and an infringement of the right of a free people to know in full and complete detail the daily happenings of this world important conference; and be it further

Resolved, That the Chief Clerk be directed to prepare and transmit copies of this resolution to the President, Vice President, and Secretary of State of the United States, to the Speaker of the House of Representatives, and to each Senator and each Member of the House of Representatives from California in the Congress of the United States.

Resolution read, and referred to Committee on Rules and House Functions.

REQUEST FOR UNANIMOUS CONSENT

Mr. Thorp asked for, and was granted, unanimous consent to take up Senate Bill No. 461, at this time.

CONSIDERATION OF SENATE BILL NO. 461

Senate Bill No. 461—An act to add Section 77 to the Agricultural Code and Section 40411 to the Political Code, relating to agricultural fairs and prescribing the powers of the State Agricultural Society and counties in relation thereto.

Bill read third time.

Motion to Amend

Mr. Thorp moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "4041i", and insert "4041h".

Amendment No. 2

On page 1, line 12, of said bill, strike out "4041i", and insert "4041h".

Amendment No. 3

On page 1, line 14, of said bill, strike out "4041i", and insert "4041h".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 945—An act to establish a Water Code, thereby consolidating and revising the law relating to water, including the use of water, the acquisition and regulation of water rights, the control and utilization of water, the distribution of water, the supervision of dams, the use of and rights in streams, wells, pumping plants, and conduits, the establishment and operation of public districts relating to water, and to repeal certain acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 946—An act to add Division 5 and Section 150005 to the Water Code, relating to flood control by cities, counties, and the State, including provisions relating to the Reclamation Board, the Sacramento and San Joaquin Drainage District, and to repeal certain acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C.,

Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Watson, Werdel, Weybret and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 947—An act to add Division 6 to the Water Code, relating to the conservation, development and utilization of the water resources of the State, including provisions relating to the State Water Plan, the Central Valley Project, the San Luis Rey Water Authority, the Colorado River Board, and to repeal certain acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—51.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 948—An act to add Division 10 and Section 150010 to the Water Code, thereby revising and consolidating the law relating to the financial supervision of irrigation and other public districts, including provisions relating to the approval and certification of bonds of such districts as legal investments and as security for the deposit of public money, provisions relating to the obligations and finances of such districts, and provisions relating to the California Districts Securities Commission and other State agencies having powers similar to said commission, and to repeal certain acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—51.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 949—An act to add Division 11 to the Water Code, thereby revising and consolidating the law relating to irrigation districts, including provisions for the supervision, regulation, and conduct of such districts, and to repeal certain acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister,

McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Watson, Werdel, Weybret and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 952—An act to add Sections 202, 203, 1050.5 and 1050.6 to, to amend Sections 228 and 275 of and to repeal Article 5, of Chapter 1 of Part 2 of Division 2 of the Water Code, relating to the administration of the provisions of said code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellem, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 982—An act to add Section 8710.5 to the Water Code, relating to approval of works of reclamation proposed by public districts within the Sacramento and San Joaquin Drainage District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellem, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 983—An act to add Section 4028.5 to the Water Code, relating to distribution of water in watermaster service areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellem, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Watson, Werdel, Weybret and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 984—An act to add Section 1252.5 to the Water Code, relating to appropriation of water.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson,

Kellems, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 986—An act to amend Section 11102 and to repeal Section 11600 of the Water Code, relating to the Central Valley Project.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 985—An act to amend Section 2500 of the Water Code, relating to statutory adjudication of water rights.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1085—An act to amend Section 40 of, and to add Section 19c to, the California Water Storage District Act, relating to water storage districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brady, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Werdel, Weybret, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 510—An act to amend Section 737c of the Political Code, relating to salaries of judges of the superior court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Berry, Brady, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Crowley, Dickey, Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, O'Day, Potter, Price,

Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Weybret, and Mr. Speaker—44.

NOES—Anderson, Dilworth, Massion, and Pelletier—4.

Bill ordered transmitted to the Senate.

Senate Bill No. 859—An act to add Section 9603.5 to the Revenue and Taxation Code, relating to the taxation of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brady, Brown, Call, Carlson, Clarke, Collins, George D., Crowley, Denny, Dickey, Dilworth, Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellem, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Werdel, Weybret, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 341—An act to amend Sections 4a and 23 of the Bank and Corporation Franchise Tax Act, relating to the rate and method of determining the rate of tax on National banking associations, banks and financial corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Helsing, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate

MOTION TO EXCUSE COMMITTEE MEMBERS

On motion of Mr. Sam L. Collins, the following members of the Committee on Rules and House Functions were excused from roll calls following the noon recess: Messrs. Collins, Sam L. (Chairman), Desmond (Vice Chairman), Burns, Bashore, Dickey, Dills, Ralph C., Doyle, Field, Johnson, Knight, John B., Sawallisch, Wollenberg, and Call.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 251—An act relating to claims against the liability of public officers and employees, and providing for insurance with respect thereto, amending Sections 1956 and 1981 of the Government Code, and repealing an act entitled "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers and/or

liability in damages of such officers in the case of injuries to persons or property resulting from the negligence or carelessness of such officers, prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dulworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—Beck—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 904—An act to add Chapter 3.5, comprising Sections 4852.01 to 4852.2, inclusive, to Title 6 of Part 3 of the Penal Code, relating to persons convicted of felony, providing a procedure whereby such persons may, after completion of their sentences, demonstrate their rehabilitation, obtain restoration of rights of citizenship, and apply for pardon; prohibiting the solicitation or acceptance of fees for representing such persons in such proceedings and in applications for pardon; declaring the urgency of this act and providing that it shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—Sheridan—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—Sheridan—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 430—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural products; to provide for the issuance, administration and enforcement of State marketing agreements and marketing orders in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that State marketing agreements and marketing orders shall be and establish standards for fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State marketing agreements and marketing orders; to declare the urgency of this act and that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 534—An act to add Section 612 5 to the Fish and Game Code, relating to steelhead.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 478—An act to add a new section to the State Civil Service Act, to be numbered 57.1, relating to the officers and employees of the Railroad Commission of the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallsch, Sheridan, Stream, Thomas, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Collins, George D., Denny, and Smith—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 646—An act to add Section 887 to the Fish and Game Code, relating to nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 774—An act to amend Section 92 of the Fish and Game Code, relating to districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 745—An act to add Section 59.5 to the State Civil Service Act, providing for the creation of a clerical pool to make available clerical services to all State appointing powers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal,

Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 481—An act relating to bases for allocation of money to county and district agricultural fairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lyons, Malone, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 497—An act to add Sections 3e, 3f, 8d, 38f, 38g, 101b, 101c, 103a and 114 to, and to amend Sections 8, 9, 28, 28a, 38c, 38e, 46, 47, 49, 51, 58b, 65a, 65b, 65e, 79, 83, 84, 85, 90, 92, 94, 100, 101, and 111 of, the State Employees' Retirement Act relating to a retirement system for public officers and employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Malone, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Constitutional Amendment No. 2

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS

Assembly Constitutional Amendment No. 2—A resolution proposing to the people of the State of California to amend Article IV of the Constitution of said State by adding a new section thereto, relating to expenses of members of the Legislature.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 2?

Amendment No. 1

In line 3 of the title of the printed bill, strike out "Section 23 of".

Amendment No. 2

Strike out line 4 of the title of the printed bill, and insert "by adding a new section thereto relating to expenses of Members of the Legislature".

Amendment No. 3

On page 1, line 6, of the printed bill, strike out "Section 23"; and in line 7, strike out "of".

Amendment No. 4

On page 1 of the printed bill, strike out lines 8 to 18, inclusive, and insert "By adding a new section thereto to be known as Section 23b, to read as follows:

Sec. 23b Members of the Legislature shall receive no compensation for their services other than that fixed by the Constitution, but may receive necessary expense allowances during sessions, as may be determined by the Board of Control or by law."

Amendment No. 5

On page 1 of the printed measure, as amended, strike out lines 23, 24, and 25, and insert "stitution but each member shall be allowed and reimbursed expenses necessarily incurred by him while attending regular, special and extraordinary sessions of the Legislature. The amount of the expense necessarily incurred by the respective members, while attending any such sessions, shall be determined and payment thereof provided for by Joint Rules of the Senate and Assembly. Such expense allowances may equal but shall not exceed the expense allowances now authorized for other elected State officers."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 2 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Wevret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Assembly Constitutional Amendment No. 2 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 30, 1943

MR SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 512

Assembly Bill No. 718

Assembly Bill No. 740

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 512—An act to amend Section 6902 of the Labor Code, relating to operation personnel of railroads.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 512?

Amendment No. 1

On page 2, line 2, of the printed bill, as amended, strike out "; provided,"; and strike out lines 3 to 28, inclusive, and insert a period and

"Until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs, the Railroad Commission may, upon the application of a carrier after hearing held upon notice thereof, issue a permit granting and allowing variations from the requirements of subdivisions

(e), (f) or (g), specifying therein the scope and extent of such allowable variations, and the conditions under which allowable, if the commission finds that the requirements of subdivisions (e), (f) and (g), or certain of those requirements, operate in impairment of the war effort and if it further finds that the variations from such requirements specified in the permit will be helpful in furthering the war effort without unreasonably increasing the risk of impairing the health or safety of the employees or of the traveling public, in view of the emergency; and the Railroad Commission may at any time revoke, suspend or modify any such permit upon proof being made that the terms and conditions thereof have been violated or that the variations specified in the permit are no longer necessary."

Amendment No. 2

In line 2 of the title of said bill, after "railroads", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2 of said bill, after the last line, insert
 "SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section I of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

It is essential to the successful prosecution of the war that existing transportation facilities and personnel be used to the fullest extent possible and such limitations as are now contained in the laws amended by this act are impeding the successful prosecution of the war."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 512 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dulworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastan, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.
 NOES—None.

Assembly Bill No 512 ordered enrolled.

RE-REFERENCE OF SENATE BILL NO. 58

Mr. Field moved that Senate Bill No. 58 be re-referred to the Committee on Conservation, Natural Resources, and Planning.

Motion carried.

**WITHDRAWAL OF SENATE BILL NO. 977 FROM COMMITTEE
 BY UNANIMOUS CONSENT**

Mr. Potter asked for, and was granted, unanimous consent to withdraw Senate Bill No. 977 from the Committee on Public Health, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 977

Senate Bill No. 977—An act to amend Section 10617 and to repeal Sections 10621 and 10622 of the Health and Safety Code, relating to registration of previously unregistered births, and making an appropriation therefor, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Motion to Amend

Mr. Potter moved the adoption of the following amendments:

Amendment No. 1

In line 6 of the title of the printed bill, as amended, after "10617", insert "and 115".

Amendment No. 2

In line 9 of the title of the printed bill, as amended, strike out "and".

Amendment No. 3

In line 10 of the title of the printed bill, as amended, after the comma following "therefor", insert "providing for the transfer of such appropriation into the Public Health Fund, abolishing the Delayed Registration of Vital Statistics Fund."

Amendment No. 4

On page 3 of said bill, following line 29, insert "SEC 2. The Delayed Registration of Vital Statistics Fund is hereby abolished. Any money remaining in such fund shall be transferred to the General Fund in the State treasury."

Amendment No. 5

On page 4, line 24, of said bill, strike out "2", and insert "3".

Amendment No. 6

On page 4, line 26, of said bill, strike out "3", and insert "4".

Amendment No. 7

On page 4 of the printed bill, after line 31, insert "SEC 5. Section 115 of the Health and Safety Code is amended to read: 115 There is hereby created in the State treasury a special fund designated as the 'Department of Public Health Fund', into which there shall be deposited: (a) All moneys directed by law to be paid into said fund shall be paid therein and shall be expended solely for the enforcement of the act, article or law under which it is derived, and the expenditure from said fund for the enforcement of any such act, article or law shall not exceed the amount of money credited to said fund thereunder.

(b) All grants of money received by this State from the United States, the expenditure of which is administered through or under the direction of the State Department of Public Health.

(c) All money appropriated by the State for support of the State Department of Public Health

The department may use the money within this subdivision for the purposes for which the money in subdivision (b) is made available by the United States for expenditure by this State. The money to be deposited in the Department of Public Health Fund under this subdivision may be transferred to the Department of Public Health Fund in such amounts as may be authorized by executive order of the Director of Finance.

The Department of Public Health shall keep a record of the classes and sources of income credited to the Department of Public Health Fund and the disbursements therefrom.

Unless otherwise expressly provided all moneys deposited in the Department of Public Health Fund under an appropriation from the General Fund by the State, shall be available for all expenditures incurred for the purposes for which it was appropriated during the period thereof, and, unless by executive order of the Director of Finance such money is directed to be retransferred to the appropriation from which it was transferred to the Department of Public Health Fund, shall be subject to the provisions of Section 435 of the Political Code."

Amendment No. 8

On page 4, line 32, of the printed bill, as amended, strike out "4", and insert "6".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 740—An act to amend Section 2712 to the Penal Code, relating to the payment of wages to prisoners.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 740?

Amendment No. 1

In line 1 of the title of the printed bill, as amended April 1, 1943, after "amend", strike out "Section 2712", and insert "Sections 2712 and 2766".

Amendment No. 2

In line 2 of the title of said bill, after "wages", insert "and workmen's compensation benefits".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

Add a new section to the bill as follows:

"**SEC. 2.** Section 2766 of the Penal Code is hereby amended to read: 2766. This [article] chapter is not intended to restore, in whole or in part, the civil rights of any prisoner [used hereunder] and said [article] chapter shall not be so construed. No prisoner [so used on the State highway or roads] shall be considered as an employee [or to be employed by the State Highway Commission], nor shall any such prisoner come within any of the *beneficial* provisions of [the Workmen's Compensation, Insurance and Safety Act of 1917] *Division 1 of the Labor Code* or be entitled to any benefits thereunder whether on behalf of himself or that of any other person."

Amendment No. 4

In line 1 of the title of the printed bill, strike out "Sections 2712 and 2766", and insert "Section 2712 and to add Section 2716".

Amendment No. 5

On page 1, line 7, of the printed bill, strike out "2766", and insert "2716".

Amendment No. 6

On page 1 of the printed bill, strike out lines 9 to 13, inclusive, and insert "2716. This article is not intended to restore, in whole or in part, the civil rights of any prisoner while working in or at the State prisons and this article shall not be so construed. No such prisoner shall be considered an employee."

Amendment No. 7

On page 1 of the printed bill, after line 18, insert "This section does not repeal or modify the provisions of Sections 2766 or 2791 of this code."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 740 by the following vote:

AYES—Armstrong, Bashore, Beck, Brady, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L. Crichton, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Haggerty, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Potter, Price, Sargent, Sawallsch, Smith, Stream, Thompson, Thurman, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—44.

NOES—None.

~~Assembly Bill No. 740 ordered enrolled.~~

[On April 30, 1943, above action was rescinded, and record ordered expunged whereby the Assembly on this day concurred in Senate amendments to Assembly Bill No. 740.]

Assembly Bill No. 718—An act to add Section 1714.5 to the Civil Code, relating to injuries sustained in air raid shelters.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 718?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out the period, and insert a semicolon and "and to declare the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, as amended, after line 15, insert

"Sec 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into effect immediately"

A statement of the facts constituting such necessity is as follows.

The State of California is within the combat zone of the Western Defense Command of the United States Army and subject to enemy air attack. The establishment of air raid shelters is urgently needed to minimize the effect of enemy attack upon the lives of persons within this State. During an air raid alarm, all persons within such area are required to go to the nearest air raid shelter. Civilian Defense authorities have designated certain Class A buildings as suitable air raid shelters and in order to induce owners of such buildings to permit the use thereof for such purposes, it is necessary that this act take effect immediately."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 718 by the following vote:

AYES—Anderson, Armstrong, Bashore, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 718 ordered enrolled.

Assembly Bill No. 67—An act to add Section 1176.5 to the Fish and Game Code, relating to falcons and pigeons, declaring the urgency hereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 67?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 4 and 5, and insert "Any person who".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 67 by the following vote:

AYES—Anderson, Armstrong, Bashore, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 67 ordered enrolled.

Assembly Bill No. 1762—An act authorizing the investment of surplus funds of any bridge and highway district in bonds, obligations and securities and legalizing all such investments heretofore made, and authorizing such bridge and highway districts to use such surplus funds for the refunding or partial refunding of any existing bonded

indebtedness of bridge and highway districts and to add Section 27154 to the Streets and Highways Code for the same purposes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1762?

Amendment No. 1

In line 13 of the title of the printed bill, as amended, after "purposes", insert "declaring the urgency of this act, to take effect immediately".

Amendment No. 2

On page 1, line 5, of said bill, strike out "keep invested", and insert "reinvest".

Amendment No. 3

On page 1, line 12, of said bill, strike out the semicolon, and insert a period.

Amendment No. 4

On page 2, line 1, of said bill, strike out "and", and insert "Such board of directors is authorized and empowered".

Amendment No. 5

On page 2, line 6, of said bill, strike out "shall be and become", and insert "may be made".

Amendment No. 6

On page 2 of said bill, between lines 7 and 8, insert "No investment shall be made pursuant to this section except in negotiable bonds or negotiable obligations."

Amendment No. 7

On page 2, line 14, of said bill, strike out "keep invested", and insert "reinvest"

Amendment No. 8

On page 2, line 27, of said bill, strike out "shall become", and insert "may be made".

Amendment No. 9

On page 2 of said bill, between lines 29 and 30, insert "No investment shall be made pursuant to this section except in negotiable bonds or negotiable obligations."

Amendment No. 10

On page 2, line 30, of said bill, strike out "shall take effect", and insert "becomes operative".

Amendment No. 11

On page 2 of said bill, after line 34, insert "SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

This act provides for the investment of public funds in bonds and obligations of the United States and will aid in the successful prosecution of the war and in so doing will promote the public peace and safety of this State. Inasmuch as the United States is now making great efforts to dispose of billions of dollars worth of Government securities it is necessary that this act take immediate effect in order to assist the present program of the Federal Government."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1762 by the following vote:

AYES—Anderson, Armstrong, Bashore, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Haston, Hawk, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Smit, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weyhe, Wollenberg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1762 ordered enrolled.

Assembly Bill No. 1747—An act to add Section 44.3 to the Vehicle Code, relating to authorized emergency vehicles, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1747?

Amendment No. 1

On page 2 of the printed bill, between lines 30 and 31, insert
"An authorized emergency vehicle as defined in this subsection shall not be equipped with a siren or other red light showing to the front."

Amendment No. 2

On page 2, line 32, of said bill, strike out "intermittently."

Amendment No. 3

On page 2 of the printed bill, as amended, between lines 15 and 16, insert
"This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature, or until the cessation of hostilities in all wars in which the United States is engaged as determined by an act of Congress or proclamation of the President of the United States, whichever first occurs."

Amendment No. 4

On page 2, line 16, of the printed bill, as amended, strike out "fifth", and insert "sixth".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1747 by the following vote:

AYES—Anderson, Armstrong, Bashore, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraf, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybreit, Wollenberg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No 1747 ordered enrolled.

Assembly Bill No. 1951—An act to add Section 256.5 to the Revenue and Taxation Code, relating to exemptions from real property taxation, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1951?

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 3 to 10, inclusive; and in line 11, strike out "ing", and insert
"256.5. In any form of affidavit prescribed by the board to carry into effect the church exemption, the term "religious worship" shall be deemed to include the making use of property exempt from taxation under Section 1½ of Article XIII of the Constitution for the temporary lodging of members of the armed forces of the United States or any auxiliary branch thereof, whether or not any charge is made to cover any portion of the cost of furnishing such lodging and in such affidavit no specific mention need be made thereof."

Amendment No. 2

On page 2, line 5, of the printed bill, strike out the comma, and insert a period; and strike out the remainder of said line, and all of line 6.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1951 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond,

Dickey, Dilworth, Field, Fourt, Gaffney, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Maloney, Massion, McCollister, Niehouse, O'Day, Potter, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—49.
NOES—None.

Assembly Bill No. 1951 ordered enrolled.

Assembly Bill No. 142—An act to amend Section 69 of the Civil Code, relating to marriage.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 142?

Amendment No. 1

In line 2 of the title of the printed bill, strike out the period, and insert “, declaring the urgency hereof, to take effect immediately.”

Amendment No. 2

On page 2 of the printed bill, after line 22, insert

“SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Many persons enlisted in the armed forces of the United States are temporarily in the State of California on furlough for a short period of time, sometimes for only one day or two, and unless this section is amended as proposed, many such persons will be unable to marry. It is necessary for the public peace, health and safety that this act take effect immediately.”

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 142 by the following vote:

AYES—Armstrong, Beck, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Dilworth and Kellems—2.

Assembly Bill No. 142 ordered enrolled.

MOTION TO PLACE SENATE AMENDMENTS TO ASSEMBLY BILLS ON UNFINISHED BUSINESS FILE

Mr. Carlson moved that Senate amendments to Assembly bills be placed upon the unfinished business file before consideration by the Assembly.

RESOLUTIONS

The following resolutions were offered:

By Mr. Johnson:

House Resolution No. 233

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-five (\$5) sets of the 1943 Pocket Parts for Deering's 1941 California Codes to be delivered at the Assembly Chamber; and be it further

Resolved, That the Chief Clerk is instructed to deliver one copy of the above to each Member of the Assembly; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the Chief Clerk of

the Assembly for two hundred fifty dollars (\$250) in payment for the above supplies, and the State Treasurer is directed to pay the same.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Weber :

House Resolution No. 234

Relative to the Assembly Interim Committee on Legislative Organization

Resolved by the Assembly of the State of California, That the sum of two thousand dollars (\$2000) is hereby made available from the Contingent Fund of the Assembly for expenses of the Committee on Legislative Organization (created by House resolution adopted January 6, 1943, with duties further defined by House resolution adopted January 30, 1943) and its members, and for any other changes, expenses or claims it may incur under those resolutions or under this resolution, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer; the committee to continue with its work and its studies after adjournment of the Legislature at this session, with power to sit and act whether the Legislature be in session or not, until the convening of the Fifty-sixth Regular Session in 1945, reporting from time to time, its final report to be submitted not later than March 15, 1945.

Resolution read, and referred to Committee on Rules and House Functions.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 237—An act to add Section 7518 to the Business and Professions Code, relating to night watchmen in unincorporated areas, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Thurman moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4. of the printed bill, after "areas", strike out the comma, and insert "who are deputized by the sheriff of the county in which such territory is located and".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 344—An act to amend Section 4273 of the Political Code, relating to the compensation of public officers.

Bill read third time.

Motion to Amend

Mr. Denny moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 9 to 11, inclusive, and insert

- "2. The district attorney, two thousand dollars (\$2,000) per annum
3. Each supervisor, one thousand two hundred dol-"

Amendment No. 2

On page 1, line 12, of the printed bill, as amended, strike out "lars _____", and insert "lars (\$1,200)".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

RECESS

At 3.45 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 9 p.m.

REASSEMBLED

At 9 p.m., the Assembly reconvened

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

REPORTS OF STANDING COMMITTEES**Committee on Revenue and Taxation**

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred: Senate Bill No. 705

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BASHORE, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Senate Bill No. 866

Senate Bill No. 656

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 580

Senate Bill No. 898

Senate Bill No. 771

Senate Bill No. 1090

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 307

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Senate Bill No. 807

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 103

Senate Bill No. 660

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BASHORE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 1086

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and re-fer to Committee on Ways and Means.

BASHORE, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Senate Bill No. 57

Senate Bill No. 1071

Senate Bill No. 1075

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Senate Bill No. 445

Senate Bill No. 459

Senate Bill No. 554

Senate Bill No. 615

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 877

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

WATSON, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 196

Senate Bill No. 747

Senate Bill No. 864

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER. Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Senate Bill No. 410

Senate Bill No. 611

Senate Bill No. 865

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

RALPH C. DILLS, Chairman

Above reported bills re-referred to Committee on Ways and Means.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 741—An act to amend Section 2352 of the Labor Code, relating to conditions of places of employment.

Bill read second time, and ordered to third reading.

Senate Bill No. 1044—An act to add Section 4460 to the Labor Code, relating to workmen's compensation

Bill read second time, and ordered to third reading.

Senate Bill No. 1098—An act to add Section 1195.5 to the Labor Code, relating to wages of women and minors.

Bill read second time, and ordered to third reading.

Senate Bill No. 736—An act to amend Section 1590 of the Labor Code, relating to bonds of employment agencies.

Bill read second time, and ordered to third reading.

Senate Bill No. 615—An act to amend Sections 5003.5 and 5014 of the Public Resources Code, relating to the powers of the State Park Commission, and providing the manner in which the moneys in the State Park Maintenance and Acquisition Fund may be expended.

Bill read second time, and ordered to third reading.

Senate Bill No. 57—An act to add Sections 588 and 589 to the Military and Veterans Code, relating to care, treatment and benefits of members of the State Guard, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

Senate Bill No. 1071—An act to amend Sections 321 and 324 of the Military and Veterans Code, relating to the military and naval forces of the State.

Bill read second time, and ordered to third reading.

Senate Bill No. 1075—An act to add 160.5 to the Military and Veterans Code, relating to the powers and duties of The Adjutant General, and providing for supervision and direction by him of the members of the California Highway Patrol and of fish and game wardens and other enforcing officers employed by the Division of Fish and Game.

Bill read second time, and ordered to third reading.

Senate Bill No. 196—An act to amend Section 658.1 of the Fish and Game Code, relating to salmon.

Bill read second time, and ordered to third reading.

Senate Bill No. 747—An act to amend Section 970 of the Fish and Game Code, relating to crab traps.

Bill read second time, and ordered to third reading.

Senate Bill No. 864—An act to add 797.1 to the Fish and Game Code, relating to abalones.

Bill read second time, and ordered to third reading.

Senate Bill No. 705—An act to add Section 9603.6 to the Revenue and Taxation Code, relating to the motor vehicle transportation license tax, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 103—An act to amend Section 6051 and Section 6201 of the Revenue and Taxation Code, relating to the rates of the sales and use taxes, providing for the use of part of the proceeds of said taxes, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 660—An act to add Sections 3695.4, 3695.5, 3774, and 3775, and to amend Sections 3705 and 3773 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

Senate Bill No. 445—An act to add Sections 506.6 and 506.7 to the Public Resources Code, relating to the powers and duties of the State Park Commission respecting shore line protection, improvement and development of State or publicly owned beaches, and to appointment of a Beach Erosion Control Engineer.

Bill read second time, and ordered to third reading.

Senate Bill No. 459—An act to amend Sections 11535, 11552, 11554, 11555, 11593 and 11612 of the Business and Professions Code, relating to real estate subdivisions, procedure for surveying, subdividing and mapping of real estate; the sale and disposal of real estate by reference to maps; regulating the powers and duties of cities, counties and towns with reference to the procedure for surveying, subdividing and mapping of real estate, and the preparation of official maps; and prescribing penalties for violations thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 554—An act to add Sections 6210.3, 6210.4 and 6220 to the Public Resources Code, relating to reservations of easements for convenient access, in sale, lease or rental of State-owned lands, and to acceptance of quitclaim deeds by the State Land Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 53—An act to provide for the licensing, visitation and supervision of schools teaching foreign languages, and to define and prescribe the powers and duties of the State Board of Education in respect thereto.

Bill read second time, and ordered to third reading.

Senate Bill No. 502—An act to amend Sections 1071, 2422, 2423, 2481, 2502, 2561, 2584, 2802, 2833, 2893, 2922, 2962, 3431, 3462, 3591, 3661, 3691, 3722, 3742, 3743, 3761, 3825, 3841, 3851, 3962, 4281, 4341, 18461 and 18478, and to repeal Section 3403 of, and to amend the article heading of Article 14, of Chapter 11, Division 2 of the Education Code, relating to the Public School System.

Bill read second time, and ordered to third reading.

Senate Bill No. 318—An act to amend Section 2.1431 of the School Code and to amend Section 10002 of the Education Code, relating to the State Curriculum Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 381—An act to amend Section 4861 of the Education Code, relating to the membership of schools in societies, associations, or organizations.

Bill read second time, and ordered to third reading.

Senate Bill No. 825—An act to add Sections 12010 and 12154 to the Education Code, relating to credentials and certificates.

Bill read second time, and ordered to third reading.

Senate Bill No. 827—An act to amend Section 2.1412 of the School Code and to amend Section 144 of the Education Code, relating to the Deputy Superintendent of Public Instruction.

Bill read second time, and ordered to third reading.

Senate Bill No. 65—An act to amend Sections 7 and 10 of the Municipal Court Act of 1925, relating to municipal courts.

Bill read second time, and ordered to third reading.

Senate Bill No. 116—An act to add Section 4101b to the Political Code, relating to deposits by county clerk in county treasury.

Bill read second time, and ordered to third reading.

Senate Bill No. 273—An act relating to the publication and disposal of newspapers printed in foreign languages.

Bill read second time, and ordered to third reading.

Senate Bill No. 1023—An act to add Section 337g to the Penal Code, relating to the possession, use, and transportation of drugs at race tracks.

Bill read second time, and ordered to third reading.

Senate Bill No. 148—An act to amend Section 737mm of the Political Code, relating to the compensation of the judges of the superior court in and for the County of San Joaquin.

Bill read second time, and ordered to third reading.

Senate Bill No. 335—An act to amend Section 15 of the Corporate Securities Act, relating to review of orders, decisions, permits or evidences of other official acts of the Commissioner of Corporations by courts of competent jurisdiction.

Bill read second time, and ordered to third reading.

Senate Bill No. 754—An act to amend Section 953e of the Code of Civil Procedure, relating to appeals in civil actions and proceedings.

Bill read second time, and ordered to third reading.

Senate Bill No. 1076—An act to add Section 6060.6 to the Business and Professions Code, relating to admission to the practice of law.

Bill read second time, and re-referred to Committee on Ways and Means.

Senate Bill No. 103—An act to amend Section 6051 and Section 6201 of the Revenue and Taxation Code, relating to the rates of the sales and use taxes, providing for the use of part of the proceeds of said taxes, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 660—An act to add Sections 3695.4, 3695.5, 3774, and 3775, and to amend Sections 3705 and 3773 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

Senate Bill No. 866—An act to add Sections 5015, 5016, 5017 to the Public Resources Code, relating to parks and beaches

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 1 of the title of the printed bill, after "5017", insert ", and 5018".

Amendment No. 2

On page 5 of said bill, after line 5, insert

"SEC. 4. Section 5018 is added to the Public Resources Code, to read:
5018. Any state-wide shore line master plan shall take into consideration existing uses of shore line property and no land shall be acquired under the authority of Section 5017 which is producing oil, gas or other hydrocarbons, or that is within a distance of six hundred sixty (660) feet from a producing oil or gas well."

Amendment No. 3

On page 5, line 13, of the printed bill, strike out "4", and insert "5".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 656—An act to amend Section 6816 and to repeal Section 6817 of the Public Resources Code, relating to the disposition of moneys credited to the State Lands Act Fund

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 3 of the title of the printed bill, after "fund", insert a comma and "creating the State Beach Fund, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 24 to 26, inclusive, and insert "sion; 23½ per cent of the remaining balance shall be transferred to the State Beach Fund; and 46½ per cent thereof shall be transferred to the State Park Fund."

Amendment No. 3

On page 1 of said bill, following line 27, insert "SEC. 2. Section 5014 of the Public Resources Code is hereby amended to read: 5014. There is hereby created in the State treasury the State Beach Fund, which fund is appropriated for the acquisition, improvement, and maintenance of State beaches.

The State Controller shall transfer to the State Beach Fund the following sums:

(a) The sums appropriated to the fund pursuant to Section 6816;

(b) The balances of all appropriations made to the State Park Maintenance and Acquisition Fund which are available specifically for the acquisition, improvement and maintenance of State beaches;

(c) One-third of the unappropriated cash surplus in the State Park Maintenance and Acquisition Fund.

Any appropriations made out of the moneys deposited in the State Park Maintenance and Acquisition Fund for the acquisition, improvement and maintenance of State beaches shall be payable from the State Beach Fund."

Amendment No. 4

On page 1, line 29, of said bill, strike out "2", and insert "3".

Amendment No. 5

On page 1 of said bill, following line 30, insert

"SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect to become operative July 1, 1943. A statement of the facts constituting such necessity is as follows:

Much money is expended biennially in the maintenance and acquisition of State parks and State beaches, thereby preserving to the State many valuable scenic places of healthful recreation. This act will facilitate the most economical expenditure of such money, by better enabling the department to control the expenditure of such sums and to apply the sums in such manner as will best serve the recreational and health needs of the people of the State. If this act does not take effect immediately, the disbursement of the money to these ends will be difficult, uneconomical, wasteful and slow."

Amendment No. 6

In line 1 of the title of said bill, strike out "Section", and insert "Sections 5014 and".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 580—An act to add Section 1272 to the Fish and Game Code, relating to deer.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, strike out the period, and insert "; provided, the commission shall make no change in the period of the open season in any district for taking deer as now fixed by this code, unless such open season is closed under the authority of Federal emergency regulations or proclamations."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 771—An act to amend Section 1203.6 of the Fish and Game Code, relating to pheasants.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, after "season", insert "and not more than 10 during any open season".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 898—An act to amend Section 612 of the Fish and Game Code, relating to steelhead fishing.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, lines 10, 11, and 12, of the printed bill, restore all of the final sentence which had been stricken out.

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1090—An act to amend Section 1015 of the Fish and Game Code, relating to the privilege tax for the taking of salmon.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended, strike out "equipment, operation and maintenance", and insert "and equipment".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 307—An act to add Sections 4.1-1, 4.781-1, 4.782-1, 4.784-1, 4.791-1, 4.793-1, 4.794-1, and 4.796-1 to the School Code and to add Sections 5151.1, 6952.1, 6953.1, 6957.1, 6972.1, 6974.1, 6975.1, and 6977.1 to the Education Code, relating to the support of the public elementary schools, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, after "schools", insert "and making an appropriation".

Amendment No. 2

On page 5, line 37, of said bill, strike out "become operative only if the Education Code is", and insert "are operative until the Education Code".

Amendment No. 3

On page 5, lines 38 and 39, of said bill, strike out ", and in such case, at the same time as said code".

Amendment No. 4

On page 5, line 41, of said bill, strike out "amended", and insert "added".

Amendment No. 5

On page 5, line 47, of said bill, strike out "This", and insert "The sections added to the Education Code by this".

Amendment No. 6

On page 5 of said bill, strike out lines 48 to 50, inclusive, and insert "1945, and while they are in effect shall supersede any existing provisions of law with which they are in conflict; but such provisions are not repealed by said sections and after said sections are no".

Amendment No. 7

On page 6, line 1, of said bill, strike out "this act", and insert "these sections".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 807—An act to repeal an act entitled "An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof," approved by the Governor, June 14, 1935, to establish the "State Economic Planning Commission."

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, strike out "Economic"; and strike out line 5, and insert "Reconstruction and Reemployment Commission" and prescribing its powers and duties; authorizing the State Reconstruction and Reemployment Commission to make investigations, reports, recommendations and plans for a program for the promotion, development, conservation and utilization of the human, natural, and economic resources of the State, making an appropriation; and to transfer the duties, powers, purposes, responsibilities, unexpended moneys, and jurisdiction of the State Planning Board to the State Reconstruction and Reemployment Commission."

Amendment No. 2

On page 4, line 11, of said bill, after "SECTION 1", insert "This act shall be known as the State Reconstruction and Reemployment Act.

SEC. 2 The Department of Finance shall be in possession and control of all records, books, papers, offices, equipment, moneys, funds, appropriations, and real and personal property now or hereafter held for the benefit or use of the State Planning Commission from the effective date of this act until the creation and qualification of the State Reconstruction and Reemployment Commission and the title to all property held by said State Planning Board for the use and benefit of the State is hereby transferred to the State of California to be held in the possession of said Department of Finance until the creation and qualification of the State Reconstruction and Reemployment Commission, at which time possession, custody, and control of all said property shall be surrendered and transferred to the State Reconstruction and Reemployment Commission.

SEC. 3 It is hereby declared to be the public policy of this State and the purpose of this act to prevent unemployment, conserve and develop the natural, social and economic resources of the State, promote development of new industries, create new markets; promote the reemployment of discharged service men and readjustment of displaced war workers, and the conversion of industry and commerce from war to peace standards, to provide for postwar adjustment and reconstruction, and to encourage economic and social improvement of the general public.

SEC. 4. There is hereby created the State Reconstruction and Reemployment Commission designated in this act as the commission, to consist of nine members, as follows:

- (a) The Director of Public Works, chairman
- (b) Director of Finance, vice chairman
- (c) Director of Professional and Vocational Standards

(d) President of the University of California, or his representative, with the approval of the Governor

- (e) Director of Natural Resources
- (f) Director of Agriculture
- (g) Director of Industrial Relations
- (h) Superintendent of Public Instruction
- (i) Executive Secretary of the Governor

SEC. 5. It shall be the duty of the commission to:

(a) Collect, assemble, study, and analyze data concerning the human, natural and economic resources of the State

(b) Endeavor to formulate and promote plans and programs to

(1) Reemploy discharged service men and women

(2) Rehabilitate discharged veterans through purchase of homes and farms

(3) Provide for and encourage the resumption of the education of veterans whose education has been interrupted

(4) Readjust displaced war workers

(5) Convert industry and commerce from war to peace standards

(6) Encourage the development, preservation and restoration of industry

(7) Encourage and promote the full development of the Natural Resources of California

(8) Encourage and arrange for cooperation with the other Western States in the development of a regional economy

(9) Plan for and promote the improvement and expansion of the highway and freeway systems of the State

(10) Plan for and support the necessary reconstruction and expansion of State buildings, particularly State hospitals and institutions

(11) Prepare for postwar adjustments generally

(c) Cooperate with Federal, State, and other public and private agencies to effect the purposes of this act

(d) Prepare and submit a quarterly report to the Governor

(e) Prepare and submit an annual report and recommendations to the Governor and the Legislature

SEC. 6. Each member of the commission shall act as chairman of a Citizens Advisory Committee of five members selected by the Governor upon nomination by such member, and qualified as specialists in the respective fields of activity of this commission. Members of these advisory committees shall receive no compensation for their services under this act, but shall be reimbursed for their actual and necessary expenses incurred in connection with their duties hereunder. The members of these advisory committees shall serve at the pleasure of the committee chairman.

SEC. 7. Within 15 days after the appointment of this commission the commission shall meet at Sacramento and organize for the transaction of business.

SEC. 8. The Director of Public Works shall be the chairman and the Director of Finance the vice chairman of this commission. A majority of the members of the commission in office constitutes a quorum and the vote of such a majority is necessary to the transaction of the business of the commission. The commission shall by rule provide for such regular and special meetings as it may determine and for the method of calling such meetings.

SEC. 9. The office of Director of Reconstruction and Reemployment is hereby created and is filled by appointment by the Governor. He serves at the pleasure of the Governor and receives such salary as the commission shall designate, not in excess of ten thousand dollars (\$10,000) annually, with the approval of the Director of Finance, and the actual and necessary expenses incurred by him in the performance of his duties. He also may be removed from office by a vote of a majority of the members of the commission then in office.

SEC. 10. The director shall be the chief executive officer for the administration of this act, but the commission shall require the prior approval by it of any or all contracts involving the expenditure of more than five hundred dollars (\$500) that may be executed by the director. The director may delegate any of the powers vested in him by this act, except the power to contract, to employees and officers engaged in the administration of this act. Any power so delegated may at any time be modified, withdrawn or terminated by the director.

SEC. 11. The director is the head of a department within the meaning of Sections 353, 354, 355, and 356 of the Political Code.

SEC. 12. The director may contract with such other agencies, public or private, as he deems necessary or desirable for the rendition and affording of such services, facilities, studies and reports to him as will assist in carrying out the provisions of this act.

SEC. 13. The director may procure and maintain offices in such parts of the State as to him appears necessary or convenient in order to effectuate the purposes of this act. The director has power to do such other acts and things as may be necessary and incidental to the full discharge of duties expressly conferred or imposed upon him.

SEC. 14. In the execution of their powers and duties under this act, officers and employees engaged in the administration of this act shall be governed by such rules as the commission may from time to time make.

SEC. 15 The commission shall create positions, fix the compensation and prescribe the powers and duties of officers and employees necessary for the administration and to effectuate the purposes of this act. The compensation fixed shall be subject to the approval of the Director of Finance. All such officers and employees shall be appointed by and serve at the pleasure of the Governor.

SEC. 16 Upon the request of the commission or the director every officer and employee of this State shall consult and advise the commission or the director, as the case may be, and each department, division, bureau, board, commission, and officer of this State and each agency or political subdivision of this State shall render all possible assistance to the commission and the director for the purpose of carrying out the provisions of this act.

SEC. 17. The commission is hereby authorized to accept gifts from any person, agency, organization, partnership, business trust, corporation, the United States of America, or any agency thereof, the State of California, or any political subdivision or agency thereof and to use same in accordance with the terms of the grant.

SEC. 18 There is hereby appropriated from any funds in the State treasury, not otherwise appropriated, the sum of forty thousand dollars (\$40,000) or so much thereof as may be necessary to carry out the provisions of this act.

SEC. 19 The State Reconstruction and Reemployment Commission shall succeed to and is hereby vested with all the duties, powers, purposes, responsibilities and jurisdiction of the State Planning Board under the provisions of the act cited in the title of this act, or of any other law, and of the several officers, deputies and employees of or under the State Planning Board, and whenever by the provisions of any statute or law now in force or which hereafter be enacted, a duty or jurisdiction is imposed or authority conferred upon the State Planning Board, or upon any of the officers, deputies or employees of or under either thereof, such duty, jurisdiction and authority are hereby imposed upon and transferred to the State Reconstruction and Reemployment Commission with the same force and effect as if the title of said last-named commission had been specifically set forth and named therein, in lieu of the name of the State Planning Board, or any such officer, deputy or employee thereof or thereunder. For the purposes of this act, the term State Planning Board, or similar designation, and of the several officers, deputies and employees of or under either thereof, when used in any statute or law now in force or which may hereafter be enacted, shall be construed to refer to and mean the State Reconstruction and Reemployment Commission, the same as if the title of such commission had been specifically set forth and named therein. The State Planning Board and office and the positions of all deputies, officers and employees of or under either thereof are and each of them is hereby abolished and shall have no further legal existence.

SEC. 20 From the time of the creation of the State Reconstruction and Reemployment Commission, it shall be and is hereby authorized to expend the moneys in any appropriation or in any special fund in the State treasury now remaining or made available by law for expenditure by the State Planning Board.

SEC. 21 If any provisions of this act or the application thereof to any person or circumstances is held invalid, the remainder of the act, and the application of such provisions to other persons or circumstances shall not be affected thereby.

SEC. 22 "

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 705—An act to add Section 96036 to the Revenue and Taxation Code, relating to the motor vehicle transportation license tax, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended, strike out "for"; and strike out all of lines 12 to 18, inclusive, and insert "with another person or persons not included in the term "operator" for the joint use of their motor vehicles for the transportation of their own property, or enters into an agreement to lease his motor vehicle with or without a driver to a person subject to license under this part."

Amendment read and adopted

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 315
 Assembly Bill No. 417
 Assembly Bill No. 420
 Assembly Bill No. 802
 Assembly Bill No. 846

Assembly Bill No. 848
 Assembly Bill No. 938
 Assembly Bill No. 1050
 Assembly Bill No. 1530
 Assembly Bill No. 1894

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to

Assembly Bill No. 843

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1036—An act to amend Section 64 of the Fish and Game Code, relating to fish and game district.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Bashore, Bennett, Berry, Carlson, Clarke, Collins, George D. Collins, Sam L. Denny, Dills, Clayton A. Dills, Ralph C. Elwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Leonard Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Smith, Stream, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—43.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXCUSE COMMITTEE MEMBERS

Upon motion of Mr. Wollenberg, the following members of the Committee on Ways and Means were excused from the roll calls following the evening recess: Messrs Burkhalter, Burns, Carey, Crichton, Crowley, Doyle, Field, Gannon, Johnson, Knight, T. Fenton; Kraft, O'Day, Potter, Robertson, Sargent, Thurman, Weber, Weybret, Sheridan, and Wollenberg.

Hon. Sam L. Collins Presiding

At 10.05 p. m., Hon. Sam L. Collins, Member of the Assembly from the Seventy-fifth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 34—An act to amend Sections 2453, 2454, 2600, 2621, 2626, 2627, 2628, 2629, 2633, 2670, 2742, 2840, 2841, 2893, 2897 and the article heading of Article 4 of Chapter 2 of Division 5, and to repeal Sections 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2622, 2623, 2624,

2625, 2630, 2631 and 2632 of the Elections Code, relating to sponsor certificates and verification deputies.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Burns, Call, Crichton, Crowley, Denny, Guthrie, Price, Sheridan, and Thompson—9.

NOES—Anderson, Bashore, Bennett, Berry, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, T. Fenton, Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Rosenthal, Sargent, Smith, Stream, Thorp, Thurman, Weber, Werdel, and Weybret—44.

Senate Bill No. 590—An act to amend Section 890 of the Military and Veterans Code, relating to veterans and their dependents, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Watson, Weber, Weidel, Weybret, and Wollenberg—57.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Wollenberg—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 75—An act to add Section 555 to the Vehicle Code, relating to equestrian crossings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Wollenberg—56

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 337—An act to add Sections 531.2 and 587.5 to the Vehicle Code, relating to the operation and the parking of vehicles.

Bill read third time.

Demand for Previous Question

Messrs. Heisinger, Denny, Berry, Thurman, and Leonard demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 337.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Wollenberg—53.

NOES—Bashore, Burkhalter, Dills, Ralph C., and Pelletier—4.

Bill ordered transmitted to the Senate.

Senate Bill No. 120—An act to amend Section 4951 of, and to add Sections 4659, 4865 and 4866 to, the Health and Safety Code, relating to the powers of sewer maintenance districts and districts formed under Chapter 2, Part 3, Division 5 of said code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Fourt moved to expunge the record, and rescind the action, whereby Senate amendments to Assembly Bill No. 740 were this day concurred in.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellem, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Wollenberg—59.

NOES—None.

Further Consideration of Senate Amendments

Assembly Bill No. 740—An act to amend Section 2712 to the Penal Code, relating to the payment of wages to prisoners.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 740?

Amendment No. 1

In line 1 of the title of the printed bill, as amended April 1, 1943, after "amend", strike out "Section 2712", and insert "Sections 2712 and 2766".

Amendment No. 2

In line 2 of the title of said bill, after "wages", insert "and workmen's compensation benefits".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

Add a new section to the bill as follows:

"Sec. 2 Section 2766 of the Penal Code is hereby amended to read:

2766. This [article] chapter is not intended to restore, in whole or in part, the civil rights of any prisoner [used hereunder] and said [article] chapter shall not be so construed. No prisoner [so used on the State highway or roads] shall be considered as an employee [or to be employed by the State Highway Commission], nor shall any such prisoner come within any of the *beneficial* provisions of [the Workmen's Compensation, Insurance and Safety Act of 1917] *Division 4 of the Labor Code* or be entitled to any benefits thereunder whether on behalf of himself or that of any other person."

Amendment No. 4

In line 1 of the title of the printed bill, strike out "Sections 2712 and 2766", and insert "Section 2712 and to add Section 2716".

Amendment No. 5

On page 1, line 7, of the printed bill, strike out "2766", and insert "2716".

Amendment No. 6

On page 1 of the printed bill, strike out lines 9 to 13, inclusive, and insert "2716. This article is not intended to restore, in whole or in part, the civil rights of any prisoner while working in or at the State prisons and this article shall not be so construed. No such prisoner shall be considered an employee."

Amendment No. 7

On page 1 of the printed bill, after line 18, insert "This section does not repeal or modify the provisions of Sections 2766 or 2791 of this code"

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 740 by the following vote:

AYES—Brown, Carey, Kilpatrick, Knight, T. Fenton; Lyons, Rosenthal, and Sheridan—7.

NOES—Anderson, Bashore, Bennett, Berry, Burkhalter, Burns, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Doyle, Dunn, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Price, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—51.

Appointment of Committee on Conference Concerning Assembly Bill No. 740

The Speaker announced the appointment of Messrs. Fourt, Carey, and Kellems as a Committee on Conference concerning Assembly Bill No. 740.

WITHDRAWAL OF SENATE BILL NO. 300 FROM INACTIVE FILE

Mr. Desmond moved that Senate Bill No. 300 be withdrawn from the inactive file, and placed upon the third reading file for purpose of amendment, at this time.

Motion carried.

CONSIDERATION OF SENATE BILL NO. 300

Senate Bill No. 300—An act to amend Section 2261 of the Civil Code and Section 105 of the Bank Act, relating to the investment of trust funds by trustees.

Bill read third time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "and", and insert a comma

Amendment No. 2

In line 2 of the title of said bill, strike out "relating to the investment of trust", and insert "and Section 584 of the Probate Code, relating to the investment of".

Amendment No. 3

In line 3 of the title of said bill, strike out "by trustees".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 3 of said bill, after line 21, insert

"SEC. 3. Section 584 of the Probate Code is amended to read:

584. Pending the settlement of an estate, or at the time of settlement of an estate, on the petition of the executor or administrator, or of any person interested in the estate, and upon good cause shown therefor, the court may order any money in the hands of the executor or administrator, to be invested for the benefit of the estate in securities of the United States or of this State [or in life insurance policies, endowment or annuity contracts,] or in the purchase from an insurer admitted to do business in this State and for any legatee named in the will of an annuity expressly granted to him by said will. The clerk shall set the petition for hearing by the court and give notice thereof for the period and in the manner required by Section 1200 of this code "

Amendments read and adopted.

Bill ordered reprinted, and to third reading

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 975—An act to amend Section 142 of the Vehicle Code, relating to exemptions from registration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 16—An act to add Section 66a to the Code of Civil Procedure and to amend Section 737v of the Political Code, relating to the number of superior court judges and providing for the appointment of an additional superior court judge in and for the County of Solano, providing for his compensation, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burus, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt,

Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 363—An act to amend Sections 14½ and 15 of, and to add Section 13½ to, the Highway Carriers' Act, relating to the use of public highways for commercial purposes and the powers and duties of the Railroad Commission in respect thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C. Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 976—An act to amend Section 647 of the Agricultural Code, relating to conveyances transporting milk or cream or containers therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C. Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 858—An act to add Section 1.5 to an act entitled "An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discriminations between various forms of transportation; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act," approved May 27, 1935, relating to highway carriers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C. Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan,

Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 60—An act to add Section 258.1 to the Vehicle Code, relating to temporary chauffeurs' licenses for school bus drivers, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton, Leonard, Lyons, Maloney, Middough, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Burkhalter, Collins, George D., Dills, Ralph C., Evans, Hawkins, Massion, Pelletier—7.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Clarke moved a call of the Assembly.

Motion carried. Time, 10.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1068—An act to amend Section 841 of the Military and Veterans' Code, relating to veterans' farm and home purchase funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Kellems, Kilpatrick, King, Leonard, Lyons, Massion, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1080—An act to add Sections 3327 and 3330 to the Penal Code, relating to the California Institution for Women.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon,

Guthrie, Haggerty, Heisinger, Hollibaugh, Kellems, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56

NOES—Bashore, Collins, Sam L., Pelletier, and Smith—4.

Bill ordered transmitted to the Senate

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON SENATE BILL NO. 60**

At 11 03 p.m. on motion of Mr. Clarke, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 60 passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Middough, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Burkhalter, Collins, George D., Dills, Ralph C., Evans, Haggerty, Hawkins, Kilpatrick, Knight, T. Fenton; Massion, Miller, and Pelletier—11.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California to amend the Constitution of the State, by adding Section 5 of Article XIII thereof, relating to property taxation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate

Senate Bill No. 640—An act to amend Sections 12700, 12701, 12703, 12704, 12706 and 12709 of, and to add Section 12700.1 to, the Business and Professions Code, relating to public weighmasters

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 238—An act to amend Section 4284 of the Political Code, relating to compensation for public services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Diekev, Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McMillan, Middough, Miller, Niehouse O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Wevbret, Wollenberg, and Mr. Speaker—62

NOES—Anderson, Bashore, Evans, and Massion—4

Motion to Amend Title

Mr. Denny moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "services", insert "in counties of the fifty-fifth class".

Amendment read and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Senate Bill No. 1026—An act to amend Section 7 of the "Unemployment Insurance Act," relating to exemptions.

Bill read third time.

Motion to Amend

Mr. Kraft moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Section 7 of the "Unemployment Insurance Act,"", and insert "add Section 7.3 to the Unemployment Insurance Act,"

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 27, inclusive; and on page 2, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 7.3 is added to the Unemployment Insurance Act, to read: Sec. 7.3 Subdivision (g) of Section 7 includes service performed in the employ of a".

Amendment No. 3

On page 2 of said bill, strike out lines 24 to 49, inclusive; strike out page 3; and on page 4, strike out lines 1 to 30, inclusive.

Amendments read and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 239—An act to add Section 30 to an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon." approved May 23, 1921, relating to the exclusion of territory.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Diekev, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day,

Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 320—An act to add Section 2211 to the Public Resources Code, relating to the county mineralogist.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crowley, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61

NOES—Anderson, Bashore, Knight, T. Fenton; and Massion—4.

Bill ordered transmitted to the Senate.

Senate Bill No. 324—An act to amend Section 4 of an act entitled "An act authorizing the creation of a personnel system, merit system or civil service system in cities; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions," approved April 11, 1935, relative to circulation of petitions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 401—An act to amend Section 8 of the County Civil Service Enabling Act, relating to dismissals, suspensions and reduction in pay or rank

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. C. Don Field Presiding

At 11.24 p.m., Hon. C. Don Field, Member of the Assembly from the Forty-third District, presiding.

Senate Bill No. 438—An act to amend Section 4242 of the Political Code, relating to salaries and compensation for public services in counties of the thirteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, McMillan, Miller, Niehouse, O'Day, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—56

NOES—Anderson, Bashore, Burkhalter, Heisinger, Knight, T. Fenton; Massion, and Pelletier—7.

Bill ordered transmitted to the Senate.

Senate Bill No. 413—An act amending Section 4300a of the Political Code, relating to fees of the county clerk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 667—An act to amend Section 4238 of the Political Code, relating to compensation for public services in counties of the ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Bashore, Burkhalter, Carlson, Heisinger, Massion, and Pelletier—6.

Bill ordered transmitted to the Senate.

Senate Bill No. 623—An act to amend Sections 10036 and 10551 of the Health and Safety Code, relating to vital statistics certificates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fount, Gaffney,

Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 400—An act to add Section 689.7 to the Political Code, relating to Department of Finance membership in building management associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brady, Brown, Carey, Carlson, Clarke, Collins, George D. Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—49.

NOES—Anderson, Bashore, Burkhalter, Collins, Sam L. Evans, Field, Heisinger, Knight, T. Fenton; Massion, Pelletier, Smith, and Watson—12.

Bill ordered transmitted to the Senate.

Senate Bill No. 412—An act to amend Section 11871 of the Insurance Code, relating to representation of State agencies by State Compensation Insurance Fund.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, George D., Collins, Sam L. Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1001—An act to amend Section 67 of the Unemployment Insurance Act, relating to claims for benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.40 p m, Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Senate Bill No. 500—An act to amend Section 6 of the Corporate Securities Act, to provide for renewal of licenses to brokers and agents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1027—An act to add Section 103½ to the Code of Civil Procedure, relating to clerks in justices' courts of Class A.

Bill read third time.

The bill was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 978—An act to amend Section 688 of the Political Code, relating to claims against the State of California in respect to damages inflicted by vehicles, and claims and actions therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote: *

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 991—An act to amend Section 1203 of the Penal Code, relating to granting probation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sheridan.

Smith, Stream, Thompson, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 78—An act to amend Sections 4251 and 4261 of the Political Code, relating to compensation for public services in counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, McMillan, Middough, Niehouse, O'Day, Potter, Rosenthal, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—53.

NOES—Anderson, Bashore, Carlson, Heisinger, Kilpatrick, Massion, and Pelletier—7.

Bill ordered transmitted to the Senate.

Senate Bill No. 325—An act to amend Section 8c of the State Employees' Retirement Act, relating to city firemen and the forestry and fire officers and employees of contracting public agencies, city and county fire-warden departments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—64.

NOES—None.

Motion to Amend Title

Mr. Middough moved the adoption of the following amendment to the title:

Amendment No. 1

In line 9 of the title of the printed bill, strike out "estry and county firewarden departments."

Amendment read and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Senate Bill No. 454—An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof.

Bill read third time.

Urgency Clause

Urgency clause read, and refused adoption by the following vote:

AYES—Anderson, Carlson, Crowley, Denny, Doyle, Dunn, Johnson, Kellems, Kilpatrick, King, Kraft, Maloney, Middough, Niehouse, Stream, and Werdel—16.

NOES—Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Clarke, Collins,

George D. Collins, Sam L. Crichton, Dickey, Dills, Ralph C., Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Leonard, Lowrey, Lyons, Massion, McMillan, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Thurman, Waters, Watson, Wollenberg, and Mr. Speaker—40.

Motion to Expunge Record and Rescind Action

Mr. Carlson moved to expunge the record, and rescind the action whereby the urgency clause to Senate Bill No. 454 was this day refused adoption.

Mr. Johnson seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Senate Bill No. 698—An act to add Chapter 4, consisting of Sections 28000 to 28003, inclusive, to Division 21 of the Health and Safety Code, relating to horse meat.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sheridan, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—59.

NOES—Smith—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 587—An act to amend Section 204c of and to add Section 261a to the Code of Civil Procedure, relating to the duties, powers, and expenses of superior court commissioners and their assistants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Ralph C., Doyle, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Kellems, Kilpatrick, King, Leonard, Lyons, Maloney, Middough, Miller, Niehouse, O'Day, Potter, Price, Sargent, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—47.

NOES—Bashore, Beck, Carey, Carlson, Dunn, Field, Heisinger, Johnson, Lowrey, Massion, and Pelletier—11.

Motion to Amend Title

Mr. Denny moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "261a", and insert "261b".

Amendment read and adopted.

Bill ordered reprinted.

Notice of Motion to Reconsider Senate Bill No. 587

Mr. Johnson gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 587 was this day passed.

RESOLUTIONS

The following resolution was offered:

By Mr. Rosenthal:

House Resolution No. 235

Relating to adjournment out of respect to the memory of the war correspondents and photographers who have lost their lives in the present war

WHEREAS, The wartime enterprise and initiative of American newspapers, press associations, radio networks, magazines, and newsreel organizations have provided a corps of capable, energetic and brilliant war news gatherers and reporters on world happenings in every corner of the globe; and

WHEREAS, American correspondents and photographers in carrying out their assignments brave all the dangers of war on land and sea and are unsung heroes of the war; and

WHEREAS, Such men and women gallantly face danger and death in the performance of their duties; and

WHEREAS, War reporters and photographers by the very nature of their activities when in jeopardy of their lives can not fight back—they may stop a bullet but may not send one; and

WHEREAS, They picture to us at home what our fighting men are doing for us, their daily life, their food, their struggles, the difficulties they face, their bravery, their victories and so contribute to a more complete understanding of the problems we have to meet in order to win the war and to win the peace after the war; and

WHEREAS, Many war news correspondents, in the carrying out of their strenuous assignments have faced the rigors of climate and disease as well as the dangers from enemy guns and bombs and have died or have been killed while in the performance of their duties; now, therefore, be it

Resolved by the Assembly of the State of California, That the members hereof pass this resolution in memory of the gallant men and women war correspondents and photographers who have died while carrying out their assignments and in the appreciation of the services they and their fellow reporters have given and are continuing to give to our knowledge of the conduct of the war on all fronts as well as to our understanding of events and conditions bearing upon postwar problems; and be it further

Resolved, That the members hereby declare their appreciation of the service to the people of the United States rendered by the various newspapers, press associations, radio networks, magazines, and newsreel organizations whose enterprise has provided the employment of capable, energetic men and women war news gatherers and reporters of world events in every part of the globe; and be it further

Resolved, That when this Assembly today adjourns it do so out of respect to the memory of the brave men and women who have lost their lives in pursuit of their calling as world war news correspondents and photographers.

Request for Unanimous Consent

Mr. Rosenthal asked for, and was granted, unanimous consent to take up House Resolution No. 235, at this time, without reference to committee.

Resolution read and adopted by a rising vote of the Assembly.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 33

Mr. Evans gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 33 was this day passed.

Motion to Temporarily Suspend the Rules

Mr. Wollenberg moved that the Rules be temporarily suspended for the purpose of considering the motion to reconsider the vote whereby Senate Bill No. 33 was passed, at this time.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Beck, Brady, Burns, Carey, Carlson, Doyle, Fourt, Gannon, Guthrie, Haggerty, Hastam, Kellems, Kraft, Leonard, Lowrey, Lyons, Maloney, Niehouse, O'Day, Potter, Stream, Thurman, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—27

NOES—Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Clarke, Collins, George D. Collins, Sam L. Crichton, Denny, Dills, Ralph C. Dunn, Evans, Field, Gaffney, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Massion, Middough, Pelletier, Rosenthal, Sargent, and Smith—27

RESOLUTIONS

The following resolutions were offered:

By Mr. Gaffney:

House Resolution No. 236

Relating to the creation of an Assembly Committee on Safety and Accident Prevention

WHEREAS, The National Safety Council reports that a total of 128,000 persons have been killed in accidents since the start of the war as compared with 12,123 deaths in the armed forces.

The California Industrial Accident Commission states that since the war 1,348 fatalities and 29,660 injuries have been reported to it.

In 1942 there were 36,310 traffic accidents involving death or injury. Deaths totaled 2,671 for the year and injuries totaled 49,481. The 1942 figures show an improvement over 1941; but these traffic casualties of 1942 in California are practically equal to the total war casualties of the entire Nation for the first year since the Pearl Harbor disaster.

This huge waste of manpower on the home front is more important than ever before in view of the fact that the Nation is taking increasingly drastic steps to mobilize every available ounce of manpower to insure victory. It is necessary that every person be extra careful to avoid the loss of time that is hindering production and delaying the delivery of the vital weapons of war to the armed forces. It is necessary for the Legislature to study the circumstances of industrial injuries and fatalities, and injuries and fatalities due to traffic accidents, with a view to revising and amending the laws relating thereto in order that such accidents may be prevented and reduced in number. The Legislature can best function in this respect through a committee as a fact-finding agency; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on Safety and Accident Prevention which committee shall study and investigate accurately and in detail the underlying causes and circumstances surrounding industrial and traffic accidents for the purpose of recommending changes and proposing legislation in order to promote safety and prevent such accidents and preserve manpower for the war effort.

The committee shall consist of three Members of the Assembly appointed by the Speaker of the Assembly. Vacancies on the committee shall be filled by the Speaker of the Assembly.

Upon the appointment of its members the committee may organize, appoint a secretary, and employ such clerical and technical assistants and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein.

The committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records, of every kind and description, and to take all necessary means to compel the attendance of witnesses and to procure testimony. The members of the committee may each administer oaths, and all of the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, and of Sections 9400 to 9412 of the Government Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it.

The committee may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter, defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The committee may hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee. The committee may also meet in executive session. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-sixth Legislature. The committee may report to any session of this Legislature or to the Regular Session of the Fifty-sixth Legislature, on or before March 15, 1945.

Every department, commission, board, agency, officer, and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee upon request, any and all assistance and information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of ten dollars (\$10) per day for accommodations and meals.

The sum of one thousand five hundred dollars (\$1500) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee hereby created and its members, and for any other charges, expenses or claims it may incur under this resolution to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs Middough, McMillan, Massion, Carlson, Maloney, Bashore, Robertson, Weybret, Evans, Brown, Gaffney, Werdel, Leonard, Lyon, Hastain, Dilworth, Beck, Hawkins, Weber, Dills, Ralph C. Stream, Kellem, Fourt, King, Anderson, Johnson, Gannon, Thomas, Desmond, Smith, McCollister, Dickey, Potter, Watson, Armstrong, Kraft, Knight, T. Fenton; Sargent, Allen, Berry, Crichton, Haggerty, O'Day, Wollenberg, Pelletier, Thurman, Rosenthal, Crowley, Knight, John B. Burkhalter, Debs, Waters, Kilpatrick, and Mrs. Niehouse.

House Resolution No. 237

Commending the efforts of Jim Doyle for operation of the Assembly public address system

WHEREAS, In addresses on the floor of this Assembly the good Legislator must, in order to persuade the passage of the people's wishes, make his words audible and winsome to his colleagues; by curbing his oratory with Hamlet's advice to the players

"For in the very torrent, tempest, and as I may say, the whirlwind of passion, you must acquire and beget a temperance that may give it smoothness"; and

WHEREAS, Few of us possess the robust articulation of a Gannon or the Gallic effluence of a Pelletier; so that we are at the mercy of the microphone and amplifier in our efforts to swell our voices above the noisy bedlam of the Chamber; and

WHEREAS, The efficient functioning of the public address system in use here is, therefore, a matter of concern to every Member of this Assembly; and

WHEREAS, Our smiling friend, Jim Doyle, is responsible for the operation of this public address system; and

WHEREAS, Jim sits in the gallery, early and late, through our long, tedious sessions, quietly manipulating the dials of the system reproducing our voices with exact fidelity, amplifying our speeches "trippingly on the tongue," expanding strongly and fulsomely the dulcet voice of our feminine colleague, while dropping decibels of the detonations of our more leather-lunged masculine Members; and

WHEREAS, The spirit of unity, and dispatch characterizing this Fifty-fifth Legislative Session owes much to the loyal but unsung achievement of Jim Doyle in transmitting the speeches of the Members harmoniously, without blurring or distortion of voice or legislative purpose; now, therefore, be it

Resolved by the Assembly of the State of California, That the careful, efficient, and cheerful manner in which Jim Doyle has performed this difficult task is heartily commended; and be it further

Resolved, That the Members of this Assembly hereby express to Jim Doyle their esteem and friendship; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably engrossed copy of this resolution to Jim Doyle

Request for Unanimous Consent

Mr. Middough asked for, and was granted, unanimous consent to take up House Resolution No. 237, at this time, without reference to committee.

Resolution read and adopted unanimously.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 51: By Mr. Lyon—Relative to memorializing Congress to enact legislation creating a Federal agency to study tax structures.

Referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Senate Bill No. 84

Senate Bill No. 865

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THORP, Chairman

Above reported bills ordered to second reading.

Committee on Civil Service and State Departments

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which was referred:

Senate Bill No. 178

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

T. FENTON KNIGHT, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 910

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

WEYBRET, Chairman

Above reported bill ordered to second reading.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which were referred:

Senate Bill No. 736

Senate Bill No. 1044

Senate Bill No. 741

Senate Bill No. 1098

Has had the same under consideration, and reports the same back with the recommendation: Do pass

HAWKINS, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 406

Senate Bill No. 890

Senate Bill No. 1061

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

WEYBRET, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Civil Service and State Departments

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which was referred:

Senate Bill No. 35

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

T. FENTON KNIGHT, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which were referred:

Senate Bill No. 248

Senate Bill No. 433

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bills ordered to second reading.

Committee on Civil Service and State Departments

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which were referred:

Senate Bill No. 48

Senate Bill No. 801

Senate Concurrent Resolution No. 30

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

T. FENTON KNIGHT, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 489

Assembly Bill No. 1054

Assembly Bill No. 519

Assembly Bill No. 1129

Assembly Bill No. 591

Assembly Bill No. 1203

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 801—An act relating to office and working hours and the payment of overtime compensation, to add Sections 73 and 73.5 to the State Civil Service Act in connection therewith and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 248—An act to add Section 1325.5 to the Streets and Highways Code, relating to county bridges and subways.

Bill read second time, and ordered to third reading.

Senate Bill No. 433—An act to amend Sections 318, 473 and 613 2 of, and to add Section 614 to, and to repeal Section 653 of, the Streets and Highways Code, relating to the State highway routes and adding a new route.

Bill read second time, and ordered to third reading.

Senate Bill No. 736—An act to amend Section 1590 of the Labor Code, relating to bonds of employment agencies.

Bill read second time, and ordered to third reading.

Senate Bill No. 741—An act to amend Section 2352 of the Labor Code, relating to conditions of places of employment.

Bill read second time, and ordered to third reading.

Senate Bill No. 1044—An act to add Section 4460 to the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

Senate Bill No. 1098—An act to add Section 1195 5 to the Labor Code, relating to wages of women and minors.

Bill read second time, and ordered to third reading.

Senate Bill No. 48—An act to amend Section 221 of the State Civil Service Act, relating to preferences to veterans and their widows in examinations.

Bill read second time, and ordered to third reading.

Senate Bill No. 84—An act to amend Sections 643 and 644 of the Agricultural Code, relating to sanitation of dairy farms and dairy products plants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "643 and 644", and insert "552 and 562"

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "sanitation of dairy farms and dairy prod-", and insert "skim milk and milk drinks."

Amendment No. 3

Strike out all of line 3 of the title of the printed bill, as amended.

Amendment No. 4

On page 1, line 1, of the printed bill, as amended, strike out "643", and insert "552".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of the printed bill, as amended, strike out all of lines 3 to 27, inclusive, and insert

"552. Skim milk is milk from which a part of the milk fat has been removed and which contains less than 3 per cent of milk fat and not less than 8.8 per cent of milk solids not fat. All fluid skim milk sold for human consumption as such [and/or skim milk which is used in the manufacture of buttermilk, cultured buttermilk, or any mixed milk drinks.] shall be derived from market milk. All containers in which skim milk is sold for human consumption in fluid form shall be labeled with the words skim milk together with the name and address of the distributor.

SEC 2 Section 562 of the Agricultural Code is hereby amended to read:

562 [Pasteurized] *Market* milk or [pasteurized] or skim milk *derived from market milk* combined with fruit or fruit juices, chocolate, chocolate syrups, or other harmless syrups, with or without the addition of harmless coloring material, [may] *shall* be used in the manufacture and sale of soft drinks under a trade name [] *or any mixed milk drink*. Such product shall be so colored or contain ingredients that cause it to distinctly differ from milk in appearance and other characteristics."

Amendment No. 6

On page 2 of the printed bill, as amended, strike out all of lines 1 to 52, inclusive.

Amendment No. 7

On page 3 of the printed bill, as amended, strike out all of lines 1 to 39, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 365—An act to amend Section 312 of the Agricultural Code, relating to meat inspection.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "relating", and insert "and making an appropriation for carrying out the provisions of said code relating".

Amendment No. 2

On page 2 of said bill, strike out lines 19 to 23, inclusive.

Amendment No. 3

On page 2 of said bill, strike out lines 35 to 37, inclusive, and insert "engaged, whichever first occurs, no fees shall be collected for the purpose of carrying out the provisions of Sections 305, 306 and 312 of the Agricultural Code.

No portion of the sum appropriated by this act shall be expended in any county, city and county or city where an approved meat inspection service is now maintained, except for supervision by the director, unless such establishment shall elect in writing to the Director of Agriculture on or before January 1, 1944, to discontinue such municipal or county approved inspection service and assume State inspection service. If an establishment does not elect to assume State inspection on or before January 1, 1944, then it may not so elect to assume State inspection service until further moneys shall have been appropriated by the Legislature from the General Fund to provide State inspection service in said establishment. State inspection service may be instituted in such an establishment requesting it, when such moneys have been made available to the Department of Agriculture to provide State inspection service in said establishment."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 910—An act making an appropriation to the Department of Agriculture for the purpose of constructing, establishing, equipping, and operating a poultry and animal disease diagnostic and testing laboratory in Stanislaus County.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended, strike out "ten thousand dollars (\$10,000)", and insert "twenty thousand dollars (\$20,000)".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 178—An act to add Section 174 to the State Civil Service Act, relating to reinstatement of persons who leave the civil service to serve as seamen on vessels of the United States in time of war.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Departments:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended, after "service", insert "or the termination of the war, as proclaimed by the President of the United States, whichever is the earlier; provided, however, that any such officer or employee whose service shall be terminated in a foreign country and who shall leave the foreign country to return to the United States within 90 days after termination of service shall have 90 days after return to the United States within which to make application".

Amendment No. 2

On page 1, line 25, of said bill, strike out "on or", and insert "by or on".

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 5, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Desmond and Doyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Elbert Polhemus, Miss Anna Kirchgater, teachers, and the following pupils of the Elk Grove Union Grammar School: Camillis Abley,

Le Roy Adam, Barbara Ahl, Dorothy Ahl, Barbara Alford, Sherman Alford, George Azevedo, Patsy Baker, Phillips Baker, Etta Batey, Kenny Batten, David Botto, Anna Mae Brewer, Marilyn Caples, Robert Caples, Maxine Cowan, Robert Daley, Dorothy Davis, Richard Davis, Beverley Derington, Rosella Everson, Doris Falloon, Clifton Felkins, Richard Foster, Raymond Fouts, Martha Freyschlag, Clarice Glavich, Calvin Gray, Henry Hauser, Irene Hottman, Norma Joyce Hale, Jimmie Hunter, Norma Jeanne Idzinga, Theresa Lavond, Doris Leverton, Caroline Metlen, Kenneth Mohr, Mary Mouser, Lorraine Rauser, Jack Reaves, Clarence Schick, Joe Sellers, Margaret Slater, James Soares, Harry Solorio, Agnes Spitzer, Judy Steele, Lawrence Stetson, Maureen Street, Adrienne Tatum, Duane Tice, Paul Urben, Charles Taylor, Dorothy Olsen, and Laura Brown.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Bessie DeWitt and Mrs. Madge DeWitt of Palo Alto.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Kay Waymire of Whittier.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant Irving Krupnick, Charles Vargo, Francis O. Cardinal, Henry Sasimouovski, John Taperek, Joseph Stockurski, and Carl A. Trezise of Michigan, United States Army.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lena B. Everett, teacher, and the following pupils of the Stanford Junior High School: Bill Blanchard, Anna Bartella, Rema Bridges, Betty Brown, Richard Buford, Clarence Carsey, George Coy, Dana Gentry, Elaine Jamieson, John Kalvet, Ronald Keskeys, Prestley King, Verna Layton, Verna Linder, Peter Meo, Elwyn Pierson, John Salvo, Alfred Valerio, Laverne Vierra, James Vogeli, Ida Zanini, George Baker, Virginia Adams, Donald Baker, Lenora Bartucco, Charles Behrens, Betty Bennetts, Raymond Bobo, Kenneth Bonham, Betty Boyer, Bill Bridgham, Donald Dodds, Lorene Evers, John Forsberg, Larry Grubbs, Beverly Hayes, Marilyn Hicks, Barbara Hoffman, Robert Hunton, Rena James, Theresa Jarvis, Donald Miller, Richard Oakden, Eugene Perrin, Thelma Portlock, Charles Pugh, Lowell Samoville, Philip Slater, and Fred Yue.

On request of Mrs. Niehouse, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Richard Peters, San Diego; M. Birchard, Wyoming, United States Navy, and Mrs. Theresa Wollsenberg of San Diego.

On request of Mr. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Fred D. Wolfrom and Essie Lucker, College of the Pacific.

On request of Messrs. Clarke and Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Rev. Daniel J. Keenan of Los Banos, and Rev. M. J. Stack of Merced.

On request of Messrs. Armstrong and Price, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. John Berry of San Bernardino.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant John M. Burnett, United States Naval Reserve.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sir George Sansom, H. M. Minister at Washington, Godfrey Fisher, British Consul General at San Francisco, Col. Arthur Evans, M.P., Cardiff, Wales, and Judge Percy West of Sacramento of the British War Relief Association.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. George Joralemon of San Francisco.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Al S. Waxman of Los Angeles.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Edith Kelly of Sacramento, Mrs. C. C. Baker of San Francisco, and Mrs. Edith Jaeger of Huntington Park.

On request of the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Frank Lyon, Miss Patricia Crabtree, and Mrs. Charles W. Lyon.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Major John C. Hill of Fort Worth, Texas; Miss Jeannette Barieau, and Mrs. Jean Robertson of Mather Field.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Luella Coffman and Mrs. Wilhelmina Lawson of Sacramento.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Major and Mrs. Wiles, United States Army.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ensign H. J. Schmidt of St. Louis, Missouri, and Miss Maxine Brown of Sacramento.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ensign H. J. Schmidt of St. Louis, Missouri.

ADJOURNMENT

At 11 55 p. m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 9 30 a. m., Saturday, May 1, 1943, out of respect to the memory of war correspondents and photographers who lost their lives in the present war.

C. WILLIAM QUEALE, Minute Clerk



CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-EIGHTH LEGISLATIVE DAY
ONE HUNDRED EIGHTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Saturday, May 1, 1943

The Assembly met at 9.30 a.m.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Bashore, Berry, Brown, Burns, Call, Clarke, Collins, Sam L. Debs, Doyle, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Kraft, Leonard, Maloney, Massion, Middough, Pelletier, Price, Stream, Watson, Weybret, and Mr. Speaker—27

ABSENCE OF QUORUM SUGGESTED

Mr. Weybret suggested the absence of a quorum.

Call of the Assembly

Mr. Weybret moved a call of the Assembly.

Motion carried. Time, 9.32 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 10 a.m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The roll was called, and the following answered to their names:

Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Debs, Doyle, Dunn, Erwin, Evans, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Johnson, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, Middough, Pelletier, Potter, Price, Sawallsch, Sheridan, Stream, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—43.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Eternal God, our Father, grant us wisdom and strength as we go about the duties of this day. Help us lift our labor out of the realm of the ordinary but seeing opportunities for service in what otherwise would be drab routine. Grant us Thy presence throughout this day that we may live without strain, face our problems without fear, meet our temptations without dishonor, bear our burdens without complaint

“O Lord, who knowest every need of mine,
Help me to bear each cross and not repine,
Grant me fresh courage every day,
Help me to do my work alway
Without complaint!”

In Jesus' name.

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Kraft.

Hon. Sam L. Heisinger Presiding

At 9 35 a m , Hon Sam. L Heisinger, Member of the Assembly from the Thirty-fifth District, presiding.

COMMUNICATIONS

By Speaker Lyon:

A communication from Joseph B. Eastman, Director of the Office for Emergency Management, to Senator Hiram Johnson, was received, and ordered filed with the Secretary of State

Also:

A news release from the Office of War Information was received, and ordered filed with the Secretary of State

By the Chief Clerk:

The following communication was received, and ordered printed in the Journal.

UNITED STATES SENATE
WASHINGTON, D. C., April 27, 1943

Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature Sacramento, California

MY DEAR MR OHNIMUS: I now have a detailed report from the Office for Emergency Management concerning the restriction on horse racing about which you wrote to me a short time ago. I am taking pleasure in transmitting a copy of this letter for your information.

With personal regards, I am
Sincerely yours,

HIRAM W. JOHNSON

P.S. I am enclosing also the public statement referred to in the second paragraph of Director Eastman's letter.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR SPEAKER Your Committee on Rules and House Functions, to which were referred:

House Resolution No. 205

House Resolution No. 223

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER. Your Committee on Rules and House Functions, to which were referred:

Assembly Joint Resolution No 50	House Resolution No 228
House Resolution No 186	House Resolution No 230
House Resolution No 191	Senate Joint Resolution No. 3
House Resolution No 202	Senate Joint Resolution No. 21
House Resolution No 222	Senate Concurrent Resolution No. 47

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 205

House Resolution No. 205—Relative to additional appropriation for Committee on State-Federal Cooperation.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

In lines 1 and 2 of the *Resolved* paragraph, in the typewritten resolution, strike out "five thousand dollars (\$5,000)", and insert "two thousand five hundred dollars (\$2,500)".

Amendment read and adopted.

Resolution ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 223

House Resolution No. 223—Relative to requested study of legislative organization.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 1, line 8, of the typewritten resolution, after "more than", strike out "five", and insert "four".

Amendment read and adopted.

Resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 353—An act to amend Sections 755, 762, 763, and 788 of the Probate Code and to add new sections to be numbered 762 5 and 765 to the Probate Code, all relating to the sale of real or personal property in probate.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 353?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "763", insert ", 765".

Amendment No. 2

On page 4 of said bill, as amended, after line 8, insert

"SEC. 6. Section 785 of the Probate Code is hereby amended to read as follows: 785. Upon the hearing the court must examine into the necessity for the sale, or the advantage, benefit and interest of the estate in having the sale made, and must examine the return and witnesses in relation to the sale; and if it appears to the court that good reason existed for the sale, that the sale was legally made and fairly conducted, and complied with the requirements of the previous section, that the sum bid is not disproportionate to the value, and it does not appear that a sum exceeding such bid at least 10 per cent exclusive of the expenses of a new sale may be obtained, the court shall make an order confirming the sale and directing conveyances to be executed; otherwise it shall vacate the sale and direct another to be had, of which notice must be given and the sale in all respects conducted as if no previous sale had taken place. But if a written offer of 10 per cent more in amount than that named in the return is made to the court by a responsible person, and the bid complies with all provisions of the law, it is in the discretion of the court to accept such offer and confirm the sale to such person, to sell the property forthwith in open court to the highest responsible bidder, or to order a new sale."

Amendment No. 3

On page 4, line 10, of said bill, as amended, strike out "SEC. 6", and insert "SEC. 7".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 353 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Doyle, Erwin, Field, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Masson, McMillan, Middough, Miller, Pelletier, Potter, Sargent, Sawallisch, Sheridan, Stream, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 353 ordered enrolled.

Assembly Bill No. 489—An act to add a new section to be numbered 14, to an act entitled "An act providing for the sale of certain State lands," approved May 19, 1915, as amended, and to add a new section, to be numbered 10, to an act entitled "An act relating to State lands, making demand for payment of the balance due on the purchase price of certain lands, providing for the forfeiture of such lands for failure to make such payment, and reducing the rate of interest on all contracts for the sale of school lands," approved April 22, 1937, relating to State lands, and extending time in respect to such lands, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 489?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "add a new,"; strike out lines 2 to 12, inclusive; and in line 13, strike out "in respect to such lands", and insert "provide for extension of time on contracts of purchase of State-owned lands,".

Amendment No. 2

On page 5 of said bill, as amended, strike out all of lines 23 to 37, inclusive, and insert

"If all interest due to the State under a contract for the purchase of State-owned lands is paid on or before June 15, 1943, the State Lands Commission may, in its discretion, and upon the application of the purchaser, extend the time for payment of the purchase price of such land to not later than five years after termination of hostilities between the United States and all countries with which the United States is at war, as determined by an act of Congress or proclamation of the President of the United States.

Whenever the time of payment shall be so extended the commission shall require that interest shall be paid on the unpaid balance of the contract and may require that periodic payments in an amount to be determined by the commission shall be made on account of the principal indebtedness. The extension agreement shall provide that the extension shall be terminated upon failure of the purchaser to pay the

interest and to make payments on account of principal indebtedness if any are required."

Amendment No. 3

On page 5, line 38, of said bill, as amended, strike out "3", and insert "2".

Amendment No. 4

On page 2, line 19, of the printed bill, strike out "if", and insert "as".

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bashore moved a call of the Assembly.

Motion carried. Time, 10 18 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 970—An act to add Section 17.5 to an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, and to add Section 27229 to the Streets and Highways Code, relating to the refunding of debts, and to the issuance of bonds in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, Sam L., Crichton, Debs, Desmond, Doyle, Dunn, Erwin, Fout, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Stream, Thompson, Thorp, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—50

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 62—An act to amend Section 253 of the Revenue and Taxation Code, relating to exemptions from taxes on real property, and to provide that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Collins, Sam L., Crichton, Debs, Desmond, Doyle, Dunn, Erwin, Fout, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellens, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Collins, Sam L., Crichton, Debs, Desmond, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Motion to Amend Title

Mr. Stream moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on April 8, 1943, strike out "real".

Amendment read and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Hon. Everett G. Burkhalter Presiding

At 10.30 a.m., Hon. Everett G. Burkhalter, Member of the Assembly from the Forty-second District, presiding.

Senate Bill No. 156—An act to add Sections 261 and 262 to the Revenue and Taxation Code, relating to veterans' exemptions, and prescribing a penalty for filing false claims.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Collins, Sam L., Crichton, Debs, Desmond, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 155—An act to add Section 255.5 to the Revenue and Taxation Code, relating to the veterans' exemption from taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Collins, Sam L., Crichton, Debs, Desmond, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF SENATE BILL NO. 365

Mr. Thorp moved that Senate Bill No. 365 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 169—An act to amend Section 2614 of, and to add Section 5137.5 to, the Revenue and Taxation Code, relating to payment of taxes under protest.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Desmond, Dickey, Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollbaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO CONTINUE ON THIRD READING OF SENATE BILLS

Mr. Debs moved that the Assembly continue on the third reading of Senate bills, and that the Sergeant-at-Arms refrain from distributing Assembly bills to the desks of the Members.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 170—An act to amend Sections 3691, 3699, 3705 and 3707 and repeal Section 3707.5 of the Revenue and Taxation Code, relating to the sale of tax deeded property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dunn, Erwin, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollbaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 458—An act to amend Section 663b of the Political Code, relating to the collection of taxes and other moneys and empowering the State Board of Control to discharge certain State departments, boards, commissions, officers or employees from accountability for collection of taxes or other moneys, the amount of which does not justify the cost of their collection or where collection is improbable.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Collins, George D. Collins, Sam L., Crichton, Crowley, Debs, Desmond, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollbaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan,

Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—60.
 NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 323—An act to add Section 78b to the State Employees' Retirement Act, relating to a retirement system for public officers and employees, providing for the employment of retired employees upon conditions specified therein, and declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—60.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 113—An act to amend Section 3 324 of the School Code and to amend Section 8730 of the Education Code, relating to taxation in elementary school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Diekey, Doyle, Dunn, Erwin, Field, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, King, Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Miller, Niehouse, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, and Wollenberg—51.

NOES—Kilpatrick—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 437—An act to add Section 13099 2 to the Education Code, relating to classification of persons as permanent employees of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Des-

mond, Dickey, Doyle, Dunn, Erwin, Field, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—57.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Doyle, Dunn, Erwin, Field, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 723—An act to add Section 3515.5 to the Revenue and Taxation Code, relating to transfer to the Veterans' Welfare Board of tax deeded property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 994—An act to amend Section 13 of the Unemployment Insurance Act, relating to the definition of "suitable employment" under said act.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended, strike out "foregoing standards", and insert "standards set out in this section".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 33 WAIVED

Mr. Evans waived his notice of motion to reconsider the vote whereby Senate Bill No. 33 was passed.

Motion to Take Up Reconsideration of Senate Bill No. 33

Mr. Potter moved that the reconsideration of the vote whereby Senate Bill No. 33 was passed, be taken up at this time.

Motion carried.

Reconsideration of Senate Bill No. 33

Mr. Potter moved that the vote whereby Senate Bill No. 33 was passed be reconsidered.

Senate Bill No. 33 refused reconsideration by the following vote:

AYES—Collins, Sam L., Dills, Ralph C., Evans, and Pelletier—4.

NOES—Anderson, Armstrong, Beck, Bennett, Berry, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Johnson, Kellems, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Sargent, Sawallsch, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

Senate Bill No. 33 ordered transmitted to the Senate.

Explanation of Vote

My vote in opposition to Senate Bill No. 33 was based entirely on the fact that I thought this bill went much farther than needed to clear up the situation that the district attorneys of this State wanted to clear up. While I am in sympathy with the problems of the district attorneys in the various counties, I am inclined to believe that if the wrong district attorney were to carry this act from a persecution standpoint rather than a prosecution standpoint, many of our citizens would be unduly harmed.

JOHN W. EVANS

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 566—An act to amend Sections 1500 and 1522 of, and to add Section 1552.3 to, the Welfare and Institutions Code, relating to aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Weber, Weidel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 602—An act to amend Section 120 of the Welfare and Institutions Code, relating to the State Department of Social Welfare.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Notice of Motion to Reconsider Senate Bill No. 602

Mr. Bashore gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 602 was this day passed.

Senate Bill No. 159—An act to amend Section 737bb of the Political Code, relating to the salary of the judge of the superior court in and for the County of Napa.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Clarke, Collins, George D. Collins, Sam L. Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Maloney, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sawallsch, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—Anderson, Bashore, Burkhalter, Carlson, Heisinger, Massion, and Pelletier—7

Bill ordered transmitted to the Senate.

Senate Bill No. 296—An act to amend Section 737y of the Political Code, relating to the salary of the judge of the superior court in and for the County of Modoc.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Berry, Brown, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Maloney, Middough, Miller, Niehouse, O'Day, Rosenthal, Sawallsch, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Anderson, Bashore, Burkhalter, Heisinger, Massion, and Pelletier—6

Bill ordered transmitted to the Senate.

Senate Bill No. 294—An act to amend Section 4278 of the Political Code, relating to compensation for public services in counties of the forty-ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton, Kraft, Leonard, Lowrey, Middough, Niehouse, O'Day, Price, Rosenthal, Sawallsch, Sheridan, Smith, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—Anderson, Bashore, Massion, and Pelletier—4

Bill ordered transmitted to the Senate.

Senate Bill No. 369—An act to amend Section 2351 of the Welfare and Institutions Code, relating to organizations maintaining homes for the aged.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Kraft, Leonard, Lyons, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallsch,

Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 744—An act to amend Section 2350 of the Welfare and Institutions Code, relating to life care contracts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fout, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 584—An act to amend Sections 3, 9, and 9½ of the California Toll Bridge Authority Act, relating to the employment of legal counsel

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fout, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 658—An act to amend Section 193 of the Penal Code and to repeal Section 500 of the Vehicle Code, relating to crimes involving the operation of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fout, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 732—An act to amend Section 5010 of the Public Resources Code, relating to the State Park Maintenance Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Gaffney, Gannon, Guthrie, Haggerty,

Hastain, Hawkins, Hollibaugh, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—53

NOES—Anderson, Bashore, Burkhalter, Collins, Sam L., Debs, Doyle, Heisinger, Knight, T. Fenton, Massion, Middough, and Smith—11.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER SENATE BILL NO. 837 TO COMMITTEE

Mr. Middough moved that Senate Bill No. 837 be re-referred to the Committee on Conservation, Natural Resources, and Planning.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Middough moved a call of the Assembly.

Motion carried. Time, 11.42 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 846—An act to amend Sections 4356 and 4357 of the Water Code, relating to disbursements from the State Watermaster Service Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 498—An act to amend Sections 176, 304, 305, 366, 2863, 12291, 14326, 14411, 14433, 14439, 14503, 14523, 14526, 14528, 14529, 14532, 16731, 20005, and 20793 and the chapter heading of Chapter 15 of Division 3 and the chapter heading of Chapter 9 of Division 7 of, and to add Section 20794 and the chapter heading of Chapter 14 of Division 3 to, the Education Code, relating to the establishment, maintenance, government, and operation of schools and institutions of learning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton,

Leonard, Lowrey, Masson, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 533—An act to amend Section 359c of the Political Code, relating to vacations of State officers and employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Masson, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 779—An act to increase production by providing for exemptions from various requirements, relating to employment and working conditions of minor employees essential to the war effort, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Masson, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weidel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Beck, Bennett, Collins, George D., Dills, Ralph C., Hawkins, and Kilpatrick—6.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Fourt, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Masson, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weidel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Beck, Bennett, Collins, George D., Dills, Ralph C., Hawkins, and Kilpatrick—6.

Bill ordered transmitted to the Senate.

Senate Bill No. 565—An act to add Section 1529 to the Welfare and Institutions Code, relating to public assistance, providing for payment of aid while in a public hospital.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson,

Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—Dills, Ralph C—1

Bill ordered transmitted to the Senate.

Senate Bill No. 1067—An act to amend Section 1203b of the Penal Code, relating to crimes

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 838—An act to amend Section 511 of the Public Resources Code, relating to the Department of Natural Resources Printing Revolving Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 845—An act to add Sections 125 and 126 to the Reclamation Board Act and Sections 8676 and 8677 to the Water Code, relating to the disposal of lands acquired by the Reclamation Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 873—An act to add Sections 13528.1, 13528.2, 13528.3, 13528.4, 13528.5, 13528.6, 13528.7, 13528.8, and 13528.9 to the Education Code, relating to permanent employees of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—Dills, Ralph C., and Evans—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 168—An act to amend Section 3661 of, and to add Section 3661.1 to, the Education Code, relating to the formation of or joint union high school districts.

Bill read third time.

Motion to Amend

Mr. Clarke moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended, strike out "district", and insert "districts".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 528—An act to amend Sections 4803 and 4804 of the Labor Code, relating to disability indemnities for members of the California Highway Patrol.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 392—An act to amend Section 4312 of and to add Section 4312.5 to the Political Code, relating to the location and office hours of certain county offices, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty,

Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RE-REFER SENATE BILL NO. 837

At 12.18 p m., on motion of Mr. Middough, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion to re-refer Senate Bill No. 837 to Committee on Conservation, Natural Resources, and Planning carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brown, Burkhalter, Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Kraft, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Watson, Weber, and Werdel—43.

NOES—Berry, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Denny, Desmond, Dilworth, Dunn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, King, Leonard, Lowrey, Lyons, Maloney, O'Day, Price, Sawallisch, Thompson, Thorp, Thurman, and Wollenberg—28.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1079—An act to provide for the organization, incorporation and government of county water authorities, authorizing and empowering such authorities to acquire water and water rights, and to acquire, construct, operate and manage works and property, to incur bonded indebtedness therefor, to provide for the taxation of property therein, and the performance of certain functions relating thereto by officers of county within which any such authority may be located, to provide for addition of areas thereto, and the exclusion of areas therefrom.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier,

Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denney, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Featon; Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO PRINT COMMITTEE REPORTS IN JOURNAL

Mr. Weber moved that the reports of the Committee on Economic Security and Legislative Organization be printed in the Journal of Monday, May 3, 1943.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 962—An act to amend Section 397 of the Penal Code, relating to the sale of intoxicating liquors to common drunkards, Indians, insane or incompetent persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 197—An act to add Section 2729 to the Penal Code, relating to prisons and the sale of prison-made products, and declaring the urgency thereof and that this act shall go into immediate effect.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

The roll was called and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 677—An act to amend Sections 1547 and 2762 of the Penal Code and to repeal Section 2783 of the Penal Code, relating to the escape of prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS

At 12.41 p.m., on motion of Mr. Bashore, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 489 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 489 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 364—An act to add Sections 333.7 and 333.8 to the Agricultural Code, relating to cattle brands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent,

Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.
 NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Ralph C. Dills, the Journals for Friday, April 23, 1943, and Saturday, April 24, 1943, were approved as corrected by the Minute Clerk.

MOTION TO STRIKE HOUSE RESOLUTION NO. 203 FROM FILE

Mr. Ralph C. Dills moved that House Resolution No. 203 be stricken from the file.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 267—An act to amend Sections 21285 and 21336 of the Water Code, relating to the appointment or election of officers of an irrigation district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.
 NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1102—An act to provide for the control of certain property of the State in Napa County by the Fish and Game Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.
 NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 398—An act to amend Section 1035 of the Fish and Game Code, relating to domesticated fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn,

Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weidel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 143—An act to amend Sections 582, 583, 584, 585, 587, 588, 589, 590, 591, 592, 593, 594, 596 of the Fish and Game Code, relating to kelp and other aquatic plants.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weidel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 12.55 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Senate Bill No. 460—An act to amend Section 658.5 of, and to add Section 658.8 to, the Political Code, relating to refund of fees without approval of the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weidel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 480—An act to repeal an act entitled "An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved June 19, 1931, relating to motor boat regulation and the disposition of money in the Boat Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger,

Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—66.

NOES—Bashore and Kraft—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 806—An act to add Section 661.2 to the Political Code, relating to appropriations and the expenditure thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 598—An act to add Section 692.5 to the Political Code, relating to approval by the Director of Finance of leases and licenses to use real property executed by the Reclamation Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 527—An act to amend Section 101 of and to add Section 103a to the State Employees' Retirement Act, relating to retirement benefits for members of the California Highway Patrol.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**WITHDRAWAL OF SENATE BILL NO. 993 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Middough asked for, and was granted, unanimous consent to withdraw Senate Bill No. 993 from the Committee on Finance and Insurance, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 993

Senate Bill No. 993—An act to amend Sections 6 and 90, and to repeal Sections 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, and 88 of, and to add Sections 75, 76, 77, 78, 79, 80, 81, 82 and 83 to the Unemployment Insurance Act, relating to the administration thereof, creating the California Employment Stabilization Commission and the California Unemployment Insurance Appeals Board and abolishing the California Employment Commission.

Bill read second time.

Motion to Amend

Mr. Middough moved the adoption of the following amendment:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 4 of the printed bill, as amended, strike out lines 2 to 51, inclusive; and on page 5, strike out lines 1 to 16, inclusive, and insert

"Sec. 90. (a) The commission, in addition to all other duties imposed and powers granted or implied by the provisions of this act:

[(a) Shall adopt, amend or rescind general and special rules for the administration of this act only after public hearing or opportunity to be heard thereon, of which proper notice has been given. General rules shall become effective ten days after filing with the Secretary of State and publication in one or more newspapers of general circulation in this State. Special rules shall become effective ten days after mailing notice thereof to the last known address of the individuals or concerns affected thereby.

(b) Shall adopt, amend or rescind regulations for the administration of this act, which shall become effective in the manner and at the time prescribed by the commission. Rules or regulations heretofore adopted shall continue in effect until amended or rescinded in accordance with the procedure prescribed by this section.

(c) (1) Shall keep such records of employment of eligible workers, contributions, penalties, claims, benefits, and payments as are necessary for the proper administration of this act, or advisable for proper understanding of its operation.

[(d) (2) May cause to be distributed to the public in any manner it determines feasible its rules, regulations and such other information as it considers desirable, and may advertise in newspapers of general circulation in this State for qualified applicants for work.

[(e) (3) May study and make recommendations as to the most effective methods of providing economic security through all forms of social insurance and to these ends carry on and publish the results of investigations and research studies.

(b) General and special rules and regulations for the administration of this act shall be adopted, amended or rescinded as follows:

(1) Each chief of each division shall have the power and authority in the first instance to formulate rules and regulations or amendments or rescissions of rules and regulations pertaining to matters falling within the jurisdiction of that division. A general rule or regulation or the amendment or rescission of any general rule or regulation shall become effective 10 days after filing with the Secretary of State and publishing in one or more newspapers of general circulation in this State, unless an appeal is taken to the appeals board as hereinafter in this subsection provided. Special rules or amendments or rescissions of such rules shall become effective 10 days after mailing notice thereof to the last known address of the individual or concern affected thereby, unless an appeal is taken to the appeals board as hereinafter in this subsection provided.

(2) Prior to the filing with the Secretary of State or to the sending of notice referred to in the previous subparagraph of this subsection (b) the chief of such division shall hold a public hearing, of which proper notice has been given, at which

any persons interested in such rule or regulation shall have an opportunity to be heard.

(3) If at any such hearing any person opposes the proposed rule or regulation or amendment or rescission thereof, or if either of the commissioners who are designated also as chiefs of divisions opposes it, any such person or such commissioner may request a hearing before the appeals board. If such hearing is requested the matter shall be heard by the appeals board within 30 days from the date of such request, and the proposed rule or regulation or amendment or rescission thereof shall not become effective until and unless the appeals board has finally approved the same. If it does finally so approve then notice shall be given and the rule or regulation or amendment or rescission thereof shall become effective in the same manner and after the same period as provided in subparagraph (1) of this subsection (b)."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California to amend the Constitution of said State by adding Section 22 to Article V thereof, relating to the compensation of State officers.

Resolution read.

Motion to Amend

Mr. Clarke moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 11, of the printed measure, as amended, after "of State", insert "Superintendent of Public Instruction".

Amendment read and adopted.

Resolution ordered reprinted, and to third reading.

MOTION TO REQUEST RETURN OF ASSEMBLY BILL NO. 1033 FROM SENATE

Mr. Beck moved that the Senate be requested to return Assembly Bill No. 1033 for the purpose of reconsideration.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dicke, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hensinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCallister, McMillan, Middough, Miller, O'Day, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thurman, Watson, Weber, and Wollenberg—57

NOES—Carlson, Collins, Sam L., Hastain, and Mr. Speaker—4.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 94—An act to amend Sections 990, 990 1, and 990.5 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Potter, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thurman, Watson, Weybret, and Wollenberg—54

NOES—George D. Collins—1.

Notice of Motion to Reconsider Senate Bill No. 94

Mr. O'Day gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 94 was this day passed.

NOTICE OF MOTION TO WITHDRAW SENATE CONSTITUTIONAL AMENDMENT NO. 23 FROM COMMITTEE

Mr. Johnson gave notice that on the second legislative day he would move to withdraw Assembly Constitutional Amendment No. 23 from the Committee on Constitutional Amendments, and have it placed upon the file.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Senate Bill No. 587.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 866—An act to add Sections 5015, 5016, 5017, and 5018 to the Public Resources Code, relating to parks and beaches.

Bill read third time.

Motion to Amend

Mr. Middough moved the adoption of the following amendment:

Amendment No. 1

On page 5, line 5, of the printed bill, as amended in the Senate April 27, 1943, after "governments," insert "Any construction work performed by the State in carrying out the purposes hereof shall be performed as provided in the State Contract Act."

Amendment read and adopted.

Bill ordered reprinted, and to third reading

RESOLUTIONS

The following resolution was offered:

By Messrs. Leonard, Lowrey, King, Crichton, Haggerty, Thurman, and Robertson:

House Resolution No. 238

Relative to the creation of an Assembly Interim Committee on the Japanese Problem

WHEREAS, The problems of this State arising out of the presence of great numbers of Japanese, native born and alien, will become even more acute upon the termination of the war than ever before; and

WHEREAS, The Japanese problem is one of great concern to the people of this State but a matter of considerably less consequence to the people of the Nation as a whole; and

WHEREAS, Many of the problems have arisen out of treaties between the United States and Japan in the making of which the desires of the people of this State may not have been fully considered; and

WHEREAS, The existence of the present state of war and the suspension of treaty rights affords an opportunity to settle these problems in such manner as will prove both fair to the individuals affected and at the same time satisfactory to the people of this State; and

WHEREAS, The people of the State look to the Legislature for leadership in this matter and the Legislature requires information based upon an impartial study and

investigation of all of the factors involved in order that it may proceed intelligently toward a solution of these problems; now, therefore, be it

Resolved, That there is hereby created the Assembly Interim Committee on the Japanese Problem which shall investigate, ascertain, and appraise all facts concerning the solution of the problem of the Japanese in California, including but limited to the constitutional and other legal factors involved, and the possibilities that treaty rights may again be acquired to an extent not desired by the people of this State; and be it further

Resolved, That said committee shall consist of five members appointed by the Speaker of the Assembly; and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have: (i) All the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) and Sections 9400 to 9412, inclusive, of the Government Code, except when inconsistent with this resolution, all the powers conferred upon committees by the Rules of the Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary.

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contact with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws both Federal and State, in anywise bearing upon or relating to the subject of this resolution;

(7) To meet either during sessions of this Legislature or during any recess thereof at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature including any recess thereof, and until the convening of the Fifty-sixth Legislature;

(9) To file reports with the Assembly during the Fifty-fifth Session thereof or any special extraordinary session thereof, and to file its final report with the Fifty-sixth Legislature;

(10) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and

(11) To cooperate with and secure the cooperation of county, city, city and county and other local law enforcement agencies in investigating any matter within the scope of this resolution, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee; and

(12) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution;

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the committee may make such representations and recommendations to the Federal Government as it may deem advisable, on any subject relating to the subject of its investigation, during such times as the Legislature may not be in session, and such representations and recommendations shall be representations

and recommendations of the committee, and not of the Legislature or the Assembly thereof; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of one thousand dollars (\$1,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

COMMUNICATIONS

By Speaker Lyon:

A communication from Maurice J. Wilsie, executive director of the Housing Authority of the City of Vallejo, relative to pending legislation, was received and referred to the Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 50

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 76

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CARLSON, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 558

Senate Bill No. 559

Senate Bill No. 731

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 538

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CARLSON, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Bill No. 661

Senate Bill No. 1039

Senate Bill No. 690

Senate Joint Resolution No. 1

Senate Bill No. 691

Senate Concurrent Resolution No. 24

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 849

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 601

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 153

Senate Bill No. 1108

Senate Bill No. 490

Senate Bill No. 1112

Senate Bill No. 603

Senate Bill No. 1115

Senate Bill No. 1089

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CARLSON, Chairman

Above reported bills ordered to second reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Concurrent Resolution No. 49

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SAM L. COLLINS, Chairman

Above reported resolution ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1943

MR SPEAKER: Your Committee on Ways and Means, to which were referred: Senate Bill No 362 Senate Bill No 886 Has had the same under consideration, and reports the same back with the recommendation. Do pass.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1943

MR SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Senate Concurrent Resolution No. 10 Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended

SAM L. COLLINS, Chairman

Above reported resolution ordered to second reading.

PERMISSION TO CONSIDER ASSEMBLY BILL

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by the unanimous consent, the following Assembly resolution was considered:

CONSIDERATION OF ASSEMBLY BILL NO. 49

Assembly Concurrent Resolution No. 49—Relative to a Joint Legislative Committee on Conservation and Planning for the efficient development, distribution and utilization of all the human, natural and economic resources of the State, in furtherance of California's participation in the war effort, and in anticipation of the adjustments which must be made when hostilities cease, and defining the powers and duties of the committee.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules and House Functions:

Amendment No. 1

In line 2 of the title of the printed measure, strike out "Planning", and insert "Research".

Amendment No. 2

On page 1, line 11, of the printed measure, strike out "a joint legislative committee,"; strike out lines 12 to 22, inclusive; and on page 2, strike out lines 1 to 51, inclusive, and insert "the Legislative Committee on Conservation and Research hereby created shall gather, study, assemble and analyze all facts relating to every phase of economic and social conditions in this State both as to those which obtain during the present period of defense activities and the war effort and as they may exist during the peace to follow, all with a view to formulating plans and preparing and submitting such legislative measures as will enable the State to bring about and insure the best possible adjustment to economic and social conditions following the cessation of the war. The committee is authorized to collaborate with and assist any other interim committee of the Legislature, or of either house, in the accomplishment of the purposes of such other committee, upon the request of the latter

The committee hereby created shall consist of the members of the Senate Interim Committee on _____ and the members of the Assembly Interim Committee on _____.

The Legislative Counsel and the Legislative Auditor shall cooperate with the committee in its work and, in accordance with the provisions of Section 356a of the Political Code, render to the committee all such assistance in the conduct of its research and in the drafting of prospective legislation and otherwise as the committee may request.

It shall have power to create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of its assignment shall have and exercise all of the powers conferred upon the committee, limited only by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee.

The committee has authority to adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action upon any matter) as may to it appear appropriate.

It may meet and act at any place in the State and at any time, whether the Legislature be in session, in recess or in adjournment; and shall meet not less frequently than once every three months except while the Legislature is in regular session.

Any Member of the Legislature may attend and participate in any meeting of the committee or of a subcommittee but no Member of the Legislature other than a committeeman shall have a vote upon any matter before the committee which requires a vote.

The committee is authorized to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and procure testimony.

The committee, each of its members and any representative of the committee thereunto authorized by the committee or by its chairman is authorized to administer oaths. All of the provisions of Sections 9400 to 9412 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and committees thereof, apply to the committee hereby created.

The Sergeant-at-Arms of the Senate and of the Assembly and each of them or other officers designated by either of them, are hereby directed to serve any and all subpoenas, orders and other process that may be issued by the committee, when directed so to do by the chairman or upon a vote of a majority of the membership of the committee.

Each officer of the State and of each of its agencies and political subdivisions, shall furnish the committee with all such information, records and documents as it may request; and such clerical, expert and technical assistance, advice and counsel as may be rendered without detriment to the administration of the office furnishing the service.

The committee has authority to contract with such other agencies, public or private, as it deems necessary or desirable for the rendition and affording of such services, facilities, studies and reports to the committee as will be assist it to carry out the purposes for which it is created.

The committee has authority also to cooperate and collaborate with any commission, board or agency of the executive department of the State charged with the study or investigation of any phase of postwar economic and social planning."

Amendments read and adopted.

Resolution ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 362—An act to make an appropriation to carry into effect Article 4 of Chapter 8 of Title 1 of Part 3 of the Penal Code.

Bill read second time, and ordered to third reading.

Senate Bill No. 886—An act to convey the Solano Monument lands, whose use for a monument has been abandoned, to the contributors of the purchase price.

Bill read second time, and ordered to third reading.

Senate Bill No. 661—An act to add Section 131 to the Welfare and Institutions Code, relating to county refunds to the State for aid furnished.

Bill read second time, and ordered to third reading.

Senate Bill No. 690—An act to amend Section 1526 of the Welfare and Institutions Code, relating to the residence of needy children.

Bill read second time, and ordered to third reading.

Senate Bill No. 691—An act to amend Sections 1552.5, 2220 and 3078 5 of the Welfare and Institutions Code, relating to reports to the State Department of Social Welfare with respect to the suspension of grants of aid.

Bill read second time, and ordered to third reading.

Senate Bill No. 1039—An act to add Section 1556 6 to the Welfare and Institutions Code, relating to wages of minors, and determining the ownership thereof for purposes of aid to orphans and other needy children

Bill read second time, and ordered to third reading.

Senate Bill No. 153—An act to amend Section 4277 of the Political Code, relating to compensation for public services in counties of the forty-eighth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 490—An act to add Section 4307.1 to the Political Code, relating to county charges.

Bill read second time, and ordered to third reading.

Senate Bill No. 603—An act to add Chapter 9.5 to Part 1 of Division 6 of the Health and Safety Code, relating to consolidation of sanitary districts without an election.

Bill read second time, and ordered to third reading.

Senate Bill No. 1089—An act to amend Sections 1408+ and 14200 of the Health and Safety Code, relating to weed abatement and removal of fire hazards in fire protection districts in unincorporated areas, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1108—An act to add Section 8 to an act entitled "An act to authorize the county judge of Tehama County to distribute town lots held by him in trust for the citizens of the Town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests," approved March 6, 1868, as amended and supplemented, relating to the conveyance of certain streets and alleys.

Bill read second time, and ordered to third reading.

Senate Bill No. 1112—An act to amend Section 11 of an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of levees, and the payment of the indebtedness of Levee District Number 1 of Sutter County," approved March 20, 1874, relating to the compensation and powers of officers of said district.

Bill read second time, and ordered to third reading.

Senate Bill No. 1115—An act to amend Section 4237.9 of the Political Code, relating to grand jurors and trial jurors fees and mileage in counties of the eighth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 601—An act to amend Sections 1620, 1621, 1622, 1623, 1625, 1626, 1627, 1628, and 1630 of the Welfare and Institutions Code, to amend the chapter heading of Chapter 1 of Part 3 of Division 2 of said code, and to add Chapter 2, comprising Sections 1650 to 1660, inclusive, to Part 3 of Division 2 of said code, relating to institutions for child care and home-finding and placement agencies, and providing for the licensing and regulation of such institutions and agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 4 of the title of the printed bill, after "code," insert "to add Section 1625.5 to said code,".

Amendment No. 2

On page 2 of said bill, between lines 48 and 49, insert

"SEC. 6.5. Section 1625.5 is added to said code, to read:

1625.5. Whenever a permit or license is suspended or revoked under Section 1625, the holder of the suspended or revoked license or permit shall, upon filing a petition with the State Department of Social Welfare within 10 days of the suspension or revocation, have the right of appeal and shall be accorded an opportunity for a fair hearing. The decision of the county officer or agency suspending or revoking the license or permit shall not become effective until the 10 days have expired without the filing of a petition with the State Department, or, if such petition is filed within the required period, until the decision of the county officer or agency is affirmed, with or without modification, by the State Social Welfare Board. The Social Welfare Department shall set such appeal for hearing before the State Social Welfare Board and shall give all parties concerned written notice of the time and place of such hearing. At such hearing any interested person may appear in person with counsel of his own choosing or in person and without such counsel.

The State Social Welfare Board shall consider the appeal and shall affirm, reverse or modify the decision of the local agency."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 849—An act to add Sections 1736.2 and 1736.3 to the Welfare and Institutions Code, relating to the cost of care of persons committed to, or confined in institutions under the control of, the Youth Correction Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended on April 17, 1943, strike out "to any person committed to the"; strike out all of line 10; and in line 11, strike out "imprisonment in a State prison, nor".

Amendment No. 2

On page 1, line 14, of said bill, following "persons", insert "under 21 years of age".

Amendment No. 3

On page 1, line 22, of said bill, strike out "forty dollars (\$40)", and insert "twenty dollars (\$20)".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 558—An act to add Article 4, comprising Sections 990 to 991.3 inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; creating a Veterans' Finance Committee of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1944.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, strike out "chapter", and insert "article".

Amendment No. 1a

On page 2, line 6, of said bill, strike out "chapter", and insert "article".

Amendment No. 2

On page 2, line 12, of said bill, strike out "act", and insert "article".

Amendment No. 3

On page 2, line 15, of said bill, strike out "1861", and insert "991.1".

Amendment No. 4

On page 2, line 19, of said bill, strike out "chapter", and insert "article".

Amendment No. 5

On page 2, line 30, of said bill, strike out "chapter", and insert "article".

Amendment No. 6

On page 2, line 34, of said bill, strike out "chapter", and insert "article".

Amendment No. 7

On page 2, line 46, of said bill, strike out "chapter", and insert "article".

Amendment No. 8

On page 2, line 48, of said bill, strike out "chapter", and insert "article".

Amendment No. 9

On page 3, line 3, of said bill, strike out "chapter", and insert "article".

Amendment No. 10

On page 3, line 8, of said bill, strike out "chapter", and insert "article".

Amendment No. 11

On page 3, line 22, of said bill, strike out "chapter", and insert "article".

Amendment No. 12

On page 3, line 29, of said bill, strike out "chapter", and insert "article".

Amendment No. 13

On page 4, line 22, of said bill, strike out "chapter", and insert "article".

Amendment No. 14

On page 5, line 50, of said bill, strike out "chapter", and insert "article".

Amendment No. 15

On page 6, line 3, of said bill, strike out "chapter", and insert "article".

Amendment No. 16

On page 7, line 11, of said bill, strike out "chapter", and insert "article".

Amendment No. 17

On page 7, line 15, of said bill, strike out "act", and insert "article".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 559—An act to amend Section 691 of the Military and Veterans Code, relating to veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

In line 6 of the title of the printed bill, as amended, strike out "Veterans", and insert "the Veterans' Welfare Board".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 731—An act to amend Section 5014 of and Section 5003.5, and to add Section 5014.1 to, the Public Resources Code, abolishing the State Park Maintenance and Acquisition Fund and creating the State Beach Fund and the State Park Fund, relating to State parks and beaches, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5014 of and".

Amendment No. 2

In line 4 of the title of said bill, strike out "the State".

Amendment No. 3

In line 5 of the title of said bill, strike out "Beach Fund and".

Amendment No. 4

On page 1 of said bill, strike out all of lines 1 to 17, inclusive.

Amendment No. 5

On page 2 of said bill, strike out all of lines 1 to 14, inclusive.

Amendment No. 6

On page 2, line 16, of said bill, strike out "SEC. 2", and insert "SECTION 1."

Amendment No. 7

On page 2, line 27, of the printed bill, strike out "3", and insert "2".

Amendment No. 8

On page 3, line 28, of said bill, after "effect.", insert "and to become operative July 1, 1943."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 76—An act to provide for the use of property belonging to public agencies for horseback riding.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 14, of the printed bill, after "riders", insert "; provided, that no structure shall be erected on State-owned property without the approval of the Division of State Lands".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Concurrent Resolution No. 10—Relative to the creation of a Joint Committee on the Tax Structure of the State to study, investigate, and report on the subject of taxation in the State.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 3, line 50, of the printed measure, strike out "eight dollars (\$8)", and insert "ten dollars (\$10)".

Amendment No. 2

On page 4, lines 1 and 2, of the printed bill, strike out "fifteen thousand dollars (\$15,000)", and insert "six thousand dollars (\$6,000)".

Amendments read and adopted.

Resolution ordered reprinted, and on file for adoption.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file and re-referred as follows:

Senate Bill No. 910 re-referred to the Committee on Ways and Means.

Senate Bill No. 472 re-referred to the Committee on Education.

Senate Bill No. 977 re-referred to the Committee on Ways and Means.

Senate Bill No. 807 re-referred to the Committee on Ways and Means.

Senate Bill No. 307 re-referred to the Committee on Ways and Means.

Senate Bill No. 509 re-referred to the Committee on Ways and Means.

Senate Bill No. 727 re-referred to the Committee on Ways and Means.

Senate Bill No. 58 re-referred to the Committee on Conservation, Natural Resources, and Planning.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Privates David J. Bedan, James R. Rosema, Virgil E. Olaker, and Russell T. Harris, United States Army.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Newman H. Clark of Los Angeles.

On request of Mr. Debs, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Nina Dodsworth of Los Angeles.

On request of Mr. Brown, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Dorelea Landon of Modesto.

On request of Messrs. Debs and Thomas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Jean W. Haley of San Pedro.

On request of Mr. Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Harrison Call, Mrs. Maude Holden, and Marcia and Harrison Call, Jr., of San Francisco.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Privates Frank A. Kruzela, Jr., Victor Seaford, Edward Thompson, and Richard Schieding of the United States Army.

ADJOURNMENT

At 1.55 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 11 a.m., Monday, May 3, 1943.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-NINTH LEGISLATIVE DAY
ONE HUNDRED TWENTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, May 3, 1943

The Assembly met at 11 a.m.
Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Fourn, Gaffney, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—63.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

O God, Our Father, we thank Thee for the heroic examples of those who have answered the call of duty and are in the service of our Country. Help us who serve at home to render our service with equal fidelity. Grant direction and guidance for our President and all who are in authority in the affairs of our Nation. Bless our Governor, our Speaker and the Members of this Assembly in the concluding days of the session. We thank Thee for Thy watchful care over our families and loved ones that our homecoming may be glad.

"America, America,
Ring out the glad refrain!
Salute the Flag—salute the dead
That have not died in vain!
O Glory! glory to Thy plan
To build the common good,
The temple of the rights of man,
The House of Brotherhood!"

AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Thorp.

COMMUNICATIONS

By Mr. Robertson:

The following communication was received and ordered printed in the Journal:

CITY OF SANTA BARBARA, CALIFORNIA, April 30, 1943

*Honorable Members of the State Assembly
State Capitol, Sacramento, California*

HONORABLE SIRs: The city council of the City of Santa Barbara took action at their regular meeting held April 29, 1943, 2 p m, to memorialize the State Senate and the State Assembly to eliminate the pauper clause from the Old Age Bill now before these bodies.

Respectfully,

FAYE CANFIELD, City Clerk, City of Santa Barbara, California

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1338—An act to repeal Article 7, comprising Sections 4160 to 4162, inclusive, of Chapter 9, Division 2 of the Business and Professions Code, relating to pharmacy;

Assembly Bill No. 1528—An act to amend Sections 150 and 151 of and to add Section 96.6 to the State Civil Service Act, relating to the State civil service, declaring the urgency thereof, and providing that this act shall take effect immediately;

Assembly Bill No. 1787—An act amending Sections 4006, 4030, 4036, 4090, 4091, 4135, 4196, 4231, 4232, 4233, 4250, 4255, and 4256 and to repeal Sections 4160, 4161, and 4162 of the Business and Professions Code, relating to licentiatees in pharmacy;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1943, at 3 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1175—An act to add Sections 2168.5 and 2316.5 to the Business and Professions Code, relating to the proof of the completion of instruction and training requirements to practice medicine;

Assembly Bill No. 1281—An act amending Section 2356 of the Civil Code, relating to the revocation of an agent's powers, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1337—An act to amend Section 4094 of the Business and Professions Code, relating to pharmacy;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 945—An act to amend Section 4170 of and add Section 4174 to the Business and Professions Code, relating to temporary certificates to practice pharmacy, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1171—An act to add Section 2108.5 to the Business and Professions Code, relating to issuance of certificates to practice medicine, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1174—An act to add Section 2376.5 to the Business and Professions Code, relating to the reinstatement of certificates to practice medicine;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 416—An act to add Section 3 to the Fish and Game Code, relating to the effect of headings upon the interpretation of the provisions of said code;

Assembly Bill No. 553—An act to amend Sections 12625 and 12682 of the Revenue and Taxation Code, relating to insurance taxes;

Assembly Bill No. 787—An act to amend Section 86 of the Agricultural Code, relating to the powers of district agricultural associations, declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 413—An act to add Section 17 to the Agricultural Code, relating to the effect of headings upon the interpretation of the provisions of said code;

Assembly Bill No. 414—An act to amend Section 422 of the Probate Code, relating to the administration of estates of persons dying intestate;

Assembly Bill No. 415—An act to add Section 4 to the Probate Code, relating to the effect of headings upon the interpretation of the provisions of said code;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 256—An act to amend Sections 2798 5, 2807, 2808, 2820, 2821, 2822, and 2827 of the Elections Code, relating to the State central committee;

Assembly Bill No. 279—An act to amend Section 11 of the Motor Vehicle Fuel License Tax Act, and to add Section 8104.5 to, and to amend Section 8105 of, the Revenue and Taxation Code, relating to refunds, to take effect immediately;

Assembly Bill No. 280—An act to amend Sections 8353 and 8355 of, and to add Section 8353.5 to, the Revenue and Taxation Code, relating to apportionments and payments to counties out of the Motor Vehicle Fuel Fund;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 49

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 2, 1943

MR. SPEAKER: I have been directed to return to you for further consideration Assembly Bill No. 1033, as per your request of May 1, 1943.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 2, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Carter, Keating, and Swan as a Committee on Conference concerning:

Senate Bill No. 197—An act to add Section 2729 to the Penal Code, relating to prisons and the sale of prison-made products, and declaring the urgency thereof and that this act shall go into immediate effect.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 1, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 985	Senate Bill No. 280
Senate Bill No. 341	Senate Bill No. 799
Senate Bill No. 904	Senate Bill No. 1059
Senate Bill No. 859	Senate Bill No. 160
Senate Bill No. 646	Senate Bill No. 750
Senate Bill No. 478	Senate Bill No. 497
Senate Constitutional Amendment No. 10	

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 2, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 78	Senate Bill No. 413
Senate Bill No. 325	Senate Bill No. 120
Senate Bill No. 400	Senate Bill No. 62
Senate Bill No. 412	Senate Bill No. 238
Senate Bill No. 623	Senate Bill No. 143
Senate Bill No. 640	Senate Bill No. 392
Senate Bill No. 858	Senate Bill No. 533
Senate Bill No. 976	Senate Bill No. 565
Senate Bill No. 1068	Senate Bill No. 838
Senate Bill No. 1080	Senate Bill No. 845
Senate Bill No. 155	Senate Bill No. 873
Senate Bill No. 294	Senate Bill No. 1067
Senate Bill No. 698	Senate Bill No. 1079
Senate Bill No. 60	Senate Bill No. 779

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 1, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 20	Assembly Bill No. 1169
Assembly Bill No. 75	Assembly Bill No. 1258
Assembly Bill No. 211	Assembly Bill No. 1299
Assembly Bill No. 283	Assembly Bill No. 1300
Assembly Bill No. 538	Assembly Bill No. 1569
Assembly Bill No. 600	Assembly Bill No. 869
Assembly Bill No. 636	Assembly Bill No. 1461
Assembly Bill No. 657	Assembly Bill No. 1508
Assembly Bill No. 829	Assembly Bill No. 1511
Assembly Bill No. 865	Assembly Bill No. 1594
Assembly Bill No. 913	Assembly Bill No. 1632
Assembly Bill No. 974	Assembly Bill No. 1947
Assembly Bill No. 995	Assembly Bill No. 310
Assembly Bill No. 1040	Assembly Bill No. 1956
Assembly Bill No. 1160	Assembly Bill No. 1963

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 2, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 401	Assembly Bill No. 1389
Assembly Bill No. 497	Assembly Bill No. 1425
Assembly Bill No. 544	Assembly Bill No. 1540
Assembly Bill No. 690	Assembly Bill No. 1542
Assembly Bill No. 1015	Assembly Bill No. 1761
Assembly Bill No. 1096	Assembly Bill No. 1865
Assembly Bill No. 1362	

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 2, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 247	Assembly Bill No. 1166
Assembly Bill No. 249	Assembly Bill No. 1247
Assembly Bill No. 255	Assembly Bill No. 1278
Assembly Bill No. 326	Assembly Bill No. 1291
Assembly Bill No. 514	Assembly Bill No. 1318
Assembly Bill No. 666	Assembly Bill No. 1377
Assembly Bill No. 675	Assembly Bill No. 1455
Assembly Bill No. 676	Assembly Bill No. 1460
Assembly Bill No. 678	Assembly Bill No. 1465
Assembly Bill No. 696	Assembly Bill No. 1468
Assembly Bill No. 708	Assembly Bill No. 1903
Assembly Bill No. 738	Assembly Bill No. 1917
Assembly Bill No. 806	Assembly Bill No. 1934
Assembly Bill No. 1049	Assembly Bill No. 62
Assembly Bill No. 1073	Assembly Bill No. 70
Assembly Bill No. 1083	Assembly Bill No. 197
Assembly Bill No. 1109	Assembly Bill No. 248
Assembly Bill No. 1114	Assembly Bill No. 254
Assembly Bill No. 1115	Assembly Bill No. 387
Assembly Bill No. 1161	Assembly Bill No. 400

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 2, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 21
Assembly Joint Resolution No. 40
Assembly Joint Resolution No. 30

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 1, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 32

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 1, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 148	Assembly Bill No. 1796
Assembly Bill No. 169	Assembly Bill No. 1958
Assembly Bill No. 381	Assembly Bill No. 847
Assembly Bill No. 421	Assembly Bill No. 960
Assembly Bill No. 541	Assembly Bill No. 1316
Assembly Bill No. 983	Assembly Bill No. 1430
Assembly Bill No. 1282	Assembly Bill No. 1593
Assembly Bill No. 1541	Assembly Bill No. 1531

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 2, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 295	Assembly Bill No. 1916
Assembly Bill No. 531	Assembly Bill No. 1937
Assembly Bill No. 654	Assembly Bill No. 438
Assembly Bill No. 667	Assembly Bill No. 568
Assembly Bill No. 677	Assembly Bill No. 1011
Assembly Bill No. 923	Assembly Bill No. 1014
Assembly Bill No. 1048	Assembly Bill No. 1017
Assembly Bill No. 1113	Assembly Bill No. 1019
Assembly Bill No. 1197	Assembly Bill No. 229
Assembly Bill No. 1888	Assembly Bill No. 1013
Assembly Bill No. 1904	Assembly Bill No. 278
Assembly Bill No. 1915	Assembly Bill No. 1280

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators McBride, Ward, and Collier as a Committee on Conference concerning:

Assembly Bill No. 740—An act to amend Section 2712 and to add Section 2716 to the Penal Code, relating to the payment of wages and workmen's compensation benefits to prisoners

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, May 1, 1943

*To the Honorable Members of the Assembly
State of California, Sacramento, California*

GREETINGS: I am returning herewith without my signature Assembly Bill No. 524, entitled: "An act to amend Section 1458 of the Penal Code, relating to the fixing, acceptance and forfeiture of bail in justices' courts."

My objections to this bill are as follows:

The bill provides that in misdemeanor cases the clerk of a justice's court or police court may, in the absence of the justice or judge, fix and accept bail, issue and sign an order for the defendant's release, set a time and place for the defendant's appearance before the appropriate magistrate, and give the defendant notice of such time and place; the amount of bail is to be fixed in accordance with a schedule in such cases previously approved by the justice or judge, except where a warrant of arrest has already been issued in the case. The bill provides that in such cases "the bail shall be cash or a surety bond."

In my opinion these provisions should not become law. In actual practice they would inure to the benefit of those defendants who had sufficient cash in their possession or subject to their disposition to post cash bail or pay the premiums on surety bonds, and would place at a disadvantage defendants who, although not possessed of cash resources, were of high standing in the community and could obtain property bonds from responsible relatives or friends; by the terms of the bill the latter class of defendants could not obtain their release on bail until the approval of the justice or judge was given. I do not doubt that such a result was not anticipated by the author or sponsors of this measure, but it is clear to me that the bill would have that effect. Such a result would not be just or fair to large numbers of persons who are arrested for misdemeanor and who, under the Constitution and laws of the State, are entitled to a proper release upon their furnishing sufficient bail.

In the second place, the bill provides for what appears to be an unconstitutional delegation of judicial authority to a clerk. The fixing of bail and the approval of bail bonds are functions which existing statutes clearly define and recognize as judicial functions, calling for the exercise of judicial authority; the present law requires that in fixing the amount of bail to be furnished the judge shall consider all of the circumstances of each particular case, including the previous criminal record of the defendant, and requires that no bail bond shall be accepted unless the judge is convinced that no portion of the consideration therefor was feloniously obtained by the accused. Clearly this mandate of the law can not be complied with by fixing bail according to a schedule previously set up; the judge who approves such a schedule has no knowledge of the circumstances of each particular case or of the criminal record of each person

arrested. The law does not contemplate that such duties can be properly performed by a clerk.

In addition, although the bill applies only to misdemeanor cases, it might well be that under its provisions a defendant with a long criminal record and with large funds at his disposal—all or part of which had been illegally or feloniously obtained—would obtain his release on insufficient bail and thereafter fail to appear in court at the time set; in such a case it is equally possible that facts subsequently disclosed by the investigating officers would disclose that, instead of having committed a misdemeanor the fugitive should have been charged with a serious felony. The practice which is legalized by this bill is too dangerous to receive official sanction.

The legislative committees of the District Attorneys' Association, the Peace Officers' Association and the Sheriffs' Association of California have considered the measure and have registered their disapproval. I do not believe that the approval of the bill would be in accord with the proper administration of justice in criminal cases.

Respectfully submitted.

EARL WARREN, Governor

May 1, 1943

I acknowledge receipt this day at 6.50 p.m. of Assembly Bill No. 524 without the Governor's signature, together with a statement of objections thereto signed by the Governor, delivered to me personally by Richard H. Chamberlain, Secretary to the Governor.

ALBERT C. WOLLENBERG, Member of Assembly

Assembly Bill No. 524 ordered to unfinished business file.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 591—An act to amend Section 14230 of the Health and Safety Code, relating to fire protection districts in unincorporated areas.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 591?

Amendment No. 1

On page 1, line 4, of the printed bill, after "filing", strike out "and of a time fixed", and insert ", together with the names of owners and a general description sufficient for identification of the real property proposed to be included in the district, and a statement of the time fixed".

Amendment No. 2

On page 1, line 5, of said bill, strike out "it, together with a statement", and insert "the petition, and a statement".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 591 by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Call, Clarke, Collins, George D., Crichton, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMullan, Nichouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—55.

NOES—None

Assembly Bill No. 591 ordered enrolled.

Assembly Bill No. 1054—An act to add Section 862 29 to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to powers of a city council in cities of the sixth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1054?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 862 29", and insert "Sections 862 29 and 887".

Amendment No. 2

On page 1 of the printed bill, as amended, after line 8, insert

"Sec. 2 Section 887 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 887 In any city of the sixth class the city council shall have power to acquire, construct, maintain and operate a municipally owned and operated trailer camp if an acute housing shortage exists. An acute housing shortage shall be deemed to exist in any area wherein rent ceilings have been established by Federal order pursuant to an act of Congress. This section shall have no further force or effect one year after the "cessation of hostilities." The terms "cessation of hostilities" means the date on which hostilities in the present war between the United States and the governments of Germany, Japan and Italy and each of them shall cease, as fixed by proclamation of the President or by the concurrent resolution of the two houses of the Congress of the United States, or of the Legislature of the State of California, whichever date is earlier."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 1054 by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Call, Clarke, Collins, George D. Crichton, Debs, Denny, Dills, Clayton A. Dills, Ralph C. Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—55

NOES—None

Assembly Bill No. 1054 ordered enrolled.

Assembly Bill No. 1129—An act to amend Section 57 of an act entitled "An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution," approved July 1, 1937, relating to employees of the Attorney General's Office.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1129?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "The" before "provisions", and insert "On and after January 1, 1944, the".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1129 by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Call, Clarke, Collins, George D. Crichton, Debs, Denny, Dills, Clayton A. Dills, Ralph C. Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—55.

NOES—None

Assembly Bill No. 1129 ordered enrolled.

Assembly Bill No. 1203—An act to amend Sections 736.14 and 737 6 of the Agricultural Code, relating to assessments for administration of stabilization and marketing plans for fluid milk and fluid cream.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1203?

Amendment No. 1

On page 2 of the printed bill, as amended, between lines 24 and 25, insert "The same license requirements shall apply to purchases of fluid cream, except, for the purpose of computation of the required license fee, 10 gallons of fluid cream shall be deemed the equivalent of 100 gallons of fluid milk"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1203 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastan, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—62

NOES—None.

Assembly Bill No. 1203 ordered enrolled.

MOTION TO EXCUSE COMMITTEE MEMBERS

On motion of Mr. Sam L. Collins, the following members of the Committee on Rules and House Functions were excused from the earlier roll calls, due to a meeting of that committee: Collins, Sam L. (Chairman), Desmond (Vice Chairman), Burns, Bashore, Dickey, Dills, Ralph C., Doyle, Field, Johnson, Knight, John B., Sawallisch, Wollenberg, and Call.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 618

Mr. Dilworth moved that Senate Bill No. 618 be withdrawn from the Committee on Education, and re-referred to the Committee on Ways and Means.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 519—An act providing for the taking of a census in cities, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 519?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, after "Procedure", insert "and Section 4312 of the Political Code"

Amendment No. 2

On page 1, line 18, of said bill, before the period, insert "and Section 4312 of the Political Code"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 519 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastan, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 519 ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1943

MR SPEAKER: The Committee on Conference concerning.

Assembly Bill No. 740—An act to amend Section 2712 and to add Section 2716 to the Penal Code, relating to the payment of wages and workmen's compensation benefits to prisoners;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on April 22, 1943, be further amended as follows.

Amendment No. 1

On page 1, line 8. of the printed bill, as amended, strike out "amended", and insert "added".

McBRIDE
COLLIER
WARD

Senate Committee on Conference

FOUR
KELLEMS
CAREY

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Debs, Denny, Desmond, Dills, Clayton A. Dills, Ralph C., Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Penton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, permission to consider Assembly Joint Resolution No. 50, was granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Penton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None

Assembly Joint Resolution No. 50—Relative to decentralization of the steel industry.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Penton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Pelletier—1

Resolution ordered transmitted to the Senate.

Consideration of House Resolution No. 186

House Resolution No. 186

Relating to the Committee Investigating Military Affairs of the State

Resolved by the Assembly of the State of California. That the sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee created under House Resolution No. 47 for the purpose of investigating and reporting upon the military affairs of the State, and for the expenses of its members and for any charges, expenses or claims it may incur under House Resolution No. 47 or this resolution, to be paid and disbursed upon certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer; and be it further

Resolved, That the said committee is authorized to sit after the final adjournment of the Fifty-fifth Session of the Legislature and to exercise all of the powers granted to it under House Resolution No. 47 and the Rules of the Assembly and the Joint Rules of the Senate and Assembly as they now are, or as they may hereafter be amended, and to file its report and recommendations with the Fifty-sixth Session of the Legislature during the month of January, 1945

Resolution read.

The roll was called, and the resolution adopted by the following vote.

AYES—Anderson, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Crichton, Debs, Denny, Desmond, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Niehouse, O'Day, Price, Robertson, Rosenthal, Sawalisch, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54

NOES—Collins, George D., and Pelletier—2.

Consideration of House Resolution No. 191

House Resolution No. 191

Relating to the appointment of the Assembly Committee on
Motor Vehicle Legislation

WHEREAS, Experience has shown that proper and effective motor vehicle legislation can best be based on a thorough and intensive study and investigation of the subject by a competent and active legislative committee; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Motor Vehicle Legislation is hereby created to consist of three members appointed by the Speaker of the Assembly, which committee shall study, investigate and survey accurately and in detail, either independently or in cooperation with interested persons or organizations, all matters within the scope of legislative control relating to motor vehicles and the safe operation thereof on the public highways, with a view to discovering and recommending to the Legislature such legislation as may appear necessary or desirable at the Fifty-sixth Regular Session of the Legislature.

Upon the appointment of its members the committee may organize, appoint a secretary, and employ such clerical and technical assistants and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein.

The committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records, of every kind and description, and to take all necessary means to compel the attendance of witnesses and to procure testimony. The members of the committee may each administer oaths, and all of the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it.

The committee may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter, defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The committee may hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee. The committee may also meet in executive session. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-sixth Legislature. The committee may report to any session of this Legislature or to the Regular Session of the Fifty-sixth Legislature, on or before March 15, 1945.

Every department, commission, board, agency, officer, and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee upon request, any and all assistance and information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of ten dollars (\$10) per day for accommodations and meals.

The sum of one thousand five hundred dollars (\$1,500) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee hereby created and its members, and for any other charges, expenses or claims it may incur under this resolution to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—57.

NOES—None.

Consideration of House Resolution No. 202

House Resolution No. 202

Relating to creation of an Assembly Committee on Aviation

WHEREAS, Aviation has grown from a hobby to a major industry; and

WHEREAS, The greatest development in aviation, both in operation and manufacture has occurred in the State of California; and

WHEREAS, The aviation industry is now of such proportion that it is a necessary subject of legislation, and the rapid expansion of the industry makes necessary regular additions to legislation on the subject; and

WHEREAS, Effective legislation on so far-reaching a subject can only be accomplished after careful analysis of the facts relating to the subject; and

WHEREAS, The Legislature can best function as a fact-finding agency through the instrumentality of a legislative committee; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on Aviation which committee shall study and investigate all matters relating to the aviation industry, both from the standpoint of operation and from the standpoint of manufacture, with a view to determining what legislation is necessary or would be useful in control of and to foster the development of aviation.

The committee shall consist of five Members of the Assembly to be appointed by the Speaker thereof. Vacancies on the committee shall be filled by the Speaker thereof.

Upon the appointment of its members, the committee may organize, appoint a secretary, and employ such clerical and technical assistants, and adopt such Rules as in its discretion it deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein.

The committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records, of every kind and description, and to take all necessary means to compel the attendance of witnesses and to procure testimony. The members of the committee

may each administer oaths, and all of the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, and Sections 9700 to 9412, inclusive, of the Government Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it.

The committee may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter, defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The committee may hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee. The committee may also meet in executive session. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-sixth Legislature. The committee may report to any session of this Legislature or to the Regular Session of the Fifty-sixth Legislature, on or before March 15, 1945.

Every department, commission, board, agency, officer, and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee upon request, any and all assistance and information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of ten dollars (\$10) per day for accommodations and meals.

The sum of one thousand dollars (\$1,000) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee hereby created and its members, and for any other charges, expenses, or claims it may incur under this resolution to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Penton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker
—57.

NOES—None.

Consideration of House Resolution No. 222

House Resolution No. 222

WHEREAS, The postwar period promises to be characterized by the predominance of the airplane as a carrier of both passengers and freight; and

WHEREAS, The greatest drawback to transportation by air is the waste of time resulting from traveling between the home or office and the place of embarkation which, unless a remedy is found, will become greater with the growth of population; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works is authorized and directed to make a complete investigation and survey as a basis for the plan and construction of an elevated airport for the City of Los Angeles and for other cities in the State which would form part of an international chain of airports; and be it further

Resolved, That the said department shall report its findings and the result of its investigation and survey to the next regular session of the Legislature or to any earlier special session at which it may be feasible to so report.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Stream, Thompson, Thurman, Waters, Watson, Weber, Weidel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Consideration of House Resolution No. 228

House Resolution No. 228

Resolved by the Assembly of the State of California, That House Resolution No. 70, as it appears on pages 558 and 559 of the Assembly Journal for January 29, 1943, be amended by striking out in the first line of the last paragraph "two thousand five hundred dollars (\$2,500)", and inserting "three thousand five hundred dollars (\$3,500)".

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Weidel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Consideration of House Resolution No. 205

House Resolution No. 205

Relating to the Committee on State-Federal Cooperation in the discovery, production, transportation, refining, and use of petroleum oil and its products, created by House Resolution No. 56, and enlarged by House Resolution No. 74

Resolved, That the additional sum of two thousand five hundred dollars (\$2,500), or so much thereof as may be necessary, be and is hereby made available from the Contingent Fund of the Assembly for expenses or claims that may be incurred by said committee in carrying out its duties, to be paid from the Contingent Fund of the Assembly and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, Pelletier, Price, Rosenthal, Sawallisch, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Weidel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—George D. Collins—1.

Consideration of House Resolution No. 223

House Resolution No. 223

WHEREAS, The unnecessarily large membership of some of the Assembly committees and the overlapping committee meetings have resulted in the lack of a good working majority at many meetings and in the consequent failure to get prompt and adequate hearing and action on many bills; now, therefore, be it

Resolved, That it is the sense of the Assembly that a reduction of the membership of several committees providing that no Assemblyman be a member of more than four committees would result in more speedy and efficient action and would be in the interests of the public service; and be it further

Resolved, That the Committee on Rules and House Functions is requested to consider the suggestions herein made and to submit such amendments to the rules of this House as will correct the shortcomings of the present organization and facilitate the work of legislation

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Cull, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Erwin, Evans, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Knight, John B., Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McMillan, Niehouse, Price, Rosenthal, Sawallisch, Smith, Thompson, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—43

NOES—Pelletier and Weber—2.

Speaker Pro Tempore Presiding

At 11.20 a. m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 819—An act to regulate the employment of publicists employed by State departments and agencies, and prescribing penalties for the violation hereof.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended, strike out "The provisions of this section do not apply"; and strike out lines 9 to 12, inclusive.

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 502—An act to amend Sections 1071, 2422, 2423, 2481, 2502, 2561, 2584, 2802, 2833, 2893, 2922, 2962, 3431, 3462, 3591, 3661, 3691, 3722, 3742, 3743, 3761, 3825, 3841, 3851, 3962, 4281, 4341, 18461 and 18478, and to repeal Section 3403 of, and to amend the article heading of Article 14, of Chapter 11, Division 2 of the Education Code, relating to Public School System.

Bill read third time.

Motion to Amend

Mr. Denny moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, strike out "3661".

Amendment No. 2

On page 6 of said bill, strike out lines 1 to 27, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 580—An act to add Section 1272 to the Fish and Game Code, relating to deer.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended, strike out "or", and insert "of".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 322—An act to amend Section 38c of the State Employees' Retirement Act, relating to a retirement system for public officers and employees.

Bill read third time.

Motion to Amend

Mr. Middough moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended, strike out the period, and insert "; or by an ordinance adopted by a majority of the electorate of the city voting thereon"

Amendment No. 2

On page 2 of said bill, strike out lines 11 to 16, inclusive, and insert "(2) If the contract was approved by an ordinance adopted by the legislative body, said legislative body may terminate said contract by the adoption of a resolution giving notice of intention to terminate, and by the adoption, not less than one year after the adoption of said resolution and by the affirmative vote of two-thirds of the members of said legislative body, of an ordinance terminating said contract. If the contract was approved by an ordinance adopted by a majority vote of the electorate voting thereon, the legislative body may terminate said contract in the manner provided in this subdivision but only under authority granted by ordinance adopted by such a majority vote of the electorate of the contracting city"

Amendment No. 3

On page 2, line 45, of the printed bill, as amended, before "Upon", insert "(4)".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 820—An act to add Section 408.5 to the Political Code, relating to the filing of contracts made by or on behalf of the State, providing for the examination of such contracts.

Bill read third time.

Motion to Amend

Mr. Sargent moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 2, of the printed bill, as amended, strike out the period, and insert a semicolon and "except that where the law prohibits the public inspection of such contracts, such filing is not required. Where a copy of a contract is filed pursuant to this section, there shall be attached to such copy a certificate executed by the head of such department, office, agency, bureau or commission, or by a deputy of such head, stating that such copy is a true and correct copy of such contract."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 630—An act to amend Sections 1300.15, 1300.16 and 1300.19 of the Agricultural Code, relating to the marketing of agricultural commodities.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendment:

Amendment No. 1

On page 7, line 10, of the printed bill, as amended, after the period, insert "The provisions of subdivision (e) relative to posting and giving of notice and time of taking effect shall be applicable to any rule or regulation established under this subdivision."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES**Committee on Rules and House Functions**

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

Senate Concurrent Resolution No. 40

Senate Concurrent Resolution No. 44

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolutions ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Senate Bill No. 308

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

SAM L. COLLINS, Chairman

Above reported bill ordered to second reading

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Concurrent Resolution No. 40—Relative to continuing in existence the Fact-Finding Committee created by Senate Concurrent Resolution No. 13 of the Fifty-fifth Session, and authorizing the study of economic planning.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 2, line 23, of the printed bill, strike out "fifteen thousand dollars (\$15,000)", and insert "seven thousand dollars (\$7,000)".

Amendment read and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Concurrent Resolution No. 44—Providing for the appointment of a Joint Committee to study and to report upon the water, flood control and erosion problems of the State.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules and House Functions:

Amendment No. 1

In the title of the printed measure, strike out lines 2, 3, and 4, and insert "con-

tinuance of the Joint Committee on Water Problems created by Senate Concurrent Resolution No. 11 (1941 Res. Ch. 130)".

Amendment No. 2

On page 1 of said measure, strike out lines 1 to 29, inclusive; and strike out pages 2, 3, and 4 thereof, and insert

"Resolved by the Senate of the State of California, the Assembly thereof concurring. That the Joint Committee on Water Problems created by Senate Concurrent Resolution No. 11 of the Fifty-fourth Legislature and continued as a Joint Committee of this (the Fifty-fifth) Session of the Legislature by Senate Concurrent Resolution No. 16 with those members it had on January 1, 1943, who are members of this Legislature and with all the powers and duties defined and conferred by said Senate concurrent resolution, shall have power to act during this session of the Legislature, including any recess hereof, until the convening of the Fifty-sixth Session of the Legislature and the time for the making of its final report to the Legislature is extended to March 15, 1945; and there shall continue to be available any moneys heretofore made available to said committee for expenses of the committee and its members and for any expenses, charges, or claims it may incur until March 15, 1945, to be disbursed as in Senate Concurrent Resolution No. 11 prescribed. No money not heretofore appropriated is made available by this resolution from the Contingent Funds of the Senate and Assembly."

Amendments read and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 308—An act to provide for the printing and sale of legislative publications by the State Printer.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "Legislative Printing Fund", and insert "current appropriation for legislative printing, binding, etc."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Constitutional Amendment No. 2—A resolution proposing to the people of the State of California to amend Article IV of the Constitution of said State, by adding a new section thereto, relating to expenses of Members of the Legislature;

And reports that the same has been correctly enrolled, and presented to the Governor on the third day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 417—An act to amend Sections 1299.1, 1299.6 and 1299.8 and to add Sections 1299.13, 1299.14 and 1299.15 to the Agricultural Code, relating to marketing of milk and other dairy products;

Assembly Bill No. 420—An act to amend Sections 736.14 and 737.6 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream and to assessments and refunds thereunder, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 512—An act to amend Section 6902 of the Labor Code, relating to operation personnel of railroads, declaring the urgency thereof, to take effect immediately; And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 718—An act to add Section 1714.5 to the Civil Code, relating to injuries sustained in air raid shelters; and to declare the urgency thereof, to take effect immediately;

Assembly Bill No. 802—An act to add Section 25 to an act entitled "An act making an appropriation to the Division of Forestry of the Department of Natural Resources, declaring the urgency thereof, to take effect immediately," approved January 28, 1942, relating to the expenditures by the Division of Forestry of money appropriated for its support, to take effect immediately;

Assembly Bill No. 846—An act to amend Section 787.5 of the Agricultural Code, relating to markings on containers of fruits, nuts and vegetables, declaring the urgency hereof and that this act take effect immediately; And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 848—An act to add to Chapter 2 of Division 5 of the Agricultural Code a new section to be numbered 790.5, relating to emergency standards, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 938—An act to add to Chapter 4 of Division 4 of the Agricultural Code a new article to be numbered Article 9, including a new section to be numbered Section 690, relating to the disposition of moneys, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 1530—An act to add Section 387 to the Political Code, and to add Section 120 to the Government Code, relating to the acquisition of exclusive jurisdiction over lands in the State of California by the United States, declaring the urgency thereof, to take effect immediately; And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 67—An act to add Section 1176.5 to the Fish and Game Code, relating to falcons and pigeons, declaring the urgency hereof, to take effect immediately;

Assembly Bill No. 142—An act to amend Section 69 of the Civil Code, relating to marriage, declaring the urgency hereof, to take effect immediately;

Assembly Bill No. 315—An act to amend Section 506 and to add a new section numbered 509 (a) of the Agricultural Code, relating to the making of ice cream and ice milk; And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1747—An act to add Section 44.3 to the Vehicle Code, relating to authorized emergency vehicles, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1762—An act authorizing the investment of surplus funds of any bridge and highway district in bonds, obligations and securities and legalizing all such investments heretofore made, and authorizing such bridge and highway districts to use such surplus funds for the refunding or partial refunding of any existing bonded indebtedness of bridge and highway districts and to add Section 27154 to the Streets and Highways Code for the same purposes, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 1894—An act to add Section 57.1 to the State Civil Service Act, relating to the position of Associate Forestry Engineer; And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

Mr. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1951—An act to add Section 256 5 to the Revenue and Taxation Code, relating to exemptions from real property taxation, declaring the urgency thereof, to take effect immediately;
And reports that the same has been correctly enrolled, and presented to the Governor on the third day of May, 1943, at 11 a.m.

PELLETIER, Chairman

RECESS

At 12.15 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohmimus at the desk.

REPORT OF COMMITTEE ON ECONOMIC SECURITY

Upon order of the Speaker, and pursuant to a motion previously made by Mr. Weber, the following report was printed in the Journal:

Report of the Committee on Economic Security

March 14, 1943

*Honorable Charles W. Lyon, Speaker of the Assembly
California Legislature, State Capitol
Sacramento, California*

DEAR Mr. SPEAKER: During the Fifty-fourth Session of the Legislature, a great deal of concern was felt for the economic condition of the State and Nation. You will recall that up to that time, the United States had not yet been drawn into the vortex of the present devastating world-wide conflict. We had as a Nation, however, engaged indirectly in many ways in economic activities rising out of the war. This activity was particularly noticeable in California where, due to the many natural advantages, the manufacture of airplanes and related implements of war, as well as shipbuilding and numerous other industries, were at once swelling the pay rolls of the State and calling into action all available manpower.

This war-induced activity has so completely taken up the slack in unemployment that it was possible for the Legislature of California to discontinue appropriating huge sums of money for the relief of hardship and destitution due to and caused by unemployment. The Legislature also insisted upon the disbanding of the machinery which had been provided, largely through the so-called State Relief Administration, to administer the above mentioned relief.

The legislators were cognizant of the ill effects and the devastating results of the depression through which this State and the Nation had so recently passed and from which it was suddenly emerging.

Being conscious of the maladjustments in both the economic and social structures of our Country which preceded and prevailed through the depression, and fearing the evil consequences of another depression which seemed destined to follow the new era of prosperity occasioned by the aforementioned war activity, Members of the Legislature both severally and collectively naturally turned their thoughts and studies toward ways and means of providing sustained employment and sound economic stability, together with a much improved social standard, after the present world-wide conflict should have been terminated; also to avoid the chaos and degradation which had characterized the period of depression so fresh in the minds of everyone.

This trend of thought was crystallized and expressed through the preparation and adoption of House Resolution No. 186, a copy of which is set forth herewith and made a part hereof:

Relative to the creation of a Legislative Committee, to be assisted by leaders in labor, agriculture, business and industry, to make a thorough study of economic conditions in the State of California, and to formulate a legislative program designed to protect this State from the economic and social effect of those depressions which ordinarily follow a period of artificial prosperity created by defense spending and the participation of other nations in war.

WHEREAS, This State and the Nation as a whole are now experiencing a period of rapidly expanding business activity with corresponding increases in employment due to the National Defense Program and the purchase in this County of the materials of war by belligerent nations; and

WHEREAS, The maladjustment of economic conditions and the severe business depression with its consequent unemployment which followed the cessation of hostilities in the last World War provides a grim reminder of the necessity for the formulation of long-range plans which will cushion the economic shock of the termination of the present war and the spending of billions of dollars for National defense, and

WHEREAS, History has demonstrated that it is the laborer and his family and the farmer and his family who first feel the effects of business recession, and if employment and business activity are to be maintained at the highest possible level after the defense program ends, plans must be made to:

(a) Absorb defense industry workers in peacetime enterprises and to that end the development of new industries and new uses for agricultural products must be stimulated and encouraged; and

(b) Develop new markets for the products of California industries and farms; and

(c) Provide adequate vocational training for the youth of today in peacetime pursuits; and

(d) Provide housing and educational facilities to accommodate the population shifts caused by the migration of workers to those industrial centers where defense industries are located; and

(e) Provide for a constructive program of industrial and agricultural development which will assure the gainful employment of all able-bodied persons; and

(f) Provide an economical and efficient, yet adequate program for the care of all needy persons including the physically handicapped; and

(g) Make adequate provision for the aged in order that workers may be assured of security for themselves and their families in old age; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee, designated "The Legislative Committee on Economic Security," consisting of 15 members of the Assembly appointed by the Speaker of the Assembly, is hereby created, which committee shall, and it is hereby authorized to, gather, assemble, study and analyze all facts relating to any and every phase of the matters specified in this resolution and of the economic and social conditions in the State of California, both as those conditions exist during periods of intense activity in agriculture, business and industry and as those conditions exist in periods of severe business depressions, all with a view to formulating a plan and preparing and submitting such legislative measures as will enable the State to bring about and assure the least possible maladjustment of economic and social conditions following the cessation of defense activities after the present European War, to which end the committee shall, except when inconsistent with this resolution, have and exercise all the powers, duties, and privileges conferred upon committees by Rule 35 of the Joint Rules of the Senate and Assembly for the Fifty-fourth Session (and the provisions of said Rule 35 as they exist on the adoption of this resolution are, to the extent not inconsistent with this resolution, hereby incorporated herein and made a part hereof as though set forth in full in this resolution), and shall also have and exercise the duty and power:

(1) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(2) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(3) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, and enforcement of any and all laws in anywise bearing upon or relating to the subject of this resolution;

(4) To act during this session of the Legislature, including any recess hereof, and after final adjournment hereof, and to report its findings and recommendations to the Assembly and to the people from time to time and at any time and to make its final report to the Assembly at the Fifty-fifth Session of the Legislature on or before March 15, 1943; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars (\$8) per day; and be it further

Resolved, That the sum of fifteen thousand dollars (\$15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the Contingent Fund of the Assembly and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer; and be it further

Resolved, That an Advisory Committee to the Legislative Committee is hereby created, to consist of nonlegislator members, appointed by the Speaker of the Assembly, the appointees to include industrial, military, naval, aeronautical, transportation, employment, vocational training and scientific experts, and representatives of labor and of agriculture to advise, aid, and counsel the Legislative Committee in the studies conducted by the latter in carrying out the purposes of this resolution, the Advisory Committee to have and exercise such powers and duties as shall be defined from time to time by the Legislative Committee, within the scope of the powers and duties committed to the latter by this resolution.

Evidence of the unanimity of opinion and the grave concern with which the problem was approached is found in the fact that the resolution was adopted by the Assembly with the overwhelming vote of 65 Ayes and 1 Nay.

It will be noted from the context of the resolution and excerpts set forth here-with of supporting arguments offered while the resolution was under discussion that it was the hope and wish of the Legislature that the United States might be spared the terrible experience of becoming actually involved as a warring nation. I wish to make a part of this report the following eloquent remarks of Assemblyman John B. Pelletier on the floor of the Assembly relative to House Resolution No 186

MR SPEAKER, MEMBERS OF THE ASSEMBLY The world is passing through a titanic struggle for existence. A war of destruction goes on all about us today. Sooner or later every country of the world, including the United States, will be involved. What the end will be, no one can say.

We, as Members of this Legislature, can do but very little to govern the destiny of mankind and prevent this destruction of life and property. We, on the Pacific Coast, can do very little to organize a new social order and guide the destiny of this great Nation without the help of all of America and all Americans. But we *can* do much to reorganize the social structure of the State of California, not only industrially, but socially and politically, and thereby maintain, in California, at least, a democratic and normal social order which is so important and vital in these times of stress and war overseas.

Now is the time and *California* is the place in which to program a workable plan of economy *at the conclusion of the present war*. We must be brought to realize, and at once, the financial condition in which we have become involved, and the condition in which we inevitably will find ourselves, our economic condition, when the war in Europe comes to an end.

We now are spending over two billions of dollars for National Defense in California alone. What are we going to do when this nation-wide spending stops? Forty-seven other States likewise are participating in the great American orgy of spending good American dollars that are not yet even *earned*. What will be the outcome? What will be the condition of the National book-keeping? What are we going to do when the National Defense contracts are canceled, when the National Defense Program is no longer necessary?

What are we going to do when our soldiers and sailors come home to take their rightful places in civilian life?

These questions, and many others, must be answered now, and there must be no waiting, no procrastination on our part—America must find the answers and find them *now*.

These problems must be solved before the conclusion of the present war in Europe if we are to escape the experience which was Spain's for 33 months—the destruction of life and property that would put our Country back hundreds

of years in progress, in prosperity, in health and population, and in the general welfare which the people of America have every right to expect as Americans.

We in California are very fortunate to be living in the richest State in the world. We have more diversified resources than has any other State in the Union, or any other country in the world. God has not only blessed the great Commonwealth of California with beautiful scenery, but He also has blessed us with brains and intelligence to develop the resources at hand that they may be applied to the best human needs in order that we may produce a beautiful land and a powerful people to inhabit that land. Let us live not only for the present, but for the *future*—a future to which our sailors and soldiers are to return—a future they are fighting now to insure and protect.

If Speaker Gordon Garland does nothing else during this Fifty-fourth Session of the Legislature than to start this program of postwar preparedness, a plan for economy and common sense at the conclusion of the present war, he will have won the respect and confidence of every man, woman and child in the State of California, as well as in the Nation.

Mr. Speaker, the members of the committee you are to appoint to serve in an effort to carry on a program of preparedness and prosperity following the war should be men who have a broad view of the problems of agriculture, of industry, and of labor. Only by appointing such men, capable and far-visioned, is such a program possible if it is to be a success.

Agriculture must be taken into consideration in this plan-for-economy program, for industry can not be divorced from agriculture. The progress of industrial centers depends on the success of their agricultural districts. Agriculture and industry can not be separated from labor and its problems, for in the last analysis the success of agriculture and industry depends in a large measure on labor. Labor is the large consuming power of the products of both, industry and agriculture, therefore, the higher the wage scale of labor the greater labor's power to buy back its own products. This is a theory that has been greatly misunderstood by both agriculturists and industrialists, but it is the only theory that will maintain our social structure if we are to survive during the critical postwar era that inevitably faces us as Americans whether or not we become embroiled in the European war or not.

In conclusion, let me say that the appropriation requested in this resolution is the best investment the Legislature of the State of California can make at this time. We are the only body of people in the State empowered to make an impartial investigation of conditions and to formulate an economical plan that will be of benefit not only to agriculture, to industry, and to labor, but to the entire State of California.

This work can not be accomplished without expenditure of money. This committee of loyal citizens may function willingly and gladly without compensation, but they must receive their expenses if this work is to be done, and this work *must* be done if we are to avoid economic catastrophe at the conclusion of this war.

Hence, the premise upon which the resolution was adopted was that, as recited before, it was desirable, advisable, and economically sound, for the Legislature to attempt through every means possible to find ways to avoid or avert the fear of catastrophe which was to follow the war by attempting to devise ways and means of turning a wartime economy into an economy of peacetime, without seriously dislocating and dislodging the more important component parts of a smooth-functioning governmental structure.

Subsequent to the time the resolution was adopted, and pursuant to the provisions thereof, the members designated by the Speaker to serve on the committee were called into session on March 10th in Los Angeles for the purpose of properly organizing themselves to execute the directive of the Assembly in carrying out the purposes of the act. Even at the time the committee met to organize, world conditions had become much more difficult and intolerable and the war clouds which had enveloped most of the other nations of the world were hovering closer to our shores. The inevitability of our entrance into the world conflict had become apparent to every rational thinking person in the United States and it was in the most somber attitude that the members of the committee entered upon their work.

Subcommittees were appointed to deal with many specific phases of the all-inclusive problem. One of these subcommittees consisting of Charles M. Weber, chairman, Charles W. Lyon, and Gordon H. Garland, was charged with the specific duty of carrying on a study through which they were to seek the best means of providing economic security for California during the postwar period. Another subcommittee, the personnel of which was Lee T. Bashore, chairman, John W. Evans, and John B. Pelletier, was charged with the special duty of investigating the waste in commodities, both food and clothing, being warehoused and distributed by the State Department of Social Welfare. Separate reports dealing with the activities of these subcommittees and outlining their accomplishments is attached hereto and made a part hereof. Both of these reports set forth glaring examples

of maladministration in the past and the need for constructive and coordinated thought and planning for the future.

After the committee as a whole and the subcommittees thereof were well under way with their respective duties, the collective trend of thought was considerably changed and revised by the attack which was made by Japan on possessions of the United States and the subsequent entry of the United States into the world conflict through open declaration of war against Japan and later on against the Axis powers.

The entry of the United States into the war naturally changed the perspective of the committee for, through our entry into the war, we were confronted with an entirely different and much more serious and difficult problem. After our entry into the war, our paramount thought and consideration was no longer for postwar planning for a nonwarring nation but rather our thoughts and concern turned immediately to ways and means by which we might aid the State and Nation in protecting ourselves as a people against the vicious attacks and practices of the totalitarian powers and to how we might best maintain for ourselves and perpetuate for future generations a free and democratic form of government.

With a radically changed perspective in our field of endeavor, and after long and deliberate consideration, it was the considered, collective opinion of the members of the committee that the purposes set forth in the resolution would be best served through the establishment of a nonpolitical, nonprofit organization or foundation which would carry on in perpetuity with a broad and comprehensive study of the social and economic problems which then were and had in the past been so sorely vexing to the legislative minds of our State. Appreciable progress has been made in that direction and there is just cause to believe that with the proper cooperation upon the part of the future sessions of the Legislature with the leading scholastic minds of our higher institutions of learning, together with the collaboration of leaders in industry in all of its phases and labor in all of its ramifications, that a foundation financed by endowment or appropriation, or both, can, in the near future, be established. If this hope can be brought to full reality, I am persuaded that the work of the committee will not only have been justified, but that it will have developed a new field of thought in social and economic research and planning which in the future will be considered one of the major developments of this era in the betterments of our democratic form of government.

In conclusion, it is hoped that the present and future sessions of the Legislature will not only cooperate with the efforts of this committee, but will carry on with and develop the same to more lasting and beneficial proportions in order that it will never again be said of California or the United States of America that thousands of her citizens were obliged to suffer hardship and privation during the same time that producers were obliged to allow tremendous quantities of foodstuffs and raw materials to spoil and be destroyed because of maladministration of governmental affairs and because of the lack of understanding and management of economic processes.

Assembly Bills Nos. 1411, 1863, 1883, and 1901 have been introduced as a result of the findings of this committee. A balance of \$7,634.92 remains of the funds allotted the committee.

Respectfully submitted,

GORDON H. GARLAND, Chairman
Committee on Economic Security

The Report of the Subcommittee on Postwar Planning

December 30, 1942

Honorable Gordon H. Garland
Chairman, Committee on Economic Security
State Capitol, Sacramento, California

DEAR CHAIRMAN: The Committee on Postwar Planning met in Los Angeles on March 11, 1942, the day following the meeting of the main committee on Economic Security.

Discussions by Messrs. Garland, Lyon, and Weber covered first the tremendous scope of the organization and work as proposed in House Resolution No. 186. Second, the correct type of organization to consider the broad economic and social problems, to collect facts, and to bring them to the Legislative process. Under this heading, the following questions were discussed: Should the character of the organization be governmental, private, or both public and private; and, likewise, should the sources of support of the organization be public, private, or both public and private; and, likewise, should the work undertaken by the organization be directed by public, private, or public and private agencies?

The members of the committee, through long association with Legislative problems, and through their knowledge of planning, felt qualified, after the discussion, to make tentative recommendations in order that the work might proceed definitely toward the objectives prescribed by House Resolution No. 186.

The committee agreed: (a) That a privately endowed nonpolitical foundation for research be formed for the purpose of gathering facts, studying the problems, and

making recommendations in the broad field of political economy which might lead to the adoption of governmental plans and policies in order to better meet the conditions which will arise in the immediate future; (b) That the committee would hold several public hearings in various parts of the State to sound public opinion with regard to postwar planning and to familiarize the people with the immediate program of the Committee on Economic Security; (c) That members of the committee would interview people representative of all important levels of activity with a view to ascertaining the best way of organizing such a foundation and to discover what immediate financial support could be expected for the foundation.

Three conferences were held in Sacramento in preparation for the public hearings which were to follow. On July 22, 1942, the first public hearing was held in Fresno. At this hearing, members of agricultural, mercantile and manufacturing industries, and representatives of labor were present. The discussions revolved around two separate questions. One relating to the present maladjustments due to war conditions, which had previously come before the Senate Committee on Economic Planning; and the other concerning the problems of postwar planning.

The records of this hearing are in the files of the committee. A transcript was made of most of the proceedings, and a summary of the discussions is appended to this report. In order to direct the discussion into pertinent channels, questions set forth in the report of the State Planning Board on postwar problems were given to the witnesses in advance of the hearing. The response to the questions, and the discussions on the part of the witnesses, indicated a very great appreciation of the necessity for planning.

The following witnesses were present at the hearing: Marcel P. Lohse, secretary, Chamber of Commerce; H. H. Courtwright, Valley Electric Power Company; Frank J. Palomares, Mexican Labor Council; William T. O'Rear, labor representative; George M. Hume, merchants and manufacturers' representative; Norman Rudy, city council representative; Monsignor James G. Dowling, Catholic Churches' representative; Dr. L. R. Nelson, business and professions' representative; James R. Fauber, Visalia Chamber of Commerce.

The subcommittee, in anticipation of increasing interest in the subject, decided at future meetings to confine the discussions to postwar problems and that a digest of the State Planning Board Report would be placed in the hands of the witnesses. It was further decided to make vocal recordings of the discussions at the hearings. These records would then remain in the files and could be used by the foundation, after it was created, as pertinent to their work. This inexpensive procedure proved very satisfactory at the Stockton hearing which was held at the Hotel Stockton on August 18, 1942. The recordings of the meeting are in the files of the committee, and a digest of the same attached hereto.

Among those present who discussed the problem were: Howard Gibson, Stockton Labor Council; Clair Wilbur, Pacific Gas and Electric Company; Sid Bierley, Chamber of Commerce; Judge Riordan, attorney; Walter Hogan, city manager; Paul Keller, Fibreboard Products; A. J. Zitlau, manager, Bank of America; Ray M. Dunn, district attorney; John R. Williams, superintendent of schools; Charles Stewart, superintendent of county welfare; Howard Bissel, city planning commissioner.

As a result of the hearing in Stockton, the subcommittee came to the conclusion that there was sufficient widespread intelligent interest in postwar planning to warrant the committee to proceed to interview individual citizens concerning the establishment of the foundation for research.

The committee met in Los Angeles on September 1, 1942, and for nine days thereafter interviews were obtained with many citizens. Among those interviewed were: Mr. Richard Dillon, attorney-at-law; Mr. Ernest Duque, president of the California Portland Cement Company; Mr. Harry Bauer, president of the Southern California Edison Company; Dr. Robert Millikan, chairman of the executive council of the California School of Technology; Dr. William D. Munro of the same institution; President Von Klein Smid of the University of Southern California; Mr. Asa Call, attorney for the Pacific Mutual Insurance Company; Mr. Standish Mitchell, president of the California Automobile Association; the Reverend Rabbi Magnin, Rt. Reverend Archbishop Cantwell, and Miss Marmouth of the Haynes Foundation.

Representatives of labor and business were also informed of the work of the committee. It is regrettable that the thoughts, ideas, and discussions which occurred in these interviews can not be made part of the record. However, it is sufficient for the record to state that the committee was urged to continue its work immediately in establishing a foundation, and that the liberty and security of the people would be determined in the future by the course which government would take.

Dr. Millikan, during a two-hour interview, stated that our liberty was tied to the question of decentralization of administration in government, and that the work which the foundation should undertake should be prescribed by the limitations of our Constitution, and the principles of our representative democratic form of government. Dr. Millikan also stated that the appropriation of public funds to support such a foundation could be considered as proper.

Dr. Munro directed the committee to certain research authorities at the University of California, and urged that steps be immediately taken to establish the foundation.

As a result of these interviews, the committee came to the conclusion that it should proceed without delay to the work of establishing the foundation, and that other phases of the committee's work might well be undertaken at a later date by the foundation itself.

It was felt, however, that a public hearing should be held in San Francisco, in order to inform the people of the work and proposals of the committee. This meeting was held in the State Building on September 22, 1942. Recordings were made of the hearing which are available in the files of the committee.

The following witnesses appeared before the committee: Mr. Dwight L. Merryman, San Francisco Chamber of Commerce; Mr. Lewis of the mayor's office, City of San Francisco; Mr. Mark Jorgensen, Director of Public Planning; Mrs. Paul Eliel, Dr. Murray R. Benedict of the Giannini Foundation of the University of California; Mr. W. H. Ohman, Bureau of Engineering, San Francisco; Mr. John E. Pickett, the Pacific Rural Press, San Francisco; Mr. Sylvester J. McPhee, the Downtown Club, San Francisco; Mr. Carroll Newberg, president of the Council of Civic Clubs.

As a result of all of the preceding discussions, the committee concluded that it must directly approach the problem of forming the foundation. With this in view, on October 8, 1942, the chairman of the subcommittee went to the University of California and met with Dr. Robert Gordon Sproul, president; Dr. Pomeroy, and Dr. Baldwin Woods, and placed before them the problem of organizing such a foundation. The proposition was enthusiastically accepted, and after thorough discussion, Dr. Sproul agreed to discuss the problems with members of the faculty, particularly those familiar with the field of research.

Dr. Sproul called a meeting for a round-table discussion with the committee which was held at the Faculty Club of the University of California. The following persons were present and were called upon by Dr. Sproul to make their ideas known to the committee: Dr. Robert Gordon Sproul, president of the University of California; Dr. John B. Condliffe, Department of Economics; Dr. Frank N. Freeman, Department of Education; Dr. Ewald T. Grether, Department of Economics; Dr. Charles B. Lippman, Dean of the Graduate School; Frank L. Kidner, executive secretary, Bureau of Business and Economic Research; L. Deming Tilton, planning director, City of San Francisco; Dr. Samuel C. May, chairman of the State Planning Board, and Fred B. Wood, Legislative Counsel, acting secretary to the committee. Recordings were successfully made of some of the proceedings, but unfortunately, the major portion of the discussions were not recorded, due to faulty operation of the mechanism.

As a result of this hearing, with its splendid discussions, the chairman directed Dr. Sproul to appoint a committee to consider the proper organization of the foundation and a means of financing it. Dr. Charles Lippman, dean of the graduate school, was made chairman of Dr. Sproul's committee. On December 7, 1942, the chairman of the subcommittee met with Dr. Lippman, who reported that the findings of the committee were in Dr. Sproul's hands, and that the committee was prepared to proceed, upon further direction, with the organization of the foundation. A copy of the report and recommendations to Dr. Sproul are submitted herewith, together with remarks by Dr. Lippman in support of the project. These came into the hands of the chairman on January 18, 1943, upon the return of Dr. Sproul from Washington, D. C.

Report of the President of the University of California and His Committee to the Subcommittee on Postwar Planning

December 30, 1942

The committee recommends that steps be initiated by the university to establish a research foundation to be known as the California Foundation. This foundation shall be an independent corporation.

Purpose—The purpose and scope of the California Foundation shall be the selection and financial support of investigations which look toward the economic, social, educational, and cultural development of the State of California in an orderly and appropriate manner.

Material Support—It is suggested that for the material support of such a foundation funds be sought from citizens of California who are interested in the welfare of the State and who have the means to contribute. A nucleus of large gifts should first be secured. Thereafter through publicity and other persuasion it is suggested that we interest as many citizens as possible to contribute as their means may permit. Other sources of income may be considered, public as well as private, provided such contributions are made to the foundation without restriction for its purposes.

Governing Body—It is suggested that a board of trustees of 21 persons with substantial terms not running concurrently be entrusted with the government and management of the California Foundation. It is further suggested that on such a board

there be representation of all the great research agencies in the State. The initial members of the board shall be appointed by a committee consisting of the president of the University of California, the president of Stanford University, the chairman of the executive council of the California Institute of Technology, and the president of the University of Southern California. The board of trustees shall determine upon its own officers and committees and upon the method of its perpetuation.

Committee on Projects—The selection and approval of proposals submitted to the foundation for investigation, as well as the initiation of new research projects, shall be vested in a Committee on Projects appointed each year by the board of trustees. This committee shall consist of seven qualified persons.

Findings of the Subcommittee

The committee, as the result of the hearings, interviews, and investigations made throughout the State finds: (1) That there are already grave dislocations in the economic and social structure of the State; and, moreover, there are dark clouds appearing on the horizon which portend coming events, somber in aspect, which will require comprehensively planned policies in government, and the utmost cooperation of the people, in order that our representative government may survive; (2) That there is a deep solicitude on the part of the people in anticipation of the difficulties ahead which makes them look to the Government, through the procedure of planning, to avoid the pitfalls of the past, and to make secure our liberty and form of government; (3) That public opinion in the State of California will support the creation of a Foundation for Research.

Therefore, the Subcommittee on Postwar Planning makes the following recommendations:

1. That the broad work prescribed by House Resolution No. 186 (page 3109, Assembly Journal, May 15, 1941) be carried on by a permanent joint committee of both houses of the Legislature created by statute to insure a more permanent legal existence.

2. That pending the creating of such joint committee, the work of promoting the California Foundation for Research be carried on by a committee of the Assembly, properly authorized to so do.

3. That such Assembly committee introduce the necessary legislation to bring about a rational procedure of planning in State government to fulfill the requirements embodied in House Resolution No. 186.

Respectfully submitted.

CHARLES M. WEBER, Chairman
Subcommittee on Postwar Planning
CHARLES W. LYON

Report of the Subcommittee on the Distribution of Surplus Commodities

December 15, 1942

Honorable Gordon H. Garland

*Chairman, Committee on Economic Security
State Capitol, Sacramento, California*

DEAR CHAIRMAN: Pursuant to the appointment of Assemblymen John Pelletier, John Evans, and myself as chairman of a subcommittee to investigate the matter of distribution of surplus commodities under the jurisdiction of the Social Welfare Department, we beg to report the following.

Four months of time was spent by your subcommittee in the careful investigation both as to the quantity of merchandise on hand, the amount distributed, the method of distribution, and the amounts permitted to become spoiled.

Our investigation revealed that the State Department of Social Welfare, Distribution Division, is operating 17 warehouses in the State of California. They have approximately 300 civil service employeess and approximately a like number of WPA employeess.

The investigation showed that as of July 24, 1942, they had on hand in their one base warehouse in Los Angeles, 857,000 items of clothing. We further determined that much of this clothing was fabricated by the WPA as early as 1940 and still remains in its original boxes—not having been distributed.

Testimony also produced that during the years 1941 and 1942, over 800 tons of foodstuffs were permitted to become contaminated by weevils, worms, and deterioration, and it was necessary to utilize these foodstuffs for hog feed rather than for human consumption.

Testimony further produced the fact that there has been a laxity upon the part of the State Department of Social Welfare to see that these foodstuffs were properly distributed to the various schools to assist in the school lunch program.

Testimony also produced the fact that in instances foodstuffs were delivered to schools not equipped with cooking facilities.

Further testimony produced the fact that at the end of the school term, in many instances, the same amount of commodities were returned from those schools as delivered to them during the school year, none having been used. Because of the length of time that these commodities were held on hand, they also deteriorated and when returned to the base warehouse it was found they were no longer good for human consumption. Subsequent to that, they were destroyed by the process of delivering to the incinerator.

All of these food products are delivered to the State Department of Social Welfare by the Federal Agricultural Marketing Administration operating under the Lend-Lease Act. Testimony showed that neither the State Social Welfare Department nor the local AMA officials had anything to do whatsoever with the ordering or purchasing of these commodities, the entire matter being handled out of Washington, D. C., and the local AMA officials are notified from time to time by Washington as to what commodities have been purchased and are available for distribution in California. The local AMA officials then in turn notify the State Department of Social Welfare of the availability of these products.

Inasmuch as our economic picture has changed so greatly during the past two years, it is the conviction of the committee that there is no longer a need for this type of distribution by the State Department of Social Welfare. It is our belief that if the Federal Government decides to continue the purchasing of commodities thereby bidding against our citizens for the purchase of these same commodities, that the Federal Government should then be notified by the State that we no longer care to act as an agency in the distribution of these commodities, and that if the Federal Government feels that these school lunch programs are of necessity that they, the Federal Government, should work directly with the county and city superintendents of schools.

Your committee also received information, subsequent to the hearings, that the State Department of Social Welfare has in its warehouses over 3,000,000 items of clothing ready for wear. Further information shows that in addition to these 3,000,000 items they have a great amount of material on hand supposedly for the purpose of having the WPA sewing projects fabricate this material into clothing. This latter item, when fabrication is completed, would approximate 1,500,000 items of clothing, making a total of approximately 4,500,000 articles of clothing available for our State institutions. Again, because of our changing economic conditions, we find that the average citizen is able to find employment and there is no longer a need for this activity. It is the committee's contention that our so-called WPA sewing projects would render a greater service to humanity if the State sewing projects were abandoned and that the WPA employees would sew for the Army and the Navy.

The subcommittee recommends that there be established in our State Government a Liquidation Department, separate and apart from the Department of Finance, for the purpose of completing the liquidation of the SRA and also for the liquidation of the Commodities Division of the State Department of Social Welfare. This department should investigate as to the number of articles of clothing that could be reasonably used during the period of the next few years by our State institutions. We also feel that all of the surplus commodities on hand in our 17 warehouses should be distributed to our State institutions for consumption, thereby reducing greatly the proposed budget to support our institutions for the next biennium. We do not feel that the Surplus Division of the Department of Social Welfare should be permitted to continue after February, 1943. This will eliminate approximately 300 employees who would be permitted to become actively engaged in our war effort.

The subcommittee would also like to call to your attention the fact that in the past several years, and at the present time, the Federal Government holds out as bait to the State of California propositions in which the Federal Government during the first year contributes the entire cost of these various propositions and then after the first year they gradually withdraw their support until we find the State Government contributing the entire amount to some new form of philosophy in social welfare. It is our feeling and our contention that the State of California should again assert itself, informing the Federal Government that we are amply able to conduct our own affairs of state and to handle our social welfare problems without the dictation from some bureaucratic branch in Washington.

Lack of funds prevented this committee from investigating the other 16 warehouses throughout the State, but the committee feels that we have such information on the maladministration of the base warehouse in Los Angeles to justify our recommendation for the abolishment of the entire program.

Respectfully submitted.

LEE T. BASHORE, Chairman
JOHN B. PELLETIER
JOHN W. EVANS

REPORT OF COMMITTEE ON LEGISLATIVE ORGANIZATION

Upon order of the Speaker, and pursuant to a motion previously made by Mr. Weber, the following report was printed in the Journal:

**Report of the Committee on Legislative Organization
The Procedure of Planning in State Government**

COMMITTEE ON LEGISLATIVE ORGANIZATION

Charles M. Weber, Chairman

Charles W. Lyon and Thomas J. Doyle

STATE CAPITOL, SACRAMENTO, CALIFORNIA

February 19, 1943

*Honorable Charles W. Lyon, Speaker of the Assembly
State Capitol, Sacramento, California*

SIR. Pursuant to House Resolution No. 22 (Assembly Journal, January 6, 1943) re-establishing the permanent Committee on Legislative Organization for the biennium 1943-1944, and which specified:

That the committee shall have and exercise the duty and power: To study the Standing Rules of the Assembly, the Joint Rules of the Legislature, the existing organization of the Legislature, questions of economy in the legislative procedure, the physical facilities for the use of the Legislature, the rearranging of space in the State Capitol, and the advisability of creating in aid of the legislative function an agency or agencies to study and report to the Legislature and its committees upon assigned subjects of legislation or of prospective legislation, to assure the obtaining of full information and enable the Legislature and its members to act advisedly in such matters.

And also pursuant to House Resolution No. 78 (Assembly Journal, January 27, 1943) which specified:

That the Committee on Legislative Organization is hereby authorized to carry on the work of the Subcommittee on Postwar Planning of the Committee on Economic Security created pursuant to the provisions of House Resolution No. 186, Fifty-fourth Session, and to follow the recommendations of the said committee in regard to the organization of a research foundation to act in the aid of the legislative function; and be it further

Resolved, That the Committee on Legislative Organization, during the recess and thereafter, shall perform the duties prescribed in House Resolution No. 22, of the Fifty-fifth Session.

Your Committee on Legislative Organization has undertaken the following work: (1) To ascertain the rational organization necessary to properly establish the procedure of planning in local government, and in the executive and legislative branches of State Government; and to introduce into the present session of the Legislature those bills necessary to establish that rational procedure of planning. (2) To carry on the work of the Subcommittee on Postwar Planning of the Assembly Committee on Economic Security (authorized by House Resolution No. 186) for the biennium 1941-1942 (Assembly Journal, page 3109, May 15, 1941) which is directed by the recommendations of the subcommittee, which are as follows:

1. That the broad work prescribed by House Resolution No. 186 (page 3109, Assembly Journal, May 15, 1941) be carried on by a permanent joint committee of both houses of the Legislature, created by statute to insure a more permanent legal existence.

2. That pending the creating of such joint committee, the work of promoting the California Foundation for Research be carried on by a committee of the Assembly, properly authorized to do so.

3. And that such Assembly committee introduce the necessary legislation to bring about a rational procedure of planning in State Government to fulfill the requirements embodied in House Resolution No. 186.

Your committee transmits the attached report with its recommendations.

Respectfully submitted.

CHARLES M. WEBER, Chairman
Committee on Legislative Organization

T. J. DOYLE

CHARLES W. LYON

The Procedure of Planning in Government

The objectives of the procedure of planning in government are briefly defined as follows: To create and effectuate comprehensive and rational plans and policies in government, in order to provide for the present and future welfare of the people. These plans and policies may be placed in two categories:

(a) Those relating to the physical requirements of the people upon the land as exemplified by lines establishing those rights of way for water, power, transportation, housing, and all other things requisite to the public convenience, health, and general welfare. This may be termed Land Use Planning

(b) Those relating to the economic and social requirements of the people, which may be named Economic Planning.

Land Use Planning

Physical requirements on the land can be ascertained reasonably and comprehensively for present and future needs by the art of land use planning. The objectives are then to set aside, for present and future use, the rights of way which conform to the plans, by implanting the lines which contain them on the land through the extension of the police powers by local and State Government; and to establish policies whereby the necessary structures prescribed by the plans are constructed.

This procedure in government has been authorized by the State Planning Act (Statutes 1929, Ch. 838. Amended by Statutes 1937, Ch. 665) which establishes State coordinated regional planning. This act makes it mandatory that the cities and counties shall adopt and establish master plans looking broadly into the future, and pre-ordained official plans based thereon, to be constructed in the near future; that regional planning districts, consisting of one or more counties, or parts thereof, shall be defined and established by the State Planning Board in a manner prescribed in the law; and regional plans be established and coordinated with city and county plans for adoption by the local legislative authorities, and that the State plans as created by the several State departments, shall be implanted on the several regional plans. All plans shall be coordinated under the supervision of the State Planning Board, but the adoption of the plans for demarcation on the land shall be through the extension of the police powers by the local legislative authority. The act thereby establishes State coordinated regional planning through the democratic procedure of decentralization of administration by the local government, and plans are made from the bottom level of government up, and from the top level down.

Supplementing the Planning Act, so as to establish land subdivision control, is the Subdivision Map Act (Statutes 1937, Ch. 670), which grants limited powers to cities and counties in order to cause land subdivisions to conform to the lines established by the master plans, and to further protect the public health and safety, as related to land used for subdivisions.

The State Planning Board was established (Statutes 1935, Ch. 331) for the purpose of correlating State planning by agencies of State Government, and participating in interstate and National planning efforts, and to cooperate with any persons or organizations interested, for devising means to develop the natural and economic resources of the State.

The State Planning Board, as created, is a division of the Department of Finance. Most of the efforts of the board have been directed toward cooperation with the Federal Government on various planning projects, the fruits of which have been a series of reports. The board made attempts at forming two regional planning districts; one in Southern California, in the metropolitan areas surrounding Los Angeles, and one containing the counties in the San Francisco Bay area, but no action, under the mandatory provisions of the act was taken by either the Governor or the board.

It is a fact that the procedure of planning for the physical requisites of civilization in California is authorized by law, but up to the present time it is far from being established by either local or State Government.

Economic Planning

Economic planning has to cope with the problems arising out of the changing currents in human affairs, and the shifting demands and requirements of the people due to progress and regress in their economic pursuits. Our industrial civilization is complex indeed, and, likewise, are the problems which arise therefrom. The movements and demands of people are sudden, and their effect is almost explosive in its nature.

Economic planning is connected with land use planning when it becomes necessary to make provisions on the land for the solution of a problem. Land use planning should be considered as being subject to less change and, in its nature, more dependable. It is a procedure which government must direct. The engineer may determine with a great deal of precision the amount of water available in a stream, the present and future demands for its use, and the means of transporting it to the place where it will be used; but in contrast, how difficult is the problem confronting the economic planner when he must meet the conditions brought about by the entrance into industrial employment of hundreds of thousands of women?

There is no effective organization in government in California to provide for social and economic planning. However, the State Planning Board does have certain broad powers authorized under the planning act to consider such problems.

Economic planning requires organized effort in research to gather facts, and to correlate them in order that they may make possible a more rational solution of the problems. Throughout America today there are many foundations for research, spending great sums of money in such work. If the State of California is to enter the field of economic planning, the legislative and executive branches of government must have available correlated research material pertinent to the problems which confront government. It would be necessary, therefore, to establish some such agency for research which would be responsible with providing such source material as is necessary for the government to make laws and determine policies.

Findings

In view of the foregoing facts, and those contained in the Report of the Subcommittee on Postwar Planning, the committee finds:

- (a) That there is no organized procedure in government to provide for both land use planning and economic planning.
- (b) That there is a well designed democratic procedure, under the Planning Act, to provide for land use planning.
- (c) That local and State Government have not acted under the mandatory features of the Planning Act to provide for State coordinated regional planning.
- (d) That planning is necessary for the orderly development of the State, and the preservation of the liberties of the people.

The Committee on Legislative Organization therefore recommends that a rational organization be set up to coordinate the procedure of economic planning with the executive and legislative branches of government, the State Planning Board, the several departments of State, and local, city and county governments.

Therefore, the committee further recommends:

(1) The establishment of a research foundation, privately endowed, but widely supported, which looks toward the economic, social, educational, and cultural development of the State of California in an orderly and appropriate manner; and as set forth in the report of the president of the University of California and his committee to the Subcommittee on Postwar Planning, for the biennium ending 1942.

(2) The creation by statute of a joint legislative committee supported by a small legislative research bureau which would form the liaison between both Houses of the Legislature and the Foundation for Research.

(3) The creation by statute of an economic council composed of members each expert in particular matters pertaining to the development of the natural resources of the State and the industries related thereto, of transportation, and of economics and social welfare, and of other things related to the general field of planning. This council would act as the liaison between the foundation, the Governor, and executive branch of government, and could submit programs and policies to the State Planning Board for approval, and also to the Governor and the Legislature.

(4) The State Planning Board should be reorganized by statutory amendment so as to set up a board of five members composed of persons who, by their broad experience in life, and by professional and business experience and because of freedom from financial dependence are qualified, when supported by a limited staff of experts, to fulfill the duties prescribed for them by law. The board should be set up as an independent agency, and removed from the Department of Finance. It should have a director, and a staff whose principal duties are to promote the procedure of planning in local and State Government, and to coordinate all plans made by cities, counties, regions, and the departments of State Government. The ex-officio members of the present board, namely, the Director of Finance, the Director of Public Works, and the Director of Natural Resources would be left off the board, as reestablished.

(5) That the Planning Act be amended, if necessary so as to include the coordination of planning in the larger field, and correlating these plans and policies to all branches of government, and that the mandatory features of the Planning Act be retained.

A new section might be added to the Planning Act—

"In order to provide State Coordinated Regional Administration, the Governor may from time to time, submit recommendations for adoption by the State Planning Board, the several City and County Planning Commissions, and the local legislative authority, in order to promote and effectuate the orderly development of the State and to expedite the adoption of coordinated policies by local legislative authorities acting upon their own discretion."

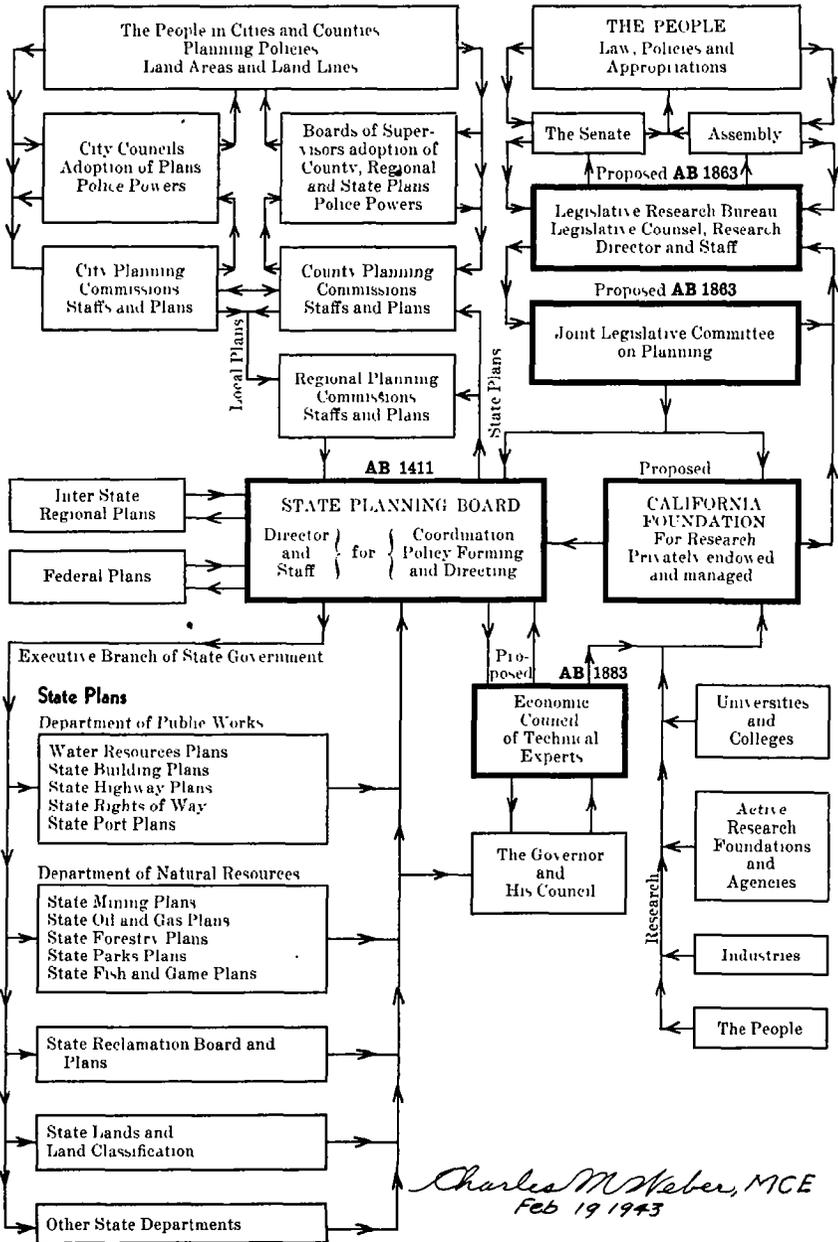
Accompanying this report is a diagram which visualizes the rational organization of the procedure of planning in State Government. Legislation has been introduced which will cover the recommended changes and which will serve as a basis for discussion and possible improvement of the program herein set forth.

It should be noted that the only two changes recommended for government are the establishment of the Joint Committee of the Legislature and the creating of the Economic Council to the Executive Branch of the Government. The establishment of the Foundation is to be a creative act of the people.

Rational Organization of the Procedure of Planning in State and Local Governments

The Planning Act. Statutes 1937, Ch. 665
De-centralization to the Localities

Legislative Branch of State Government



COMMITTEE ON LEGISLATIVE ORGANIZATION

Charles M. Weber, Chairman
Charles W. Lyon and Thomas J. Doyle

STATE CAPITOL, SACRAMENTO, CALIFORNIA

March 16, 1943

Dr. Robert Gordon Sproul
University of California
Berkeley, California

The California Foundation

MY DEAR DOCTOR SPROUL: The work of the Subcommittee on Postwar Planning, of the 1941-42 Assembly Committee on Economic Security, was recently transferred to the Assembly Committee on Legislative Organization, with directions to the latter to follow the recommendation of the former in regard to the organization of a Research Foundation (Assembly Journal for January 30, 1943, page 640, House Resolution No. 78)

On the same day, your report that the committee appointed by you recommended that steps be initiated by the University of California to establish a research foundation to be known as the California Foundation was brought to the attention of the Assembly and ordered printed in the Journal (Assembly Journal for January 30, 1943, page 660).

On February 19, 1943, the Committee on Legislative Organization rendered a report to the Speaker of the Assembly in which the committee recommended, among other things, the following:

The establishment of a research foundation, privately endowed, but widely supported, which looks toward the economic, social, educational, and cultural development of the State of California in an orderly and appropriate manner, and as set forth in the report of the president of the University of California and his committee to the Subcommittee on Postwar Planning, for the biennium ending 1942. (Page 5 of the Report.)

A copy of the report of February 19, 1943, is enclosed.

On February 25 and March 4, 1943, conferences were held with Dr. Charles Lipman to consider what steps next might be taken.

We think it would be in order for you to bring the matter to the attention of the heads of the other educational institutions concerned, for the purpose of adopting a plan, selecting a board of trustees, incorporating the foundation, and inaugurating the work. A draft of a suggested form of constitution, prepared by Dr. Lipman, is enclosed.

If you concur in this view, we will appreciate it very much if you will kindly proceed with the undertaking. We will be pleased to cooperate in any way that you may indicate.

Yours very truly,

CHARLES M. WEBER, Chairman
Assembly Committee on Legislative Organization

COMMITTEE ON LEGISLATIVE ORGANIZATION

Charles M. Weber, Chairman
Charles W. Lyon and Thomas J. Doyle

STATE CAPITOL, SACRAMENTO, CALIFORNIA

April 6, 1943

Honorable Earl Warren
Governor of the State of California
Sacramento, California

YOUR EXCELLENCY: For a number of years committees of the State Legislature have been making studies pertaining to the organization of planning in government, and as a result have formulated policies relating thereto, for enactment into law or for adoption by the Executive Branch of Government.

The more recent movement towards postwar planning on the part of the public was anticipated at the last session of the Legislature, by both the Senate and the Assembly, and committees were organized for the purpose of formulating a program which might aid in the solution of the tremendous problems which will face the people and their government in the postwar period.

The Assembly Interim Committee on Economic Security held public hearings and interviewed people from all levels of society, so that any legislative program recommended would be practical and receive public support. In the present session of the Legislature, the Committee on Legislative Organization was directed to carry on this work in the Assembly. The recommendations of the committee were that the procedure of planning in State Government should be established or modified

so that it would be effective as a permanent organization for all planning and more particularly for postwar planning.

Bills were introduced to cover these proposals. There are altogether about 15 bills relating to postwar planning, and finance introduced in both houses. Some of the bills proposed to appropriate or earmark sums of money as large as fifty million dollars.

A survey of the position of the bills recommended by the Committee on Legislative Organization and those proposing appropriations by the several members, shows that there is little opportunity in the present session for these bills to be properly considered or even started through the legislative process.

It would indeed be improper for this Legislature or for the Administration to deny the people the procedure in government necessary to prepare for the postwar period. The committee, therefore, recommends to your Excellency that you call a Special Session of the Legislature to consider matters pertaining to planning.

It would be well to divide into two categories the activities of such a Special Session.

(1) Those pertaining to the establishment of the procedure of planning in government, together with those appropriations necessary to make this possible; such as the formulating of surveys—the drafting of plans, and the making of research studies.

(2) Those relating to the appropriation of monies for the construction of works and systems of financing, such works to take place at the cessation of the war.

These latter activities might be considered at another Special Session to be called upon the cessation of hostilities. Meanwhile recommendations arising from the present session and the proposed Special Session could be studied and a comprehensive program adopted at the termination of the war.

The committee, therefore, recommends that you call a Special Session before the termination of the present session, and before the occurrence of the legislative jam, which always precedes the final days of the session.

Respectfully.

CHARLES M. WEBER, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Joint Resolution No. 16—Relating to the production of synthetic rubber.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Collins, George D. Collins, Sam L. Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Erwin, Fourn, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, King, Knight, John B. Knight, T. Fenton; Kraft, Lowrey, Maloney, Massion, McMillan, Middough, Nichouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Stream, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—None.

Resolution ordered transmitted to the Senate.

WITHDRAWAL OF SENATE BILL NO. 135 FROM THE INACTIVE FILE

Mr. Wollenberg moved that Senate Bill No. 135 be withdrawn from the inactive file, and placed upon the third reading file.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 731—An act to amend Section 5003.5, and to add Section 5014.1 to, the Public Resources Code, abolishing the State Park Maintenance and Acquisition Fund and creating the State Park Fund, relating to State parks and beaches, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended, after "public", insert "and to provide means of ingress and egress to highways and roads across State parks from lands separated from such highways and roads by State parks,".

Amendment No. 2

On page 2, line 25, of said bill, after "to", insert "and across".

Amendment No. 3

On page 2, line 33, of said bill, after "to", insert "and across".

~~Amendments read and adopted~~

~~Bill ordered reprinted, and to third reading.~~

[On May 4, 1943, above action was rescinded, and record expunged whereby the amendments to Senate Bill No 731 were this day adopted]

Senate Bill No. 463—An act to amend Section 692 of the Political Code, relating to the approval of real property contracts by the Director of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 464—An act to amend Section 675a of, and to add Section 675b to, the Political Code, relating to approval of contracts by the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 551—An act to add Sections 695.4 and 695.5 to the Political Code, relating to services furnished by State agencies, and repealing Section 695 of the Political Code, as added by Chapter 923, Statutes of 1933.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger,

Hollibaugh, Johnson, Kilpatrick, King, Knight, John B. Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64.
 NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 809—An act providing for the transfer of all lands owned by the State on Sherman Island to the State Lands Commission and providing for the sale thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B. Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64.
 NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 813—An act to amend Section 1030 of the Political Code, relating to hours of employment of State employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B. Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64.
 NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1088—An act to add Section 123.1 to the Bank Act, relating to travel expense of the State Banking Department.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B. Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64.
 NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 24—Relative to memorializing the Congress of the United States to act favorably on H.R. 1398 to provide the Mining and Mineral Leasing Laws of the United States be extended to include the area within the boundaries of Death Valley National Monument.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 249—An act to amend Section 1 of an act entitled "An act expressing the consent of the Legislature of the State of California to the acquisition of lands in the State under the provisions of the act of Congress entitled 'An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams and to appoint a Commission for the Acquisition of Lands for the purpose of conserving the navigability of navigable rivers,' approved March 1, 1911, as amended," approved by the Governor September 20, 1934, relating to the acquisition of land in the State by the United States.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Collins, George D., Dills, Ralph C., and Kilpatrick—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 357—An act to add Section 4014 to the Public Resources Code, relating to the acceptance by the State of the provisions of the Clarke-McNary Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 822—An act to amend Section 356a of the Political Code, relating to contracts between State agencies

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 804—An act to prevent any officers, employees or agencies of the State Government from assuming or performing any functions of counties, cities or other local governmental agencies, or interfering therein except in such cases as are authorized by law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 812—An act to add Sections 472.1 and 472.2 to the Political Code, relating to the Attorney General, his assistants and deputies, and counsel employed or appointed by the Superintendent of Banks, Building and Loan Commissioner, or the Insurance Commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1093—An act to add Section 5015 to Article 1 of Chapter 1 of Division 5 of the Public Resources Code, relating to investigations, reports, plans and cooperative projects for the acquisition, development, improvement and maintenance of ocean beaches for public use and the control and correction of beach and cliff erosion.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins,

Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Niehouse, O'Day, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 356—An act to add Section 4015 to the Public Resources Code, relating to money received by this State pursuant to the Clarke-McNary Act or under cooperative agreements or contracts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Niehouse, O'Day, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1100—An act to add Sections 28.5, 28.6, 28.7, and 28.8 to the California Water District Act, relating to the liability of districts organized under said act and the liability of officers, agents, and employees of said districts, and providing that such districts may insure against such liabilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Hon. William H. Rosenthal Presiding

At 2.23 p m, Hon William H. Rosenthal, Member of the Assembly from the Fortieth District, presiding.

Senate Bill No. 65—An act to amend Sections 7 and 10 of the Municipal Court Act of 1925, relating to municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Beck, Bennett, Berry, Brady, Brown, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Doyle, Fount, Gaffney, Guthrie, Haggerty, Hollibaugh, Kellems, King, Knight,

John B. Knight, T. Fenton; Leonard, Lyons Maloney, McCollister, Middough, Niehouse, O'Day, Price, Rosenthal, Sawallisch, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—45.

NOES—Anderson, Armstrong, Bashore, Burkhalter, Carey, Carlson, Dilworth, Erwin, Heisinger, Kraft, Massion, Smith, and Werdel—13.

Bill ordered transmitted to the Senate.

Senate Bill No. 273—An act relating to the publication and disposal of newspapers printed in foreign languages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 581—An act to amend Section 3493 of the Political Code, relating to reclamation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—69.

NOES—None.

Notice of Motion to Reconsider Senate Bill No. 581

Mr. Lowrey gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 581 was this day passed.

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF SENATE BILL NO. 94

In compliance with a notice given on a previous day, Mr. O'Day moved that the vote whereby Senate Bill No. 94 was passed be reconsidered.

Senate Bill No. 94 refused reconsideration by the following vote:

AYES—Berry, Brady, Call, Collins, George D., Dunn, Gaffney, Haggerty, Hawkins, Johnson, Kilpatrick, Kraft, Maloney, McMillan, O'Day, Pelletier, Robertson, Sheridan, Stream, and Wollenberg—19.

NOES—Anderson, Armstrong, Bashore, Brown, Burkhalter, Burns, Carey, Carlson, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gannon, Guthrie, Hastain, Heisinger, Hollibaugh, Kellem, King, Knight, John B., Leonard, Lowrey, Lyons, Massion, McCollister, Middough, Niehouse, Potter, Price, Rosenthal, Sargent, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, and Weybret—40.

Senate Bill No. 94 ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1075—An act to add 160 5 to the Military and Veterans Code, relating to the powers and duties of The Adjutant General, and providing for supervision and direction by him of the members of the California Highway Patrol and of fish and game wardens and other enforcing officers employed by the Division of Fish and Game.

Bill read third time.

Motion to Amend

Mr. Thurman moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, after "law", insert "provided The Adjutant General shall so order".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 18, and insert "the duties of their ordinary employment under their usual supervision except that when".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out line 1, and insert "an extreme emergency exists such".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 116—An act to add Section 4101b to the Political Code, relating to deposits by county clerk in county treasury.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 148—An act to amend Section 737mm of the Political Code, relating to the compensation of the judges of the superior court in and for the County of San Joaquin.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Burns, Call, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Doyle, Dunn, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hollibaugh, Kellems, King, Knight, John B., Leonard, Maloney, McCollister, McMillan, Niehouse, O'Day, Price, Rosenthal, Sawallisch, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, and Wollenberg—41.

NOES—Anderson, Armstrong, Bashore, Burkhalter, Carey, Carlson, Debs, Dilworth, Heisinger, Kraft, Massion, and Pelletier—12.

Bill ordered transmitted to the Senate.

Senate Bill No. 754—An act to amend Section 953e of the Code of Civil Procedure, relating to appeals in civil actions and proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Collins, George D, Collins, Sam L, Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 360—An act to add Section 444.2 to the Political Code, relating to temporary transfers of money from the general to special funds.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 21, of the printed bill, as amended, after the period, insert "When there is any money in a special fund transferred thereto pursuant to this section, the provisions of Section 661 of the Political Code shall not apply to such special fund."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT

Mr. Crowley asked for unanimous consent to hold a meeting of the Committee on Constitutional Amendments at his desk, immediately following adjournment.

Mr. Heisinger withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Crowley moved that the Rules be temporarily suspended for the purpose of holding a meeting of the Committee on Constitutional Amendments at his desk, following adjournment.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Armstrong, Beck, Bennett, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, Sam L, Crichton, Crowley, Debs, Denny, Desmond, Dickey, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hawkins, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Niehouse, Pelletier, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, and Werdel—47

NOES—Heisinger and Weber—2.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1023—An act to add Section 337g to the Penal Code, relating to the possession, use, and transportation of drugs at race tracks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Kraff, Leonard, Lowrey, Lyons, Maloney, Massion, Niehouse, O'Day, Pelletier, Price, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, and Werdel—49

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 318—An act to amend Section 2.1431 of the School Code and to amend Section 10002 of the Education Code, relating to the State Curriculum Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Berry, Brady, Brown, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lyons, Maloney, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, and Werdel—45.

NOES—Armstrong, Erwin, Heisinger, and Lowrey—4.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF SENATE BILL NO. 602

In compliance with a notice given on a previous day, Mr. Bashore moved that the vote whereby Senate Bill No. 602 was passed be reconsidered.

Senate Bill No 602 reconsidered by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burns, Carlson, Clarke, Collins, Sam L. Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Niehouse, Pelletier, Potter, Price, Robertson, Sawallisch, Smith, Stream, Thomas, Thompson, and Werdel—48.

NOES—None.

Further Consideration of Senate Bill No. 602

Senate Bill No. 602—An act to amend Section 120 of the Welfare and Institutions Code, relating to the State Department of Social Welfare.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert a comma and "and to add Section 120.5 to,".

Amendment No. 2

On page 1 of said bill, strike out lines 8 to 12, inclusive, and insert a period.

Amendment No. 3

On page 1 of said bill, following line 25, insert "SEC. 2. Section 120.5 is hereby added to the Welfare and Institutions Code, to read:

120.5. In aid of the Federal war powers, the functions of the department may include the administration and the supervision of the administration of public assistance as an agent of the Federal Government and acting as a service agency for the Federal Government in the field of social service and welfare.

SEC. 3. Section 120.5 of the Welfare and Institutions Code shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 692

Mr. Field moved that Senate Bill No. 692 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Ways and Means.

Motion carried.

Speaker Presiding

At 3.25 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 214

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 238

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No 52

Assembly Concurrent Resolution No 62

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 433

Assembly Bill No. 493

Assembly Bill No. 652

Assembly Bill No. 835

Assembly Bill No. 800

Assembly Bill No. 906

Assembly Bill No. 919

Assembly Bill No 987

Assembly Bill No 989

Assembly Bill No. 1035

Assembly Bill No. 1097

Assembly Bill No. 1239

Assembly Bill No. 1313

Assembly Bill No 1433

Assembly Bill No. 1590

Assembly Bill No. 1602

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 3, 1943

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 740—An act to amend Section 2712 and to add Section 2716 to the Penal Code, relating to the payment of wages and workmen's compensation benefits to prisoners.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 3, 1943

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 88
Assembly Bill No. 445
Assembly Bill No. 1016

Assembly Bill No. 1094
Assembly Bill No. 1392
Assembly Bill No. 1394

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 239

Resolved, That Frank N. Killam, Chief of the Bureau of Buildings and Grounds, be, and he is hereby directed to leave the Assembly Chamber and all the committee rooms and other rooms used by the Assemblymen and officers of the Assembly in such condition that they will be available for use of the Assembly at any time; and it is further directed that no persons other than the Members, officers and attaches of the Assembly be permitted to occupy or use the offices, committee rooms and other rooms now occupied by the Assembly without permission as hereinafter provided, and that the desks, furniture, and other equipment of the Assembly be at the disposal of the Chief Clerk of the Assembly pursuant to adjournment of this session until the Assembly shall reconvene, and that no person except Members of the Assembly be permitted to occupy any of the Assembly's offices or make use of Assembly equipment without permission of the Chief Clerk; and be it further

Resolved, That the Chief Clerk be and he is hereby placed in charge of Assembly property after adjournment of this session until the Assembly shall reconvene again; and be it further

Resolved, That the Chief Clerk be directed to deliver a copy of this resolution to the Chief of the Bureau of Buildings and Grounds and a copy to the Director of Finance.

Resolution read, and referred to Committee on Rules.

By Mr. Maloney:

House Resolution No. 240

WHEREAS, San Francisco has for over 20 years annually held a Columbus Day Celebration sponsored by the population of Italian extraction of that city; and

WHEREAS, These celebrations have been so colorful and of such magnitude that they have created state-wide interest in the event; and

WHEREAS, The Italian-American population of San Francisco is sponsoring a gala Columbus Day Celebration this year on October 11th and 12th and invitations to attend have been extended to the Members of the Legislature and to all citizens of California; now, therefore, be it

Resolved by the Assembly of the State of California, That it extends felicitations to the committee in charge of the Columbus Day Celebration to be held in San Francisco on October 11th and 12th of this year, and wishes it continued success; and be it further

Resolved, That the Speaker of this Assembly designate three of the members hereof as a Committee of the Assembly to assist in the celebration, and be it further

Resolved, That the Chief Clerk send a copy of this resolution to the Columbus Day Celebration Committee of San Francisco

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 240, at this time, without reference to committee.

Resolution read and adopted.

Appointment of Special Committee

Pursuant to the provisions of House Resolution No. 240, the Speaker announced the appointment of Messrs. Maloney, Collins, George D., and Wollenberg as such Committee of the Assembly.

RECESS

At 3.35 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 8.30 p.m.

REASSEMBLED

At 8.30 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 374—An act to add Section 485.5 to the Health and Safety Code, relating to contracts for local health administration.

Bill read third time.

Motion to Amend

Mr. Miller moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "485.5 to the Health and Safety", and insert "16425 to the Education".

Amendment No. 2

On page 1, line 1, of said bill, strike out "485.5 is added to the Health and Safety", and insert "16425 is added to the Education".

Amendment No. 3

On page 1, line 3, of said bill, strike out "485.5", and insert "16425".

Amendment No. 4

On page 1, lines 7 and 8, of said bill, strike out "4 of Part 1 of Division 1 of the School", and insert "3 of Division 8 of the Education".

Amendment No. 5

On page 1 of said bill, after line 13, insert
 "This section shall not apply to any district which is under the control of a governing board which has under its control a district or districts having a total average daily attendance of 100,000 or more pupils."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

**WITHDRAWAL OF SENATE BILL NO. 136 FROM COMMITTEE
BY UNANIMOUS CONSENT**

Mr. Carlson asked for, and was granted, unanimous consent to withdraw Senate Bill No. 136 from the Committee on Judiciary, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 136

Senate Bill No. 136—An act to add a new chapter to Title 14 of Part 4 of Division 3 of the Civil Code to be known as Chapter 3b, relating to the assignment of accounts receivable and providing for the giving of notice thereof.

Bill read second time.

Motion to Amend

Mr. Carlson moved the adoption of the following amendment:

Amendment No. 1

On page 4, line 17, of the printed bill, as amended, on April 7, 1943, after the period, insert

"The right or lien of the assignee upon any balance remaining owing on such account receivable shall not be invalidated, irrespective of whether the assignee shall have consented to or acquiesced in such acts of the assignor, if merchandise sold, or any part thereof, is returned to or recovered by the assignor from the person owing the account receivable and he thereafter deals with it as his own property, or if the assignor grants credits, allowances or adjustments to the person owing an account receivable."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

SPECIAL ORDER SET BY UNANIMOUS CONSENT

Mr. Bashore asked for, and was granted, unanimous consent to set Assembly Bills Nos. 876, 883, and 884, and Senate Bills Nos. 103 and 1086 as a special order of business for Monday, May 3, 1943, at 9.45 p.m.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1061—An act to amend Sections 8703, 8705, 9151 and 9174 of the Revenue and Taxation Code, relating to use fuel tax permits and refunds of the use fuel tax;

And reports that the same has been correctly enrolled, and presented to the Governor on the third day of May, 1943, at 3 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 353—An act to amend Sections 755, 762, 763, 785 and 788 of the Probate Code and to add new sections to be numbered 762 5 and 765 to the Probate Code, all relating to the sale of real or personal property in probate;

Assembly Bill No. 489—An act to provide for extension of time on contracts of purchase of State-owned lands, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1050—An act to amend Section 4005 of the Government Code, relating to the filing of reports of public work;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1943, at 3 p.m.

PELLETIER, Chairman

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 241

Resolved. That the Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly in the sum of nine hundred fifty dollars (\$950) in favor of Arthur A. Ohnmus, Chief Clerk of the Assembly, and the Treasurer is hereby directed to pay the same, for postage, telephone service, telegraph service, supplies, rental of typewriters, traveling expenses, and other incidental expenses in connection with completing the work of the Fifty-fifth Session of the Assembly of the State of California. Vouchers and receipts of all expenditures to be furnished to the Controller.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 241, at this time, without reference to committee.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sam L. Collins moved a call of the Assembly.

Motion carried. Time, 8.52 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 242

WHEREAS, The Members of the Assembly will desire to have shipped to their various places of residence their bill files, books of codes, stationery and other printed matter at the end of the session; therefore, be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing and other materials as are necessary for the purpose of shipping same, properly packed, to said members, and the State Controller is hereby authorized to draw his warrants on the Contingent Expense Fund of the Assembly in favor of said Wilkie Ogg, in the sum not to exceed one thousand two hundred dollars (\$1,200) and the State Treasurer is hereby directed to pay the same; and it is further directed that Wilkie Ogg furnish to the Controller vouchers and receipts for all expenditures made by him.

Resolution read, and referred to Committee on Rules and House Functions.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1107—An act to amend Section 505 of, and to add Sections 505.5 and 505.6 to, the Public Resources Code, relating to forestry and providing for the administration of the laws relating thereto.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Burns moved a call of the Assembly.

Motion carried. Time, 9.05 p.m.

The Speaker directed the Sergeant-at-Arms to close doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 414—An act to amend Sections 507, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2253, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2266, 2267, 2271, 2274 and 2275 of, and to add Section 2005 to the Public Resources Code, to increase the membership of the State Mining Board and to provide for its powers and duties and for the powers and duties of employees and officers of the Division of Mines, and to abolish the Ore Buyer's License Fund.

Bill read third time.

Motion to Amend

Mr. Thurman moved the adoption of the following amendments:

Amendment No. 1

In line 8 of the title of the printed bill, as amended, after "Mines," insert "to declare the intent of the Legislature in regard thereto."

Amendment No. 2

On page 7 of said bill, between lines 37 and 38, insert "Sec. 29. It is the intent of the Legislature that this act shall not relieve the Division of Mines, Department of Natural Resources from the obligation to operate in accordance with the budget as set forth in pages 470 to 473, inclusive, of the Governor's Biennial Budget for the biennium July 1, 1943, to June 30, 1945, Ninety-fifth and Ninety-sixth Fiscal Years, as provided for in Item 157 of the "Budget Act of 1943" Chapter 62 of the California Statutes of 1943, insofar as there is no substantial change in conditions that affect future operations of such division."

Amendment No. 3

On page 7, line 38, of said bill, strike out "29", and insert "30".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 664—An act to include in the State civil service certain persons appointed or employed by or under the State Board of Prison Directors or any warden of a State prison and to provide disciplinary procedures governing such employees.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 8 to 15, inclusive.

Amendment No. 2

On page 1, line 16, of said bill, strike out "(5)".

Amendment No. 3

On page 1, line 17, of said bill, strike out the period, and insert "or any warden of a State prison."

Amendment No. 4

On page 1 of said bill, strike out line 18.

Amendment No. 5

On page 2, line 17, of said bill, strike out "Personnel Board", and insert "Board of Prison Directors".

Amendment No. 6

On page 2, line 18, of said bill, strike out "with the State Personnel Board and".

Amendment No. 7

On page 2, line 21, of said bill, strike out "Personnel Board", and insert "Board of Prison Directors".

Amendment No. 8

On page 2, line 25, of said bill, strike out "Personnel Board", and insert "Board of Prison Directors".

Amendment No. 9

On page 2, line 27, of said bill, strike out "Personnel Board", and insert "Board of Prison Directors".

Amendment No. 10

On page 2, line 46, of said bill, strike out "Personnel Board", and insert "Board of Prison Directors".

Amendment No. 11

On page 3, lines 2 and 3, of said bill, strike out "or of the rules of the State Personnel Board,".

Amendment No. 12

On page 3, line 18, of said bill, strike out "Personnel Board", and insert "Board of Prison Directors".

Amendment No. 13

On page 3, line 25, of said bill, strike out "Personnel Board", and insert "Board of Prison Directors".

Amendment No. 14

On page 3, line 29, of said bill, strike out "Personnel Board", and insert "Board of Prison Directors".

Amendment No. 15

On page 3, line 33, of said bill, strike out "Personnel Board", and insert "Board of Prison Directors".

Amendment No. 16

On page 3, line 38, of said bill, strike out "Personnel Board", and insert "Board of Prison Directors".

Amendment No. 17

On page 3, line 43, of said bill, strike out "Personnel Board", and insert "Board of Prison Directors".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 964—An act to add Section 276.5 to the Vehicle Code, relating to drivers' license.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Collins, Sam L. Crichton, Crowley, Denny, Erwin, Field, Fourn, Guthrie, Haggerty, Hawkins, Heisinger, Holibaugh, Kellem, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Miller, Pelletier, Potter, Price, Sargent, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—46.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 246—An act to amend Section 3000 of, and to add Sections 3000.5, 3000 7, and 3005 5 to, the Penal Code, relating to membership on the Board of Prison Terms and Paroles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Denny, Erwin, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, Middough, Miller, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 679—An act to add Section 2521.5 to the Penal Code, relating to prison employees appointed by the wardens

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Call, Carey, Carlson, Crichton, Denny, Dills, Clayton A., Erwin, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, Pelletier, Potter, Price, Sargent, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, and Mr. Speaker—45.

NOES—Collins, Sam L., Crowley, Field, and Werdel—4

Bill ordered transmitted to the Senate.

Senate Bill No. 554—An act to add Sections 6210.3, 6210.4 and 6220 to the Public Resources Code, relating to reservations of easements for convenient access, in sale, lease or rental of State-owned lands, and to acceptance of quitclaim deeds by the State Land Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 747—An act to amend Section 970 of the Fish and Game Code, relating to crab traps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO STRIKE ASSEMBLY BILL NO. 864 FROM FILE

Mr. Kraft moved that Assembly Bill No. 864 be stricken from the file.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 898—An act to amend Section 612 of the Fish and Game Code, relating to steelhead fishing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Erwin, Evans, Field, Fourn, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, MAY 3, 1943

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Senate Bill No. 1104

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MALONEY, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, MAY 3, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 1086

Senate Bill No. 692

Senate Bill No. 724

Senate Bill No. 1082

Senate Bill No. 513

Senate Bill No. 1083

Senate Bill No. 877

Senate Bill No. 410

Senate Bill No. 538

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, MAY 3, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 124

Senate Bill No. 668

Senate Bill No. 501

Senate Bill No. 902

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BASHORE, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1104—An act to add Section 6077.6 to the Harbors and Navigation Code, relating to harbor districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1086—An act to add Section 2021.001 to, and to amend Section 2187 of the Welfare and Institutions Code, relating to aid

to the aged, providing for the respective participation of the State and the counties in the cost thereof, and making an appropriation.

Bill read second time, and ordered to third reading.

Senate Bill No. 724—An act making an appropriation for the purchase of land for the Humboldt State College.

Bill read second time, and ordered to third reading.

Senate Bill No. 513—An act to authorize the purchase of certain real property for the people of the State of California by the Director of Institutions, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 877—An act making an appropriation for maintenance and repair of the Jenner Jetty on the Russian River

Bill read second time, and ordered to third reading.

Senate Bill No. 538—An act making an appropriation for the improvement of county airports in the County of Inyo.

Bill read second time, and ordered to third reading.

Senate Bill No. 692—An act making an appropriation for the purchase of land by the Director of Institutions.

Bill read second time, and ordered to third reading.

Senate Bill No. 1082—An act providing for preparation for postwar State highway construction projects, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1083—An act providing for preparation for postwar county highway construction projects, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 410—An act making an appropriation for the acquisition for State park purposes of certain lands in San Mateo County to be incorporated in the State Park System.

Bill read second time, and ordered to third reading.

Senate Bill No. 124—An act to amend Section 1621 of the Streets and Highways Code and Section 8356 of the Revenue and Taxation Code, relating to allocations to counties of moneys for highway purposes.

Bill read second time, and ordered to third reading.

Senate Bill No. 501—An act to amend Sections 120 and 4372 of, to repeal Section 4371 and Article 2, consisting of Sections 4406 to 4409, inclusive, of Chapter 4 of Division 1 of, and to add Section 4377 5 to the Revenue and Taxation Code, relating to the redemption of property.

Bill read second time, and ordered to third reading.

Senate Bill No. 668—An act to amend Section 7403 of the Revenue and Taxation Code, relating to the motor vehicle fuel license tax.

Bill read second time, and ordered to third reading.

Senate Bill No. 902—An act to add Section 6359 5 to the Revenue and Taxation Code, relating to the sales and use taxes and exemptions therefrom.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred: Senate Bill No. 198

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

MIDDOUGH, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 727

Senate Bill No. 560

Senate Bill No. 1081

Senate Bill No. 270

Senate Bill No. 1114

Senate Bill No. 729

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 198—An act to amend Section 4803 of, and add Sections 4802 2, 4807.3, 4812 5 and 4814 to, the Penal Code, relating to commutations, pardons, and the Advisory Pardon Board.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1, line 21, of the printed bill, as amended, strike out "provided", and insert "proved".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 727—An act making an appropriation to the emergency fund specified in Item 221 of the Budget Act of 1943, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 2 and 3, of the printed bill, as amended, strike out "five hundred thousand dollars (\$500,000)", and insert "two million dollars (\$2,000,000)".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1081—An act making an appropriation for the acquisition of real property for the Preston School of Industry.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 4, of the printed bill, after "expended", insert "during the Ninety-fifth, Ninety-sixth Fiscal Years".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1114—An act making an appropriation for the contingent expenses of the Senate for the Fifty-fifth Session of the Legislature including committee expenses, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "fifty thousand dollars (\$50,000)", and insert "one hundred thousand dollars (\$100,000)".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 560—An act to add Chapter 6, comprising Sections 980 to 981.7, inclusive, to Division 4 of the Military and Veterans Code, relating to the education of veterans, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended, strike out "article", and insert "chapter".

Amendment No. 2

On page 2, line 15, of said bill, strike out "society", and insert "institute".

Amendment No. 3

On page 2, line 22, of said bill, after "wardship", insert "and supervision".

Amendment No. 4

On page 2 of said bill, strike out lines 33 to 35, inclusive.

Amendment No. 5

On page 2, line 36, of said bill, strike out "b", and insert "a".

Amendment No. 6

On page 2, line 37, of said bill, strike out "c", and insert "b".

Amendment No. 7

On page 2, line 38, of said bill, strike out "d", and insert "e".

Amendment No. 8

On page 2, line 40, of said bill, after "in", insert "satisfactory and".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 270—An act making an appropriation for the acquisition of real property for the Humboldt State College.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, after "expended", insert "during the Ninety-fifth and Ninety-sixth Fiscal Years".

Amendment read and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 729—An act making an appropriation for the acquisition, development and maintenance of parks in Humboldt County for public use.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, strike out "of", and insert "and".

Amendment read and adopted

Bill ordered reprinted, and to third reading.

COMMUNICATIONS

By Speaker Lyon:

A communication from Marie LePleux, relative to suggested legislation, was received, and ordered referred to the Committee on Rules and House Functions:

By the Chief Clerk:

The following communication was received, and ordered printed in the Journal:

WAR PRODUCTION BOARD, WASHINGTON, D. C., April 28, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California*

DEAR SIR: This will acknowledge receipt of your letter of March 29th enclosing a copy of House Resolution No. 148 relating to restrictions on horse racing in California.

Although the control of horse racing is not a matter within the responsibility of the War Production Board the resolution asked for a statement of policy from various Federal officials and I am able to give you the following information. The President on March 10, 1942, made a public statement on sports and recreation which has been the basis of Federal policy in this matter for all the agencies whose transportation controls affected sporting and recreational events. The Office of Defense Transportation has taken the position that "recreation as usual" is just as bad as "business as usual" when it involves unnecessary use of the transportation equipment of railroads which is being utilized for special war purposes. The operation of chartered busses to sporting events has been prohibited and efforts have been made to restrict taxicabs which would travel to and from horse racing meets. While much improvement has been shown in the rubber program I am informed it will be some time before the Rubber Director will feel that it is safe to permit unrestricted use of their cars by civilian owners.

The policy toward horse racing, therefore, is one which would depend upon the extent to which transportation equipment would be necessary and whether there is a shortage of that equipment for essential military and war production purposes.

In the event that no unusual wear and tear on these overburdened services are involved these meets should be continued. For example, a track which has adequate service by electric street cars or interurban trains does not need the extensive use of other services in which there is a shortage at this time. On the other hand to operate tracks that require the running of special trams, special busses or the extensive use of privately owned automobiles and taxicabs would not be within the policy outlined by the President and followed by the various Federal agencies.

Sincerely,

DONALD M. NELSON

By Speaker Lyon :

A communication from Walter F. Dexter, Superintendent of Public Instruction, in response to House Resolution No 140, was received, and ordered referred to the Committee on Rules and House Functions.

Also :

A communication from Marie Le Pleux, relative to impeachment, was received, and ordered referred to the Committee on Judiciary.

By the Chief Clerk :

The following communication was received, and ordered printed in the Journal :

PASADENA, CALIFORNIA, April 30, 1943

Mr. Arthur Ohnimus, California Legislature, Sacramento, California.

DEAR MR. OHNIMUS: You were very kind to add your sympathy to that tendered my son and me by the Assembly. I appreciated the letters, and am especially grateful to you for yours since you have known Frank for so many years.

Perhaps you will convey my thanks and gratitude to Mr. Lyon, Speaker of the Assembly, and the Assembly members who paid Frank so much honor.

Thank you again.

Sincerely yours,

JEAN HAYES PARTRIDGE

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1090—An act to amend Section 1015 of the Fish and Game Code, relating to the privilege tax for the taking of salmon.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, and Mr. Speaker

—59.

NOES—Dills, Ralph C., Evans, and Thomas—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 705—An act to add Section 9603.6 to the Revenue and Taxation Code, relating to the motor vehicle transportation license tax, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Has-

tain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—57.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 736—An act to amend Section 1590 of the Labor Code, relating to bonds of employment agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 741—An act to amend Section 2352 of the Labor Code, relating to conditions of places of employment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1044—An act to add Section 4460 to the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dunn, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1098—An act to add Section 1195.5 to the Labor Code, relating to wages of women and minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Collins, Sam L., Crowley, Debs, Denny, Desmond, Diekey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 178—An act to add Section 174 to the State Civil Service Act, relating to reinstatement of persons who leave the civil service to serve as seamen on vessels of the United States in time of war.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Crichton, Debs, Denny, Diekey, Dills, Clayton A., Dills, Ralph C., Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, Millet, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 48—An act to amend Section 221 of the State Civil Service Act, relating to preferences to veterans and their widows in examinations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Diekey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 84—An act to amend Sections 552 and 562 of the Agricultural Code, relating to skim milk and milk drinks

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Diekey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheri-

dan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—68.
 NOES—Call and Werdel—2.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1531—An act to amend the Building and Loan Association Act by adding thereto a new article to be numbered 16, relating to building and loan associations, the Building and Loan Commissioner, plans for the rehabilitation, readjustment, reorganization or liquidation of such an association or of all or of any part of the business, properties and assets of such association or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association and the rights of investors and creditors of any such association in the possession of the commissioner to obtain assets of such association in exchange for investment certificates or unsecured creditor's claims, providing for the organization of a corporation or corporations to acquire such assets or a portion thereof; providing for the kinds of securities issuable in connection therewith; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to or dissent from a plan as defined in said Article 16, and to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such Article 16 or for property and to continue to hold as a legal investment any securities or properties so received, and exempting the proposer or proposers of a plan and the investors and creditors petitioning for withdrawal of assets from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1531?

Amendment No. 1

On page 4 of the printed bill, as amended on April 8, 1943, strike out lines 10 to 17, both inclusive, and insert

"Notwithstanding anything to the contrary contained in this Subsection B, dissents of shareholders shall have no effect if the value of the assets of such association shall be less than the liabilities of such association, including the value of its investment certificates but not including the value of its shares; and dissents of stockholders shall have no effect if the value of the assets of such association shall be less than the liabilities thereof, including the value of all outstanding shares and investment certificates."

Amendment No. 2

On page 8, line 43, of said bill, strike out "either in person"; strike out line 44; and in line 45 strike out "before or".

Amendment No. 3

On page 9, line 11, of said bill, strike out the first "of", and insert "if".

Amendment No. 4

On page 9 of said bill, strike out lines 17 to 23, both inclusive, and insert "from the shareholders of any association if the value of the assets of such association shall be less than the liabilities of such association including the value of its investment certificates but not including the value of its shares, nor from the stockholders of any association if the value of the assets of such association shall be less than the liabilities thereof including the value of all outstanding shares and investment certificates; and provided".

Amendment No. 5

On page 9, line 48, of said bill, strike out "If the court shall determine"; on page 9, strike out lines 49 to 52, both inclusive; on page 10, strike out all of lines 1 and 2; and on page 10, line 3, strike out "consents shall not have been given the", and insert "The".

Amendment No. 6

On page 10, lines 8 and 9, of said bill, strike out "other than those (if any) who have consented to the plan approved by the court,".

Amendment No. 7

On page 12 of the printed bill as amended April 8, 1943, strike out all of line 49 following the period, and all of lines 50 to 52, both inclusive; and on page 13 of said bill strike out all of lines 1 to 3, both inclusive.

Amendment No. 8

On page 13 of said bill, strike out all of line 41 after the period; strike out lines 42 to 47, both inclusive; and strike out the first word in line 51, and insert "At least 10 days before such hearing the commissioner shall serve upon the petitioner or petitioners and shall file with the court an appraisal by the commissioner or by appraisers employed by him of each asset of such association (or of each group of assets of such association which are operated as a unit), and such appraisal shall be received in evidence at such hearing and shall be deemed prima facie correct. At the commencement of such hearing, or at such other time as the court shall prescribe".

Amendment No. 9

On page 14, line 13, of said bill, immediately before the period, insert " , nor unless the court determines that the ratio which the value of the assets to be withdrawn bears to the value of all of the assets is substantially the same as the ratio which the value of the investment certificates and the amount of unsecured creditors' claims owned by the petitioner or petitioners bears to the total of the value of all investment certificates and the amount of all unsecured creditors' claims".

Amendment No. 10

On page 14 of said bill, strike out all of line 16 following the period; and strike out lines 17 to 24, both inclusive, and insert "If such association has shares outstanding, no petition for withdrawal of assets shall be granted by the court unless either such withdrawal is consented to by the holders of the majority in amount of the shares of such association or the value of the assets of such association shall be less than the liabilities of such association, including the value of its investment certificates but not including the value of its shares; and if such association has stock outstanding, no petition for withdrawal of assets shall be granted by the court unless either such petition is consented to by the holders of the majority in amount of the stock of such association or the value of the assets of such association shall be less than the liabilities thereof, including the value of all outstanding shares and investment certificates."

Amendment No. 11

On page 15 of said bill, between lines 48 and 49, insert "G. Sec. 13 16a Not Repealed. Nothing in this Section 16.04 nor in this Article 16 is intended or shall be construed to repeal Section 13 16a of this act."

Amendment No. 12

On page 19 of said bill, strike out lines 16 and 17, and insert "pay all of the respondents' costs and expenses arising from such appeal, not including, however, respondents' attorneys fees. The form and amount".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1531 by the following vote:

AYES—Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Collins, George D.—1.

Assembly Bill No. 1531 ordered enrolled.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Senate Bills Nos. 103 and 1086 and Assembly Bills Nos. 883, 884 and 876 were taken up.

Consideration of Senate Bill No. 103

Senate Bill No. 103—An act to amend Section 6051 and Section 6201 of the Revenue and Taxation Code, relating to the rates of the sales and use taxes, providing for the use of part of the proceeds of said taxes, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. O'Day moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "2½", and insert "2".

Amendment No. 2

On page 1, line 7, of said bill, after "State", strike out "on and after August 1, 1933," and to and including "June" and strike out.

Motion to Table Amendments

Mr. Field moved to lay the amendments on the table.

Mr. Carlson seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Armstrong, Bashore, Burns, Call, Carey, Carlson, Collins, Sam L., Denny, Erwin, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Middough, Miller, Potter, Price, Sargent, Thorp, Thurman, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—35.

NOES—Anderson, Bennett, Berry, Brady, Brown, Crichton, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Gaffney, Haggerty, Hawkins, Kilpatrick, King, Massion, O'Day, Pelletier, Rosenthal, Sawalisch, Sheridan, and Thomas—23.

The question being on the passage of Senate Bill No. 103.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Consideration of Senate Amendments

Assembly Bill No. 883—An act to add Section 7.5 to the Bank and Corporation Franchise Tax Act, relating to a franchise tax imposed on banks and corporations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 883?

Amendment No. 1

On page 1, line 11, of the printed bill, as amended, strike out "§79 and 884", and insert "and 884 and Senate Bill 103, all as amended by the Senate."

Amendment No. 2

On page 1, line 11, of the printed bill, as amended, strike out "bill 103", and insert "Bills 103 and 1086".

Amendment No. 3

In line 3 of the title of the printed bill, as amended, after "corporations", insert ", providing for the use of part of the proceeds of said tax".

Amendment No. 4

On page 1 of said bill, strike out line 9, and insert "eighty-five per cent (85%) of the amount so computed.

Of the proceeds of the tax levied by this act which are deposited in the Bank and Corporation Franchise Tax Fund pursuant to Section 23 of this act on and after July 1, 1943, and to and including December 31, 1945, one-tenth shall be transferred by the Controller to General Fund and set aside as a Postwar Employment Reserve, which shall be available for expenditure only when appropriated by the Legislature for public projects and improvements that will provide postwar employment for citizens released from the armed forces and private enterprise following relaxation of the war effort

The money in the Postwar Employment Reserve shall be excluded in determining surplus, excess, deficit or deficiency in the General Fund in any balance sheet or other statement of the financial condition of the State of California.

The money in the Postwar Employment Reserve may be invested and reinvested by the Director of Finance in bonds or other obligations of the United States, or for which the full faith and credit of the United States are pledged, and such securities may be sold or exchanged by the Director of Finance if, in his discretion, such sale or exchange appears to be in the best interest of the State in effectuating the purposes of this section. The increment from such investments shall accrue to the General Fund."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 883 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, McDough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdell, Wevriet, Wollenberg, and Mr. Speaker—74.

NOES—Heisinger and Kilpatrick—2.

Assembly Bill No. 883 ordered enrolled.

Consideration of Senate Amendments

Assembly Bill No. 884—An act to add Section 5.5 to the Corporation Income Tax Act, relating to the income tax imposed on corporations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 884?

Amendment No. 1

On page 1, line 11, of the printed bill, as amended, strike out "§79 and 883", and insert "and 883 and Senate Bill 103, all as amended by the Senate."

Amendment No. 2

On page 1, line 11, of the printed bill, as amended, strike out "bill No. 103", and insert "Bills 103 and 1086".

Amendment No. 3

In line 2 of the title of the printed bill, as amended, after "corporations", insert ", providing for the use of part of the proceeds of said tax".

Amendment No. 4

On page 1 of said bill, strike out line 9, and insert "be eighty-five per cent (85%) of the amount so computed.

Of the proceeds of the tax levied by this act which are deposited in the Bank and Corporation Franchise Tax Fund pursuant to Section 27 of this act on and after July 1, 1943, and to and including December 31, 1945, one-tenth shall be transferred by the Controller to General Fund and set aside as a Postwar Employment Reserve, which shall be available for expenditure only when appropriated by the Legislature for public projects and improvements that will provide postwar employment for citizens released from the armed forces and private enterprise following relaxation of the war effort.

The money in the Postwar Employment Reserve shall be excluded in determining surplus, excess, deficit or deficiency in the General Fund in any balance sheet or other statement of the financial condition of the State of California.

The money in the Postwar Employment Reserve may be invested and reinvested by the Director of Finance in bonds or other obligations of the United States, or for which the full faith and credit of the United States are pledged, and such securities may be sold or exchanged by the Director of Finance if, in his discretion, such sale or exchange appears to be in the best interest of the State in effectuating the purposes of this section. The increment from such investments shall accrue to the General Fund."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 884 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—76.

NOES—None.

Assembly Bill No. 884 ordered enrolled.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Bashore:

Resolved, That Senate Bill No. 1086 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—Kilpatrick, Pelletier, and Werdel—3.

Article IV, Section 15, of the Constitution was declared suspended.

Consideration of Senate Bill No. 1086

Senate Bill No. 1086—An act to add Section 2021.001 to, and to amend Section 2187 of the Welfare and Institutions Code, relating to aid to the aged, providing for the respective participation of the State and the counties in the cost thereof, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Mason, McCollister, McMillan, Middough, Miller, Niehouse, O'Dav, Potter, Price, Robertson, Rosenthal, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—Kilpatrick, Pelletier, Sargent, and Werdel—4.

Bill ordered transmitted to the Senate.

Explanation of Vote

My reason for voting against this bill is that I believe the counties' aid should have remained as it was, giving them a greater interest in proper administration of aid to the aged needy. Also the State needs this additional money, and is giving other subventions to counties.

WILLIS SARGENT

MOTION TO EXCUSE COMMITTEE MEMBERS

On motion of Mr. Dilworth, the following members of the Committee on Education were excused from the Assembly Chamber from 8.30 p.m. to 10.30 p.m. while attending a meeting of that committee: Messrs Dilworth (Chairman), Lowrey (Vice Chairman), Beck, Brown, Burkhalter, Clarke, Collins, George D., Doyle, Dunn, Evans, Gaffney, Hastain, Johnson, Knight, T. Fenton; McMillan, Robertson, Smith, Stream, Thompson, Weber, and Mrs. Niehouse.

MOTION TO EXCUSE COMMITTEE MEMBERS

On motion of Mr. Wollenberg, the following members of the Committee on Ways and Means were excused from the Assembly Chamber at 3.30 p.m., to attend a meeting of that committee: Messrs. Wollenberg (Chairman), Sheridan (Vice Chairman), Allen, Burkhalter, Burns, Crichton, Crowley, Doyle, Field, Gannon, Hastain, Johnson, Knight, T. Fenton; Kraft, Potter, Robertson, Sargent, Thurman, Watson, Weber, and Weybret.

COMMUNICATIONS

The following communication from the Legislative Counsel was received and ordered printed in the Journal:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following communication is indicated by being enclosed within brackets.

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, May 2, 1943

*Honorable Lee T. Bashore, Assembly Chamber
State Capitol, Sacramento, California*

ASSEMBLY BILL No. 876

DEAR MR BASHORE: At your request we have reviewed Assembly Bill No. 876, as amended in Senate April 27, 1943, in respect to the effect it will have upon the requirements that personal income tax returns be filed.

The bill would, among other things, increase the present exemptions from the tax for taxable years beginning in the calendar years 1943 and 1944.

It amends both the existing law and the codification in the Revenue and Taxation Code which will be effective July 1, 1945, if enacted.

Sections 3 and 4 of the Personal Income Tax Act set forth the present requirements for filing returns. Section 3 relates to persons taxable generally and Section 4 relates to returns by fiduciaries.

Section 5 fixes the rates of tax and Section 10 specifies the exemptions from the tax.

The bill amends Sections 5 and 10 directly, making changes that are immaterial to the present problems and also adds to the act a new Section 29.5, the effect of which is limited to taxable years beginning in the calendar years 1943 and 1944.

Section 29.5 is divided into four subdivisions each of which covers all or a portion of Sections 3, 4, 5, and 10 as follows:

Subject	Present Act	Temporary Section
Returns (Generally)	Sec. 3	Sec. 29.5 (a)
Returns (Fiduciary)	Sec. 4	Sec. 29.5 (b)
Rates	Sec. 5	Sec. 29.5 (c)
Exemptions	Sec. 10	Sec. 29.5 (d)

Subdivision (c) of new Section 29.5 covers fully the ground covered by present Section 5 (rates), but the other subdivisions are not complete substitutes for the present law. The fundamental question is how far the temporary provisions of Section 29.5 supersede the existing law.

It is our opinion that such temporary provisions supersede the existing law insofar as they are inconsistent therewith, but that where the temporary section is silent, the existing law will control and this is so even though there be omitted from a comparable temporary subdivision a provision that is found in the existing law.

Put differently, our view is that the failure to include in subdivisions (a) and (b) all of the provisions of Sections 3 and 4 of the present law does not indicate an intention that the omitted provisions shall not be applicable for the taxable years covered by Section 29.5.

We think that the principles governing the construction of general and special statutes are especially applicable here, where we have general and special provisions in the same statute, that insofar as Section 29.5 speaks, it is to be regarded as creating exceptions to the provisions of the act that would otherwise be applicable to the taxable years covered by Section 29.5, and that where Section 29.5 is silent, such existing provisions control (*Marshall vs. Williams* (1927) 85 Cal. App 507, 259 Pac. 570).

For convenience of discussion there follows a composite of subdivision (a) of Section 29.5 and Section 3 of the present law.

(a) With respect to taxable years beginning after December 31, 1942, and before January 1, 1945:

[(a)] (1) Every person taxable under this act shall make a return to the commissioner, stating specifically the items of his gross income and the deductions and credits allowed by this act, if having a net income for the taxable year of—

[(1) One] (i) Two thousand dollars [(\$1,000)] (\$2,000) or over, if single, or if married and not living with husband or wife;

[(2) Two] (ii) Three thousand five hundred dollars [(\$2,500)] (\$3,500) or over, if married and living with husband or wife; or

[(3)] (iii) If having a gross income of five thousand dollars (\$5,000) or over, regardless of the amount of the net income.

[(b)] (2) If a husband and wife living together have an aggregate net income for the taxable year of [two] three thousand five hundred dollars [(\$2,500)] (\$3,500) or over, or an aggregate gross income for such year of five thousand dollars (\$5,000) or over—

[(1)] (i) Each shall make such a return, or

[(2)] (ii) The income of each shall be included in a single joint return, in which case the tax shall be computed on the aggregate income

Subdivision (a) of Section 29.5 does not include nor contain provisions comparable to subdivisions (c) and (d) of Section 3 which read as follows.

(c) If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer.

(d) Every resident or nonresident who is taxable upon income of an estate or trust shall include such income in his gross income

Upon reading the underlined material together with the material in ordinary type we have the present text of subdivision (a) of Section 29.5. By reading the ordinary type together with the material shown in strikeout we have the present text of Section 3, with the exceptions of subdivisions (c) and (d).

It is at once apparent that with the exception of the failure to repeat subdivisions (c) and (d) of existing Section 3 the only changes that subdivision (a) of Section

29.5 makes with respect to the taxable years covered is in increasing the amount of net income that a person must have before he is required to file a return.

The first question is if an individual has a net income in between those figures \$1,000-\$2,000, or \$2,500-\$3,500, whichever is applicable, must he file a return?

It is our opinion that during the taxable years covered the provisions of subdivision (a) of Section 29.5, insofar as they are inconsistent with Section 3 control and that a single person, for example, having a net income of more than \$1,000, but less than \$2,000, would not be required to file a return.

Any other conclusion would lead to an absurdity for unless the Legislature intends to dispense with the filing of a return in such a case, there is no point in enacting the section for the present requirement that a return be filed by a single person having a net income of \$1,000 or over would certainly cover a single person having a net income of any greater amount.

This reasoning finds additional support in the fact that for the same taxable years the personal exemptions are increased to the same amounts \$2,000 and \$3,500. While there is some reason for requiring the filing of a return on a taxable income of \$1,000 or over, although the personal exemption is \$1,000 and probably no tax is due, in order to check the computation, the same reasoning would not apply where the income is \$1,000 and the exemption \$2,000.

The second question is whether subdivisions (c) and (d) remain applicable or whether the failure to include them in subdivision (a) of Section 29.5 impliedly repealed those subdivisions for the taxable years covered by Section 29.5.

It is our opinion that the latter is not the case and that subdivisions (c) and (d) are applicable to persons who are required to make returns by subdivision (a) of Section 29.5.

Our conclusion is based upon the application of the well established principle of construction that repeals by implication are not favored, and by the additional factor that there is nothing in Section 29.5 that is in any manner inconsistent with subdivisions (c) and (d) of Section 3.

Obviously the requirement that if a taxpayer is unable to make his own return it shall be made by his duly authorized agent, guardian, or other person charged with his care or the care of his property, is equally applicable whether the income be \$1,000, \$2,000, or any other sum. The important consideration is whether or not a return is required at all, and insofar as this depends upon the amount of net income and there is an inconsistency between subdivision (a) of Section 29.5 and Section 3, the former would control.

Without setting out the differences between Section 4 of the existing law and subdivision (b) of Section 29.5 it is sufficient to illustrate the question to indicate that the same changes are made in Section 4 as are made in Section 3, except that there are omitted from subdivision (b), subparagraphs 5, 6, and 7 of Section 4(a), and subdivisions (b) and (c) of Section 4 are omitted entirely.

The opening clause of Section 4 and the omitted matters read as follows:

(a) Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make a return for any of the following individuals, estates, or trusts, taxable hereunder, for which he acts, stating specifically the items of gross income thereof and the deductions and credits allowed under this act:

(5) Every trust the net income of which for the taxable year is one hundred dollars (\$100) or over;

(6) Every estate or trust the gross income of which for the taxable year is five thousand dollars (\$5,000) or over, regardless of the amount of the net income;

(7) Every decedent, for the year in which death occurred, and for prior years, if returns for such years should have been filed but have not been filed by the decedent, under such rules and regulations as the commissioner may prescribe.

(b) Under such rules and regulations as the commissioner may prescribe, a return filed by one of two or more joint fiduciaries, shall be sufficient compliance with the above requirement. Such fiduciary shall state under oath (1) that he has sufficient knowledge of the affairs of the individual, estate, or trust, for which the return is made, to enable him to make the return, and (2) that the return is, to the best of his knowledge and belief, true and correct.

(c) Any fiduciary required to make a return under this act shall be subject to all the provisions of this act which apply to individuals.

The third question then is whether a fiduciary is required to make a return for the taxable years covered by subdivision (b) of Section 29.5 with respect to:

(a) A trust, the net income of which for the taxable year is \$100 or over;

(b) An estate or trust, the gross income of which for the taxable year is \$5,000 or over;

and whether subdivisions (b) and (c) above quoted are applicable to returns by fiduciaries.

It is our opinion that the failure to include subdivisions (5) and (6) does not absolve a fiduciary of the obligation of filing returns in the cases indicated in subparagraphs (a) and (b) above. Again, there is nothing in Section 29.5, subdivision (b) that is inconsistent with these subdivisions, and there is no indication

that the Legislature intends to absolve the fiduciary of the obligation to file a return in such cases. This is fortified further by the fact that there has been no change in the exemption from the net income that is permitted to a trust. In other words, all income over \$100 is taxable, and it would require in our opinion something more than mere implication to lead a court to declare that although the income is taxable the fiduciary is not required to file a return.

Similarly, the changes in the exemptions for individuals do not in any manner affect subparagraph 7 which requires the filing of a return with respect to the estate of a decedent for the year in which death occurred. Of course, if the income of the estate during a taxable year covered by Section 29.5 were less than the increased exemptions and income requirements a return would not be required for the measure of the obligation of the fiduciary is by Subdivision 7 the same as the obligation of the decedent.

There appears to be little question that subdivisions (b) and (c) of Section 4 remain applicable for again the amount of income involved can have nothing to do with rules and regulations for the making of returns of one of two or more joint fiduciaries, and can not affect the statement that a fiduciary who is required to make a return is subject to all of the provisions which are applicable to individuals.

The construction we have placed upon the bill gives effect to every provision of the existing law which is not replaced for the taxable years involved by a comparable provision in Section 29.5. In this we follow a cardinal rule of construction.

Summarized, our conclusions are that where Section 29.5 speaks in a manner inconsistent with the existing law such inconsistent portion supersedes the existing law; where it is not inconsistent, or where it is silent, the existing law remains in full force.

Additionally, it is noted that the structure of the bill and this interpretation of it are in harmony with the general intent of the Legislature as expressed in the urgency clause, that the "rates be reduced and that the . . . exemptions be increased." (Section 5 of the bill.)

Very truly yours,

FRED B. WOOD, Legislative Counsel
By SIDNEY L. WEINSTOCK, Deputy

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 876—An act to amend Section 5 of, and to add Section 29.5 to The Personal Income Tax Act and to amend Section 17052 of, and to add Chapter 13.5, comprising Sections 19200 and 19201, to Part 10 of Division 2 of, the Revenue and Taxation Code, relating to personal income taxes, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 876?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 5", and insert "Sections 5, 5.1 and 10".

Amendment No. 2

In line 2 of the title of said bill, strike out "Section 17052", and insert "Sections 17052, 17053.5 and 17952".

Amendment No. 3

In lines 3 and 4 of the title of said bill, strike out "19200 and 19201", and insert "19200 to 19205, inclusive".

Amendment No. 4

On page 2, lines 13 and 14, of said bill, strike out "and not in excess of thirty thousand dollars (\$30,000)".

Amendment No. 5

On page 2 of said bill, strike out lines 16 to 19, inclusive.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 6

On page 2 of said bill, between lines 19 and 20, insert

"Sec. 1.5. Section 5.1 of said act is amended to read:

Sec. 5.1. (a) *With respect to taxable years beginning after December 31, 1942 and before January 1, 1945, [In] in lieu of the tax imposed under Section 5*

as limited by Section 295 of this act, an individual who makes his return on the cash basis may irrevocably elect, for each taxable year, to pay the tax shown in the following table if his gross income for such taxable year is five thousand dollars (\$5,000) or less and consists wholly of one or more of the following: Salary, wages, compensation for personal services, dividends, interest, or annuities:

[If the gross inc is over	But not over	Single person not head of family	Married person making separate return	(1) Married person whose spouse has no gross inc , or (2) married person making jt ret , or (3) head of family
\$ 0	\$1,000	\$none	\$none	\$none
1,000	1,100	none	none	none
1,100	1,200	.80	none	none
1,200	1,300	1.75	none	none
1,300	1,400	2.70	.20	none
1,400	1,500	3.65	1.15	none
1,500	1,600	4.55	2.05	none
1,600	1,700	5.50	3.00	none
1,700	1,800	6.45	3.95	none
1,800	1,900	7.40	4.90	none
1,900	2,000	8.35	5.85	none
2,000	2,100	9.25	6.75	none
2,100	2,200	10.20	7.70	none
2,200	2,300	11.15	8.65	none
2,300	2,400	12.10	9.60	none
2,400	2,500	13.05	10.55	none
2,500	2,600	13.95	11.45	none
2,600	2,700	14.90	12.40	none
2,700	2,800	15.85	13.35	.85
2,800	2,900	16.80	14.30	1.80
2,900	3,000	17.75	15.25	2.75
3,000	3,100	18.65	16.15	3.65
3,100	3,200	19.60	17.10	4.60
3,200	3,300	20.55	18.05	5.55
3,300	3,400	21.50	19.00	6.50
3,400	3,500	22.45	19.95	7.45
3,500	3,600	23.35	20.85	8.35
3,600	3,700	24.30	21.80	9.30
3,700	3,800	25.25	22.75	10.25
3,800	3,900	26.20	23.70	11.20
3,900	4,000	27.15	24.65	12.15
4,000	4,100	28.05	25.55	13.05
4,100	4,200	29.00	26.50	14.00
4,200	4,300	29.95	27.45	14.95
4,300	4,400	30.90	28.40	15.90
4,400	4,500	31.85	29.35	16.85
4,500	4,600	32.75	30.25	17.75
4,600	4,700	33.70	31.20	18.70
4,700	4,800	34.65	32.15	19.65
4,800	4,900	35.60	33.10	20.60
4,900	5,000	36.55	34.05	21.55]

The tax shall be—

If the gross income is over—	But not over—	Single person (not head of family)	Married person making separate return	(1) Married person whose spouse has no gross income, or (2) married person making joint return, or (3) head of family
\$ 0	\$1,900	\$ 0	\$ 0	\$ 0
1,900	1,950	0	.60	0
1,950	2,000	0	1.07	0
2,000	2,050	0	1.54	0
2,050	2,100	0	2.01	0
2,100	2,150	0	2.48	0
2,150	2,200	.45	2.95	0
2,200	2,250	.92	3.42	0
2,250	2,300	1.39	3.89	0

The tax shall be--

If the gross income is over—	But not over—	Single person (not head of family)	Married person making separate return	(1) Married person whose spouse has no gross income, or (2) married person making joint return, or (3) head of family
\$2,300	\$2,350	\$1.86	\$4.36	\$ 0
2,350	2,400	2.33	4.83	0
2,400	2,450	2.80	5.30	0
2,450	2,500	3.27	5.77	0
2,500	2,550	3.74	6.24	0
2,550	2,600	4.21	6.71	0
2,600	2,650	4.68	7.18	0
2,650	2,700	5.15	7.65	0
2,700	2,750	5.62	8.12	0
2,750	2,800	6.09	8.59	0
2,800	2,850	6.56	9.06	0
2,850	2,900	7.03	9.53	0
2,900	2,950	7.50	10.00	0
2,950	3,000	7.97	10.47	0
3,000	3,050	8.44	10.94	0
3,050	3,100	8.91	11.41	0
3,100	3,150	9.38	11.88	0
3,150	3,200	9.85	12.35	0
3,200	3,250	10.32	12.82	0
3,250	3,300	10.79	13.29	0
3,300	3,350	11.26	13.76	0
3,350	3,400	11.73	14.23	0
3,400	3,450	12.20	14.70	0
3,450	3,500	12.67	15.17	0
3,500	3,550	13.14	15.64	0
3,550	3,600	13.61	16.11	0
3,600	3,650	14.08	16.58	0
3,650	3,700	14.55	17.05	0
3,700	3,750	15.02	17.52	0
3,750	3,800	15.49	17.99	.49
3,800	3,850	15.96	18.46	.96
3,850	3,900	16.43	18.93	1.43
3,900	3,950	16.90	19.40	1.90
3,950	4,000	17.37	19.87	2.37
4,000	4,050	17.84	20.34	2.84
4,050	4,100	18.31	20.81	3.31
4,100	4,150	18.78	21.28	3.78
4,150	4,200	19.25	21.75	4.25
4,200	4,250	19.72	22.22	4.72
4,250	4,300	20.19	22.69	5.19
4,300	4,350	20.66	23.16	5.66
4,350	4,400	21.13	23.63	6.13
4,400	4,450	21.60	24.10	6.60
4,450	4,500	22.07	24.57	7.07
4,500	4,550	22.54	25.04	7.54
4,550	4,600	23.01	25.51	8.01
4,600	4,650	23.48	25.98	8.48
4,650	4,700	23.95	26.45	8.95
4,700	4,750	24.42	26.92	9.42
4,750	4,800	24.89	27.39	9.89
4,800	4,850	25.36	27.86	10.36
4,850	4,900	25.83	28.33	10.83
4,900	4,950	26.30	28.80	11.30
4,950	5,000	26.77	29.27	11.77

In applying the above schedule to determine the tax of a taxpayer with one or more dependents, there shall be subtracted from his gross income four hundred dollars (\$400) for each such dependent.

(b) For the purpose of this section—

(1) [The term "married] *Married person*" means a married person living with husband or wife on July 1[st] of the taxable year.

(2) [The word "dependent] *Dependent*" means a person who is, on July 1[st] of the taxable year, a dependent under Section 10 (b).

(3) An individual not a head of a family and not living with husband or wife on July 1[st] of the taxable year shall be treated as a single person.

(c) This section shall not apply to [a nonresident alien individual,] an estate or trust, an individual filing a return for a period of less than 12 months or for any taxable year other than a calendar year, or to a married individual, married and living with husband or wife at any time during the taxable year, whose spouse files a return and computes the tax without regard to this section.

SEC. 1.7. Section 10 of said act is amended to read:

Sec. 10. There shall be allowed for the purposes of the tax herein imposed:

(a) In the case of a single person, a personal exemption of one thousand dollars (\$1,000); or in the case of the head of a family or a married person living with husband or wife, a personal exemption of two thousand five hundred dollars (\$2,500). A husband and wife living together shall receive but one personal exemption. The amount of such personal exemption shall be two thousand five hundred dollars (\$2,500). If such husband and wife make separate returns, the personal exemption may be taken by either or divided between them;

(b) Four hundred dollars (\$400) for each person (other than husband or wife living with the taxpayer) dependent upon and receiving his chief support from the taxpayer if such dependent person is under 18 years of age or is incapable of self-support because mentally or physically defective [, and for each former or present spouse to whose support the taxpayer is contributing by order of a court of competent jurisdiction;]. *A payment to a wife which must be included in the gross income of the wife under 7(k) or Section 12(1) shall not be considered a payment by her husband for the support of any dependent. If the taxpayer would not occupy the status of head of a family except by reason of there being one or more dependents for whom he would be entitled to credit under this section, the credit shall be disallowed with respect to one of the dependents;*

(c) In the case of an estate an exemption of one thousand dollars (\$1,000); in the case of a trust an exemption of one hundred dollars (\$100);

(d) If the status of the taxpayer, insofar as it affects the personal exemption or credit for dependents changes during the taxable year, the personal exemption or credit for dependents changes during the taxable year, the personal exemption and credit shall be apportioned, under such rules and regulations as are prescribed by the commissioner, in accordance with the number of months before and after such change. For the purpose of such apportionment a fractional part of a month shall be disregarded unless it amounts to more than half a month, in which case it shall be considered as a month."

Amendment No. 7

On page 2, line 22, of said bill, strike out "there shall be"; and strike out line 23, and insert ":

(a) (1) Every person taxable under this act shall make a return to the commissioner, stating specifically the items of his gross income and the deductions and credits allowed by this act, if having a net income for the taxable year of—

(i) Two thousand dollars (\$2,000) or over, if single, or if married and not living with husband or wife;

(ii) Three thousand five hundred dollars (\$3,500) or over, if married and living with husband or wife; or

(iii) If having a gross income of five thousand dollars (\$5,000) or over, regardless of the amount of net income.

(2) If a husband and wife living together have an aggregate net income for the taxable year of three thousand five hundred dollars (\$3,500) or over, or an aggregate gross income for such year of five thousand dollars (\$5,000) or over—

(1) Each shall make such a return, or

(ii) The income of each shall be included in a single joint return, in which case the tax shall be computed on the aggregate income.

(b) Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make a return for any of the following individuals, estates or trusts, taxable hereunder, for which he acts, stating specifically the items of gross income thereof and the deductions and credits allowed under this act.

(1) Every individual having a net income for the taxable year of two thousand dollars (\$2,000) or over, if single, or if married and not living with husband or wife;

(2) Every individual having a net income for the taxable year of three thousand five hundred dollars (\$3,500) or over, if married and living with husband or wife;

(3) Every individual having a gross income for the taxable year of five thousand dollars (\$5,000) or over, regardless of the amount of his net income;

(4) Every estate the net income of which for the taxable year is one thousand five hundred dollars (\$1,500) or over;

(c) There shall be levied, collected, and paid for each taxable year upon the entire net income of every resident of this State and upon the net income of every nonresident which is derived from sources within this State:

Upon net incomes not in excess of ten thousand dollars (\$10,000), 1 per cent of such net incomes;

One hundred dollars (\$100) upon net incomes of ten thousand dollars (\$10,000) ; and upon net incomes in excess of ten thousand dollars (\$10,000) and not in excess of fifteen thousand dollars (\$15,000), 2 per cent in addition of such excess

Two hundred dollars (\$200) upon net incomes of fifteen thousand dollars (\$15,000) ; and upon net incomes in excess of fifteen thousand dollars (\$15,000) and not in excess of twenty thousand dollars (\$20,000), 3 per cent in addition of such excess.

Three hundred fifty dollars (\$350) upon net incomes of twenty thousand dollars (\$20,000) ; and upon net incomes in excess of twenty thousand dollars (\$20,000) and not in excess of twenty-five thousand dollars (\$25,000), 4 per cent in addition of such excess.

Five hundred fifty dollars (\$550) upon net incomes of twenty-five thousand dollars (\$25,000) ; and upon net incomes in excess of twenty-five thousand dollars (\$25,000) and not in excess of thirty thousand dollars (\$30,000), 5 per cent in addition of such excess.

Eight hundred dollars (\$800) upon net incomes of thirty thousand dollars (\$30,000) ; and upon net incomes in excess of thirty thousand dollars (\$30,000), 6 per cent in addition of such excess.

(d) There shall be allowed for the purposes of the tax herein imposed :”.

Amendment No. 7.5

On page 2, line 25, of said bill, strike out “one thousand five hundred dollars (\$1,500)”, and insert “two thousand dollars (\$2,000)”.

Amendment No. 8

On page 2 of said bill, between lines 33 and 34, insert

“(4) Four hundred dollars (\$400) for each person (other than husband or wife living with the taxpayer) dependent upon and receiving his chief support from the taxpayer if such dependent person is under 18 years of age or is incapable of self-support because mentally or physically defective. A payment to a wife which must be included in the gross income of the wife under 7 (k) or Section 12 (j) shall not be considered a payment by her husband for the support of any dependent. If the taxpayer would not occupy the status of head of a family except by reason of there being one or more dependents for whom he would be entitled to credit under this section, the credit shall be disallowed with respect to one of the dependents ;

(5) In the case of an estate an exemption of one thousand five hundred dollars (\$1,500) ; in the case of a trust an exemption of one hundred dollars (\$100).”

Amendment No. 9

On page 2 of said bill, strike out lines 34 to 39, inclusive

Amendment No. 10

On page 3, lines 22 and 23, of said bill, strike out “and not in excess of thirty thousand dollars (\$30,000)”.

Amendment No. 11

On page 3 of said bill, strike out lines 25 to 28, inclusive

Amendment No. 12

On page 3 of said bill, between lines 29 and 30, insert

“SEC. 3.5. Section 17053 5 of said code is amended to read :

17053 5. (a) [In] *With respect to taxable years beginning after December 31, 1942, and before January 1, 1945, in lieu of the tax imposed under Section 17052, as limited by Sections 19200 and 19201 of this code, an individual who makes his return on the cash basis may irrevocably elect, for each taxable year, to pay the tax shown in the following table if his gross income for such taxable year is five thousand dollars (\$5,000) or less and consist wholly of one or more of the following: Salary, wages, compensation for personal services, dividends, interest, or annuities:*

[If the gross inc is over	But not over	Single person not head of family	Married person making separate return	(1) Married person whose spouse has no gross inc., or (2) married person making jt. ret. or (3) head of family
\$ 0	\$1,000	\$none	\$none	\$none
1,000	1,100	none	none	none
1,100	1,200	.80	none	none
1,200	1,300	1.75	none	none
1,300	1,400	2.70	.20	none
1,400	1,500	3 65	1.15	none
1,500	1,600	4.55	2.05	none
1,600	1,700	5.50	3.00	none

[If the gross inc is over	But not over	Single person not head of family	Married person making separate return	(1) Married person whose spouse has no gross inc, or (2) married person making jt ret., or (3) head of family
\$1,700	\$1,800	\$6 45	\$3 95	\$none
1,800	1,900	7.40	4.90	none
1,900	2,000	8.35	5 85	none
2,000	2,100	9 25	6.75	none
2,100	2,200	10 20	7.70	none
2,200	2,300	11.15	8.65	none
2,300	2,400	12.10	9.60	none
2,400	2,500	13 05	10.55	none
2,500	2,600	13.95	11.45	none
2,600	2,700	14.90	12.40	none
2,700	2,800	15.85	13.35	.85
2,800	2,900	16.80	14.30	1.80
2,900	3,000	17.75	15.25	2.75
3 000	3,100	18 65	16.15	3.65
3,100	3,200	19.60	17.10	4.60
3,200	3,300	20.55	18.05	5.55
3,300	3,400	21.50	19 00	6.50
3,400	3,500	22.45	19 95	7.45
3,500	3,600	23.35	20.85	8.35
3,600	3,700	24 30	21.80	9.30
3,700	3,800	25 25	22.75	10.25
3,800	3,900	26.20	23.70	11.20
3,900	4,000	27.15	24.65	12.15
4,000	4,100	28 05	25.55	13.05
4,100	4,200	29.00	26.50	14.00
4,200	4,300	29.95	27.45	14.95
4,300	4,400	30 90	28 40	15.90
4,400	4,500	31.85	29.35	16.85
4,500	4,600	32.75	30.25	17.75
4,600	4,700	33.70	31.20	18.70
4,700	4,800	34.65	32.15	19.65
4,800	4,900	35 60	33 10	20.60
4,900	5,000	36.55	34.05	21.55]

The tax shall be—

If the gross income is over—	But not over—	Single person (not head of family)	Married person making separate return	(1) Married person whose spouse has no gross income, or (2) married person making joint return, or (3) head of family
\$ 0	\$1,900	\$ 0	\$ 0	\$ 0
1,900	1,950	0	.60	0
1,950	2,000	0	1.07	0
2,000	2,050	0	1.54	0
2,050	2,100	0	2.01	0
2,100	2,150	0	2.48	0
2,150	2,200	.45	2.95	0
2,200	2,250	.92	3.42	0
2,250	2,300	1.39	3.89	0
2,300	2,350	1.86	4.36	0
2,350	2,400	2.33	4.83	0
2,400	2,450	2.80	5.30	0
2,450	2,500	3.27	5.77	0
2,500	2,550	3.74	6.24	0
2,550	2,600	4.21	6.71	0
2,600	2,650	4.68	7.18	0
2,650	2,700	5.15	7.65	0
2,700	2,750	5.62	8.12	0
2,750	2,800	6.09	8.59	0
2,800	2,850	6.56	9.06	0
2,850	2,900	7.03	9.53	0

The tax shall be—

If the gross income is over—	But not over—	Single person (not head of family)	Married person making separate return	(1) Married person whose spouse has no gross income, or (2) married person making joint return, or (3) head of family
\$2,900	\$2,950	\$7.50	\$10.00	\$ 0
2,950	3,000	7.97	10.47	0
3,000	3,050	8.44	10.94	0
3,050	3,100	8.91	11.41	0
3,100	3,150	9.38	11.88	0
3,150	3,200	9.85	12.35	0
3,200	3,250	10.32	12.82	0
3,250	3,300	10.79	13.29	0
3,300	3,350	11.26	13.76	0
3,350	3,400	11.73	14.23	0
3,400	3,450	12.20	14.70	0
3,450	3,500	12.67	15.17	0
3,500	3,550	13.14	15.64	0
3,550	3,600	13.61	16.11	0
3,600	3,650	14.08	16.58	0
3,650	3,700	14.55	17.05	0
3,700	3,750	15.02	17.52	0
3,750	3,800	15.49	17.99	49
3,800	3,850	15.96	18.46	96
3,850	3,900	16.43	18.93	1.43
3,900	3,950	16.90	19.40	1.90
3,950	4,000	17.37	19.87	2.37
4,000	4,050	17.84	20.34	2.84
4,050	4,100	18.31	20.81	3.31
4,100	4,150	18.78	21.28	3.78
4,150	4,200	19.25	21.75	4.25
4,200	4,250	19.72	22.22	4.72
4,250	4,300	20.19	22.69	5.19
4,300	4,350	20.66	23.16	5.66
4,350	4,400	21.13	23.63	6.13
4,400	4,450	21.60	24.10	6.60
4,450	4,500	22.07	24.57	7.07
4,500	4,550	22.54	25.04	7.54
4,550	4,600	23.01	25.51	8.01
4,600	4,650	23.48	25.98	8.48
4,650	4,700	23.95	26.45	8.95
4,700	4,750	24.42	26.92	9.42
4,750	4,800	24.89	27.39	9.89
4,800	4,850	25.36	27.86	10.36
4,850	4,900	25.83	28.33	10.83
4,900	4,950	26.30	28.80	11.30
4,950	5,000	26.77	29.27	11.77

In applying the above schedule to determine the tax of a taxpayer with one or more dependents, there shall be subtracted from his gross income four hundred dollars (\$400) for each such dependent.

(b) For the purpose of this section—

(1) [The term "married" *Married* person" means a married person living with husband or wife on July 1[st] of the taxable year.

(2) [The word "dependent" *Dependent*" means a person who is, on July 1[st] of the taxable year, a dependent under Section 17952.

(3) An individual not the head of a family and not living with husband or wife on July 1[st] of the taxable year shall be treated as a single person.

(c) This section shall not apply to [a nonresident alien individual,] an estate or trust, an individual filing a return for a period of less than 12 months or for any taxable year other than a calendar year, or to a married individual, married and living with husband or wife at any time during the taxable year, whose spouse files a return and computes the tax without regard to this section.

SEC 3.7. Section 17952 of said code is amended to read:

17952. There shall also be allowed as a credit four hundred dollars (\$400) for each individual (other than husband or wife living with the taxpayer) dependent upon and receiving his chief support from the taxpayer if the dependent individual is under 18 years of age or is incapable of self-support because mentally or physically

defective [, and four hundred dollars (\$400) for each former or present spouse to whose support the taxpayer is contributing by order of a court of competent jurisdiction]. *A payment to a wife which must be included in the gross income of the wife under Section 17169 or Section 18173 shall not be considered a payment by her husband for the support of any dependent. If the taxpayer would not occupy the status of head of a family except by reason of there being one or more dependents for whom he would be entitled to credit under this section, the credit shall be disallowed with respect to one of the dependents.*"

Amendment No. 13

On page 3, line 30, of said bill, strike out "and 19201", and insert "to 19205, inclusive".

Amendment No. 14

On page 3, of said bill, between lines 34 and 35, insert "19200. With respect to taxable years beginning after December 31, 1942, and before January 1, 1945, there shall be levied, collected, and paid for each taxable year upon the entire net income of every resident of this State and upon the net income of every nonresident which is derived from sources within this State:

Upon net incomes not in excess of ten thousand dollars (\$10,000), 1 per cent of such net incomes.

One hundred dollars (\$100) upon net incomes of ten thousand dollars (\$10,000); and upon net incomes in excess of ten thousand dollars (\$10,000) and not in excess of fifteen thousand dollars (\$15,000), 2 per cent in addition of such excess.

Two hundred dollars (\$200) upon net incomes of fifteen thousand dollars (\$15,000); and upon net incomes in excess of fifteen thousand dollars (\$15,000) and not in excess of twenty thousand dollars (\$20,000), 3 per cent in addition of such excess.

Three hundred fifty dollars (\$350) upon net incomes of twenty thousand dollars (\$20,000); and upon net incomes in excess of twenty thousand dollars (\$20,000) and not in excess of twenty-five thousand dollars (\$25,000), 4 per cent in addition of such excess.

Five hundred fifty dollars (\$550) upon net incomes of twenty-five thousand dollars (\$25,000); and upon net incomes in excess of twenty-five thousand dollars (\$25,000) and not in excess of thirty thousand dollars (\$30,000), 5 per cent in addition of such excess.

Eight hundred dollars (\$800) upon net incomes of thirty thousand dollars (\$30,000); and upon net incomes in excess of thirty thousand dollars (\$30,000), 6 per cent in addition of such excess."

Amendment No. 15

On page 3, line 35, of said bill, strike out "19200", and insert "19201".

Amendment No. 15.5

On page 3, lines 38 and 39, of said bill, strike out "one thousand five hundred dollars (\$1,500)", and insert "two thousand dollars (\$2,000)".

Amendment No. 16

On page 3 of said bill, between lines 46 and 47, insert "19202. With respect to taxable years beginning after December 31, 1942, and before January 1, 1945, there shall be allowed as a credit against net income, in the case of an estate, an exemption of one thousand five hundred dollars (\$1,500) and, in the case of a trust, an exemption of one hundred dollars (\$100).

19203 With respect to taxable years beginning after December 31, 1942, and before January 1, 1945, every individual taxable under this part shall make a return to the commissioner, stating specifically the items of his gross income and the deductions and credits allowed by this part, if he has for the taxable year

(a) A net income of two thousand dollars (\$2,000) or over, if single, or if married and not living with husband or wife;

(b) A net income of three thousand five hundred dollars (\$3,500) or over, if married and living with husband or wife; or

(c) A gross income of five thousand dollars (\$5,000) or over, regardless of the amount of net income.

19204 With respect to taxable years beginning after December 31, 1942, and before January 1, 1945, if a husband and wife living together have for the taxable year an aggregate net income of three thousand five hundred dollars (\$3,500) or over, or an aggregate gross income of five thousand dollars (\$5,000) or over:

(a) Each shall make such a return; or

(b) The income of each shall be included in a single joint return, in which case the tax shall be computed on the aggregate income.

19205 With respect to taxable years beginning after December 31, 1942, and before January 1, 1945, every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make a return for any of the following taxpayers for whom he acts, stating specifically

the items of gross income of the taxpayer and the deductions and credits allowed under this part:

(a) Every individual having a net income for the taxable year of two thousand dollars (\$2,000) or over, if single, or if married and not living with husband or wife;

(b) Every individual having a net income for the taxable year of three thousand five hundred dollars (\$3,500) or over, if married and living with husband or wife.

(c) Every individual having a gross income for the taxable year of five thousand dollars (\$5,000) or over, regardless of the amount of his net income;

(d) Every estate the net income of which for the taxable year is one thousand five hundred dollars (\$1,500) or over."

Amendment No. 17

On page 3 of said bill, strike out lines 48 to 52, inclusive; and on page 4, strike out lines 1 to 5, inclusive, and insert

"SEC. 5. The sections of the Revenue and Taxation Code added and amended by this act become operative only".

Amendment No. 18

On page 4, line 26, of said bill, strike out "879, 883 and 884", and insert "883 and 884 and Senate Bill No. 103, all as amended by the Senate,".

Amendment No. 19

On page 4 of said bill, after line 26, insert

"SEC. 8. The amendments made by this act shall be known as the Ward Act."

Amendment No. 20

On page 15, line 38, of said bill, strike out "Bill 103", and insert "Bills Nos. 103 and 1086".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 876 by the following vote:

AYES—Allen, Armstrong, Bashore, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Erwin, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Anderson, Beck, Bennett, Berry, Collins, George D., Dills, Ralph C., Dunn, Evans, Gaffney, Hawkins, Heisinger, Kilpatrick, Lowrey, Massion, McMillan, O'Day, Pelletier, Rosenthal, and Thomas—19.

Assembly Bill No. 876 ordered enrolled.

PERMISSION TO CONSIDER ASSEMBLY BILL

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, permission to consider Assembly Bill No. 1033 was granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Beck moved to expunge the record, and rescind the action whereby Assembly Bill No. 1033 was, on April 21, 1943, passed.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty,

Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Pottel, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—73
 Nays—None.

Further Consideration of Assembly Bill No. 1033

Assembly Bill No. 1033—An act to add Section 261b to the Code of Civil Procedure, relating to phonographic reporters for superior courts in counties, or cities and counties, having a population of 900,000 or more, providing for the compensation and fees of such reporters, requiring the payment to the county clerk of such counties, or cities and counties, of certain filing and appearance fees, in addition to any other fees now required by law, requiring that such fees be deposited in the salary fund of such counties, or cities and counties

Bill read third time.

Motion to Amend

Mr. Beck moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 36, of the printed bill, as amended, strike out "five dollars (\$5)", and insert "three dollars and fifty cents (\$3.50)"

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

**NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 234
 FROM COMMITTEE**

Mr. Thompson gave notice that on the second legislative day he would move to withdraw Senate Bill No. 234 from the Committee on Ways and Means, and have it placed upon the file.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 587 WAIVED

Mr. Johnson waived his notice of motion to reconsider the vote whereby Senate Bill No. 587 was passed.

Motion to Continue Notice of Motion to Reconsider Senate Bill No. 587

Mr. Evans moved that the consideration of the notice of motion to reconsider Senate Bill No. 587 be continued until the next legislative day.

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
 WITH ON SENATE BILL NO. 1107**

At 11.14 p.m., on motion of Mr. Burns, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1107 refused passage by the following vote:

AYES—Armstrong, Bashore, Bennett, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Denny, Dickey, Dilworth, Dunn, Erwin, Fourt, Gaffney, Guthrie, Hastain, Kellems, Knight, John B., Leonard, Lowrey, Lyons, Maloney, McCollister, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sawallsch, Stream, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—40.

NOES—Allen, Anderson, Beck, Berry, Brady, Brown, Burkhalter, Collins, George D., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Field, Gannon, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Massion, McMillan, Middough, O'Day, Sargent, Sheridan, Thomas, Thompson, and Wollenberg—34.

Notice of Motion to Reconsider Senate Bill No. 1107

Mr. Burns gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1107 was this day refused passage.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 241

At 11.22 p.m., on motion of Mr. Sam L Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and House Resolution No. 241 adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—69

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 672—An act to add Section 38dd and amend Section 38e of the Alcoholic Beverage Control Act, relating to rules and regulations for the orderly wholesaling of beer, and also relating to price posting.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "38dd and amend Section 38e of", and insert "Section 45 2 to".

Amendment No. 2

Strike out lines 2, 3, and 4 of the title of said bill, and insert "Alcoholic Beverage Control Act, relating to suspension and revocation of licenses".

Amendment No. 3

On page 1, line 1, of said bill, strike out "38dd", and insert "45 2".

Amendment No. 4

On page 1 of said bill, strike out from and including line 3 to and including line 30 on page 3, and insert

"SEC. 45.2. No license of a licensee and no right or privilege thereunder shall be revoked or suspended except after complaint or petition filed against such licensee pursuant to the provisions of this act and the board's decision upon such complaint or petition made after hearing required by this act and in accordance with Section 44 hereof."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 656—An act to amend Sections 5014 and 6816 and to repeal Section 6817 of the Public Resources Code, relating to the disposition of moneys credited to the State Lands Act Fund, creating the State Beach Fund, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Middough moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended, strike out "3", and insert "2".

Amendment No. 2

On page 2, line 9, of said bill, strike out "2", and insert "3".

Amendment No. 3

On page 2, line 12, of said bill, strike out the comma, and "which fund is appropriated".

Amendment No. 4

On page 2 of said bill, following line 44, insert "SEC. 5. This act shall not take effect unless Senate Bill No 731 of this session is enacted."

Amendment No. 5

On page 2, line 24, of said bill, after "appropriations", insert "heretofore or hereafter".

Amendments read and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 580—An act to add Section 1272 to the Fish and Game Code, relating to deer.

Bill read third time.

Motion to Amend

Mr. Burkhalter moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, strike out "60", and insert "45".

Amendment No. 2

On page 1, line 5, of said bill, strike out "December 31st", and insert "November 1st".

~~Amendments read and adopted.~~

~~Bill ordered reprinted, and to third reading.~~

[On May 4, 1943, above action was rescinded, and record ordered expunged whereby amendments to Senate Bill No. 580 were this day adopted.]

Senate Bill No. 731—An act to amend Section 5014 of and Section 5003.5, and to add Section 5014.1 to, the Public Resources Code, abolishing the State Park Maintenance and Acquisition Fund and creating the State Beach Fund and the State Park Fund, relating to State parks and beaches, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Middough moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 36, of the printed bill, as amended, strike out "4", and insert "3".

Amendment No. 2

On page 2, line 51, of said bill, strike out "5", and insert "4".

Amendment No. 3

On page 3, line 1, of said bill, strike out the figure "6", and insert "5".

Amendment No. 4

On page 3 of said bill, following line 16, insert "SEC. 6. This act shall not take effect unless Senate Bill No. 656 of this session is enacted."

Amendment No. 5

On page 2 of said bill, strike out lines 11 to 14, inclusive, and insert "State Park Fund, which is hereby appropriated for improvements and maintenance of State parks, State maintenance, roads, trails, and pathways, and when specifically appropriated by the Legislature for construction and acquisition of State parks, State monuments, roads, trails, and pathways".

Amendment No. 6

On page 2, line 28, of said bill, after "appropriations", insert "heretofore and hereafter".

Amendment No. 7

On page 2 of said bill, strike out lines 49 and 50, and insert "of Natural Resources, Chapter 306, Statutes of 1943".

Amendment No. 8

In line 5 of the title of said bill, strike out "and beaches".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 601—An act to amend Sections 1620, 1621, 1622, 1623, 1625, 1626, 1627, 1628, and 1630 of the Welfare and Institutions Code, to amend the chapter heading of Chapter 1 of Part 3 of Division 2 of said code, to add Section 1625.5 to said code, and to add Chapter 2, comprising Sections 1650 to 1660, inclusive, to Part 3 of Division 2 of said code, relating to institutions for child care and home-finding and placement agencies, and providing for the licensing and regulation of such institutions and agencies.

Bill read third time.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 1, 1943, strike out "and 1630", and insert "1630, 2303, 2305, 2306, 2307, 2308, 2309, and 2310".

Amendment No. 2

In the title of said bill, strike out line 4, and insert "Division 2 of said code, to repeal Sections 2300, 2301, and 2302 of said code, to add Sections 1625.5, 2300, 2300.5, 2300.7, 2301, 2301.3, 2301.5, 2301.7, 2301.9, 2302, 2302.3, 2302.5, and 2305.5 to".

Amendment No. 3

In line 7 of the title of said bill, after "institutions", insert "for the reception and care of persons in need of protection and care, including institutions".

Amendment No. 4

In line 8 of the title of said bill, after "agencies", insert "and institutions, boarding homes and other places for the reception and care of aged persons".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 5 of said bill, after line 19, insert

"SEC. 12. Sections 2300, 2301, and 2302 of said code are repealed.

SEC. 13. Section 2303 of said code is amended to read:

2303. A permit or license issued [by the State Department of Social Welfare or by an approved and accredited inspection service] *under this chapter* shall expire 12 months from its date of issuance.

SEC. 14. Section 2305 of said code is amended to read:

2305. Permits or licenses may be revoked *by a local agency* for cause after a hearing [before the State Department of Social Welfare or an approved and accredited inspection service]. Written notice of the time and place of such hearing and of the charges made against the holder of the permit or license shall be duly served on him not less than 10 days prior to the time fixed for such hearing.

SEC. 15. Section 2305.5 is added to said code, to read:

2305.5. If any interested person is dissatisfied with the decision of a local agency in a hearing for the revocation of a permit or license, he shall, upon filing a petition with the State Department of Social Welfare, have the right of appeal and shall be accorded an opportunity for a fair hearing. The Social Welfare Department shall set such appeal for hearing before the State Social Welfare Board and shall give all parties concerned written notice of the time and place of such hearing. At such hearing any interested person may appear in person with counsel of his own choosing or in person and without such counsel.

The State Social Welfare Board shall consider the appeal and shall affirm, reverse or modify the decision of the local agency.

SEC. 16. Section 2306 of said code is amended to read:

2306. No license shall be transferred. Neither the location of any institution, boarding home, or other place [specified in Section 2300, nor the place of performance of any service specified therein] *for the reception or care of aged persons, nor the place of the performance of any service in the receiving or caring for any aged person* shall be changed without the written consent of the [State Department of Social Welfare or of an approved and accredited inspection service] *local agency*.

SEC. 17. Section 2307 of said code is amended to read:

2307. Every holder of a permit or license shall maintain a register setting forth the following facts concerning each aged or infirm person received or cared for:

- (a) Name.
- (b) Last previous address.
- (c) Age.
- (d) Nearest of kin.
- (e) Mother's maiden name.
- (f) The person responsible for his care and maintenance.
- (g) Such other data as the *local agency and the rules and regulations of the State Department of Social Welfare* require[s].

SEC. 18. Section 2308 of said code is amended to read:

2308. Upon the occurrence of any death of an aged person or change in the administrative personnel of any such home, the holder of the license or permit shall, within 48 hours, give written notice thereof to the State Department of Social Welfare or to the [approved and accredited inspection service] *local agency* by which such license or permit was issued.

SEC. 19. Section 2309 of said code is amended to read:

2309. Any person, association, or corporation *not excepted from this chapter* that maintains, conducts, or, as manager or officer or in any other administrative capacity, assists in maintaining or conducting any institution, boarding home, or other place *for the reception or care of aged persons*, or performance of any service [specified in Section 2300 of this code], *in the receiving or caring for any aged person* without first having secured a license or permit therefor, in writing, or refuses to permit or interferes with the inspection authorized in Section [2301] *2302.5* of this code, is guilty of a misdemeanor.

SEC. 20. Section 2310 of said code is amended to read:

2310. The district attorney of every county shall, upon application by the State Department of Social Welfare or its authorized representatives, or by [an approved and accredited inspection service] *a local agency*, institute and conduct the prosecution of any action brought for the violation within his county of any of the provisions of this chapter.

SEC. 21. Section 2300 is added to said code, to read:

2300. The provisions of this chapter do not apply to any institution, boarding home, or other place for the reception or care of aged persons which does not at any one time receive or care for more than two aged persons, when such institution, boarding home, or other place for the reception or care of aged persons complies with the requirements of local fire and health ordinances, and the provisions of the Health and Safety Code, if applicable thereto.

SEC. 22. Section 2300 5 is added to said code, to read:

2300.5. The provisions of this chapter do not apply to any person, association or corporation maintaining or conducting any institution, boarding home or other place for the reception or care of aged persons when not more than two persons at any one time are received or cared for and when such institution, boarding home or other place for the reception or care of aged person complies with the requirements of local fire and health ordinances, and the provisions of the Health and Safety Code, if applicable thereto.

SEC. 23. Section 2300 7 is added to said code, to read:

2300 7. As used in this chapter, "local agency" means county or city.

SEC. 24. Section 2301 is added to said code, to read:

2301. Except as provided in this chapter, no person, association, or corporation shall maintain or conduct any institution, boarding home, or other place for the reception or care of aged persons, nor receive or care for any such person, without first having obtained a written license or permit therefor.

SEC 25 Section 2301.3 is added to said code, to read:

2301.3 The permit or license required by this chapter shall be issued by the health department or the social service department of the county in which the institution, boarding home or other place for the reception or care of aged persons is located. If the institution, boarding home, or other place is located within a city, then the permit or license shall be issued by the health department or the social service department of the city.

SEC. 26 Section 2301.5 is added to said code, to read:

2301.5. Every county shall issue the licenses and permits required by Section 2301, and shall make such rules and regulations, and adopt such standards, as it deems best for the government of any institution or other place for the reception or care of aged persons, or the performance of any service in the receiving or care of aged persons. Such rules, regulations, and standards shall be so made as to provide for the welfare of the aged persons received or cared for, and at the same time permit the operation of the homes and other places, and the performance of the services upon a commercial basis.

SEC 27. Section 2301.7 is added to said code, to read:

2301.7. The right of a local agency to issue licenses or permits under this chapter may be suspended by order of the State Social Welfare Board, after a hearing, and when such right is suspended the county or city may not require a license or permit of any person, association or corporation maintaining or conducting any institution, boarding home or other place for the reception or care of aged persons, or receiving or caring for any such person.

SEC. 28. Section 2301.9 is added to said code, to read:

2301.9. When the right of a local agency is suspended, or when the local agency has no health department or social service agency, the State Department of Social Welfare shall issue licenses and permits in the area of the local agency, and in such case all provisions in this chapter applicable to local agencies shall apply to the State Department of Social Welfare.

SEC. 29. Section 2302 is added to said code, to read:

2302 Grounds for the suspension of the rights of a local agency to issue licenses or permits are:

(a) Failure of local agency to comply with the provisions of this chapter or with the rules and regulations of the State Department of Social Welfare.

(b) If the licenses or permits are issued by the health department of a local agency, the failure of the health department of the local agency to maintain at least one regularly licensed physician.

(c) If the licenses or permits are issued by the social service department of a local agency, failure of the social service department to maintain minimum standards recognized by professional social service workers and the social service profession.

SEC. 30. Section 2302.3 is added to said code, to read:

2302.3. The State Department of Social Welfare shall adopt rules, regulations, and minimum standards for the government of any institution, boarding home, or other place for the reception or care of aged persons, or performance of any service in the receiving or caring for aged persons, which rules, regulations, and standards shall apply in every county in the State unless and until the county adopts rules, regulations, and standards pursuant to Section 2301.5, and furnishes information thereof to the State Department of Social Welfare.

SEC. 31. Section 2302.5 is added to said code, to read:

2302.5. The health department or social service department of a local agency issuing licenses or permits may inspect and examine any such institution, home, or place for the reception or care of aged persons, or the performance of any service in the receiving or caring for any aged person."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1108—An act to add Section 8 to an act entitled "An act to authorize the county judge of Tehama County to distribute town lots held by him in trust for the citizens of the Town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interest," approved March 6, 1868, as amended and supplemented, relating to the conveyance of certain streets and alleys.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "and between Blocks".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "2 and 16".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Hastain:

House Resolution No. 243

WHEREAS, The Assembly of California has this day learned with regret of the death of Roy D McPherrin, a resident of Imperial County for 43 years, mayor of Imperial in 1906, former president of the Imperial County Bar Association, who introduced the first resolution for regulation of Colorado River water storage and at the time of his death had been a judge of the superior court in Imperial County for more than 10 years; and

WHEREAS, Judge McPherrin during his long and able service to the people of Imperial County and of the State had won the confidence and respect of all who knew him and his work, and his death is a distinct loss to the judiciary and to the people; now, therefore, be it

Resolved, That when the Assembly adjourns this day it shall adjourn in respect to the memory of Judge McPherrin; and be it further

Resolved, That the Chief Clerk is directed to send a suitable copy of this resolution to the surviving members of his family, Mrs. Ethel Warden McPherrin, Warden McPherrin, a son, of Oakland, and Mrs. Ella Yarnell of Redondo Beach, California

Request for Unanimous Consent

Mr. Hastain asked for, and was granted, unanimous consent to take up House Resolution No. 243, at this time, without reference to committee.

Resolution read and adopted by a rising vote of the Assembly.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 125	Assembly Bill No 1295
Assembly Bill No 131	Assembly Bill No 1296
Assembly Bill No. 184	Assembly Bill No. 1420
Assembly Bill No. 222	Assembly Bill No 1591
Assembly Bill No. 294	Assembly Bill No 1592
Assembly Bill No 573	Assembly Bill No 1625
Assembly Bill No. 855	Assembly Bill No 1626
Assembly Bill No 918	Assembly Bill No 1627
Assembly Bill No. 1012	Assembly Bill No. 1659
Assembly Bill No 1106	Assembly Bill No 1834
Assembly Bill No. 250	Assembly Bill No 1881
Assembly Bill No. 576	Assembly Bill No 1940
Assembly Bill No. 1032	Assembly Bill No. 446
Assembly Bill No. 1069	Assembly Bill No 1857
Assembly Bill No 1294	Assembly Bill No 729

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled

SENATE CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

- Assembly Joint Resolution No. 44
- Assembly Joint Resolution No 45
- Assembly Joint Resolution No 46

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 599

Assembly Bill No. 687

Assembly Bill No. 1058

Assembly Bill No. 1147

Assembly Bill No. 1263

Assembly Bill No. 1604

Assembly Bill No. 1746

Assembly Bill No. 796

Assembly Bill No. 648

Assembly Bill No. 1052

Assembly Bill No. 1308

Assembly Bill No. 1988

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 29

Senate Bill No. 961

Senate Bill No. 710

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POTTER, Chairman

Above reported bills ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Senate Bill No. 781

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which was referred:

Senate Bill No. 1111

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 112

Senate Bill No. 129

Senate Bill No. 370

Senate Bill No. 856

Senate Bill No. 897

Senate Bill No. 999

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

- | | |
|----------------------|----------------------|
| Senate Bill No. 382 | Senate Bill No. 1008 |
| Senate Bill No. 472 | Senate Bill No. 1011 |
| Senate Bill No. 508 | Senate Bill No. 1040 |
| Senate Bill No. 1007 | Senate Bill No. 1110 |

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DILWORTH, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

- Senate Bill No. 359
- Senate Bill No. 614
- Senate Bill No. 830

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

- Senate Bill No. 796

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

- Senate Bill No. 721

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman

Above reported bill ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

- Senate Constitutional Amendment No. 25

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolution ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

- Senate Bill No. 1109

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 548

Senate Bill No. 1013

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

DILWORTH, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 29—An act to amend Sections 9202 and 9203 of the Health and Safety Code, relating to cemeteries.

Bill read second time, and ordered to third reading.

Senate Bill No. 961—An act to add Chapter 7, comprising Section 4025, to Part 1 of Division 5 of the Health and Safety Code, relating to water.

Bill read second time, and ordered to third reading.

Senate Bill No. 710—An act to amend Sections 13026, 13108 and 13109 of the Health and Safety Code, relating to the authority of the State Fire Marshal.

Bill read second time, and ordered to third reading.

Senate Bill No. 781—An act to add Section 19532.1 to the Business and Professions Code, relating to horse racing and horse race meetings, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 112—An act to amend Section 57.7 of the Unemployment Insurance Act, relating to unemployment benefits for persons who have served in the armed forces.

Bill read second time, and ordered to third reading.

Senate Bill No. 129—An act to amend Section 54 of the Unemployment Insurance Act, relating to the weekly benefit amount.

Bill read second time, and ordered to third reading.

Senate Bill No. 370—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 13.13a, relating to the duties of the Building and Loan Commissioner while in possession of the property, business and assets of a building and loan association, and to accounts, inspection of records and annual reports.

Bill read second time, and ordered to third reading.

Senate Bill No. 856—An act to amend Section 58 of the Unemployment Insurance Act, relating to eligibility for benefits.

Bill read second time, and ordered to third reading.

Senate Bill No. 897—An act to amend Sections Section 706.7 the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 999—An act to amend Section 56 of the Unemployment Insurance Act, relating to eligibility for benefits.

Bill read second time, and ordered to third reading.

Senate Bill No. 721—An act to add Sections 132.5, 293.5, 296.5, 5901.5, and 5931.5 to the Elections Code, relating to absentee registration and voting of members of the armed forces of the United States, or any auxiliary branch thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1007—An act to add Chapter 2.5, comprising Section 8180, to Division 4 of the Education Code, relating to report cards.

Bill read second time, and ordered to third reading.

Senate Bill No. 1008—An act to add Section 11181.1 to the Education Code, relating to school textbooks.

Bill read second time, and ordered to third reading.

Senate Bill No. 1011—An act to add Section 12756 to the Education Code, relating to suspension of diplomas, certificates, credentials and other documents.

Bill read second time, and ordered to third reading.

Senate Bill No. 382—An act to amend Sections 5.822, 5.850, 5.851, 5.852 and 5.852-1 of the School Code and to amend Sections 14340, 14432, 14439 and 14450 of, and to add Section 14456.1 to, the Education Code, relating to the State Teachers Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 472—An act to add Section 4.283 to the School Code and to add Section 5007 to the Education Code, relating to the investment of funds of school districts in bonds issued by the United States of America, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 508—An act to add Sections 1.94 and 1.95 to the School Code and to add Sections 16276 and 16277 to the Education Code, relating to the lease of busses owned by, or under lease to, school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1040—An act to add Article 3, comprising Section 24541, to Chapter 5 of Division 12, of the Education Code, relating to identification emblems for children.

Bill read second time, and ordered to third reading.

Senate Bill No. 1110—An act to add Article 25 to Chapter 5 of Division 9 of the Education Code, relating to the leasing of real property by school districts, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 359—An act to add Section 128 to the Welfare and Institutions Code, relating to moneys appropriated for public assistance, and providing for audits by the Director of Finance of records pertaining to the receipt and expenditure thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 614—An act to amend Section 675.1 of the Political Code, relating to the approval of salaries by the Department of Finance.

Bill read second time, and ordered to third reading.

Senate Bill No. 830—An act to amend Section 10055 of the Business and Professions Code, relating to the Real Estate Commissioner.

Bill read second time, and ordered to third reading.

Senate Bill No. 796—An act to provide for civilian defense activities and for the allocation of State funds to counties, cities and counties, cities, and public districts, to establish a Civilian Defense Allocation Board and prescribe its powers, duties and functions, and making an appropriation.

Bill read second time, and ordered to third reading.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California to amend Sections 2 and 34 of Article IV of the Constitution of said State, relating to the Legislature.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, lines 11 and 12, of the printed measure, as amended, strike out “, unless the Governor shall”, and insert “. The Governor may”.

Amendment No. 2

On page 2, line 27, of said measure, strike out “Neither”, and insert “At any regular session, neither”.

Amendment No. 3

On page 2, line 29, of said measure, after “introduction”, insert “, without the consent of three-fourths of the members thereof”.

Amendment No. 4

On page 2 of said measure, strike out line 43

Amendments read and adopted.

Resolution ordered reprinted, and to third reading.

Senate Bill No. 1109—An act to amend Section 37 of the Unemployment Insurance Act, relating to contributions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out “amend Section 37 of”.

Amendment No. 2

On page 1, line 1, of said bill, strike out "37 of the act cited in the title hereof is", and insert "44.6 is added to the act cited in the title hereof, to read:

Sec. 44.6. Except as provided in Section 45.6 contributions required under this act shall become due on the first day of the calendar month following the close of each calendar quarter and shall become delinquent, unless the commission grants an extension of time for the payment thereof, if not paid by the first day of the second month following the close of that calendar quarter. If a payment of contributions is sent through the United States Mail, postage prepaid, and addressed to the main office of the Department of Employment, 1025 P Street, Sacramento, California, such payment shall be deemed to have been received on the date shown on the post-office cancellation mark stamped upon the envelope containing the payment."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 29, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 548—An act to add Section 16424 to the Education Code and to amend Sections 10270 and 11512 of the Insurance Code and to add Section 11512.4 to the Insurance Code, all relating to the insurance of pupils of the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out all of line 21, and insert "16424. Any governing board having under its control a school district or districts having a total average daily attendance of less than 10,000 may".

Amendment No. 2

On page 2, line 4, of the printed bill, as amended, after "the district", insert "or districts".

Amendment No. 3

On page 2, line 5, of the printed bill, as amended, after "the district", insert "or districts".

Amendment No. 4

On page 2, line 8, of the printed bill, as amended, after "the district", insert "or districts".

Amendment No. 5

On page 2, line 8, of the printed bill, as amended, after "transported", insert "by the district or districts".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1013—An act to add Section 13654 to the Education Code, relating to reappointment rights of permanent employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, following line 18, insert "The provisions of this section shall apply to all employees dismissed for the reasons herein specified subsequent to January 1, 1943."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1111—An act to amend Section 10074 of, to add Sections 10009.5, 10023, 10024, 10025 and 11011.5 to, and to add Chapter 7, comprising Sections 10500 to 10600, to Part 1 of Division 4 of, the Business and Professions Code, relating to transactions in mineral, oil or gas property, regulating mineral, oil and gas brokers and salesmen and prescribing the powers and duties of the State Division of Real Estate with respect thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Natural Resources, and Planning:

Amendment No. 1

On page 2 of the printed bill, strike out lines 47 to 52, inclusive; and on page 3, strike out lines 1 to 19, inclusive, and insert

"10504. Mineral, oil and gas broker within the meaning of this part includes any person who engages in the business of buying or leasing, or who takes an option on, mineral, oil or gas property, for the purpose of sale or resale, or lease or sub-lease, or assignment of a lease, or exchange, of such property or any part of such property.

10505. The provisions of this chapter do not apply to:

(a) Any person acting solely as a depository under an oil or gas lease, or oil and gas lease, other than for purposes of sale

(b) Any person who engages in any transaction pursuant to an order of a court of competent jurisdiction."

Amendment No. 2

On page 3 of said bill, strike out lines 34 to 37, inclusive, and insert

"10507. The provisions of this chapter, except Section 10512, do not apply to a real estate licensee while acting as such in connection with the sale, lease or exchange of real property (other than mineral, oil or gas property) or an interest therein, when the transfer of mineral, oil or gas property is purely incidental to the sale, lease or exchange of real property (other than mineral, oil or gas property)."

Amendment No. 3

On page 5, line 11, of said bill, insert

"10513. All mineral, oil and gas licensees shall file reports with the commissioner of each act and transaction subject to this chapter undertaken by the mineral, oil and gas licensee. The report shall be filed at such times and in such manner and contain such information as may be prescribed by the commissioner by rule and regulation

For a violation of the provisions of this section the commissioner may temporarily suspend or permanently revoke the license of a mineral, oil and gas licensee in accordance with the provisions of this part, relating to hearings"

Amendment No. 3.1

On page 6, line 20, of said bill, strike out "and".

Amendment No. 3.2

On page 6, line 21, of said bill, after "gas," insert "and a familiarity with methods of mineral and oil exploration and production,".

Amendment No. 4

On page 12 of said bill, after line 33, insert

"SEC. 8. Any real estate licensee (as defined in Section 10014 of the Business and Professions Code) who has been licensed continuously for a period of five years preceding the effective date of this act may be granted a license as a mineral, oil and gas licensee (as defined in Section 10023 of the Business and Professions Code) without examination if he otherwise complies with and pays the fees (including the examination fee) required by Chapter 7 of Part 1, Division 4, of the Business and Professions Code and makes application to the Division of Real Estate within 90 days after this act takes effect"

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Sargent, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Roland Maxwell of Pasadena.

On request of Mrs. Niehouse, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Jerry Hopkins of Mather Field.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain Harold F. Penney, United States Army.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Betty Thompson of San Francisco.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to D. F. C. Norman L. Daignon of Williamansett, Massachusetts, who was decorated for bravery and skill, has received the Oak Leaf Cluster, Silver Star, and Airman Medal; and Fred Donnelly of Roxbury, Massachusetts, United States Navy.

On request of the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Clark Butler of Beverly Hills.

On request of Mr. Sam L. Collins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Paul Schwab of Los Angeles.

On request of Mr. Brown, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Richard Landon of Modesto.

On request of Mr. Denny, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant H. J. Marquette, Oklahoma City.

On request of Mr. Denny, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Major H. Marsh, Dallas, Texas.

On request of Mr. Erwin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain and Mrs. James Smith, United States Army.

ADJOURNMENT

At 11 35 p. m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 9.30 a. m., Tuesday, May 4, 1943, out of respect to the memory of the late Roy D. McPherrin.

C. WILLIAM QUEALE, Minute Clerk



CALIFORNIA LEGISLATURE

FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTIETH LEGISLATIVE DAY
ONE HUNDRED TWENTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, May 4, 1943

The Assembly met at 9 30 a m

Hon. Charles W. Lyon, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohmhus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Bashore, Beck, Bennett, Berry, Brown, Burns, Carlson, Collins, George D., Collins, Sam L., Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fout, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Smith, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—48

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

O God, who art good to all, we give Thee thanks for all Thy loving kindness. We are grateful for the ties which bind us to our fellowmen; for the opportunities of serving Thee in the framing of laws that direct human destiny and lift the levels of mankind; for our joint inheritance as citizens of a Christian Nation; for the faith of our fathers, the sacrifices of our mothers, and the love of our homes; for the glimpses of nobility in human life that remind us of our Creator; for the miracle of our conscious life by which we see the miracle of the universe.

"I heard God speak today—
I heard Him speak majestically;
From out the redwood's height,
In grand high tones,
He spoke!
The world grew hushed,
We stood alone,
Then did I hear Him
Speak the psalmist's lay;
'Be still, for I am God' This did He say!"

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Crichton.

EXPLANATION OF ABSENCE

When part of the amendments to Assembly Bill No. 1994 were presented, on April 23d, I was home, ill and in bed, under the advice of my physician.

KATHRYN T. NIEHOUSE

Mrs. Niehouse was ill on April 23d, and it was my advice and suggestion that she absent herself from the Assembly on that day.

CHARLES W. LYON, Speaker

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

May 1, 1943

DEAR MR. OHNIMUS: May I thank you and the Assembly of California for the copy of resolution adopted. It is indeed beautiful and most thoughtful—something I shall always be proud of.

With warmest personal regards and many thanks, I remain

Sincerely,

IRENE DOCKWEILER (MRS. JOHN F.)

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 801—An act relating to office and working hours and the payment of overtime compensation, to add Sections 73 and 73.5 to the State Civil Service Act in connection therewith and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Maloney moved a call of the Assembly.

Motion carried. Time, 10 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 248—An act to add Section 1325.5 to the Streets and Highways Code, relating to county bridges and subways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brown, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Lowrey, Massion, McMillan, Miller, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—46.

NOES—Haggerty, Lyons, and Maloney—3.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 30—Relative to use of true names by State employees.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brown, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B. Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thurman, Werdel, Weybret, and Mr. Speaker—49.

NOES—Pelletier—1.

Resolution ordered transmitted to the Senate.

Senate Bill No. 433—An act to amend Sections 318, 473 and 613.2 of, and to add Section 614 to, and to repeal Section 653 of, the Streets and Highways Code, relating to the State highway routes and adding a new route.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brown, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 6—An act to amend Sections 50 and 372 of the Vehicle Code, relating to the definition of "unladen weight" and the payment of weight fees for commercial vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brown, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Arthur W. Carlson Presiding

At 10.12 a.m., Hon. Arthur W. Carlson, Member of the Assembly from the Sixteenth District, presiding.

Senate Bill No. 105—An act to amend Section 5252 of the Welfare and Institutions Code, relating to the commitment of feeble-minded persons and epileptics.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brown, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins,

Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 108—An act to amend Section 39 of the Public Utility District Act, relating to public utility district taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brown, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 570—An act to amend Sections 10203, 10204, 10209 and 10213 of, and to add Section 10203.6 to, the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gannon, Haggerty, Hawkins, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 100—An act to amend Section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—63.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 111—An act to amend Sections 423, 450 and 452 of the Probate Code, relating to the administration of estates of decedents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs,

Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—63
 NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1000—An act to amend Section 44.2 of the Unemployment Insurance Act, relating to contributions and refunds thereunder.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—61.
 NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 237—An act to add Section 7518 to the Business and Professions Code, relating to night watchmen in unincorporated areas, declaring the urgency hereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—61.
 NOES—None.

Bill ordered transmitted to the Senate.

Motion to Expunge Record and Rescind Action on Senate Bill No. 237

Mr. Thurman moved to expunge the record, and rescind the action, whereby Senate Bill No. 237 was this day passed.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—64.
 NOES—None.

Further Consideration of Senate Bill No. 237

Senate Bill No. 237—An act to add Section 7518 to the Business and Professions Code, relating to night watchmen in unincorporated areas, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—64

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 272—An act validating grants by municipal corporations or any State agency to the United States of America for military or naval purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 801

At 10.32 a.m., on motion of Mr. Maloney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 801 adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley,

Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 423—An act to amend Sections 26457, 26472, 26490, 26491, 26492, 26493, 26494, 26495, 26496, 26510, 26511, 26512, 26518, 26520, 26522, 26526, 26527, 26541, 26548, 26549, 26560, 26561, 26562, 26566, 26567, 26581, 26584, 26586, 26587, 26588, 26600, 26617, 26621, and 26622 of, and to add Section 26463 to, the Health and Safety Code, relating to adulterating, misbranding, false advertising, and sale of foods and the powers of the State Department of Public Health in relation thereto.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 706—An act to add Chapter 3.3 to Part 6, Division 1, of the Revenue and Taxation Code, relating to real property taxes, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn,

Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 461—An act to add Section 77 to the Agricultural Code and Section 4041h to the Political Code, relating to agricultural fairs and prescribing the powers of the State Agricultural Society and counties in relation thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 322—An act to amend Section 38c of the State Employees' Retirement Act, relating to a retirement system for public officers and employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 994—An act to amend Section 13 of the Unemployment Insurance Act, relating to the definition of "suitable employment" under said act.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. John B. Knight moved a call of the Assembly.

Motion carried. Time, 11 25 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hastain:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:
An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

Respectfully submitted

HARVEY E HASTAIN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Hastain:

An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McColhister, McMullan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—66.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

The following bill was introduced, and read the first time:

Assembly Bill No. 2014: By Mr. Hastain—An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

Without reference to committee.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 998—An act to add Section 59 to the Unemployment Insurance Act, relating to seasonal employment.

Bill read third time.

Motion to Amend

Mr. Sargent moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 28, inclusive; and on page 2, strike out lines 1 to 33, inclusive, and insert

"Sec. 59. In determining whether an individual who performs seasonal work is available for work during nonseasonal periods of the employment in which he works seasonally, the commission shall give consideration to the work history of the individual, including his leaving of work without good cause and the existence and refusal of work opportunities for him both during the season and the off-season for three years immediately preceding his period of unemployment. If it is determined that an individual is not ordinarily available for work during the nonseasonal periods of an employment in which he works seasonally, the commission shall consider him as available for work only during the season or seasons of the employment in which he has been previously engaged."

Amendment read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. T. Fenton Knight moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Armstrong, Berry, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Kellems, Knight, T. Fenton; Leonard, Lowrey, McColister, Middough, Miller, O'Day, Potter, Price, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—43.

NOES—Anderson, Bashore, Bennett, Burkhalter, Debs, Doyle, Dunn, Evans, Hawkins, Hollibaugh, Kilpatrick, King, Lyons, Massion, McMillan, Rosenthal, Sargent, and Watson—18.

Time, 11.55 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 454—An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sawallisch moved a call of the Assembly.

Motion carried. Time 12.07 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 669—An act to add Section 6829 to the Revenue and Taxation Code, relating to the sales tax.

Bill read third time.

Demand for Previous Question

Messrs. Doyle, Evans, Lyons, Dilworth, and Robertson demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 669.

The roll was called, and the bill refused passage by the following vote:

AYES—Bashore, Brady, Brown, Call, Collins, Sam L., Crichton, Denny, Dickey, Fourt, Knight, John B., Lowrey, Middough, Robertson, Sawallisch, Sheridan, Waters, and Mr. Speaker—17

NOES—Anderson, Armstrong, Beck, Bennett, Berry, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Debs, Desmond, Dilworth, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Weybret, and Wollenberg—52.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 367

Mr. Call moved that Senate Bill No. 367 be withdrawn from the Committee on Judiciary, and re-referred to the Committee on Ways and Means.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON AMENDMENT TO SENATE BILL NO. 998

At 12 29 p.m., on motion of Mr. T. Fenton Knight, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendment to Senate Bill No. 998 adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Doyle, Dunn, Evans, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Kilpatrick, King, Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sawallisch, Sheridan, and Thomas—39.

NOES—Armstrong, Bashore, Call, Carlson, Clarke, Collins, Sam L., Denny, Desmond, Dickey, Dilworth, Erwin, Field, Fourt, Guthrie, Hastain, Heisinger, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, McCollister, Miller, Potter, Price, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—37.

Bill ordered reprinted, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON URGENCY CLAUSE TO SENATE BILL NO. 454

At 12 31 p.m., on motion of Mr. Sawallisch, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 454 adopted by the following vote:

AYES—Anderson, Bashore, Beck, Brady, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Lowrey, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, Potter, Price, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—55.

NOES—Armstrong, Bennett, Berry, Brown, Clarke, Collins, George D., Dilworth, Evans, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Knight, T. Fenton; Leonard, Massion, McMillan, O'Day, Pelletier, Robertson, Thorp, and Wollenberg—23.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Brady, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Lowrey, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, Potter, Price, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—55.

NOES—Armstrong, Bennett, Berry, Brown, Clarke, Collins, George D., Dilworth, Evans, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Knight, T. Fenton; Leonard, Massion, McMillan, O'Day, Pelletier, Robertson, Thorp, and Wollenberg—23.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mrs. Niehouse:

House Resolution No. 244

WHEREAS, Sunday, May 9th, is Mother's Day, a day more important to mankind than any other day, and

WHEREAS, The mothers of all the world are sacrificing more today than at any other time in our history to preserve life, liberty and the pursuit of happiness for us, and generations yet unborn, by the giving of their sons to the armed forces of the United States, many of whom are fighting on foreign soil, and many of whom will make the supreme sacrifice for their country, finding rest and peace in foreign graves, and

WHEREAS, All the millions in our armed forces will be thinking of Mother on this day, and with loving hearts send to them grateful thanks for a heritage of strong minds and bodies, tender care, and loving attention through all the years, and

WHEREAS, This Mother's Day assumes a greater significance and a greater meaning in these days of total war, Mother still signifies and represents to us those finer virtues of charity, justice, humanity and peace, which we strive to exemplify as characteristic of our American way of life—that our boys are fighting all over the world to preserve; now, therefore, be it

Resolved by the Assembly of the State of California. That this Assembly express its gratitude, appreciation, love, and thanks to all of the mothers of California, and to the mothers of the sons and daughters of America's armed forces in particular, and wish to and for them the speedy conclusion of hostilities, and the safe return of their sons; and be it further

Resolved. That when this Assembly adjourns sine die on May 5th, it adjourn in honor of the War Mothers of the United States of America

Request for Unanimous Consent

Mrs. Niehouse asked for, and was granted, unanimous consent to take up House Resolution No. 244, at this time, without reference to committee.

Resolution read and adopted unanimously.

MOTION TO PRINT REMARKS IN JOURNAL

Upon motion of Mr. Miller, the following remarks by Mrs. Niehouse during consideration of House Resolution No. 244 were ordered printed in the Journal:

Mr. Speaker and Members of the Assembly

I am presenting this resolution as a mother of a stalwart son, now fighting with the armed forces on foreign soil. I know the anxiety and the heartaches of every mother in California whose sons are fighting to preserve for you and me the American way of life.

We, as mothers, are proud that we have been able to bring into the world sons, and that we have brought them to maturity physically fit and morally strong—unafraid when duty calls.

Let us here this day rededicate our lives to those spiritual principles learned at our mother's knee, for as long as mothers are free and sons are strong, Democracy shall live.

KATHRYN T. NIEHOUSE

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

Assembly Joint Resolution No. 51 House Resolution No. 233

Assembly Concurrent Resolution No. 64 House Resolution No. 239

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported Assembly Joint Resolution No. 51 and Assembly Concurrent Resolution No. 64 ordered engrossed.

Above reported House resolutions, ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 242

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 136

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 1091

Senate Bill No. 1092

Senate Bill No. 965

Senate Bill No. 319

Senate Bill No. 853

Senate Bill No. 577

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 746

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALL, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 503

Senate Bill No. 511

Senate Bill No. 756

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DILWORTH, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 1095

Senate Bill No. 977

Senate Bill No. 827

Senate Bill No. 599

Senate Bill No. 509

Senate Bill No. 561

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 489

Senate Bill No. 288

Senate Bill No. 612

Senate Bill No. 145

Senate Bill No. 748

Senate Bill No. 406

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 993

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 577—An act to amend Section 255 of the Probate Code, relating to inheritance by illegitimate children.

Bill read second time, and ordered to third reading.

Senate Bill No. 489—An act making an appropriation from the State Park Maintenance Fund to repay a loan made from the Emergency Fund, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 612—An act to amend Section 696 of the Political Code, relating to the revolving fund for State purchases.

Bill read second time, and ordered to third reading.

Senate Bill No. 853—An act to amend Section 1233 of the Probate Code and Section 2009 of the Code of Civil Procedure, relating to rules of pleading and practice in judicial proceedings, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1092—An act to amend Section 737p of the Political Code, relating to the salary of the superior judge of the County of Kings.

Bill read second time, and ordered to third reading.

Senate Bill No. 319—An act to amend Section 1 of an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts," approved July 1, 1937, relating to retirement of judges.

Bill read second time, and ordered to third reading.

Senate Bill No. 145—An act making an appropriation to the California Polytechnic School for the cultivation of herbs, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 406—An act making an appropriation to the Department of Agriculture for the construction, maintenance and operation of a highway inspection station for the purpose of enforcing certain provisions of the Agricultural Code.

Bill read second time, and ordered to third reading.

Senate Bill No. 993—An act to amend Sections 6 and 90, and to repeal Sections 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, and 88 of, and to add Sections 75, 76, 77, 78, 79, 80, 81, 82 and 83 to the Unemployment Insurance Act, relating to the administration thereof, creating the California Employment Stabilization Commission and the California Unemployment Insurance Appeals Board and abolishing the California Employment Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 1091—An act to amend Section 8202 of the Government Code, relating to eligibility to and performing the duties of the office of notary public.

Bill read second time, and ordered to third reading.

Senate Bill No. 965—An act to add Section 395.1 to the Code of Civil Procedure, relating to the venue of actions.

Bill read second time, and ordered to third reading.

Senate Bill No. 748—An act to amend Section 689.5 of the Political Code, relating to the Service Revolving Fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 77—An act to authorize the Bureau of Criminal Identification and Investigation to lease the teletype system maintained in and by the County of Mendocino for the purpose of connecting the system with the telephone-typewriter system of communication maintained under the direction of the bureau between counties and cities and counties of this State, and to make an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 288—An act making appropriation of money to be used by the Attorney General in the payment of expenses in the proceeding brought by the Attorney General in the Court of Claims of the United States in behalf of the Indians of the State of California, in accordance with an act of the Legislature of 1927, Statutes of 1927, Chapter 643.

Bill read second time, and ordered to third reading.

Senate Bill No. 136—An act to add a new chapter to Title 14 of Part 4 of Division 3 of the Civil Code, to be known as Chapter 3b, relating to the assignment of accounts receivable and providing for the giving of notice thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 13, of the printed bill, following "contract", insert "for work, goods or services".

Amendment No. 2

On page 2, line 10, of the printed bill, strike out "and without notice".

Amendment No. 3

On page 2, line 14, of the printed bill, following "debtor", insert a comma

Amendment No. 4

On page 3, line 2, of the printed bill, strike out "consecutive".

Amendment No. 5

On page 3 of the printed bill, strike out line 17, and insert "fee for such filing shall be one dollar (\$1) and the fee for the issuance of any such certificate".

Amendment No. 6

On page 3, line 18, of the printed bill, following the period, insert "For a fee of one dollar (\$1) the filing officer may issue a certificate to any person showing whether or not there is on file any presently effective uncanceled notice of assignment by any named assignor and if so setting forth therein the names and addresses of the assignee or assignees named therein."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 503—An act to add Sections 5.127-1 and 5.141-1 to the School Code and to add 12008.1 and 12042.1 to the Education Code, relating to emergency credentials authorizing service in the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, strike out the colon, and insert a period.

Amendment No. 2

On page 2 of the printed bill, as amended, following line 16, insert "This section shall remain in effect until the close of the school year in which occurs the cessation of hostilities in all wars in which the United States is now engaged"

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 756—An act to amend Section 13841 of the Education Code, relating to absences from duty of employees of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2, line 12, of the printed bill, as amended, after "be", insert "not less than".

Amendment No. 2

On page 2 of said bill, strike out lines 28 and 29, and insert "the district. Rules or regulations adopted by the governing board of any school district, requiring and prescribing the manner of proof of illness or injury for the purpose of this section, shall not discriminate against evidence of treatment and the need therefor by the practice of the religion of any well recognized church or denomination."

Amendment No. 3

On page 2 of said bill, after line 32, insert "Nothing in this section contained shall apply to any employee of any school district controlled by a governing board which has under its control a district or districts having a combined average daily attendance of 50,000 or more, and which had on April 1, 1943, a rule providing for the payment of sick leave salary to its certificated employees, so long as such district maintains such rule, or a rule as favorable to its certificated employees, in effect."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 511—An act to amend Section 5.380 of the School Code and to amend Section 12751 of the Education Code, relating to the suspension of credentials issued by the State Board of Education.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out every thing except "An act to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 11, inclusive.

Amendment No. 3

On page 1, line 13, of said bill, strike out "Sec. 2.", and insert "Section 1."

Amendment No. 4

On page 1, line 16, of said bill, after "refuse", insert "without good cause".

Amendment No. 5

On page 1, line 23, of said bill, after "for", insert "not exceeding".

Amendment No. 6

On page 1 of said bill, strike out lines 25 to 29, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 561—An act to add Article 3, comprising Sections 985 to 988.2, inclusive, to Chapter 6, Division 4 of the Military and Veterans Code, relating to farm and home aid for veterans and defining the powers and duties of the Veterans' Welfare Board in respect thereto, and making an appropriation therefor

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "988.2", and insert "988.3".

Amendment No. 2

On page 2, line 6, of said bill, strike out "chapter", and insert "article".

Amendment No. 3

On page 2, line 9, of said bill, strike out "chapter", and insert "article".

Amendment No. 4

On page 2, line 12, of said bill, strike out "chapter", and insert "article".

Amendment No. 5

On page 2, line 35, of said bill, strike out "chapter", and insert "article".

Amendment No. 6

On page 4, line 25, of said bill, after "may", insert "be".

Amendment No. 7

On page 7 of said bill, after line 35, insert "988.3. The State Department of Finance is hereby authorized to provide for advances of money to the board, needed to meet contingent expenses, to such an amount not exceeding twenty-five thousand dollars (\$25,000), as the said Department of Finance shall deem necessary, and to provide for advances of money to the board, needed to facilitate the purchase of farms and homes to such an amount not exceeding seven hundred fifty thousand dollars (\$750,000), as the said Department of Finance may deem necessary, such advances to be administered as revolving funds. The State Controller is hereby authorized and directed to draw his warrants upon the Veterans' Farm and Home Building Fund for such advances, and the State Treasurer is hereby authorized and directed to pay the same."

Amendment No. 8

On page 8, line 11, of said bill, strike out "Board of Control", and insert "Department of Finance".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1095—An act to add Section 205 to the Water Code, relating to membership of the Department of Public Works in National associations for the promotion of reclamation and irrigation and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "Code," insert "and to add Section 363h to the Political Code,".

Amendment No. 2

On page 1, line 19, of said bill, insert

"SEC. 2. Section 363h is added to the Political Code, to read:

363h. The Department of Public Works is authorized to join associations of representatives of other States which have been established for not less than 10 years and which have for their purpose the promotion of reclamation and irrigation and cooperation between the several States and the Federal Government in matters relating to reclamation and irrigation. The department may collaborate and cooperate with other members of the association selected in accordance with the constitution and by-laws of such association, relative to matters of public interest to the State within the scope of the activities of such association. The department may, from any of its funds available for the purpose, make expenditures for the pro rata share of the expenses of such association attributable to California and for the services performed by such association for the State."

Amendment No. 3

On page 1, line 20, of said bill, strike out "SEC. 2.", and insert "SEC. 3."

Amendment No. 4

On page 1, line 24, of said bill, strike out "Section 205 of the Water Code", and insert "this act".

Amendment No. 5

On page 1 of said bill, after line 25, insert

"SEC. 4. Section 1 of this act becomes operative only if the Water Code is enacted by the Legislature at its Fifty-fifth Session, and, in such case, at the same time said code takes effect, at which time Section 363h of the Political Code added by this act is hereby repealed."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 599—An act providing that revenues, rents and proceeds from lands lying within any by-pass area under the control of the Reclamation Board shall be paid into the General Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, after "Fund", insert ", and making an appropriation".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 827—An act to amend Section 2.1412 of the School Code and to amend Section 144 of the Education Code, relating to the Deputy Superintendent of Public Instruction.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "six thousand dollars (\$6,000)", and insert "five thousand four hundred dollars (\$5,400)".

Amendment No. 2

On page 1, line 17, of said bill, strike out "six thousand dollars (\$6,000)", and insert "five thousand four hundred dollars (\$5,400)".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 509—An act relating to the forest situation in California and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended, after "appropriated", as it appears the second time in said line, insert "to the Department of Natural Resources".

Amendment No. 2

On page 1, line 3, of said bill, after "used", insert "during the Ninety-fifth and Ninety-sixth Fiscal Years".

Amendment No. 3

On page 1, line 3, of said bill, strike out "fifty thousand dollars (\$50,000)", and insert "twenty-five thousand dollars (\$25,000)".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 746—An act to amend Sections 2761, 2762, 2763, 2764, 2765, 2766, 2769 and 2770 of, to add Section 2775 to, and to repeal Sections 2773 and 2774 of, the Penal Code, relating to prison road camps.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out the title of the printed bill, and insert "An act to amend Section 2762 of the Penal Code, relating to prison road camps."

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 21, inclusive; and strike out all of pages 2 and 3, and insert

"SECTION 1. Section 2762 of the Penal Code is amended to read:

2762 Said department shall fix the rate to be expended for such labor at not to exceed three dollars (\$3) per day for each day which each convict actually performs labor upon the construction, improvement or maintenance of a State highway, and shall monthly set aside funds to pay for such labor. Said department shall set up an account for each convict which shall be credited monthly with an amount computed by multiplying the daily rate by the number of days such convict actually performed labor during the month. Such account shall be debited monthly with such convict's expenses for transportation; his drawings from the commissary, such as clothing and toilet articles; and his proportionate share of all expenses for the proper maintenance of the road camp, including the expenses for food, medicine, medical attendance, clerical help, and the pro rata cost of reward for capturing escapes from the road camp, which award is hereby fixed at the sum of one hundred fifty dollars (\$150) for the capture of each escaped prisoner, payable to any individual or peace officer. The net credits to each convict's account shall not be permitted to exceed an average of seventy-five cents (\$.75) per day for each day of actual work performed in the road camp.

The Department of Public Works, in computing the debits to be made to the convict's accounts, may add not to exceed 10 per cent on all items except transportation and awards for escapes. When any prisoner escapes the Department of Public Works, after debiting the accounts of the convicts in the camp from which the escape was made, shall set aside the sum of one hundred fifty dollars (\$150), and at any time within four years after said escape shall pay the award to the

person entitled thereto. No such award can be claimed or paid more than four years after the escape to which it relates. All amounts to the credit of any convict who escapes shall be applied to the payment of said award before any debit is made against the remainder of the prisoners in the camp so that the amounts debited shall be the difference between one hundred fifty dollars (\$150) and the amount to the credit of the escaped convict."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 977—An act to amend Section 10617 and to repeal Sections 10621 and 115 and 10622 of the Health and Safety Code, relating to the registration of previously unregistered births, making an appropriation therefor, declaring the urgency hereof, providing for the transfer of such appropriation into the Public Health Fund, abolishing the Delayed Registration of Vital Statistics Fund, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 10617", and insert "Sections 10617 and 115."

Amendment No. 2

In line 2 of the title of said bill, strike out "and 115".

Amendment No. 3

On page 2, lines 29 and 30, of said bill, strike out "Health. The", and insert "Health. The".

Amendments read and adopted.

Bill ordered printed, and to third reading.

CONSIDERATION OF HOUSE RESOLUTION NO. 242

House Resolution No. 242

WHEREAS, The Members of the Assembly will desire to have shipped to their various places of residence their bill files, books of codes, stationery and other printed matter at the end of the session; therefore, be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing and other materials as are necessary for the purpose of shipping same, properly packed, to said members, and the State Controller is hereby authorized to draw his warrants on the Contingent Expense Fund of the Assembly in favor of said Wilkie Ogg, in the sum not to exceed one thousand two hundred dollars (\$1,200) and the State Treasurer is hereby directed to pay the same; and it is further directed that Wilkie Ogg furnish to the Controller vouchers and receipts for all expenditures made by him.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 1, line 12, of the typewritten resolution, strike out one thousand two hundred dollars (\$1,200)", and insert "one thousand dollars (\$1,000)".

Amendment read and adopted.

Resolution ordered on file for adoption.

Speaker Pro Tempore Presiding

At 2.13 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 245

Resolved by the Assembly of the State of California, That the Director of Finance is directed to cause the installation of an additional ladies' rest room on the fourth floor of the State Capitol, to be located on the northern side, at the old entrance to Room 445; and be it further

Resolved, That the Director of Finance is directed to cause the removal of the partition between Rooms 22 and 23 on the fourth floor of the State Capitol, and of the present two entrances to the rooms, and the installation in their stead of one entrance on the side nearest Room 442

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Thomas:

House Resolution No. 246

Relative to memorializing the President and the Secretary of the Navy to name a Navy cruiser of the United States Fleet for the City of San Pedro, California

WHEREAS, Fort MacArthur is situated at the City of San Pedro, State of California, and is now and for many years has been a home port of the Pacific Fleet of the United States; and

WHEREAS, Fort MacArthur at San Pedro, at the City of San Pedro, aforesaid, is a supply base for the Navy; and

WHEREAS, Many of the homes of the officers and men of the Navy are located at San Pedro and the citizens thereof are all interested in the welfare and progress of the Navy; and

WHEREAS, The citizens of San Pedro have loyally supported the Navy and, from time to time, have extended numerous benefits and favors upon the Navy; and

WHEREAS, It is the custom of the President, through the Secretary of the Navy, to christen naval cruisers for some prominent city of the United States; now, therefore, be it

Resolved by the Assembly of the State of California, That the President and the Secretary of the Navy are hereby respectfully solicited and requested that one of the naval cruisers of the United States Fleet now under construction, or to be constructed, when launched be christened "San Pedro" in honor of the City of San Pedro, State of California, and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President of the United States and to the honorable Secretary of the Navy and to the Senators and Representatives of the State of California in the Congress of the United States, and an engrossed copy to the San Pedro Junior Chamber of Commerce.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Lyon:

House Resolution No. 247

Relative to former members, employees and attaches, and associates of this Assembly now in the armed forces of the United States

WHEREAS, The Members of this Assembly have upon occasion received communications from certain former members, employees and attaches or associates of this Assembly; namely, ~~Commander John B. Cooke~~, who was at Pearl Harbor on December 7, 1941; ~~Roger Pfaff~~, a Captain in the United States Army; ~~William H. Poole~~, stationed at a ~~United States Naval School~~ in Virginia; and ~~Major Cleaves A. Jones~~, who was accredited from the Los Angeles Times and is now a Major in the American Air Forces in England; and

WHEREAS, The Members of this Assembly feel both pride and interest in all these, their friends, who may now be serving with our armed forces, and take pleasure in hearing from them; now, therefore, be it

Resolved by the Assembly of the State of California. That by this resolution the Members of this Assembly send felicitations to all former members, employees and attaches, and associates of this Assembly who may now be in the armed forces, and commend them heartily upon their splendid service to the Nation ~~and by it further~~

Resolved. That the Chief Clerk of the Assembly is requested to send a copy of this resolution to all such former members, employees and attaches, and associates of this Assembly in all instances where the address of each may be obtainable

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 247, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr. Sam L. Collins:

House Resolution No. 248

Resolved. That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Western Union (Tolls)-----	\$132 32
Western Union (Tolls)-----	5 63
Bureau of Purchases (Supplies)-----	116 26
Cascade Towel Supply (Towel service)-----	48 90
Hotel Senator Flower Shop (Flowers to Mrs. Frank Waters)---	10 30
H. S. Crocker Company (Supplies)-----	1 24
Department of Finance (Typewriter expense)-----	16 74
Department of Finance (Work on voting machine)-----	11 23
Department of Finance (Telephone service)-----	15 75
Department of Finance (Material and labor for work in Assem- bly)-----	134 00
Pacific Telephone & Telegraph Company (Tolls)-----	155 75

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Sam L. Collins:

House Resolution No. 249

Resolved. That Arthur A. Ohnumus, Chief Clerk of the Assembly, is hereby directed to take charge of arranging and preparing the bills, books and all other records of the Assembly, and filing the same with the Secretary of State, as provided by law, subsequent to adjournment or recess of the Fifty-fifth Session of the Legislature, and of the First and Second Extraordinary Sessions of the Legislature, and all indexing, correcting, comparing and proofreading, and otherwise preparing the Journal of the Assembly of the Fifty-fifth Session of the Legislature, and of the First and Second Extraordinary Sessions of the Legislature, and making the information therein contained readily available for the use of the Members of the Legislature, State officers and the general public, as a permanent record of the business transacted during the Fifty-fifth Session of the Legislature, and the First and Second Extraordinary Sessions of the Legislature, and of compiling, preparing and having printed after adjournment or recess, a Final Calendar of the legislative business of the Fifty-fifth Session of the Legislature, and of the First and Second Extraordinary Sessions of the Legislature, said Calendar to comprise a history of all bills introduced and their authors, the numbers that shall have become law; those that shall have been read a second time, and any and all such information as will provide a complete history of the session's business and a guide for the information of subsequent sessions of the Legislature, and he shall further prepare copy in order to bring up to date the Constitution of this State, and of the United States, and other documents, and revise and enlarge the article on the California Legislature, as provided by resolution heretofore adopted.

When said Final Calendar is prepared, the said Arthur A. Ohnumus, Chief Clerk, is directed to forward one copy of the Final History to each public library in the State, which may apply for same, and one copy to each Member of the Assembly, and one copy of the complete unbound chapters to each Member of the Assembly; and he it further

Resolved. That the Chief Clerk is hereby authorized to employ such help as may be necessary to complete the aforesaid work of the Assembly and the same shall be compensated at the same rate paid per diem as allowed for such services performed during the time the Legislature is in session; provided, however, that no compensa-

tion shall be allowed except for services actually performed in Sacramento, and the Chief Clerk is hereby directed to keep an accurate attendance record of all attaches so employed and certified by him to the State Controller as being entitled to compensation; and he it further

Resolved, That the State Controller is hereby authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same, and such sums shall be payable from the unexpended balance of the fund provided for the pay of officers and attaches of the Assembly.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. T. Fenton Knight:

House Resolution No. 250

Relative to the passing of Allan Christopher Balch

WHEREAS, Allan Christopher Balch, pioneer of California, educator, upbuilder of educational and cultural activities and interest in Southern California—he was successively trustee, vice president, member of executive council, chairman of finance and president of California Institute of Technology; founder of scientific educational schools—he founded Balch Graduate School of the Geographical Sciences and assisted in founding the Kerckhoff Biological Laboratories; philanthropist, public benefactor—he was a director and active supporter of the Southern California Symphony Association, the Hollywood Bowl Association—a governor of Southwest Museum, the Los Angeles Museum, member of finance committee of the Huntington Library and Art Gallery and president of the Good Hope Hospital Association; he and his wife, Janet Jacks Balch built the Janet Jacks Balch Hall at Scripps College and dormitories for women at Cornell University; engineer—he pioneered in electrical utility and power plants and with William G. Kerckhoff, Kaspire Cohn, Abe Haas and Henry W. O'Melvony he developed and built the San Gabriel Light and Power Company, the Southern California Gas Company and the San Joaquin Light and Power Company; and

WHEREAS, Allan Christopher Balch passed over the great divide at Los Angeles on April 30th at the advanced age of 79 years; and

WHEREAS, Rarely, if ever, has any man given himself more untiringly, more wisely, and more effectively to the upbuilding of any community anywhere than has Allan Christopher Balch done during the last half century to the upbuilding of Southern California, which he and his wife loved so intensely and in whose future they have had unwavering confidence. In his death California loses one of its wisest and greatest leaders and benefactors; now, therefore, be it

Resolved by the Assembly of the State of California, That the members do hereby pay this tribute to the memory of Allan Christopher Balch; and be it further

Resolved, That the Members of the Assembly extend their heartfelt sympathy to the relatives of Allan Christopher Balch; and be it further

Resolved, That the Chief Clerk be directed to prepare and transmit to Mrs Janet Jacks Balch, his bereaved widow, a suitably engrossed copy of this resolution; and be it further

Resolved, That when this Assembly adjourns this day it do so in honor of Allan Christopher Balch.

Request for Unanimous Consent

Mr. T. Fenton Knight asked for, and was granted, unanimous consent to take up House Resolution No. 250, at this time, without reference to committee.

Resolution read and adopted by a rising vote of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 421—An act to add Section 6.744 to Article 1, Chapter 1, Part 3, Division 6 of the School Code, and to add Section 19405 to the Education Code, relating to the use of school property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 421?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "add Section 6.744 to Article 1, Chapter 1, Part 3, Division 6 of the School Code, and to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 9, inclusive.

Amendment No. 3

On page 1, line 11, of said bill, strike out "Sec. 2", and insert "Section 1".

Amendment No. 4

On page 1, line 14, of said bill, after "equipment", insert "without charge".

Amendment No. 5

On page 1 of said bill, strike out lines 16 to 18, inclusive, and insert "the selection of personnel."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 421 by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Collins, George D., Crichton, Debs, Dieke, Dills, Clayton A., Dunn, Erwin, Fourn, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—54

NOES—None.

Assembly Bill No. 421 ordered enrolled

Assembly Bill No. 148—An act to amend Section 277 of the Vehicle Code, relating to chauffeur's licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 148?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "licenses", insert "declaring the urgency hereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, after line 13, insert

"This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows.

It is necessary for the public peace, health, and safety to speed the transportation of food, raw materials, to war plants, and delivery of finished war products and other products incidental thereto without any delays necessitated by the statutory requirement of procuring renewals of chauffeur's licenses which are now in effect and which are about to lapse through the expiration of the period of time for which they were originally issued."

Amendment No. 3

On page 1, line 14, of the printed bill, as amended, before "This", insert "Sec. 2."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 148 by the following vote:

AYES—Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Collins, George D., Crichton, Debs, Denny, Dieke, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Fourn, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—58

NOES—None

Assembly Bill No. 148 ordered enrolled.

Assembly Bill No. 541—An act to amend Section 1183.5 of the Civil Code, relating to the proof or acknowledgment of instruments, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 541?

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, between "establishment" and "on", insert "and any officer of or above the rank of Lieutenant, Senior Grade,".

Amendment No. 2

On page 1 of said bill, strike out lines 12 to 14, inclusive, and insert "3. Any officer of or above the rank of Captain on active duty with the United States Marine Corps;".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 541 by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Collins, George D., Crichton, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollbaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Wedel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 541 ordered enrolled.

Assembly Bill No. 1282—An act to amend Section 266 of the Political Code and Section 9300 of the Government Code, relating to compensation for Members of the Legislature.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1282?

Amendment No. 1

On page 1, line 22, of the printed bill, as amended, strike out "In addition to this compen-"; and strike out lines 23, 24, 25, and 26, and insert "Members of the Legislature shall receive, in addition to their compensation, their necessary expenses incurred while attending regular, special and extraordinary sessions, excluding the constitutional recess. That the reasonable and necessary expense to be allowed each Member while attending any such session is hereby determined to be and is fixed at the sum of ten dollars (\$10) per day, to be paid in the manner provided by the Joint Rules of the Senate and Assembly."

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 20 to 24, inclusive, and insert

"(c) Members of the Legislature shall receive, in addition to their compensation, their necessary expenses incurred while attending regular, special and extraordinary sessions, excluding the constitutional recess. That the reasonable and necessary expense to be allowed each Member while attending any such session is hereby determined to be and is fixed at the sums of ten dollars (\$10) per day, to be paid in the manner provided by the Joint Rules of the Senate and Assembly."

Amendment No. 3

In line 1 of the title of the printed bill, as amended, strike out "Section 266 of the Political Code and Section 9300 of".

Amendment No. 4

In lines 2 and 3 of the title of said bill, strike out "relating to compensation for", and insert "by adding Section 9303 thereto, relating to expenses of".

Amendment No. 5

On page 1, line 1, of said bill, strike out "Section 266 of the Political Code is amended", and strike out lines 2 to 26, inclusive, and lines 1 to 43, inclusive, on page 2, and insert "The Government Code is hereby amended by adding a new section thereto to be known as Section 9303, to read as follows:

9303. Members of the Legislature shall receive no other compensations for their services than that provided in the Constitution but each Member shall be allowed

and reimbursed expenses necessarily incurred by him while attending regular, special and extraordinary sessions of the Legislature. The amount of the expense necessarily incurred by the respective Members, while attending any such sessions, shall be determined and payment thereof provided for by Joint Rule of the Senate and Assembly. Such expense allowances may equal but shall not exceed the expense allowances now authorized for other elected State officers."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1282 by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carlson, Collins, George D. Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Field, Fourt, Gannon, Guthrie, Haggeity, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, and Weybret
—57.

NOES—Maloney, Thurman, and Wollenberg—3.

Assembly Bill No. 1282 ordered enrolled.

Assembly Bill No. 1541—An act to add Section 37i to the Water Commission Act, and Chapter 9 to Part 4 of Division 2 of the Water Code, relating to methods and procedure to carry into effect decrees providing for the distribution of water and for the allocation and payment of the expenses thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1541?

Amendment No. 1

On page 2, line 25, of the printed bill, strike out "4406", and insert "4407".

Amendment No. 2

On page 2 of said bill, strike out lines 29 to 52, inclusive; and on page 3, strike out lines 1 to 16, inclusive, and insert

"CHAPTER 9. ALTERNATIVE DISTRIBUTION PROCEDURE

4400. The foregoing provisions of this part shall be applicable to this chapter, so far as adaptable thereto or consistent therewith, and whenever rights to water have been ascertained and determined as specified in Section 4027 the department may elect to proceed under this chapter.

4401. Insofar as the foregoing provisions of this part may not be adaptable to or may be inconsistent with the provisions of any decree of court, the department may conform to the requirements of such decree of court and observe the foregoing provisions of this part only insofar as the same may be adaptable to or consistent with such decree of court.

4402. In the event an order or decree of court provides for an allocation among and payment of costs of water distribution by the owners of the rights decreed, the department, in lieu of the procedures provided in the foregoing provisions of this part for allocation and payment of costs, may proceed in accordance with such decree and as hereinafter provided.

4403. A certified copy of the order or decree shall be recorded in the county or counties wherein the water is diverted or used and a certified copy filed in the office of the department and such recordation and filing shall constitute constructive notice of the provisions of the order or decree to the owners of the rights decreed and their successors in interest.

4404. Obligations to pay for the respective allocations of cost set forth in the order or decree may be enforced by the department against the respective owners or their successors by execution or as may be otherwise provided in such order or decree.

4405. One-half of the entire annual cost of the work to be performed by the department in rendering watermaster service and incidental duties required under the order or decree shall be paid out of the general support funds of the department into the State Watermaster Service Fund prior to commencement of said work and the other one-half shall be paid by the owners and deposited into said fund by the department as received from the respective owners.

4406. The total sum thus made available shall be subject to expenditure by the department in performing said work, and any money remaining at the end of any year shall be available for use the following year for the respective watermaster district to which credited.

4407. Any moneys collected or received by the department for or on account of owners of the rights involved may be placed in a special deposit fund and paid out in accordance with the provisions of the order or decree or as provided for by the agreement between the owners of the rights affected thereby."

Amendment No. 3

On page 3, line 22. of said bill, after "Act", strike out "is".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1541 by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D. Crichton, Debs, Denny, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Dunn, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1541 ordered enrolled.

Assembly Bill No. 1593—An act to amend Sections 6702, 6736, 6738, 6757, 6776, and 6796, and to repeal Sections 6360 and 6361 of the Revenue and Taxation Code, relating to the sales and use taxes, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1593?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6702, 6736, 6738, 6757, 6776," and insert "6736, 6738, 6757".

Amendment No. 2

On page 1 of said bill, strike out lines 5 to 21, inclusive.

Amendment No. 3

On page 3 of said bill, strike out lines 5 to 16, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1593 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D. Crichton, Debs, Denny, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Dunn, Erwin, Fourt, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1593 ordered enrolled.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Middough moved to expunge the record, and rescind the action whereby amendments to Senate Bill No. 731 were adopted on May 3, 1943.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A. Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 866—An act to add Sections 5015, 5016, 5017, and 5018 to the Public Resources Code, relating to parks and beaches.

Bill read third time.

Motion to Amend

Mr. Middough moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "5015", and insert "5015 5".

Amendment No. 2

On page 1, line 1, of said bill, strike out "5015", and insert "5015.5".

Amendment No. 3

On page 1, line 3, of said bill, strike out "5015", and insert "5015 5".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1796—An act to amend Sections 1, 2 and 3 of, and to add Section 7.5 to, an act entitled "An act to create the office of public defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the office of the public defender.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1796?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2".

Amendment No. 2

In line 2 of the title of said bill, strike out "7.5", and insert "1.5".

Amendment No. 3

On page 1 of said bill, strike out lines 12 to 23, inclusive; and on page 2, strike out lines 1 to 9, inclusive, and insert

"Sec. 2. Section 1.5 is added to said act, to read:

Sec. 1.5. The board of supervisors shall, at the time it establishes the office, decide whether the public defender is to be appointed or elected. If to be appointed, he shall be appointed by the board to serve at its will."

Amendment No. 4

On page 2, line 11, of said bill, strike out "the", and insert "an elected".

Amendment No. 5

On page 2, line 13, of said bill, strike out everything after "election"; and strike out lines 14 to 25, inclusive, and insert a period.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1796 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, O'Day, Pelletier, Potter, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1796 ordered enrolled.

MOTION TO EXCUSE COMMITTEE MEMBERS

Upon motion of Mr. Burns, the following members of the Committee on Rules and House Functions were excused from roll calls since 1 30 p.m., during which time they were attending a meeting of the committee: Messrs. Collins, Sam L., Desmond, Burns, Bashore, Dickey, Dills, Ralph C., Doyle, Field, Johnson, Knight, John B., Sawallisch, Wollenberg, and Call.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1958—An act to add Section 782 to the Vehicle Code, relating to the expenditure of money for crossing guards by the Department of Motor Vehicles, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1958?

Amendment No. 1

On page 2, line 1, of the printed bill, as amended, strike out "or", and insert "and".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1958 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 1958 ordered enrolled.

Assembly Bill No. 847—An act to add Section 784.9 to the Agricultural Code, relating to fruits, nuts and vegetables

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 847?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 784.9", and insert "Sections 784.9 and 789.1".

Amendment No. 2

On page 1 of the printed bill, after line 12, insert

"Sec. 2. Section 789.1 is added to said code, to read:

789.1. No person, forwarding company or common carrier transporting any fruits, nuts or vegetables at the request of the shipper or owner thereof shall be deemed to be in violation of any provision of this chapter, unless such person, forwarding company or common carrier shall wilfully fail or refuse to stop the transportation thereof with reasonable dispatch after being notified in writing by any enforcing officer of this chapter that such products are found to be delivered for shipment in violation of this chapter."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 847 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins,

Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 847 ordered enrolled.

Assembly Bill No. 983—An act to amend Section 4077 of the Political Code, relating to the allowance or rejection of claims against counties.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 983?

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, insert "on the claimant filing a receipt in full for his account."

Amendment No. 2

On page 1, line 13, of the printed bill, strike out "In all cases accept-"; and strike out lines 14 and 15.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 983 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 983 ordered enrolled.

Assembly Bill No. 960—An act to amend Section 2 of the Fish and Game Code, relating to definitions of terms used in said code.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 960?

Amendment No. 1

On page 2, line 19, of the printed bill, as amended in the Assembly on March 31, 1943, strike out "except", and insert "including".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 960 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 960 ordered enrolled.

Speaker Presiding

At 2.44 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1316—An act to add Article 4a to Chapter 1 of Part 1 of Division 5 of the School Code and to add Article 3.5 to Chapter 2 of the Education Code, relating to the dismissal of employees of State colleges not in State civil service.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1316?

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "Any person", and insert "Every employee of a State college".

Amendment No. 2

On page 1 of the printed bill, strike out lines 8 and 9.

Amendment No. 3

On page 1, line 10, of the printed bill, strike out "person", and insert "employee".

Amendment No. 4

On page 1, line 11, of the printed bill, strike out "a person", and insert "an employee".

Amendment No. 5

On page 1 of the printed bill, beginning in line 20, strike out "head of the school or", and insert "president of the".

Amendment No. 6

On page 1 of the printed bill, beginning in line 24, strike out "head of the school or," and insert "president of the".

Amendment No. 7

On page 2, line 1, of the printed bill, strike out "head of the school or", and insert "president of the".

Amendment No. 8

On page 2, line 7, of the printed bill, strike out "head", and insert "president".

Amendment No. 9

On page 2, line 18, of the printed bill, strike out "not", and insert ". Not".

Amendment No. 10

On page 2, line 26, of the printed bill, strike out "head", and insert "president".

Amendment No. 11

On page 3, line 1, of the printed bill, after "persons", insert "not serving in State civil service".

Amendment No. 12

On page 3 of the printed bill, beginning in line 3, strike out "any school or college administered by the Director of Education or by the Department of Education", and insert "State colleges".

Amendment No. 13

On page 3 of the printed bill, beginning in line 7, strike out "school or college under the jurisdiction of or administered by the Director of Education or the Department of Education", and insert "State college not serving in State civil service".

Amendment No. 14

On page 3, line 12, of the printed bill, strike out "employee", and insert "employees".

Amendment No. 15

On page 3, line 41, of the printed bill, strike out "school or", and insert "State".

Amendment No. 16

On page 4 of the printed bill, following line 4, insert "549-11. "State colleges" or "college" as used herein does not include the California Polytechnic School".

Amendment No. 17

On page 4, line 12, of the printed bill, strike out "Any person", and insert "Every employee of a State college".

Amendment No. 18

On page 4 of the printed bill, strike out all of lines 13 and 14; and in line 15, strike out "Education".

Amendment No. 19

On page 4, line 15, of the printed bill, strike out "person", and insert "employee".

Amendment No. 20

On page 4, line 17, of the printed bill, strike out "a person", and insert "an employee".

Amendment No. 21

On page 4, line 26, of the printed bill, strike out "head of the school or", and insert "president of the".

Amendment No. 22

On page 4 of the printed bill, beginning in line 30, strike out "head of the school or", and insert "president of the".

Amendment No. 23

On page 4, line 34, of the printed bill, strike out "head of the school or", and insert "president of the".

Amendment No. 24

On page 4, line 40, of the printed bill, strike out "head", and insert "president".

Amendment No. 25

On page 4, line 51, of the printed bill, strike out "not", and insert ". Not".

Amendment No. 26

On page 5, line 7, of the printed bill, strike out "head", and insert "president"

Amendment No. 27

On page 5, line 32, of the printed bill, after "persons", insert "not serving in State civil service".

Amendment No. 28

On page 5 of the printed bill, beginning in line 34, strike out "any school or college administered by the Director of Education or the Department of Education", and insert "State colleges".

Amendment No. 29

On page 5 of the printed bill, beginning in line 38, strike out "school or college under the jurisdiction of or administered by the Director of Education or the Department of Education", and insert "State college not serving in State civil service".

Amendment No. 30

On page 5, line 43, of the printed bill, strike out "employee", and insert "employees".

Amendment No. 31

On page 6, line 22, of the printed bill, strike out "school or", and insert "State".

Amendment No. 32

On page 6 of the printed bill, following line 37, insert "20394.11. "State colleges" or "college" as used herein does not include the California Polytechnic School."

Amendment No. 33

In lines 1 and 2 of the title of the printed bill, as amended, strike out "Article 4a to Chapter 1 of Part 1 of Division 5 of the School Code and to add".

Amendment No. 34

On page 1 of said bill, strike out lines 1 to 23, inclusive; strike out pages 2 and 3; and on page 4, strike out lines 1 to 13, inclusive

Amendment No. 35

On page 4, line 15, of said bill, strike out "Sec. 2", and insert "SECTION 1".

Amendment No. 36

On page 4, line 26, of said bill, strike out "a".

Amendment No. 37

On page 7 of said bill, strike out lines 1 to 6, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1316 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 1316 ordered enrolled.

Assembly Bill No. 1430—An act to amend Section 797 of the Fish and Game Code, relating to abalones, and declaring the urgency of this act, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1430?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 797 of", and insert "add Section 797.1 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 797.1 is added to the Fish and Game Code, to read:

797.1. Abalone meat other than canned abalone may not be transported out of the State. Abalone trimmings made into chowder stock or dried as meal may be transported out of this State.

This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1430 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 1430 ordered enrolled.

Assembly Bill No. 381—An act to amend Section 6000 of the Government Code and Section 4460 of the Political Code, relating to newspapers of general circulation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 381?

Amendment No. 1

On page 1, line 6, of the printed bill, after "subscribers," insert "has been entered in the United States post office as mailable matter of the second class."

Amendment No. 2

On page 1, line 26, of said bill, after "subscribers," insert "has been entered in the United States post office as mailable matter of the second class."

Amendment No. 3

On page 1 of the printed bill, as amended, between lines 12 and 13, insert "Nothing in the amendments effected in this section by this act shall be construed as removing from the status of a newspaper of general circulation, any newspaper adjudicated a newspaper of general circulation prior to the effective date of these amendments."

Amendment No. 4

On page 2 of the printed bill, as amended, between lines 12 and 13, insert "Nothing in the amendments effected in this section by this act shall be construed as removing from the status of a newspaper of general circulation, any newspaper adjudicated a newspaper of general circulation prior to the effective date of these amendments."

Amendment No. 5

In line 2 of the title of the printed bill, as amended, strike out "Section 4460 of the Political Code", and insert "to add Section 6007 thereto".

Amendment No. 6

On page 1 of said bill, strike out line 13, and insert "SEC. 2. Nothing in the amendments effected in Section 6000 by this".

Amendment No. 7

On page 1 of said bill, strike out line 18; and in line 19, strike out "meaning of this section", and insert "SEC. 3. Section 6007 is added to said code, to read: 6007. The status of a newspaper of general circulation".

Amendment No. 8

On page 2 of said bill, strike out lines 1 to 37, inclusive.

Demand for Previous Question

Messrs. Lyons, Doyle, Pelletier, Anderson, and Dilworth demanded the previous question.

Demand for previous question sustained.

The question being: Shall the Assembly concur in Senate amendments to Assembly Bill No. 381?

AYES—Armstrong, Bashore, Brady, Brown, Burns, Call, Carey, Clarke, Crichton, Crowley, Denny, Dickey, Dilworth, Hastain, Maloney, McCollister, Miller, Robertson, Smith, Thompson, Thorp, Thurman, Weidel, Weybret, and Wollenberg—25.

NOES—Allen, Anderson, Beck, Bennett, Berry, Burkhalter, Carlson, Collins, George D., Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Stream, Thomas, Waters, Watson, and Mr. Speaker—45.

Appointment of Committee on Conference Concerning Assembly Bill No. 381

The Speaker announced the appointment of Messrs. Bashore, Clarke, and Hollibaugh as a Committee on Conference concerning Assembly Bill No. 381.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 197

The Speaker announced the appointment of Messrs. Carlson, Johnson, and Fout as a Committee on Conference concerning Senate Bill No. 197.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 295—An act to add Section 226 to the Labor Code, relating to wages.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 295?

Amendment No. 1

On page 1 of the printed bill, strike out line 7 except "such wages", and strike out lines 8 and 9 except the period.

Amendment No. 2

On page 1, line 3, of the printed bill, after the period, strike out the balance of the bill, and insert

"Every employer shall semimonthly furnish each of his employees either as a part of the check, draft, or voucher paying the employee's wages, or separately, an itemized statement in writing showing all deductions made from such wages, provided all deductions made on written orders of the employee may be aggregated and shown as one item."

Amendment No. 3

On page 1, line 8, of the printed bill, as amended, after "semimonthly", insert "or at the time of each payment of wages".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 295 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 295 ordered enrolled.

Assembly Bill No. 531—An act to amend Section 108 of the Civil Code, relating to divorce actions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 531?

Amendment No. 1

On page 1, line 16, of the printed bill, strike out ". It shall be alleged in the com."; and strike out lines 17 to 23, inclusive, and insert "and the court may make such order for support as the circumstances justify."

Amendment No. 2

On page 1 of the printed bill, as amended, after the paragraph ending on line 24, insert

"If the insane spouse has a general guardian or guardian of his person, other than the spouse bringing the action, the complaint and summons shall be served upon such guardian and he shall defend and protect the interests of the insane spouse. If the insane spouse has no general guardian or no guardian of his person, or if the spouse bringing the action is the general guardian or guardian of his person, the court shall appoint a guardian ad litem, who may be the district attorney or the county counsel, if any, to defend and protect the interests of the insane spouse."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 531 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin,

Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellem, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 531 ordered enrolled.

Assembly Bill No. 654—An act to amend Section 352 of the Political Code, relating to the traveling expenses of State officers and employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 654?

Amendment No. 1

On page 1, line 17, of the printed bill, as amended, strike out "such".

Amendment No. 2

On page 1, line 13, of the printed bill, after "appointing", insert "power"

Amendment No. 3

On page 1, line 3, of the printed bill, as amended, after the period, insert "(a)"

Amendment No. 4

On page 1, line 3, of said bill, after "All", insert "elective constitutional officers".

Amendment No. 5

On page 1, line 7, of said bill, after the period, insert "(b)", and begin a new paragraph.

Amendment No. 6

On page 1, line 8, of said bill, after "officers", insert "(other than Member of the Legislature)".

Amendment No. 7

On page 1, line 13, of said bill, after the period, insert "(c)", and begin a new paragraph.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 654 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Call, Clarke, Collins, Sam L. Crichton, Crowley, Denny, Diekey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Kilpatrick, King, Kraft, Lowrey, Lyons, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, and Mr. Speaker—52.

NOES—Armstrong, Beck, Brown, Carey, Carlson, Dilworth, Maloney, Thurman, and Wollenberg—9.

Assembly Bill No. 654 ordered enrolled.

Assembly Bill No. 667—An act to amend Sections 26200.5, 26209, 26212, 26251, 26253, 26254, 26271, 26280, 26281, 26282, 26296, 26302, 26303, 26327, 26328, 26336, 26337, 26338, 26342, 26343, 26361, 26364, 26366, 26367, 26368, and 26380 of, and add Sections 26216 and 26271 (a) to Division 21, Chapter 2 of the Health and Safety Code, relating to the adulteration, misbranding, advertising and sale of drugs and devices, and to the powers of the State Department of Public Health in relation thereto.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 667?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, before "advertising", insert "printed or written".

Amendment No. 2

On page 1, line 9, of said bill, before "advertising", insert "printed or written".

Amendment No. 3

On page 2, line 37, of said bill, before "prescription", insert "an order or".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 667 by the following vote:

AYES—Carlson, Dills, Ralph C., and Sheridan—3.

NOES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dilworth, Doyle, Erwin, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

Appointment of Committee on Conference Concerning Assembly Bill No. 667

The Speaker announced the appointment of Messrs. Potter, Doyle, and Sheridan as a Committee on Conference concerning Assembly Bill No. 667.

MOTION TO STRIKE ASSEMBLY BILL NO. 716 FROM FILE

Mr. Hastain moved that Assembly Bill No. 716 be stricken from the file.

Motion carried.

UNFINISHED BUSINESS (RESUMED)**Consideration of Senate Amendments**

Assembly Bill No. 677—An act to add Section 3092 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid to the needy blind.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 677?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3092 to", and insert "3091 5 to Article 4, Chapter 1, Part 1, Division 5 of".

Amendment No. 2

On page 1, line 1, of said bill, strike out "3092 is hereby added to", and insert "3091 5 is added to Article 4, Chapter 1, Part 1, Division 5 of".

Amendment No. 3

On page 1, line 3, of said bill, strike out "3092", and insert "3091.5".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 677 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastam, Hawkins, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 677 ordered enrolled.

Assembly Bill No. 923—An act authorizing municipal corporations to compromise litigation wherein the United States of America seeks to condemn tide or submerged lands heretofore granted such municipal corporation.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 923?

Amendment No. 1

On page 1, line 8, of the printed bill, strike out the period, and insert a semicolon and "provided, that nothing in this act shall be construed to relinquish any reservation that may have been made in favor of the State in any grant of such lands to such municipal corporation with respect to deposits of oil and gas and other hydrocarbon and mineral deposits and rights of way for access to all such deposits as prescribed in Section 6402 of the Public Resources Code"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 923 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 923 ordered enrolled.

Assembly Bill No. 113—An act to add Sections 1521.5, 2166, 3047.5 and 3448 to the Welfare and Institutions Code, relating to the property of persons receiving public assistance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1113?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2166,".

Amendment No. 2

On page 1 of said bill, strike out lines 8 to 11, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1113 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollbaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1113 ordered enrolled.

Assembly Bill No. 1197—An act to amend Sections 1516, 1535, 1550, 1554, and 1558 of the Probate Code, relating to guardianship matters of persons confined in State institutions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1197?

Amendment No. 1

On page 1, line 4, of the printed bill, after "guardian", insert a comma.

Amendment No. 2

On page 1, line 6, of said bill, after "instruct", insert "the".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1197 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1197 ordered enrolled.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. T. Fenton Knight moved to expunge the record, and rescind the action whereby the amendment to Senate Bill No. 998 was this day adopted.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. T. Fenton Knight moved a call of the Assembly.

Motion lost.

The roll was called, and the motion to expunge lost by the following vote:

AYES—Armstrong, Bashore, Carlson, Collins, Sam L., Denny, Dills, Ralph C., Dilworth, Erwin, Fourt, Guthrie, Hastain, Johnson, Knight, John B., Knight, T. Fenton; McCollister, Middough, Miller, Potter, Robertson, Smith, Thompson, Thurman, Watson, Weber, Werdel, Weybret, and Mr. Speaker—27.

NOES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Clarke, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Doyle, Dunn, Evans, Gaffney, Haggerty, Hawkins, Hollibaugh, Kellems, Kilpatrick, King, Kraft, Lyons, Maloney, Massion, McMillan, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Stream, Thomas, Thorp, Waters, and Wollenberg—41.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Johnson:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows: An act to add Section 17375 to the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Respectfully submitted.

GARDINER JOHNSON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Johnson:

An act to add Section 1737.5 to the Welfare and Institutions Code, relating to commitments to the Youth Authority.

PELLETIER, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Njehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2015: By Mr. Johnson—An act to add Section 1737.5 to the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Without reference to committee.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1888—An act to add Section 1714.5 to the Civil Code, relating to negligence as a matter of law for acts or omissions in complying with orders or proclamations of military authorities, declaring the urgency of this act, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1888?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "law", insert ", and defenses,".

Amendment No. 2

On page 1, line 9, of the printed bill, as amended, after the period, insert "No person shall be prosecuted for a violation of any statute or ordinance when violation of such statute or ordinance is required in order to comply with an order or proclamation of the Commanding General of the Western Defense Command or such other military commander as may be designated by the Secretary of War and authorized to issue such orders or proclamation."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1888 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough,

Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 1888 ordered enrolled.

Assembly Bill No. 1048—An act to amend and renumber the heading of Article 1 of Chapter 1 of Part 9 of Division 2 of the Labor Code, to add Article 1, comprising Sections 2200 and 2201, and Article 3.5, comprising Sections 2370 and 2371, to said chapter, and to repeal an act entitled "An act to provide for the keeping of medical and surgical appliances in factories," approved May 19, 1913, and an act entitled "An act to require employers of labor to furnish, without charge, pure drinking water to their employees during working hours," approved May 24, 1915, all relating to the obligations of employers of labor to provide for the health and comfort of their employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1048?

Amendment No. 1

On page 1 of the printed bill, after line 17, insert

"All drinking water received from the State, or any public agency or district thereof, or any county, city, or township, or any water company, shall for the purposes of this chapter be deemed to be fresh, pure, wholesome and safe drinking water."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1048 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beek, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fout, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kulpatriek, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None

Assembly Bill No. 1048 ordered enrolled.

Assembly Bill No. 1915—An act to add Section 1066 to the Code of Civil Procedure, relating to the judicial review of administrative determinations.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1915?

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 8, inclusive, and insert

"1066. Where an administrative determination is the subject of a trial by a court of competent jurisdiction and the action is filed while the penalty imposed by the administrative tribunal is in full force and effect, the action shall not be considered by the court to have become moot in cases where the penalty imposed by the administrative tribunal has been completed or complied with during the pendency of the action."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1915 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beek, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins,

Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton, Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 1915 ordered enrolled.

Assembly Bill No. 1916—An act to add Section 1065 to the Code of Civil Procedure, relating to the judicial review of administrative determinations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1916?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "Procedure," insert "and to add Chapter 4, comprising Sections 300 to 302, inclusive, to Division 1 of the Business and Professions Code".

Amendment No. 2

In line 3 of the title of said bill, after "minations", insert ", and providing the time within which administrative action for the imposition of disciplinary penalties is to be commenced and shall be terminated".

Amendment No. 3

On page 1, line 7, of said bill, strike out "an", and insert "a State".

Amendment No. 4

On page 1, line 13, of said bill, after the last "the", insert "State".

Amendment No. 5

On page 1 of said bill, after line 16, insert "SEC. 2. Chapter 4, comprising Sections 300 to 302, inclusive, is added to Division 1 of the Business and Professions Code, to read:

CHAPTER 4. DISCIPLINARY PROCEEDINGS

300. All proceedings for the disciplining of persons licensed, registered, certificated, or otherwise permitted to engage in any regulated profession or vocation under the provisions of this code shall be commenced, unless an earlier time is prescribed by other provisions of this code, within two years after the alleged commission of the act which is the basis of the disciplinary proceeding against them, except as provided in the following cases:

(a) Where there has been a fraudulent concealment of the facts constituting the basis of the charge, such proceedings may be commenced within two years after discovery of such facts, unless an earlier time is prescribed by other provisions of this code.

(b) Where any person is charged with incompetency or lacking the necessary qualifications to perform the services required of his profession, such proceedings may be instituted within two years after the discovery of the facts disclosing such incompetency, unless an earlier time is prescribed by other provisions of this code.

301. All disciplinary proceedings shall be finally determined by the board, commission, or officer having the authority to conduct them within one year after the time the proceedings were commenced unless the person against whom the proceedings are taken stipulates in writing for an extension beyond the one-year period.

302. This chapter does not apply to disciplinary proceedings under Chapter 4 of Division 3 of this code."

Amendment No. 6

On page 1, line 16, of said bill, after the period following "inadmissible", insert "Any such court may also receive evidence improperly rejected by any such State administrative officer or body, or any other additional evidence which is legally competent, and may receive any competent evidence in contradiction or impeachment of any relevant testimony received by such State administrative official or body."

Amendment No. 7

On page 2 of the printed bill, as amended, between lines 2 and 3, insert "Nothing in this section shall apply to the Industrial Accident Commission."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 1916 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Doyle, Dunn, Erwin, Evans, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—70.

NOES—None

Assembly Bill No. 1916 ordered enrolled.

Assembly Bill No. 1937—An act to amend Sections 7618, 7630, to add Section 7632 to, and to amend Sections 7640, 7641, 7643, 7647, 7662, 7665, 7666, 7667, 7668, 7669, 7680, 7702, 7726 and 7729 of the Business and Professions Code, relating to funeral directors, embalmers and apprentice embalmers, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1937?

Amendment No. 1

On page 3 of the printed bill, strike out lines 1 to 11, inclusive.

Amendment No. 2

On page 5, line 24, of the printed bill, strike out "Reregistration", and insert "No reregistration".

Amendment No. 3

On page 5, line 25, of the printed bill, between "continue" and "apprenticeship", strike out "as", and insert "an".

Amendment No. 4

On page 5, line 25, of the printed bill, strike out "upon", and insert "beyond".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1937 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Doyle, Dunn, Erwin, Evans, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—70.

NOES—None.

Assembly Bill No 1937 ordered enrolled.

Assembly Bill No. 438—An act to amend Section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 438?

Amendment No. 1

On page 1, line 14, of the printed bill, as amended, after "dogs," insert "and destruction and control of predatory animals."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 438 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion McCollister, McMillan, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 438 ordered enrolled.

Assembly Bill No. 568—An act to add Section 2710.3 to the Penal Code, relating to the Prison Camp Revolving Fund, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 568?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "2710.3", and insert "2780.1".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "Camp Revolving Fund", and insert "camps, making an appropriation".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out "2710.3", and insert "2780.1".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out all of lines 3 to 9, inclusive.

Amendment No. 5

On page 1, line 10, of the printed bill, as amended, strike out "State Prison System", and insert "2780.1".

Amendment No. 6

On page 1, line 12, of the printed bill, as amended, strike out "said".

Amendment No. 7

On page 1 of the printed bill, as amended, strike out all of lines 13 to 19, inclusive.

Amendment No. 8

On page 1, line 20, of the printed bill, as amended, strike out "the request of the Director of Finance", and insert "the support appropriation of the prison rendering such services, in augmentation thereof. The appropriation to be credited shall be the appropriation current at the time of rendering the services"

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 568 by the following vote:

AYES—Bashore, Carlson, Clarke, Sheridan, and Thomas—5.

NOES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

Appointment of Committee on Conference Concerning Assembly Bill No. 568

The Speaker announced the appointment of Messrs. Fourt, Thomas, and McMillan as a Committee on Conference concerning Assembly Bill No. 568.

Assembly Bill No. 1011—An act to add Sections 838.5, 1710, 1691.3, 1831.6, 1831.7, 1831.8, and 1831.9 to the Insurance Code, to add Article 18, comprising Sections 1110 to 1113, to Chapter 1, Part 2, Division 1, thereof, and to amend Sections 382, 763, 1200, 1202, 1591, 1808 and 1831.5, and to repeal Section 1710 of the Insurance Code, all relating to insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1011?

Amendment No. 1

In line 3 of the title of the printed bill, as amended, after the comma following "1113", insert "inclusive".

Amendment No. 2

On page 4, line 45, of the printed bill, as amended, after "discretion", insert "and after hearing, by written order".

Amendment No. 3

On page 4, line 47, of the printed bill, as amended, after "disposal", insert "pursuant to such order".

Amendment No. 4

On page 6, line 24, of the printed bill, as amended, before "(a)", insert "1808."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1011 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellens, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 1011 ordered enrolled.

Assembly Bill No. 1014—An act to add Sections 10176, 10206.5 and 10641.5 to, and to amend Sections 10202, 10203, 10206, 10270.5, 10270.55, 10270.9, 10270.93 of, the Insurance Code, relating to insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1014?

Amendment No. 1

In line 3 of the title of the printed bill, strike out "and 10270.93", and insert "10270.93 and 10270.95".

Amendment No. 2

On page 1, line 7, of the printed bill, as amended, strike out the period, and insert "without requiring that the insured first pay such expenses"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1014 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellens, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73

NOES—None.

Assembly Bill No. 1014 ordered enrolled.

Assembly Bill No. 1017—An act to add Section 11730x to, and to amend Sections 11561, 11699 and 11715 of, the Insurance Code, relating to insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1017?

Amendment No. 1

On page 2, line 5, of the printed bill, as amended, after "31st", insert "in respect to workmen's compensation insurance written subject to the Workmen's Compensation Laws of this State".

Amendment No. 2

On page 2, line 37, of the printed bill, as amended, after "State", insert "nor less than the sum of the amounts specified in subdivision (a) of Section 11699".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1017 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73

NOES—None.

Assembly Bill No. 1017 ordered enrolled.

Assembly Bill No. 1019—An act to amend Sections 916 and 918 and repeal Section 10487 of, to add Sections 10150.1, 10478, 10479, 10488, 10489 and 10929 to, and to add Article 3a to Chapter 1 and Article 3a to Chapter 5 of Part 2, Division 2 of the Insurance Code, relating to insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1019?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "918", and insert "986".

Amendment No. 2

In line 4 of the title of the printed bill, as amended, strike out "and Article 3a to Chapter 5 of", and insert "of, and Article 3a to Chapter 5 of".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1019 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73

NOES—None.

Assembly Bill No. 1019 ordered enrolled.

Assembly Bill No. 229—An act to add Sections 30a to 30r to the Bank Act and to add Section 3081 to the Civil Code, relating to the

disposal of unclaimed contents of safe deposit boxes rented by banks or other corporations and relating to unclaimed items of personal property left with a bank for safekeeping or storage.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 229?

Amendment No. 1

On page 2 of the printed bill, commencing in line 2, strike out "the county treasurer, his deputy or authorized representative and one", and insert "two".

Amendment No. 2

On page 2 of the printed bill, commencing in line 6, strike out "the county treasurer, his deputy or authorized representative and such officer of the bank", and insert "such officers, and a copy thereof shall be filed with the county treasurer".

Amendment No. 3

On page 3 of the printed bill, commencing in line 41, strike out "and of the county treasurer, his deputy or authorized representative".

Amendment No. 4

On page 4 of the printed bill, commencing in line 48, strike out "an officer of the bank and the county treasurer, his deputy or authorized representative," and insert "two officers of the bank".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 229 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 229 ordered enrolled.

Assembly Bill No. 278—An act to amend Sections 5.1104 and 5.1124 of the School Code and Sections 14726, 14727, 14728, 14776, and 14777 of the Education Code, relating to district and joint district retirement plans.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 278?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "5.1104 and 5.1124 of the School Code and Sections 14726, 14727, 14728", and insert "14726, 14727, 14728, 14730".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 26, inclusive; and on page 2, strike out lines 1 to 27, inclusive.

Amendment No. 3

On page 2, line 29, of said bill, strike out "Sec. 3.", and insert "Section 1."

Amendment No. 4

On page 2, line 39, of said bill, strike out "Sec. 4.", and insert "Sec. 2."

Amendment No. 5

On page 2, line 47, of said bill, strike out "Sec. 5.", and insert "Sec. 3."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 3 of said bill, between lines 3 and 4, insert

"Sec. 4. Section 14730 of the Education Code is amended to read:

14730. Any district retirement plan established by a governing board which governs more than one district may provide that service by any teacher, or other employee included in the plan, in all the districts in which the teacher or other employee has served and for which the plan is adopted may be counted in the aggregate in determining eligibility toward retirement. This section shall apply [to] *only to service rendered in that part of* any district which has become a part of any district for which a retirement plan is established by annexation, merger, consolidation, or in any other manner."

Amendment No. 7

On page 3, line 4, of said bill, strike out "Sec. 6," and insert "Sec. 5."

Amendment No. 8

On page 3, line 14, of said bill, strike out "Sec. 7", and insert "Sec. 6."

Amendment No. 9

On page 3 of said bill, strike out lines 22 to 27.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 278 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73

NOES—None.

Assembly Bill No. 278 ordered enrolled.

Assembly Bill No. 1013—An act to amend Section 108 of the Insurance Code, relating to liability insurance.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1013?

Amendment No. 1

On page 1, line 23, of the printed bill, strike out "this subdivision", and insert "subdivisions (b) and (c)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1013 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 1013 ordered enrolled.

Assembly Bill No. 1016—An act to add Chapter 6a to Part 2, Division 1, of the Insurance Code, relating to taxes on nonadmitted insurance.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1016?

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 31 to 37, inclusive, and insert

"1793. Any person wilfully violating any provision of this chapter is guilty of a misdemeanor. In addition to any other penalty provided by law, any insured wilfully failing or refusing to pay the tax, or the tax and penalty, owing to the State under the provisions of Section 1792 is liable to the State in an amount three times the tax so payable. The commissioner shall collect the amount so payable and may bring a civil action in his name as commissioner to enforce such collection. Any penalty so collected by such civil action is payable to the Insurance Commissioner for the account of the State of California to the credit of the Insurance Fund in the State treasury.

1794. The provisions of this chapter shall not apply:

(a) Where the total premium for the aggregate of such insurance paid in any one year by the person otherwise taxable hereunder does not exceed two hundred dollars (\$200);

(b) To insurance specified in subdivisions (a), (b), (c), and (d) of Section 1760.5."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1016 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 1016 ordered enrolled.

Assembly Bill No. 1280—An act relating to public officers, deputies, assistants, and employees, and their return to public service, declaring the urgency hereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1280?

Amendment No. 1

In line 2 of the title of the printed bill, after "service", strike out ", declaring the urgency thereof, to take effect immediately.", and insert a period.

Amendment No. 2

On page 1, line 7, of said bill, after "right", insert ", if honorably discharged,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1280 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73

NOES—None.

Assembly Bill No. 1280 ordered enrolled.

Assembly Bill No. 88—An act to amend Section 11c of the Municipal Court Act of 1925, relating to municipal courts in cities of the

second and three-eighths class, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 88?

Amendment No. 1

On page 1 of the printed bill, strike out lines 15 to and including the word "services" in line 21, and insert "The city, in addition to furnishing quarters and a city prosecutor, as hereinafter provided, shall reimburse the county for the costs upon the county for maintaining the court, other than furnishing quarters, including heat, light and janitorial service, in excess of thirty-three thousand dollars (\$3,000) per annum. Settlement in this connection between said county and city shall, so far as practicable, be made monthly."

Amendment No. 2

On page 3, lines 25 and 26, of the printed bill, strike out "go into immediate effect", and insert "take effect immediately, and Section 1 shall become operative on July 1, 1943."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 88 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 88 ordered enrolled.

Assembly Bill No. 445—An act to amend Section 4248 of the Political Code, relating to compensation of public officers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 445?

Amendment No. 1

On page 1, line 15, of the printed bill, strike out lines 15 and 16, and insert "3. Each supervisor, three thousand dollars (\$3,000) per annum and his"

Amendment No. 2

On page 1, line 25, of the printed bill, strike out line 25, and insert "investigations, the sum of five dollars (\$5)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 445 by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastam, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Lyons, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Anderson, Heisinger, and Massion—3.

Assembly Bill No. 445 ordered enrolled

Assembly Bill No. 1094—An act to amend Section 18200 of the Health and Safety Code, relating to the enforcement of the provisions of Part 2 of said code.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1094?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended, after "situated", insert ", if authorized by the Division of Immigration and Housing."

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 1094 by the following vote:

AYES—Bashore, Brown, Collins, George D., Dills, Ralph C., Gaffney, O'Day, and Rosenthal—7.

NOES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dilworth, Doyle, Erwin, Evans, Field, Fout, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, T. Fenton, Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Nichouse, Pelletier, Potter, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

Appointment of Committee on Conference Concerning Assembly Bill No. 1094

The Speaker announced the appointment of Messrs. Carey, Rosenthal, and Watson as a Committee on Conference concerning Assembly Bill No. 1094.

Assembly Bill No. 1392—An act to amend Sections 6301, 6321, and 6502, to amend and renumber Section 6443 and 6444 of and to add Section 6443 to the Public Resources Code, relating to leases or exchanges of land by the State Lands Commission

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1392?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "6321," insert "6S34."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2, line 18, of said bill, insert

"SEC. 3 Section 6S34 of said code is amended to read:

6S34. Whenever the commission determines that lands shall be leased as provided in Articles 3 and 4 of this chapter and when the form of lease therefor has been prepared by the commission, the commission shall give notice of intention to lease such lands. The notice shall be published [for a period of five consecutive days] in a newspaper of general circulation in the county in which the lands or the greater portion thereof are situated and shall state the time (which shall not be less than 14 days after the last date of publication of the notice) and place for receiving and opening bids, a description of the lands, either as a tract or by parcels, and that the form of lease for the purpose of bidding may be procured at the designated office of the commission.

If the notice is published in a weekly newspaper, it must appear therein on at least two different days of publication and if in a newspaper published oftener, there must be at least five days from the first to the last day of publication, both days included."

Amendment No. 3

On page 2, line 19, of said bill, strike out "SEC. 3", and insert "SEC. 4"

Amendment No. 4

On page 2, line 30, of said bill, strike out "SEC. 4", and insert "SEC. 5".

Amendment No. 5

On page 2, line 42, of said bill, strike out "5", and insert "6".

Amendment No. 6

On page 2, line 48, of said bill, strike out "SEC. 6", and insert "SEC. 7".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1392 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1392 ordered enrolled.

Assembly Bill No. 1394—An act to add Parts 3 and 4, comprising Sections 7301 to 8557, inclusive, to Division 6 of the Public Resources Code, and to add Sections 10014, 10015, and 10016 to Division 10 thereof, thereby revising and consolidating the law relating to the natural resources of the State, including the sale and exchange of land, and granting and taking rights and interests therein, and regulating the use thereof, by the State and its political subdivisions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1394?

Amendment No. 1

On page 33 of the printed bill, strike out lines 24 to 29, inclusive.

Amendment No. 2

On page 39, line 11, of said bill, strike out "3535".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1394 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1394 ordered enrolled.

Assembly Bill No. 599—An act to add Sections 403.5 and to, and to amend Section 765 of, the Vehicle Code, relating to the effect of the war emergency and Federal and local regulations arising therefrom applicable to vehicles on the provisions of said code, declaring the urgency thereof and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 599?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 15 to 21, inclusive, and insert

"The provisions of this section shall apply to such acts or omissions whether occurring prior to or after the effective date of this section."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 599 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65

NOES—None.

Assembly Bill No. 599 ordered enrolled.

Assembly Bill No. 687—An act to amend Sections 6011, 6012, 6015, 6245, 6353, 6358, 6381, 6486, 6487, 6702, 6711, 6776, 6811, and 6812 of the Revenue and Taxation Code, to amend and renumber Section 6245, to add Sections 6095, 6245, 6363, 6364, and 6385 to said code, and repeal Section 6456 of said code, all relating to the taxation of the privilege of selling and of storing, using, or otherwise consuming tangible personal property and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 687?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly, March 31, 1943, strike out "6245,".

Amendment No. 2

In line 6 of the title of the printed bill, as amended, after "said code," strike out "and", and insert "to".

Amendment No. 3

In line 7 of the title of the printed bill, as amended, after "said code," insert "and to amend Section 5.1 of the Retail Sales Tax Act of 1933,".

Amendment No. 4

On page 1, line 10, of the printed bill, as amended, strike out "passage of title to the purchaser", and insert "its purchase".

Amendment No. 5

On page 2, lines 11 and 12, of the printed bill, as amended, strike out "title to the property passes to the purchaser", and insert "the purchase of the property is made".

Amendment No. 6

On page 2, line 31, of the printed bill, as amended, strike out "passage of title", and insert "its sale".

Amendment No. 7

On page 2, line 51, of the printed bill, as amended, strike out "title to the property passes", and insert "the sale of the property is made".

Amendment No. 8

On page 5, line 9 of the printed bill, as amended, after "property to", strike out "the United States or any", and insert a colon.

Amendment No. 9

On page 5 of the printed bill, as amended, strike out lines 10 to 13, inclusive, and insert a colon and

- "(a) The United States, its unincorporated agencies and instrumentalities;
- (b) Any incorporated agency or instrumentality of the United States wholly owned by the United States or by a corporation wholly owned by the United States;
- (c) The American National Red Cross, its chapters and branches."

Amendment No. 10

On page 6, line 16, of the printed bill, as amended, strike out "of the amount of the delinquency", and insert "thereof".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 11

On page 7, line 30, of the printed bill, as amended, insert

SEC. 125. Section 51 of the Retail Sales Tax Act of 1933 is amended to read:
 Sec 51. There are hereby specifically exempted from the provisions of this act and from the computation of the amount of taxes levied, assessed or payable hereunder the gross receipts from the sale of any tangible personal property to [the United States or any agency or instrumentality thereof except a corporate agency or a corporate instrumentality]:

- (a) *The United States, its unincorporated agencies and instrumentalities;*
- (b) *Any incorporated agency or instrumentality of the United States wholly owned by the United States or by a corporation wholly owned by the United States;*
- (c) *The American National Red Cross, its chapters and branches"*

Amendment No. 12

On page 7, line 43, of the printed bill, as amended, after "hereof", insert "amending, adding to, and repealing certain provisions of the Revenue and Taxation Code."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 687 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65
 NAYS—None.

Assembly Bill No. 687 ordered enrolled.

Assembly Bill No. 1058—An act to amend Sections 7, 7305, 7306, 7307, 7308, 7351, 7352, 7353, 7401, 7454, 7457, 7481, 7485, 7493, 7507, 7508, 7651, 7652, 7701, 7702, 7703, 7704, 7727, 7728, 7730, 7891, 7892, 7895, 7934, 7935, 7981, 8191, 8253, 8303, 8304, 8306, 8403, and 50007 of the Revenue and Taxation Code, to add Sections 28, 7407, 7660, 7661, 7662, 7663, 7698, 7699, 7700, 7706, 8193, 8194, to amend the headings of Articles 1, 2, and 3 of Chapter 5 of Part 2 of Division 2, and of Article 5 of Chapter 7 of said part, to add Article 25 consisting of Sections 7670 to 7675, inclusive, and Article 35 consisting of Sections 7710 to 7716, inclusive, to Chapter 5 of said part, and to repeal Sections 7653, 7654, 7676, 7677, and 7678 of said code, relating to the scope of, returns under, payments under, administration of, and collection of the motor vehicle fuel license tax, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1058?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly April 17, 1943, after "7728," insert "7720,"; and after "7730," insert "7871,".

Amendment No. 2

In line 4 of the title of the printed bill, as amended, after "7981," insert "8101,"

Amendment No. 3

In line 6 of the title of the printed bill, as amended, after "7407," insert "7655,".

Amendment No. 4

On page 6 of the printed bill, as amended, strike out lines 15 to 19, both inclusive, and insert

"7701. If the board deems such procedure necessary in order to insure payment to the State of the amount of license taxes due from any distributor under this part, it may require him to make returns and payments of his license taxes on a weekly basis. The distributor must then file a return each Tues-".

Amendment No. 5

On page 7, line 16, of the printed bill, as amended, after "tax", insert ", and shall give the unlicensed distributor notice of this determination as prescribed by Section 7493. Provisions of Sections 7699 and 7700 shall be applicable with respect to the finality of the determination and the right of the unlicensed distributor to petition for a redetermination".

Amendment No. 6

On page 7, line 22, of the printed bill, as amended, after "tax", strike out "and", and insert a comma; and after "penalty", insert "and interest".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 7

On page 7, line 25, of the printed bill, as amended, insert

"SEC. 245. Section 7729 of the Revenue and Taxation Code is hereby amended to read as follows:

7729. At the request of the Controller the Attorney General shall commence and prosecute to final determination an action at law to collect the license tax, [and] penalty and interest, or any part thereof, determined against an unlicensed distributor."

Amendment No. 8

On page 7, line 33, of the printed bill, as amended, insert

"SEC. 25.5. Section 7871 of the Revenue and Taxation Code is hereby amended to read as follows:

7871. The license tax, together with all penalties, interests and costs accruing thereupon or with respect thereto, is a lien upon all property of the distributor, attaching at the time of the distribution subject to the license tax. The lien is paramount to all private liens or encumbrances of whatever character and has the effect of an execution duly levied against all property of the distributor [and]. The lien remains until the license tax, together with all penalties, interests and costs accruing thereupon or with respect thereto, is paid or the property sold in payment thereof."

Amendment No. 9

On page 9, line 13, of the printed bill, as amended, insert

"SEC. 31.5. Section 8101 of the Revenue and Taxation Code is hereby amended to read as follows:

8101. The following persons who have paid a license tax for motor vehicle fuel, either directly or to the vendor from whom it was purchased, or indirectly by the adding of the amount of the tax to the price of the fuel, shall be reimbursed and repaid the amount of the tax:

(a) Any person who buys and uses the motor vehicle fuel for purposes other than in motor vehicles operated upon the public highways of the State.

(b) Any person who exports the motor vehicle fuel for use outside of this State. Motor vehicle fuel carried from this State in the fuel tank of a motor vehicle is not deemed to be exported from this State.

(c) Any employee of the United States who buys the motor vehicle fuel and uses it exclusively in the transportation of rural free delivery mail and special delivery mail.

(d) The United States or any department thereof which buys the motor vehicle fuel for official use and on which fuel no claim for exemption from payment of the tax could be filed in accordance with Chapter 3 of this part.

(e) Any person who sells the motor vehicle fuel to the United States or any agency or instrumentality thereof under circumstances that would have entitled him to an exemption from the payment of the license tax under Section 7401 had he been the distributor of this fuel."

Amendment No. 10

On page 10, line 25, of the printed bill, as amended, after "them.", insert "The Motor Vehicle Fuel License Tax Law as contained in this code is a continuation of the Motor Vehicle Fuel License Tax Act and all persons having any administrative duty under said act shall continue to have full authority to determine and collect any amounts found to be due and payable on account of any distributions of motor vehicle fuel or other activity of any person prior to July 1, 1943, subject to the provisions of said act. All liens that have attached under said act shall continue in full force and effect under said law and may be discharged only as in said law provided."

Amendment No. 11

On page 10, line 40, of the printed bill, as amended, insert "SEC. 405 Section 7655 is added to the Revenue and Taxation Code, to read as follows

7655 Any distributor who fails to pay the amount of license tax shown to be due by his return on or before the first day of the second calendar month following the monthly period to which it relates must pay a penalty of 10 per cent of the license tax, together with interest on said license tax at the rate of one-half of 1 per cent per month, or fraction thereof, from the date on which the license tax became due and payable to the State until the date of payment."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1058 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Biady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastan, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCallister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65

NOES—None.

Assembly Bill No. 1058 ordered enrolled.

Assembly Bill No. 1147—An act to amend Section 1011.5 of the Fish and Game Code, relating to sharks and shark livers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1147?

Amendment No. 1

In line 2 of the title of the printed bill, strike out the period, and insert ", to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, strike out lines 8 to 20, inclusive, and insert "is sought.

It is unlawful to bring shark carcasses ashore or onto any pier or wharf within the waters of the State of California, unless they either are in the round or have only the livers and entrails removed. It is unlawful to bring ashore or onto any pier or wharf within the waters of the State of California shark livers removed from carcasses unless the carcasses are segregated as to sex and unless the livers of the males and females are kept in separate containers. It is unlawful to bring ashore or onto any pier or wharf within the waters of the State of California from any vessel, shark livers, unless a corresponding number of carcasses are unloaded and unless each such carcass has head, fins and evidence of sex intact and attached. Possession of shark livers on any vessel without a corresponding number of carcasses shall be prima facie evidence of a violation of this section."

Amendment No. 3

On page 1 of the printed bill, after line 27, insert

"SEC. 2. If any sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each sentence, clause and phrase thereof irrespective of the fact that any one or more of the sentences, clauses or phrases be declared unconstitutional.

SEC. 3 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution, and shall therefore take immediate effect. A statement of the facts constituting such necessity is as follows:

Due to conditions arising out of the war it has become increasingly important to obtain food and vitamins from all possible sources. Shark livers are one of the

most important sources of vitamins and shark carcasses are an important item of food. This act, if put into immediate effect, will encourage the taking and bringing into California of shark livers and shark carcasses which are vitally needed in the war effort."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1147 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1147 ordered enrolled.

PERMISSION TO CONSIDER ASSEMBLY BILL BY UNANIMOUS CONSENT

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by unanimous consent of the members, the following Assembly bill was considered:

CONSIDERATION OF ASSEMBLY BILL NO. 2014

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Hastain:

Resolved, That Assembly Bill No. 2014 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 2014—An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

Without reference to committee.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L.,

Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 2014—An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Doyle and Maloney:

House Resolution No. 251

WHEREAS, Among the frequent visitors to the Capitol Building and grounds are many members of the armed forces of the United States, and their Allies, who are deserving of every courtesy which the State of California can extend to them; now, therefore, be it

Resolved by the Assembly of the State of California, That the Superintendent of Buildings and Grounds is requested to delegate a member of the State Police Force to act as guide to members of the armed forces of the United States, or their Allies, visiting the Capitol Building or grounds; and be it further

Resolved, That said Superintendent is requested to place a suitable sign welcoming members of such forces on the North, East, and West entrances to the Capitol Building.

Request for Unanimous Consent

Mr. Doyle asked for, and was granted, unanimous consent to take up House Resolution No. 251, at this time, without reference to committee.

Resolution read and adopted.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 994

At 4.25 p.m., on motion of Mr. John B. Knight, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 994 refused passage by the following vote:

AYES—Armstrong, Call, Clarke, Collins, Sam L., Denny, Desmond, Dilworth, Erwin, Field, Fount, Gannon, Guthrie, Hastain, Heisinger, Kellems, Knight, John B. Knight, T. Fenton; Leonard, McCollister, Middough, Miller, Potter, Price, Robertson, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—35.

NOES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Haggerty, Hawkins, Hollibaugh,

Johnson, Kilpatrick, King, Lowrey, Lyons, Maloney, Massion, McMillan, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sawallisch, Sheridan, Thomas, and Wollenberg—41.

RESOLUTIONS

The following resolution was offered:

By Messrs. Lyon, Maloney, Carlson, Sheridan, Johnson, Dunn, Carey, and Dickey:

House Resolution No. 252

Relative to the anniversary of Mr. and Mrs. Arthur H. Breed, Sr.

WHEREAS, On May 9, 1943, Mr. and Mrs. Arthur H. Breed, Sr., will celebrate their Golden Wedding Anniversary, and

WHEREAS, For many years Mr. Breed was the representative of the Sixteenth District of Alameda County, in the Legislature of the State of California, and in which capacity he served efficiently and well, and

WHEREAS, For the many years that he graced the halls of the Legislature at Sacramento he distinguished himself by his progressive and humane acts that are now upon the statutes of the State of California, and

WHEREAS, During his many years of service to the State of California his lovely wife, Mrs. Breed, accompanied him to the State Capitol and endeared herself into the hearts of the Members and wives of the State Legislature, and

WHEREAS, The heritage of Senator Breed was recognized by the voters of Alameda County and the people of that district have selected his fine son, Arthur H. Breed, Jr., to take his place in the Senate of the State of California, in which position he has administered his duties efficiently, honestly and well; now, therefore, be it

Resolved, That the Members of the Assembly, the Senate concurring, do hereby express to Mr. and Mrs. Arthur H. Breed, Sr., their heartiest congratulations on their Fiftieth Wedding Anniversary; and be it further

Resolved, That the Chief Clerk of the Assembly send a suitably engrossed copy of this resolution to Mr. and Mrs. Arthur H. Breed, Sr.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 252, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr. Sam L. Collins:

House Resolution No. 253

WHEREAS, With respect to the parking of automobiles on the Capitol Grounds there have arisen various problems which demand solution; now, therefore, be it

Resolved by the Assembly of the State of California, That the Committee on Legislative Organization is directed to make a study of the parking problem on the Capitol Grounds and to report their recommendations for the solution of such problem at the Fifty-sixth Regular Session of the Legislature

Resolution read, and referred to Committee on Rules and House Functions.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1007—An act to add Chapter 2.5, comprising Section 8180 to Division 4 of the Education Code, relating to report cards.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended, after "in", insert "each grade in".

Amendment No. 2

On page 1, line 9, of said bill, strike out "card", and insert "cards".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 731—An act to amend Section 5003.5, and to add Section 5014.1 to, the Public Resources Code, abolishing the State Park Maintenance and Acquisition Fund and creating the State Park Fund, relating to State parks and beaches, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Burns moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, strike out "and beaches".

Amendment No. 2

On page 1 of said bill, between lines 17 and 18, insert "State Park Fund, which is hereby appropriated for improvements and maintenance of State parks, State monuments, roads, trails, and pathways, and when specifically appropriated by the Legislature for construction and acquisition of State parks, State monuments, roads, trails, and pathways".

Amendment No. 3

On page 1 of said bill, strike out lines 18 and 19.

Amendment No. 4

On page 2 of said bill, strike out lines 1 and 2.

Amendment No. 5

On page 2, line 16, of said bill, after "appropriations", insert "heretofore and hereafter".

Amendment No. 6

On page 2, line 24, of the printed bill, as amended, strike out "4", and insert "3".

Amendment No. 7

On page 2 of said bill, strike out lines 37 and 38, and insert "of Natural Resources, Chapter 306, Statutes of 1943".

Amendment No. 8

On page 2, line 39, of said bill, strike out "5", and insert "4".

Amendment No. 9

On page 2, line 41, of said bill, strike out "6", and insert "5".

Amendment No. 10

On page 3 of said bill, following line 6, insert "SEC. 6. This act shall not take effect unless Senate Bill No. 656 of this session is enacted."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, May 1, 1943

*To the Honorable Members of the Assembly
State of California, Sacramento, California*

GREETINGS: I am returning herewith without my signature Assembly Bill No. 1254, entitled: "An act to provide a method for the dissolution of Orange County Water District, a district organized and existing under an act of the Legislature of

the State of California, approved June 14, 1933, and to provide for the distribution of its assets."

My objections to this bill are as follows:

The procedure established by this measure for the dissolution of the Orange County Water District provides that, to authorize the calling of an election in the district upon the question whether or not the district shall be dissolved, a petition must first be presented to the board of directors. Such a petition must be signed by a majority of the voters in each of the seven divisions of the district. Upon the filing of such a petition the board of directors is directed to call an election upon the question of the dissolution, and if two-thirds of the votes cast in such election are in favor of such dissolution the board of directors is to devise a dissolution plan and submit it to the superior court.

In my opinion the requirement that a majority of the voters in each of the divisions of the district must sign the petition is so strict as to be unreasonable. It would mean that, even though a large majority of the voters in six of the divisions desired that an election be held on the question of dissolution, 51 per cent of the voters in the remaining division could, by withholding their signatures from a petition, prevent the submission of the question to the voters of the district. Thus, by controlling a majority of the voters in any one division—which might be the smallest of the seven—a group which was interested in perpetuating the district or in continuing themselves or their friends in office in the district, could prevent even the holding of an election.

I am informed by a representative of the district that he knows of no precedent in the laws of this State for the requirement above referred to. In my opinion the provision is so extreme as to make it almost impossible under practical conditions as to ever accomplish a dissolution of the district. The author whose name appears first on the measure has requested me to veto the bill and I have received similar requests from a number of voters in the district.

Respectfully submitted

EARL WARREN, Governor

Assembly Bill No. 1254 ordered to unfinished business.

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, MAY 4, 1943

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith without my signature Assembly Bill No. 771, entitled: "An act to add Section 4114 to the Revenue and Taxation Code, relating to redemption of tax sold and tax deeded property located in distressed assessment districts."

This bill adds Section 4114 to the Revenue and Taxation Code relating to what are commonly known as "distressed assessment districts." The section provides that in such districts, which are already operating under a refunding plan authorized by State law or whose bonds are being retired, canceled or redeemed by the aid of contributions of public funds, former owners of real property the taxes upon which have become delinquent may redeem property without the payment of penalties, interest or costs, these redemption provisions are limited to a period of three months after the effective date of the bill or three months after the final assessment under the refunding act or after the last resolution or ordinance appropriating public funds for such retirement, cancellation or redemption.

The Attorney General advises me that "The act is of doubtful constitutionality" in view of the fact that the right to redeem the property is given only to redemptioners of a particular class in a special class of assessment districts "and this would seem to be discriminatory against other redemptioners. The act would also appear to be violative of Section 31 of Article IV of the State Constitution." It does not appear from the bill that a public purpose is involved under recent decisions of the Supreme Court which upheld somewhat similar provisions on the theory that a public purpose was involved in that the taxes on the property concerned were hopelessly delinquent. The Attorney General comments in this connection, "It would in fact appear that where one of these refunding plans has been completed, the property should be in a condition to be redeemed under normal proceedings and placed back upon the county tax rolls."

In view of the doubtful constitutionality, and because it does not appear that it is necessary to extend the right or privilege of redeeming property from delinquent taxes without the payment of penalties, interests or costs, I am withholding my approval of the measure.

Respectfully submitted.

EARL WARREN, Governor

Assembly Bill No. 771 ordered to unfinished business file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No. 89
 Assembly Bill No. 1132
 Assembly Bill No. 1290
 Assembly Bill No. 1420
 Assembly Bill No. 1444

Assembly Bill No. 1445
 Assembly Bill No. 1503
 Assembly Bill No. 1906
 Assembly Bill No. 1990
 Assembly Bill No. 2013

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 521
 Assembly Bill No. 539
 Assembly Bill No. 686
 Assembly Bill No. 699

Assembly Bill No. 1238
 Assembly Bill No. 1842
 Assembly Bill No. 1967

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 51

And reports the same correctly engrossed

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER. Your Committee on Rules and House Functions, to which were referred:

House Resolution No. 245
 House Resolution No. 246

Has had the same under consideration, and reports the same back with the recommendation. Be adopted

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER. Your Committee on Rules and House Functions, to which was referred:

Assembly Concurrent Resolution No. 49

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

House Resolution No. 226
House Resolution No. 231
House Resolution No. 232

House Resolution No. 234
House Resolution No. 236
Assembly Concurrent Resolution No. 56

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

RECESS

At 4.37 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

House Resolution No. 245
House Resolution No. 248

House Resolution No. 249
House Resolution No. 253

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 253

House Resolution No. 253

WHEREAS, With respect to the parking of automobiles on the Capitol Grounds there have arisen various problems which demand solution; now, therefore, be it

Resolved by the Assembly of the State of California, That the Committee on Legislative Organization is directed to make a study of the parking problems on the Capitol Grounds and to report their recommendations for the solution of such problems at the Fifty-sixth Regular Session of the Legislature.

Resolution read and adopted.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Desmond, Gannon, and Collins, Sam L.:

House Resolution No. 254

WHEREAS, Fox West Coast Theaters, Spyros P. Skouras, president; Charles P. Skouras, executive vice president; A. M. Bowles, division manager; W. H. Lollier, tax division and civic public relations; Mrs. Hulda McGinn, California Theater Association, and Blumenfeld Theater Circuit, Joseph Blumenfeld, manager, have contributed to the entertainment of the Members of the Assembly and their families during their stay in Sacramento, by granting admission courtesies of their various places of amusement; now, therefore, be it

Resolved, That the Members of the Assembly hereby express their appreciation of the thoughtful courtesy extended them by the aforesaid theaters and their officials; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution suitably engrossed to each of said parties.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Johnson, Potter, O'Day, Burns, Dickey, Knight, T. Fenton; and Middough:

House Resolution No. 255

Relative to Assembly Fact-Finding Committee on Correctional Problems

Resolved by the Assembly of the State of California, That the Assembly Fact-Finding Committee on Correctional Problems created under House Resolution No. 117 is hereby authorized to exercise all of the powers granted to it by House Resolution No. 117 after the final adjournment of this (the Fifty-fifth) Session of the Legislature and to file its report with the Assembly of the Fifty-sixth Regular Session of the Legislature during January, 1945; and be it further

Resolved, That in addition to any sum otherwise available under House Resolution No. 117, the sum of five thousand dollars (\$5,000), or so much thereof as may be necessary, is hereby made available to the committee from the Contingent Fund of the Assembly for the expenses or claims it and its members may incur under this resolution and House Resolution No. 117, to be paid from the Contingent Fund of the Assembly and disbursed, after certification of the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Hastain:

House Resolution No. 256

WHEREAS, There has arisen in the southeastern corner of California along the Arizona and Mexican borders a spontaneous movement for the purposes of aiding in any way possible the successful and speedy termination of World War II; and

WHEREAS, This movement has been given form, cohesiveness and permanency of character by the formation of the Fathers of Fighters, consisting of "Forts" composed of fathers having sons in active service and fathers whose sons have died in the service of their Country; and

WHEREAS, This organization was formally completed at the courthouse in El Centro, California, on the fourteenth day of March, 1943, and has had a rapid and healthy growth, becoming Nation-wide in scope, with Forts being formed in every part of the Country, and is deserving of the encouragement of this Legislature to the end that it shall be an ever-growing, stimulating influence in the efforts this Nation is making to arm and supply the fighters of America; now, therefore, be it

Resolved by the Assembly of the State of California, That this body endorses the principles of the Fathers of Fighters as set forth in this resolution and wishes it every success in its efforts to bring the present war to a successful and speedy conclusion; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the Assembly to D. E. Green and Charles G. Halliday, president and secretary respectively of the parent Fort of the Fathers of Fighters at El Centro, California.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Thurman:

House Resolution No. 257

Relating to the return of gold mines to partial production

WHEREAS, The complete stoppage of gold mining is resulting in the destruction in the economic life of the communities engaged primarily in this industry; and

WHEREAS, If the industry were permitted to continue on a limited scale during the war an income sufficient to defray taxes and maintain essential businesses could be produced; and

WHEREAS, Under such conditions of partial production the existence of the communities located in the gold mining areas could be continued to the benefit of their residents and of the State in general; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress and the President of the United States and the War Production Board are memorialized to make such laws, rules or order as may be necessary to provide for the return of the gold mines of this State to partial production during the continuance of the war; and be it further

Resolved, That the Chief Clerk of the Assembly is requested to forward copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Member of the House of Representatives from California, and to the Chairman of the War Production Board.

Request for Unanimous Consent

Mr. Thurman asked for, and was granted, unanimous consent to take up House Resolution No. 257, at this time, without reference to committee.

Resolution read and adopted.

Speaker Presiding

At 8.15 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 2014

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Concurrent Resolution No. 56

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Concurrent Resolution No. 64

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 618

Senate Bill No. 431

Senate Bill No. 234

Senate Bill No. 307

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 807

Senate Bill No. 611

Senate Bill No. 449

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 618—An act to add Section 4925 to the School Code and to add Section 7305 to the Education Code, relating to the average daily attendance of high school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 234—An act making an appropriation to the State Department of Education for the acquisition of real property for the San Jose State College.

Bill read second time, and ordered to third reading.

Senate Bill No. 431—An act appropriating money for construction, improvement, and equipment for the California Maritime Academy.

Bill read second time, and ordered to third reading.

Senate Bill No. 807—An act to repeal an act entitled "An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof," approved by the Governor, June 14, 1935, to establish the "State Reconstruction and Reemployment Commission" and prescribing its powers and duties; authorizing the State Reconstruction and Reemployment Commission to make investigations, reports, recommendations and plans for a program for the promotion, development, conservation and utilization of the human, natural, and economic resources of the State; making an appropriation; and to transfer the duties, powers, purposes, responsibilities, unexpended moneys, and jurisdiction of the State Planning Board to the State Reconstruction and Reemployment Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

[Amendment No. 1

On page 4, line 42, of the printed bill, as amended, strike out "forty thousand dollars (\$40,000)", and insert "seventy four thousand dollars (\$74,000)"]

PRINTER'S NOTE: There being no 7-point strikeout type available, above amendment, which should appear in strikeout type, is shown within brackets

~~Amendment read and adopted.~~

Bill ordered ~~reprinted~~ and to third reading.

[On May 5, 1943, by unanimous consent, above amendment was ordered stricken out.]

Senate Bill No. 611—An act to provide for the acquisition of the Mount Tamalpais Ridgecrest Boulevard by the State, and the inclusion thereof in the Park System, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 25, of the printed bill, as amended, strike out "State Park Commission in the", and insert "Division of Beaches and Parks,".

Amendment No. 2

On page 2, lines 30 and 31, of said bill, strike out "by the State Park Commission".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 307—An act to add Sections 41-1, 4781-1, 4782-1, 4784-1, 4791-1, 4793-1, 4794-1, and 4796-1 to the School Code and to add Sections 5151.1, 6952.1, 6953.1, 6957.1, 6972.1, 6974.1, 6975 1, and 6977.1 to the Education Code, relating to the support of the public elementary schools and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 449—An act making an appropriation for landscaping and auto parking at Marshall's Monument grounds.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 5, of the printed bill, after "expended", insert "during the Ninety-fifth, Ninety-sixth Fiscal Years".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No 467
Assembly Bill No 566
Assembly Bill No. 988

Assembly Bill No 1359
Assembly Bill No. 1701

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

Senate Bill No 65
Senate Bill No 463
Senate Bill No. 464
Senate Bill No. 551

Senate Bill No 1088
Senate Bill No 812
Senate Bill No. 804

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No 1173
Assembly Bill No 1950

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 1, 1943

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No 208
Assembly Bill No. 1777

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 19

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 53
Assembly Bill No. 1849

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Constitutional Amendment No. 17

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered to unfinished business file.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, May 4, 1943

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith without my signature Assembly Bill No. 924, entitled: "An act to add Section 663.8 to the Political Code, relating to State purchases of supplies, equipment, and other personal property."

My objections to this bill are as follows:

This bill adds Section 663.8 to the Political Code, which would vest in the State Board of Control the power and authority to make rules and regulations covering the purchases by the State of equipment, supplies and materials for all State departments, commissions, boards, institutions and officials.

Under the existing law the Department of Finance, through a Bureau of Purchases, has such authority. I know of no sound reason why that department should not continue to perform those duties or why the State Board of Control would be better able to make rules and regulations in that regard. The State Board of Control was not established and is not now adequately staffed or equipped to prepare and issue such rules and regulations, and the budget for the next biennium does not contemplate the performance of such duties by the State Board of Control. It may be that in previous years mistakes have been made in the purchase of certain items of supplies and materials, but if that be true it does not in my opinion constitute a valid reason for the substantial administrative change proposed by this measure.

All of the members of the Board of Control believe that it is better administrative practice to continue in the Department of Finance the power and responsibility for the purchase of supplies and equipment, rather than to vest regulatory power over such purchases in the Board of Control, whose present functions do not contemplate the performance of such duties, and which is not adequately staffed for that purpose.

Respectfully submitted.

EARL WARREN, Governor

Assembly Bill No. 924 ordered to unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 919—An act to amend Sections 3284, 3285 and 3286 of, and to add Section 3286.1 and 3286.2 to, the Streets and Highways

Code, relating to proceedings for the sale and redemption of delinquent property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Rosenthal, Sargent, Sheridan, Stream, Thurman, Waters, Watson, Weybret, and Mr. Speaker—41.
NOES—Dills, Ralph C.—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 320—An act to add Section 408.5 to the Political Code, relating to the filing of contracts made by or on behalf of the State, providing for the examination of such contracts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 360—An act to add Section 444.2 to the Political Code, relating to temporary transfers of money from the general to special funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Cah, Carey, Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Kellems, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

RECONSIDERATION OF SENATE BILL NO. 1107

In compliance with a notice given on a previous day, Mr. Burns moved that the vote whereby Senate Bill No. 1107 was refused passage be reconsidered.

Senate Bill No. 1107 reconsidered by the following vote:

AYES—Allen, Armstrong, Bashore, Bennett, Berry, Brown, Burns, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Heisinger, Hollibaugh, Kellems, Kraft, Leonard, Lyons, Maloney, McMillan, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thurman, Waters, Werdel, Weybret, and Mr. Speaker—48.
NOES—None.

Further Consideration of Senate Bill No. 1107

Senate Bill No. 1107—An act to amend Section 505 of, and to add Sections 505.5 and 505.6 to, the Public Resources Code, relating to forestry and providing for the administration of the laws relating thereto. Bill read third time.

Motion to Amend

Mr. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 34 and 35, and insert "505.6 The State Board of Forestry shall appoint, in accordance with the laws relating to the State Civil Service, an executive officer known as the State".

Amendment No. 2

On page 2, line 39, of said bill, strike out "the Board"; and strike out lines 40 and 41.

Amendment No. 3

On page 2 of said bill, after line 48, insert "Sec. 4. This act shall not in any manner affect the civil service status of the person holding the position of State Forester."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, and permission having been granted by unanimous consent of the members, the following Assembly resolution was considered:

The following resolution was offered:

Assembly Joint Resolution No. 52: By Mr. Allen—Relative to a sponsorship of the 13th Armored Division of the United States Armed Forces.

Request for Unanimous Consent

Mr. Allen asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 52, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 52

Assembly Joint Resolution No. 52—Relative to a sponsorship of the 13th Armored Division of the United States Armed Forces.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickev, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Keltems, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Werdel, Weybret, and Mr. Speaker—61.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 8.55 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

UNFINISHED BUSINESS (RESUMED)**Consideration of Senate Amendments**

Assembly Bill No. 1604—An act to amend Section 258 of the Vehicle Code, relating to chauffeurs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1604?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend Section 258 of", and insert "add Section 258.1 to".

Amendment No. 2

On page 1, line 1, of said bill, strike out "258 of the Vehicle Code as amended", and insert "258.1 is added to the Vehicle Code".

Amendment No. 3

On page 1 of said bill, strike out lines 3 and 4.

Amendment No. 4

On page 1, line 5, of said bill, strike out "Temporary chauffeur's licenses or permits may be issued", and insert "258.1. Temporary Chauffeurs' Licenses. Temporary chauffeur's licenses or permits may be issued at the discretion of the director".

Amendment No. 5

On page 1, line 7, of said bill, after "vehicles", insert "with a load capacity of not more than four tons".

Amendment No. 6

On page 1 of said bill, after line 16, insert "This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, which ever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section, but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1604 by the following vote:

AYES—Armstrong, Berry, Brady, Brown, Call, Carey, Carlson, Clarke, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kraft, Leonard, Middough, Niehouse, O'Day, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—43.

NOES—Anderson, Beek, Collins, George D., Dills, Ralph C., Evans, Hawkins, Kilpatrick, Knight, T. Fenton; Lyons, Maloney, Massion, McCollister, McMillan, and Pelletier—14.

Assembly Bill No. 1604 ordered enrolled.

RECESS

At 9.03 p.m., on motion of Mr. O'Day, the Assembly recessed until 9.06 p.m., to hear from Sergeant John Root and Corporal Joe Keller, United States Marines who have just returned from Guadalcanal.

REASSEMBLED

At 9.06 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MOTION TO PRINT CITATION IN JOURNAL

Upon motion of Mr. Gannon, the following citation sent to Sergeant John G. Ruth, a guest of the Assembly, was ordered printed in the Journal:

THE SECRETARY OF THE NAVY, WASHINGTON, D. C.

The President of the United States takes pleasure in presenting the SILVER STAR MEDAL to:

PLATOON SERGEANT JOHN G. RUTH, U. S. MARINE CORPS,
for service as set forth in the following:

CITATION

"For conspicuous gallantry and intrepidity while a member of the Second Battalion, First Marines, First Marine Division, during action against enemy Japanese forces in the Tenaru Sector, Guadalcanal, Solomon Islands, on the early morning of August 21, 1942. While subjected to the devastating fire of a strong attacking enemy landing force, Platoon Sergeant Ruth, with utter disregard for his own safety, proceeded to the front lines, manned an abandoned light machine gun and promptly silenced the machine gun which had raked his platoon with gunfire. Although stunned momentarily by an enemy bullet hitting his helmet, he continued his determined and accurate fire and assisted effectively in clearing his sector of the enemy."

For the President,
/s/ FRANK KNOX
Secretary of the Navy

CERTIFIED A TRUE COPY:

GUY J. CROSSLIN
Captain, U.S.M.C.R.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1746—An act to amend Sections 3656 and 3659 of, and to add Sections 3659.3, 3659.5, 3659.6, 3659.7, 3659.9, 3791.5, and 4653.1 to, the Revenue and Taxation Code, relating to the management of tax-deeded property, providing for the distribution of the proceeds therefrom to the taxing agencies and revenue districts having interest in such property, prescribing the powers and duties of the State Controller and of the taxing agencies, revenue districts, and the officers thereof in relation to such property, establishing a Redemption Tax Fund, and making an appropriation.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1746?

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly, April 3, 1943, following line 33, insert

"The one dollar (\$1) for property sold shall be paid from the total amount to be distributed. If the total amount is insufficient the one dollar (\$1) shall be reduced accordingly. The one dollar (\$1) for property redeemed shall be paid from redemption penalties and interest for the oldest year of delinquency and, if that is insufficient, then from redemption penalties and interest for each of the succeeding years in order. If the total amount of redemption penalties and interest is insufficient, the one dollar (\$1) shall be reduced accordingly."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1746 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan,

Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—69.
NOES—None.

Assembly Bill No. 1746 ordered enrolled.

Assembly Bill No. 796—An act to amend Part 5 of Division 2 of the Revenue and Taxation Code, relating to the vehicle license fee.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 796?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Part 5 of Division 2 of", and insert "Sections 10751 and 10758 of, and to add Section 10753.5 to,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 796 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Mason, McCollister, McMillan, Middough, Miller, Nicheuse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—69.
NOES—None.

Assembly Bill No. 796 ordered enrolled.

Assembly Bill No. 648—An act to add Section 53.65 to the Alcoholic Beverage Control Act, relating to bottles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 648?

Amendment No. 1

On page 2, line 28, of the printed bill, as amended, after "a", insert "beer".

Amendment No. 2

On page 2, line 29, of said bill, after "a", insert "beer".

Amendment No. 3

On page 2, line 30, of said bill, after the period, insert "Nothing herein contained shall be construed to prohibit a manufacturer of glass from accepting return of such bottles to be used as cullett."

Amendment No. 4

On page 2 of said bill, strike out lines 36 to 42, inclusive, and insert "Register, and shall also include bottles which, before their first use, are of a pressure resistance or industrial use or reuse less than that of the stubby, steinie, export or select standard returnable beer bottle used principally and generally to bottle or contain beer in the malt beverage industry in the United States on January 4, 1943.

Such beer bottles used by licensees and which are manufactured for one filling only and such beer bottles used by licensees and which, before their first use, are of a pressure resistance or industrial use or reuse less than that hereinabove set forth for the standard returnable beer bottle above described, shall be as described in Exhibit B-12 or B-13 above mentioned or shall be so designed as to contour, shape or other external characteristics as to be reasonably distinguishable from the steinie, export, or select standard returnable bottles above mentioned and must be lettered plainly on shoulder or face, "not to be refilled", or "no return", or language of similar import. Ale bottles as described".

Amendment No. 5

On page 2, line 45, of said bill, strike out "California", and insert "the United States".

Amendment No. 6

On page 2, line 46, of said bill, after "bottles", insert "as mentioned in this section, such ale bottles being in fact standard returnable bottles for ale".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 648 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 648 ordered enrolled.

Assembly Bill No. 1308—An act to repeal Chapter 8, comprising Sections 6850 to 6955, inclusive, of Division 3 of the Business and Professions Code, and to add Chapter 8 comprising Sections 6850 to 6991, inclusive, to Division 3 of the Business and Professions Code, providing for the regulation, bonding, supervision and licensing of collection agencies and penalizing violations thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1308?

Amendment No. 1

On page 2, line 43, of the printed bill, as amended, strike out "Abstract", and insert "Title insurers or abstract".

Amendment No. 2

On page 2 of said bill, between lines 48 and 49, insert

"(1) Duly licensed personal property brokers while making collections for another person of common ownership or affiliated through corporate control."

Amendment No. 3

On page 17 of the printed bill, as amended, strike out lines 17 and 18, and insert "existence and is hereby appropriated to carry out the provisions of this chapter"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1308 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1308 ordered enrolled.

Assembly Bill No. 1988—An act to amend Section 11010 of, and to add Section 11011.5 to, the Business and Professions Code, relating to real estate subdivision.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1988?

Amendment No. 1

On page 1 of the printed bill, strike out Section 2, lines 23 to 31, inclusive.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1988 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins,

Sam L. Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1988 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 37—An act to aid the prosecution of the war by authorizing housing authorities to develop or administer projects to provide housing for persons engaged in war industries, or activities and to cooperate with the Federal Government in making housing available for such persons; to grant certain powers to public bodies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Clarke, Collins, George D. Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sheridan, Thompson, Thorp, Thurman, Waters, Weber, Weybret, and Mr. Speaker—53

NOES—Bashore, Carlson, Collins, Sam L. Erwin, Field, Hastain, Knight, T. Fenton; Kraft, Niehouse, Potter, Sargent, Smith, Stream, Watson, and Werdel—15

Bill ordered transmitted to the Senate.

Speaker Presiding

At 9.30 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California to amend the Constitution of said State by adding Section 22 to Article V thereof, relating to the compensation of State officers.

Resolution read.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

Strike out line 4 of the title of the printed measure, as amended, and insert "Article V and by adding Section 5.5 to Article XI thereof, relating to the compensation of State and county".

Amendment No. 2

On page 1, line 6, of said measure, strike out "that Section 22 be"; and strike out lines 7 and 8, and insert "to amend the Constitution of said State as follows. First: That Section 22 be added to Article V, to read:".

Amendment No. 3

On page 1, line 14, of said measure, after "annum", insert "; provided, that any action of the Legislature in increasing the salary of any State officer, including judicial officers other than judges of the superior and municipal courts, over the sum of five thousand dollars (\$5,000) per annum, shall not take effect until approved by the vote of the people of the State at the general State election next succeeding.

Second: That Section 5.5 be added to Article XI to read:

Sec. 5.5. Any action of the Legislature in increasing the salary of any county officer, over the sum of five thousand dollars (\$5,000) per annum, or in increasing the salary of any judge of the superior or municipal court, over the sum of five thousand dollars (\$5,000) per annum, shall not take effect until approved by the vote of the people of the county concerned at the general election next succeeding".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Berry, Brady, Burkhalter, Collins, George D., Dills, Ralph C., Dilworth, Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, Knight, T. Fenton; Kraft, Lowrey, Maloney, Massion, Middough, O'Day, Pelletier, Thomas, and Watson—22.

NOES—Armstrong, Bashore, Beck, Brown, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Denny, Desmond, Dickey, Doyle, Erwin, Evans, Field, Fourn, Gannon, Guthrie, Hastain, Hollibaugh, Kellem, King, Leonard, Lyons, McCollister, Miller, Niehouse, Potter, Price, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—43.

The question being on the adoption of Senate Constitutional Amendment No. 29.

The roll was called, and the resolution adopted by the following vote:

AYES—Armstrong, Bashore, Beck, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellem, King, Knight, John B., Leonard, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—55.

NOES—Anderson, Berry, Burkhalter, Collins, George D., Dilworth, Hastain, Heisinger, Kilpatrick, Knight, T. Fenton; Kraft, Lowrey, Massion, and O'Day—13.

Resolution ordered transmitted to the Senate.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

WEIMAR, CALIFORNIA, April 30, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Assembly, Sacramento, California*

DEAR ARTHUR: Will you please thank the Members of the Assembly for their kind expression toward me and their wishes for my improved health. It is those acts least expected which bring the greatest appreciation.

And also, Arthur, will you tell my friends that while temporarily down I am far from out and expect to be entirely back in by summer. I am not exactly bedridden and the fact that I got here in time probably saved me years of trouble.

I hope that I will see you all at the next session of the Legislature.

Sincerely yours,

JACK SALT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1114—An act making an appropriation for the contingent expenses of the Senate for the Fifty-fifth Session of the Legislature including committee expenses, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, Knight, John B., Knight,

T. Fenton; Leonard. Lowrey. Lyons. Maloney, Massion. McCollister. McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1033—An act to add Section 261b to the Code of Civil Procedure, relating to phonographic reporters for superior courts in counties, or cities and counties, having a population of 900,000 or more, providing for the compensation and fees of such reporters, requiring the payment to the county clerk of such counties, or cities and counties, of certain filing and appearance fees, in addition to any other fees now required by law, requiring that such fees be deposited in the salary fund of such counties or cities and counties

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Potter moved a call of the Assembly.

Motion carried. Time, 10 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred: Senate Bill No. 109

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THORP, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 109—An act to amend Section 453 of the Agricultural Code, relating to the inspection and condemnation of milk, cream, and products thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 453", and insert "Sections 735.3, 735.4 and 736.3".

Amendment No. 2

In line 2 of the title of said bill, strike out "inspection and condemnation of milk," and insert "marketing of fluid milk and fluid".

Amendment No. 3

In line 3 of the title of said bill, strike out "products", and insert "the establishment of minimum prices".

Amendment No. 4

On page 1, line 1, of said bill, strike out "453", and insert "735.3".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, between lines 2 and 3, insert.

"735.3 As used in this chapter.

(a) "Board" means any local control board created as herein authorized.

(b) "Fluid milk" means any and all whole milk that is produced in conformity with applicable health regulations for market milk of the place where such milk is consumed and for the purpose of this chapter fluid milk may be classified as follows.

Class 1. Any such milk that is supplied to consumers in the form of whole milk, which shall include "raw milk"; "pasteurized milk"; "homogenized milk"; "condensed milk," "evaporated milk," and "modified milk," that is prepared from whole fluid milk and which is not packaged in hermetically sealed containers; fluid milk containing added vitamins or flavoring, that portion of fluid milk used as whole milk in any combination of fluid milk and fluid cream containing a milk-fat content in excess of the minimum statutory requirements for fluid milk and less than the minimum statutory requirement for "cream," and includes milk fat used in the standardization of Class 1 fluid milk;

Class 2 Any such milk or the cream derived therefrom that is sold or disposed of by distributors for consumption as cream, as cream is defined in this code, including cream in any combination of fluid milk and fluid cream containing a milk fat content in excess of 60 per cent and less than the minimum statutory requirements for cream;

Class 3 Any such milk or the cream derived therefrom, as cream is defined in this code, that is sold or disposed of by distributors in any form not included in Classes 1, 2 or 4;

Class 4. Any such milk or the cream derived therefrom, as cream is defined in this code, that is used by distributors in the manufacture of butter and cheese other than cottage cheese.

In designating and prescribing or providing methods for designating and prescribing minimum prices to be paid by distributors to producers for Classes 2, 3 or 4 fluid milk, the director may take into consideration the market price of all milk which may be used for the same purposes set forth in such respective classes [.] , provided that the director may, and, upon receipt of a petition to the director, signed by producers who produce 51 per cent, or more, of the total volume of fluid milk received by distributors for the marketing area involved, shall call a hearing to determine whether or not uniform minimum prices for milk fat contained in all classes of fluid milk should be established to effectuate the purposes of this chapter, and if the director so finds, from the evidence adduced at said hearing, that uniform minimum prices for milk fat contained in all classes of fluid milk should be established, the director shall establish such prices as a part of a stabilization and marketing plan for the marketing area involved.

(c) "Fluid cream" means any and all cream defined in this code as cream and which conforms to the health and sanitary regulations of the place where such cream is to be sold or disposed of for human consumption as cream; provided, however, that the cream derived from the separation of Class 2 fluid milk shall not be considered as fluid cream except that such cream when packaged as cream shall be subject to all of the terms and provisions of orders of the director establishing minimum wholesale and minimum retail prices for fluid cream.

(d) "Dairy products" includes any product manufactured from milk or any derivative or product of milk

(e) "Producer" means any person who produces fluid milk or fluid cream from five or more cows or goats in conformity with the applicable health regulations of the place in which it is sold, and whose fluid milk or fluid cream is received or handled by any distributor. "Producer" includes any association of producers

(f) "Distributor" means any person, whether or not such person is a producer or an association of producers who purchases or handles fluid milk or fluid cream for sale, including brokers, agents, copartnerships, cooperative corporations and incorporated and unincorporated associations. The definition of "distributor" shall not include any of the following: (1) Any retail store that is not engaged in processing and packaging fluid milk or fluid cream, (2) any establishment where fluid milk or

fluid cream is sold only for consumption on the premises, that is not engaged in processing and packaging fluid milk or fluid cream, (3) any person owned or controlled by one or more retail stores, or owned or controlled by one or more establishments where fluid milk or fluid cream is sold for consumption on the premises which person is not actively and directly engaged in the processing and packaging of fluid milk or fluid cream, (4) any producer who delivers fluid milk or fluid cream only to a distributor.

(ff) "Producer-distributor" means any person who is both a producer and a distributor of fluid milk or fluid cream. For the purposes of this chapter a producer-distributor shall be deemed to be a producer in any transaction involving the delivery of fluid milk or fluid cream produced by him to a distributor, and shall be deemed to be a distributor in any transaction involving the delivery of fluid milk or fluid cream to a person who is not a distributor as defined in this section.

(g) "Retail store" means any person or persons owning or operating a retail grocery store, restaurant, confectionery, or other similar business, where fluid milk or fluid cream is sold to the general public for consumption off the premises.

(h) "Marketing area" is any area within this State declared to be such in the manner prescribed in this chapter.

(i) "Stabilization and marketing plan" means any plan formulated and made effective by the director within the legislative standards provided by this chapter and shall include, among other things the establishing of prices to be paid by distributors for any or all of the various classes of fluid milk or fluid cream.

(j) "Consumer" means any person who purchases fluid milk, fluid cream or dairy products for consumption.

(k) "Person" means any individual, firm, corporation, association or any other business unit.

SEC. 2. Section 735.4 of said code is amended to read:

735.4. (a) The director shall have and may exercise any or all the powers conferred by Section 353 of the Political Code upon the head of a department of the State with respect to hearings and investigations under this chapter.

(b) The director is hereby declared to be the instrumentality of this State for the purpose of administering and enforcing the provisions of this chapter and to execute the legislative intent herein expressed, and is hereby vested with the administrative authority:

(1) To investigate any and all transactions between producers and distributors or among distributors or between distributors and retail stores or between distributors and consumers or between retail stores and consumers, and for that purpose the director or his authorized agents shall have access to and may enter at all reasonable hours all places where milk is being stored, bottled or manufactured, or where milk or milk products are being bought, sold or handled, or where the books, papers, records or documents relating to such transactions are kept, and shall have power to inspect and copy the same in any place within the State.

(2) To issue licenses to distributors and require the registration of producers.

(3) To formulate any stabilization and marketing plan as prescribed in this chapter and declare the same effective after public hearing and reasonable notice by mail or otherwise to all producers and distributors of record with the director, affected by such plan.

(4) To prescribe minimum prices to be paid by distributors in accordance with a stabilization and marketing plan for fluid milk and classify said milk according to usage by distributors; provided, that the prices so prescribed shall be based upon the economic relationship of the price of fluid milk for the marketing area involved to the price of manufacturing milk, taking into consideration the additional costs incurred in producing and marketing fluid milk over and above such costs incurred in producing and marketing manufacturing milk, *including the current costs of dairy feed, dairy labor, transportation and such other costs which the director finds are necessary in order to carry out the purposes of this chapter.*

(5) To prescribe minimum prices to be paid by distributors for fluid cream in accordance with a stabilization and marketing plan; provided, that the prices so prescribed shall be based upon the economic relationship of the price of fluid cream for the marketing area involved to the price of manufacturing milk, taking into consideration the additional costs incurred in producing and marketing fluid cream over and above such costs incurred in producing and marketing manufacturing milk.

(6) (a) To amend or terminate any stabilization and marketing plan, after notice and public hearing as prescribed in Section 726.1, in the event that he finds that such plan is no longer in conformity with the standards prescribed in, or will not tend to effectuate the purposes of, this chapter. Such hearing may be held upon the motion of the director and shall be held upon receipt of a petition signed by producers representing not less than 55 per cent of the total number of all producers and not less than 55 per cent of the total production of all producers who are eligible to petition the director for the formulation of such plan.

(b) To amend, after notice and public hearing called and held in the same manner as provided in Section 736.12, any minimum wholesale and retail prices established under the provisions of Article 2a of this chapter, in the event that he finds

that any such price is, or that any such prices are, no longer in conformity with the standards prescribed therefor, or will not tend to effectuate the purposes of this chapter.

(c) To terminate any such minimum wholesale and retail prices without notice or hearing at any time that there is no stabilization and marketing plan in force and effect in such marketing area.

(7) To appoint a local control board for any marketing area, in the event that he deems such board necessary or advisable.

(8) To remove any member from a local control board in the event that he finds such member, after hearing, is guilty of nonfeasance or malfeasance in office.

(9) To appoint a member to fill a vacancy on a local control board

Src 3 Section 736 3 of said code is amended to read:

736 3 Any stabilization and marketing plan shall contain the following provisions

(a) Provisions for prohibiting distributors and retail stores from engaging in the unfair practices hereinafter set forth.

(1) The payment, allowance or acceptance of secret rebates, secret refunds, or unearned discounts by any person, whether in the form of money or otherwise

(2) The giving of any milk, cream, dairy products, services or articles of any kind, except to bona fide charities, for the purpose of securing or retaining the fluid milk or fluid cream business of any customer

(3) The extension to certain customers of special prices or services not made available to all customers who purchase fluid milk or fluid cream of like quantity under like terms and conditions

(4) The false or misleading advertising of fluid milk or fluid cream as defined in Section 654a of the Penal Code

(5) The purchase of any fluid milk in excess of 200 gallons monthly from any producer or association of producers unless a written contract has been entered into with such producer or association of producers stating the amount of fluid milk to be purchased for any period; the quantity of such milk to be paid for as Class 1, and the price to be paid for all milk received, but in any marketing area where an equalization pool is a part of a stabilization and marketing plan, such contract need not specify the quantity of milk in any one class. The contract shall also state the date and method of payment for such fluid milk, which shall not be later than the last day of the month following the month during which the fluid milk was purchased, the charges for transportation if hauled by the distributor, and may contain such other provisions as are not in conflict with this chapter, and shall contain a proviso to the effect that the producer shall not be obligated to deliver in any calendar month fluid milk to be paid for at the minimum price for fluid milk that is used for Class 4, as said class is defined in Section 735 3 of this code. A signed copy of such contract shall be filed by the distributor with the director within five days from the date of its execution

(6) The purchasing, processing, bottling, transporting, delivering or otherwise handling in any marketing area of any fluid milk or fluid cream which is to be or is sold or otherwise disposed of by such distributor at any place in the geographical area within the outer, outside and external boundaries or limits of such marketing area, whether such place is a part of the marketing area or not, at less than the minimum wholesale and minimum retail prices effective in such marketing area

(7) The payment of a lesser price by a distributor to any producer for fluid milk or fluid cream which is distributed to any person, including agencies of the Federal, State or local government, located upon property within the geographical limits of any marketing area for less than the minimum prices established by the director to be paid by distributors to producers for fluid milk or fluid cream for said marketing area

(8) The purchasing or receiving of any fluid milk or fluid cream by distributors from producers within a marketing area wherein a stabilization and marketing plan is in effect for less than the minimum prices established in such plan, regardless of whether such milk or cream is subsequently sold or distributed within or without such marketing area, or within or without the jurisdiction of the State of California; provided, however, that if such fluid milk or fluid cream is subsequently sold or distributed in another marketing area within the State of California where a stabilization and marketing plan is in effect then the distributor shall pay the producer thereof not less than the minimum prices established in such plan in the marketing area wherein such milk or cream is sold or distributed; and provided further, that in the event such fluid milk or fluid cream is subsequently sold or distributed in any place within the jurisdiction of the State of California where no stabilization and marketing plan is in effect, then such milk or cream may be paid for by the distributor to the producer thereof at not less than the average price paid by distributors to producers for milk or cream of similar grade and quality at the plants in the vicinity where such milk or cream is so sold or distributed, as such prices are determined by the director from contracts required to be filed with him pursuant to this section.

(b) Provisions whereby the director designates and prescribes or provides methods for designating or prescribing minimum prices to be paid by distributors to producers, for fluid milk in one or more of the various classes; provided, however, that the prices so designated or prescribed shall be based upon the economic relationship of the price of fluid milk for the marketing area involved to the price of manufacturing milk, taking into consideration the additional costs incurred in producing and marketing fluid milk over and above costs incurred in producing and marketing manufacturing milk, including the current costs of dairy feed, dairy labor, transportation, and such other costs which the director finds are necessary in order to carry out the purposes of this chapter; and provided further, that the director finds that such prices will tend to effectuate the purposes and policy of this chapter and will insure consumers a sufficient quantity of pure and wholesome milk.

Any stabilization and marketing plan may contain the following provisions:

(c) Provisions whereby distributors shall report to each producer from whom fluid milk is secured, the volume of fluid milk received from such producer in pounds of milk, the milk fat test of such milk and the amount of fluid milk in milk fat pounds paid for in the several classes and the prices paid for the various classes for each month.

(d) Provisions whereby the director designates and prescribes or provides methods for designating or prescribing minimum prices to be paid by distributors to producers for fluid cream; provided, that the prices so designated or prescribed shall be based upon the economic relationship of the price of fluid cream for the marketing area involved in the price of manufacturing cream, taking into consideration the additional costs incurred in producing and marketing fluid cream over and above costs incurred in producing and marketing manufacturing milk; and provided further, that the director finds that such prices will tend to effectuate the purposes and policy of this chapter and will insure consumers a sufficient quantity of pure and wholesome cream.

(e) Provisions whereby the director designates or prescribes methods to provide uniform prices to be paid to all producers supplying fluid milk to distributors for pasteurization purposes in the marketing area involved by pooling the returns of all such fluid milk; provided, that no equalization pool shall be established unless the director, after hearing, determines that producers who supply distributors with not less than sixty-five (65) per cent of the total volume of fluid milk used for pasteurization purposes and who represent not less than sixty-five (65) per cent of the total number of such producers desire the establishment of such pool, but no hearing shall be necessary if said sixty-five (65) per cent, by volume and production, of such producers petition the director in writing to establish such equalization pool as a part of the plan. If the director finds that an equalization pool is necessary to carry out the provisions of this chapter he shall make provision therefor. The director may designate the local control board for the marketing area as his agency to operate the equalization pool and may permit such local board to employ a pool manager and such other necessary personnel and to incur such expenses incidental to the operation of the pool as the director finds are necessary. The director is hereby empowered to require distributors to make reports to the pool manager at such intervals and in such detail as he finds is necessary for the operation of the pool which reports shall be kept confidential as to any individual distributor but shall be available to the director or his agents and the pool manager, and such employees of the pool as are necessary to the operation of the equalization pool.

No provision of any pooling program shall prevent any distributor from paying premiums for quality; provided, all producers supplying fluid milk of like quality to such distributor are paid similar premiums, nor shall any provision prohibit the paying of different prices to producers based on differentials in transportation, adjustments or deductions made by a cooperative association of producers to its members, including the blending of proceeds received from the sale of fluid milk by such cooperative in other markets. Distributors who purchase fluid milk from producers for pasteurization purposes shall deduct from payments due such producers at such time and in such manner such sums as the director determines are sufficient to insure uniform prices to all producers subject to the provisions of the equalization pool, irrespective of the usage of such fluid milk by the distributors. Distributors shall make, in addition to the deductions herein prescribed, such additional deductions per pound milk fat as the director finds necessary to pay all expenses incidental to the operation of the equalization pool, including the establishment of a reserve account to insure prompt payments to producers. The deductions herein prescribed are in addition to any other deductions prescribed by this chapter.

(f) Provision whereby sales stimulation or consumer educational programs may be formulated and administered to increase the consumption of fluid milk and fluid cream, or other dairy products; provided, that such programs shall be carried on without reference to a particular brand or trade name; and provided further, that no such sales stimulation or consumer educational program shall be carried on which shall make use of false or unwarranted claims on behalf of such products or which disparages the quality, value, sale or use of any fluid milk or fluid cream or any other

agricultural commodity authorized by law to be marketed within such marketing area.

Before any stabilization and marketing plan may provide for sales stimulation and consumer educational programs, not less than 65 per cent of the producers and who produce not less than 65 per cent of the total volume of fluid milk consumed in any marketing area shall petition the director in writing for the inclusion of such a program as part of the stabilization and marketing plan. If such a program is requested by distributors it shall be necessary that not less than 65 per cent of the total number of distributors and who distribute not less than 65 per cent of the total volume of fluid milk for consumption in the marketing area shall petition the director in writing for the inclusion of such a program as part of the stabilization and marketing plan.

The petition shall bear the signatures of petitioners, their addresses and the approximate daily volume of fluid milk handled in gallons and milk fat pounds and the type of product distributed, together with the estimated cost of the program each month and the number of months the program is to continue in operation.

A sales stimulation and consumer educational program instituted by producers shall be financed by all producers supplying fluid milk to the marketing area. Such program, if instituted by distributors, shall be financed by all distributors supplying fluid milk to the marketing area. If such program is instituted by both producers and distributors, both producers and distributors shall finance the program equally.

If the program is instituted by producers the director is hereby empowered to require producers to pay assessments of not more than two mills (\$.002) per pound milk fat, or if the program is instituted upon a gallonage basis not more than seven mills (\$.007) for each 10 gallons of fluid milk received by distributor, including the production of distributors who are also producers.

If the program is instituted by distributors the director is hereby empowered to require distributors to pay assessments of not more than two mills (\$.002) per pound milk fat, or if the program is instituted upon a gallonage basis not more than seven mills (\$.007) for each 10 gallons of fluid milk received by distributors, including the production of distributors who are also producers.

If the program is instituted by both producers and distributors, the director is hereby empowered to require both producers and distributors to pay assessments for the purpose of providing funds for formulating, administering, and carrying on such program. The assessments to be paid by distributors shall not exceed two mills (\$.002) per pound milk fat, or if the program is instituted upon a gallonage basis not more than seven mills (\$.007) for each 10 gallons of fluid milk received by distributors including the production of distributors who are likewise producers. Assessments of not more than two mills (\$.002) per pound milk fat, or if the program is instituted upon a gallonage basis, not more than seven mills (\$.007) for each 10 gallons of fluid milk produced by producers and received by distributors, shall likewise be paid by producers. In no instance shall the combined assessments exceed four mills (\$.004) per pound milk fat, or if the program is instituted upon a gallonage basis, not more than 14 mills (\$.014) for each 10 gallons of fluid milk received from producers and processed by distributors for distribution in the marketing area in the form of whole milk, fluid cream, or manufactured dairy products derived from fluid milk.

Before a program may be instituted a public hearing shall be called by the director, the procedure for which public hearing is to be the same as that required for the institution of a stabilization and marketing plan for fluid milk. At such public hearing testimony and evidence shall be taken to determine the necessity of such a program, the estimated costs of the program, the time during which the program is to be continued, and such other matters as are necessary in the institution of the program.

If, after public hearing and consideration of the testimony and evidence presented at said hearing, the director finds that a sales stimulation and consumer educational program will tend to effectuate the purposes of this chapter, he shall issue an order making effective such program. Such order shall state the number of months the program shall continue in operation, the rate of assessment per pound milk fat or per gallon to be paid by those petitioning for the program, the names, addresses and business locations of the persons appointed to administer the program and such order may contain other provisions which are necessary and incidental to the operation of the program.

The person named in the order to administer the program shall be selected by the director in the following manner and in the following number:

(a) If the program was instituted by producers the director shall name five representative producers from nominations made at the public hearing by the petitioners.

(b) If the program was instituted by distributors the director shall name five representative distributors from nominations made at the public hearing by the petitioners.

(c) If the program was instituted by both producers and distributors the director shall name three representative producers from nominations made at the public

hearing by the petitioning producers and three representative distributors from nominations made at the public hearing by petitioning distributors

(d) Distributors who are also producers shall be eligible to nomination for service on, and may be named by the director to serve on the committee to administer any program for which they will be required to pay assessments, and at least one of the persons named by the director to serve on any committee to administer any program for which distributors who are also producers will be required to pay assessments shall be a distributor who is also a producer

All programs shall be administered by the persons named in the order of the director making the program effective, and shall be administered subject to the approval of the director. All amounts required to be paid to the director under this section by producers or distributors shall be paid to such director on or before the fifteenth day of the month following the month during which such fluid milk was received by distributors and all distributors receiving milk from producers in any area where the provisions of this section are in effect whereby the director is empowered to require payments from producers shall deduct and pay to the director such payments provided for under this section from the payments due for such distributors to such producers for fluid milk.

Upon the termination of any program, if there are any obligations arising thereunder, the final accrual or ascertainment of which requires further acts by any producer or distributor or by the persons appointed to administer the program or by the director, the power or duty to perform such further acts shall continue, notwithstanding such termination.

All moneys received by the director pursuant to this section shall be deposited in the Department of Agriculture Fund in the State Treasury allocated to each separate marketing area from which they are collected and disbursed only for the purposes specified subject to the approval of the director.

Any money received by the director in excess of the amount required for any program shall be returned at such time as the director may determine on a pro rata basis to the persons from whom such funds were collected."

Amendment No. 6

On page 1 of said bill, strike out lines 3 to 23, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 819—An act to regulate the employment of publicists employed by State departments and agencies, and prescribing penalties for the violation hereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. C. Don Field Presiding

At 10.05 p.m., Hon. C. Don Field, Member of the Assembly from the Forty-third District, presiding.

Senate Bill No. 31—An act to repeal the article heading of Article 6, Chapter 2, Title 1, Part 3 of, and to add Article 6 consisting of Sections 280 to 284, inclusive, to Chapter 2, Title 1, Part 3 to, the Political Code and to add Article 4, comprising Sections 9100 to 9104.

inclusive, to Chapter 1, Part 1, Division 2, Title 2, of the Government Code, relating to offices for the Legislature and the members thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, and Mr. Speaker—58.

NOES—Brown, Carlson, Dilworth, Hastain, and Leonard—5.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.12 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Senate Bill No. 998—An act to add Section 59 to the Unemployment Insurance Act, relating to seasonal employment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Crichton, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—60.

NOES—Collins, George D., Collins, Sam L., and Doyle—3

Bill ordered transmitted to the Senate.

Senate Bill No. 1026—An act to add Section 7.3 to the Unemployment Insurance Act, relating to exemptions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Erwin, Field, Fourn, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, and Weybret—56.

NOES—Gaffney and Maloney—2.

Bill ordered transmitted to the Senate.

RULES TEMPORARILY SUSPENDED BY UNANIMOUS CONSENT

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that the Rules be temporarily suspended for the purpose of withdrawing Senate Bill No. 11 from the Committee on Universities and Colleges, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 11

Senate Bill No. 11—An act to add Section 8821.1 to the Education Code, relating to admission of students to junior colleges, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Motion to Amend

Mr. Ralph C. Dills moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 51, of the printed bill, as amended, after "college", insert "in a city unified school district".

Amendment No. 2

On page 3 of said bill, strike out lines 1 and 2, and insert "in his judgment are capable of profiting from the instruction offered in the junior college."

Amendments read and adopted.

Bill ordered reprinted, and re-referred to Committee on Universities and Colleges.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 146—An act to amend Sections 10501 and 10503 of the Water Code and Section 1 of an act entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, relating to appropriation of waters by the State Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, and Weybret—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 502—An act to amend Sections 1071, 2422, 2423, 2481, 2502, 2561, 2584, 2802, 2833, 2893, 2922, 2962, 3431, 3462, 3591, 3691, 3722, 3742, 3743, 3761, 3825, 3841, 3851, 3962, 4281, 4341, 18461 and 18478, and to repeal Section 3403 of, and to amend the article heading of Article 14, of Chapter 11, Division 2, of the Education Code, relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, Pelletier,

Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, and Weybret—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 344—An act to amend Section 4273 of the Political Code, relating to the compensation of public officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, McMillan, Middough, Niehouse, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, and Mr. Speaker—54.

NOES—Massion and Pelletier—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 374—An act to add Section 16425 to the Education Code, relating to contracts for local health administration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 53—An act to provide for the licensing, visitation and supervision of schools teaching foreign languages, and to define and prescribe the powers and duties of the State Board of Education in respect thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Haggerty, Hastain, Heisinger, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 987—An act to amend Section 6004 of the Water Code, relating to dams and to amend Section 2 of an act entitled "An act providing for the supervision of dams by the Department of Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and

providing penalties for violations thereof and making an appropriation therefor," approved June 10, 1929, as amended, relating to dams.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 381—An act to amend Section 4861 of the Education Code, relating to the membership of schools in societies, associations, or organizations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—60.

NOES—Denny, Dilworth, Hastain, Lowrey, Pelletier, and Potter—6.

Bill ordered transmitted to the Senate.

MOTION TO SEND GREETINGS TO LARRY ALLYN

Mr. Sam L. Collins moved that the Chief Clerk be instructed to send greetings to Mr. Larry Allyn, formerly of the Legislative Counsel Bureau, who is now in the armed forces, and to extend to him the best wishes of the Assembly.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 825—An act to add Sections 12010 and 12154 to the Education Code, relating to credentials and certificates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 168—An act to amend Section 3661 of, and to add Section 3661.1 to, the Education Code, relating to the formation of union or joint union high school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 650—An act to add Section 10126 1 to the Education Code, relating to attendance of pupils upon courses of physical education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Mr. Speaker—66.

NOES—Werdel—1.

Bill ordered transmitted to the Senate

Senate Bill No. 656—An act to amend Sections 5014 and 6816 and to repeal Section 6817 of the Public Resources Code, relating to the disposition of moneys credited to the State Lands Act Fund, creating the State Beach Fund, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 445—An act to add Sections 506.6 and 506.7 to the Public Resources Code, relating to the powers and duties of the State Park Commission respecting shore line protection, improvement and development of State or publicly owned beaches, and to appointment of a Beach Erosion Control Engineer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Berry, Brady, Burkhalter, Burns, Call, Clarke, Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Sargent, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weybret, and Mr. Speaker—45.

NOES—Armstrong, Bashore, Brown, Carey, Carlson, Collins, George D., Dilworth, Erwin, Guthrie, Hastain, Kilpatrick, King, Potter, Sheridan, Smith, and Werdel—16.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1052—An act making an additional appropriation for the support, operation, construction, improvements, and equipment at the State prisons of California.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1052?

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "five thousand five hundred dollars (\$5,500)", and insert "sixteen thousand five hundred dollars (\$16,500)".

Amendment No. 2

On page 1, line 5, of said bill, after "printed", insert "to be expended during the Ninety-fifth and Ninety-sixth Fiscal Years".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1052 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—69.

NOES—None

Assembly Bill No. 1052 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 714—An act to amend Section 5227 of the Business and Professions Code, relating to outdoor advertising.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Collins, Sam L., Crichton, Crowley, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hawkins, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Sheridan, Stream, Thomas, Thurman, Waters, Weber, and Mr. Speaker—41.

NOES—Anderson, Armstrong, Bashore, Beck, Brown, Carlson, Clarke, Collins, George D., Dilworth, Dunn, Erwin, Hastain, Heisinger, Johnson, Knight, T. Fenton; Kraft, Leonard, Lowrey, McCollister, Miller, Potter, Price, Sargent, Smith, Thompson, Watson, and Weybret—27.

Bill ordered transmitted to the Senate.

Senate Bill No. 459—An act to amend Sections 11535, 11552, 11554, 11555, 11593 and 11612 of, the Business and Professions Code, relating to real estate subdivisions, procedure for surveying, subdividing and mapping of real estate; the sale and disposal of real estate by reference to maps; regulating the powers and duties of cities, counties and towns with reference to the procedure for surveying, subdividing and mapping of real estate, and the preparation of official maps; and prescribing penalties for violations thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Leonard, Maloney, Massion, McCollister, Middough, O'Day, Potter, Price, Sheridan, Thomas, Thurman, Waters, Weber, Weybret, and Mr. Speaker—43.

NOES—Armstrong, Bashore, Beck, Brady, Carlson, Denny, Dunn, Erwin, Field, Johnson, Kraft, Lowrey, Miller, Niehouse, Sargent, Smith, and Stream—17.

Bill ordered transmitted to the Senate.

Senate Bill No. 615—An act to amend Sections 5003.5 and 5014 of the Public Resources Code, relating to the powers of the State Park Commission, and providing the manner in which the moneys in the State Park Maintenance and Acquisition Fund may be expended.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, and Weybret—63.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 57—An act to add Sections 588 and 589 to the Military and Veterans Code, relating to care, treatment and benefits of members of the State Guard, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker
—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1071—An act to amend Sections 321 and 324 of the Military and Veterans Code, relating to the military and naval forces of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker
—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1075—An act to add 160.5 to the Military and Veterans Code, relating to the powers and duties of The Adjutant General, and providing for supervision and direction by him of the members of the California Highway Patrol and of fish and game wardens and other enforcing officers employed by the Division of Fish and Game

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker
—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 196—An act to amend Section 658.1 of the Fish and Game Code, relating to salmon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Nie-

house, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Lowrey moved to expunge the record, and rescind the action whereby amendments to Senate Bill No. 580 were adopted on May 3, 1943.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Werdel, Weybret, and Mr. Speaker—63

NOES—None.

Bill ordered reprinted.

MOTION TO PRINT IN JOURNAL

Mr. Carlson moved that a certain communication be printed in the Journal.

Substitute Motion

Mr. Field moved, as a substitute motion, that the remarks by Mr. Carlson, together with the letter, be printed in the Journal.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—63.

NOES—None.

Speaker Presiding

At 11.30 p.m., Hon. Charles W. Lyons, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1033

At 11.31 p.m., on motion of Mr. Potter, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1033 passed by the following vote:

AYES—Armstrong, Bennett, Berry, Brady, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, and Mr. Speaker—50.

NOES—Anderson, Bashore, Beck, Brown, Burkhalter, Crichton, Denny, Dills, Clayton A., Field, Gannon, Guthrie, Heisinger, King, Lyons, Massion, Middough, Sargent, and Weybret—18.

Bill ordered transmitted to the Senate.

PERMISSION TO CONSIDER ASSEMBLY BILL

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, permission to consider Assembly Bill No. 2015 was granted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Helsing, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—71.

NOES—None.

CONSIDERATION OF ASSEMBLY BILL NO. 2015

Assembly Bill No. 2015—An act to add Section 1737.5 to the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2015, at this time, without reference to committee or file, and that the same be considered engrossed.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Johnson:

Resolved, That Assembly Bill No. 2015 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Helsing, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—71.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 2015—An act to add Section 1737.5 to the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Bill read second time.

Assembly Bill No. 2015—An act to add Section 1737.5 to the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C.,

Dovle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Hersinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Senate Concurrent Resolution No. 49

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Concurrent Resolution No. 49—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of the Board of Equalization, and the Members of the Senate and Assembly.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 49, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 49

Senate Concurrent Resolution No. 49—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of the Board of Equalization, and the Members of the Senate and Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—59.

NOES—Lowrey—1.

Resolution ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER The Committee on Conference concerning:

Senate Bill No. 197—An act to add Section 2729 to the Penal Code, relating to prisons and the sale of prison-made products, and declaring the urgency thereof and that this act shall go into immediate effect,
Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in.

CARTER
SWAN
KEATING
Senate Committee on Conference

CARLSON
FOURT
JOHNSON
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1904—An act to amend Section 6799 of the Business and Professions Code, relating to fees under The Civil Engineers' Act, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1904?

Amendment No. 1

On page 1 of the printed bill, strike out line 16.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1904 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1904 ordered enrolled.

RESOLUTIONS

The following resolutions were offered:

By Mr. Gannon:

House Resolution No. 258

Resolved by the Assembly of the State of California, That a leave of absence is hereby granted to each Member of this Assembly who enters the military service of the United States, for the period of such service; and be it further

Resolved, That except as otherwise expressly required by law, such entry into the military service and continuance therein shall not deprive a Member of the Assembly of any of his rights and privileges as a Member of the Assembly.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. John B. Knight:

House Resolution No. 259

Relative to an Assembly Interim Committee on Unemployment Insurance

WHEREAS, It is imperative that all pertinent facts bearing upon the subjects of (i) employment and unemployment conditions in California, (ii) the administration, application, operation and effects of the Unemployment Insurance Act, (iii) activities and operations of the Department of Employment, including the State Employment Service, (iv) the relationships between the Department of Employment and the Federal Security Agency, including the Social Security Board and the Bureau of Employment Security, (v) the collection and disposal of revenues collected in California under the Federal Unemployment Tax Act, and (vi) the requirements and conditions imposed upon the governmental agencies of this State by the agencies of the Federal Government under the Federal Social Security Act and the Federal Unemployment Tax Act with respect to unemployment insurance, should be found assembled and analyzed to the end that the Legislature of California may be enabled to act advisedly and judiciously in the premises for the best interests of California in the consideration and enactment of legislation; and

WHEREAS, The facts can best and most expeditiously be ascertained and analyzed through an Interim Committee charged with the study of every phase of the foregoing subjects; now, therefore, be it

Resolved by the Assembly of the State of California, That an Interim Committee, to be known as the Assembly Interim Committee on Unemployment Insurance, is hereby created to consist of three Members of the Assembly appointed by the Speaker thereof. The committee shall investigate, study and analyze, accurately and in detail, each and every phase of the foregoing subjects for the purposes of considering and enacting legislation; and be it further

Resolved. That said committee shall have and may exercise all of the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code, by Sections 9400 to 9412 of the Government Code, and by the Joint Rules and Assembly Rules; and be it further

Resolved. That said committee shall have power:

(1) To select a vice chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in anywise bearing on the subject matter of this resolution;

(7) To meet at any time during this session of the Legislature or after the final adjournment thereof;

(8) To report to this Assembly at any time prior to final adjournment of the Fifty-sixth Regular Session of the Legislature;

(9) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and procure testimony;

(10) To do any and all things necessary to carry out the purposes and intent of this resolution; and be it further

Resolved. That the Sergeant-at-Arms of the Assembly or other officers designated by him, are hereby directed to serve any and all subpoenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved. That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon

request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of ----- (\$-----) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Weber:

House Resolution No. 260

Resolved by the Assembly of the State of California, That Rule 75 of the Standing Rules of the Assembly is amended to read as follows:

75 There shall be standing committees of the Assembly upon the several subjects stated below, as follows:

1. Rules and House Functions
2. Legislative Procedure.
3. Conservation and Planning
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Crime and Correction
10. Public Morals
11. Public Health
12. Social Welfare
13. Civil Service and State Departments
14. Military Affairs
15. Municipal and County Government
16. Elections and Reapportionment
17. Judiciary
18. Constitutional Amendments
19. Agriculture
20. Live Stock and Dairies
21. Public Utilities, and Corporations
22. Manufacturing and Mineral Industry
23. Labor and Capital
24. Finance and Insurance
25. Transportation and Commerce

Prior to the assignment of members to serve on the several standing committees, the Speaker shall consider the preferences of the Members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that Members will not serve on more than one committee which meets at the same time, and the Speaker thereafter shall determine the number and the Members to serve on each standing committee. Upon publication in the Journal of the number of Members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the elected membership of the Assembly.

No Member of the Assembly shall be a member of more than three standing committees without the consent of the Speaker and the approval of the House.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Hawkins, Massion, Pelletier, Dills, Ralph C., McMillan, Dills, Clayton A., Evans, Thomas, Thompson, King, Rosenthal, and Beck:

House Resolution No. 261
Relative to Will H. Fischer

WHEREAS, Will H. Fischer has been in attendance at sessions of this Legislature almost continuously since 1901 either as a newspaper reporter or as legislative representative; and

WHEREAS, His genial personality and dependability have won him a host of friends among the Members of this Assembly; and

WHEREAS, For the past three weeks Will H. Fischer has been absent from these sessions because of illness, and his presence here has been very greatly missed; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly by this resolution express their sympathy to Will H. Fischer in his illness, and send him hearty good wishes for a most speedy recovery and return to his accustomed rounds and the councils of his friends; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitable copy of this resolution to Will H. Fischer.

Request for Unanimous Consent

Mr. Hawkins asked for, and was granted, unanimous consent to take up House Resolution No. 261, at this time, without reference to committee.

Resolution read and adopted unanimously.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 587 WAIVED

Mr. Evans waived his notice of motion to reconsider the vote whereby Senate Bill No. 587 was passed.

Senate Bill No. 587 ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1111—An act to amend Section 10074 of, to add Sections 10009 5, 10023, 10024, 10025 and 11011.5 to, and to add Chapter 7, comprising Sections 10500 to 10600, to Part 1 of Division 4 of, the Business and Professions Code, relating to transactions in mineral, oil or gas property, regulating mineral, oil and gas brokers and salesmen and prescribing the powers and duties of the State Division of Real Estate with respect thereto.

Bill read third time.

Motion to Amend

Mr. Weybret moved the adoption of the following amendments:

Amendment No. 1

On page 3 of the printed bill, as amended, between lines 13 and 14, insert
“(c) Any person, and the officers and employees of such person, engaged in the business of drilling for or producing oil or gas, or of mining for or producing minerals.”

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 3 of said bill, strike out lines 14 to 32, reading as follows:
“[mineral, oil or gas property. He shall not be exempt from this chapter under subdivision (a) of Section 10505 nor shall he be made subject to this chapter solely by virtue of Section 10506.]”

10505. The provisions of this chapter, except Section 10512, do not apply to:

(a) Anyone who directly performs any of the acts within the scope of this chapter with reference to his own property or, in case of a corporation, through its regular officers receiving no special compensation therefor, performs any of the acts with reference to the corporation's own property.

(b) Anyone holding a duly executed power of attorney from the owner.

(c) Services rendered by an attorney at law in performing his duties as such attorney at law.

(d) Any receiver, trustee in bankruptcy, or any person acting under order of any court.

(e) A trustee selling under a deed of trust.]”

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 672—An act to add Section 45.2 to the Alcoholic Beverage Control Act, relating to suspension and revocation of licenses.

Bill read third time.

Motion to Amend

Mr Lyon moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after “section”, insert “603 and”.

Amendment No. 2

In lines 5 and 6 of said bill, strike out “suspension and revocation of licenses”, and insert “alcoholic beverages”.

Amendment No. 3

On page 3 of said bill, after line 29, insert

“SEC. 2. Section 603 is added to said act, to read:

Sec. 603. Any person who directly or indirectly, in connection with any sale or offer of sale of any alcoholic beverage which is subject to a maximum purchase price established by any law, order, or regulation of the United States Government or any agency thereof, shall knowingly receive, request, or attempt to obtain any money, profit, commission or anything of value in addition to or above said maximum purchase price, shall be guilty of a misdemeanor and on conviction shall be punishable by a fine of not to exceed five hundred dollars (\$500) or by imprisonment for not to exceed six months, or by both such fine and imprisonment.”

Amendments read and adopted

Bill ordered reprinted, and to third reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. F. E. Dayton of Salinas and Hon. Hubert Scudder of Sebastopol.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Thomas Maloney, Jr., of Sacramento.

On request of Mr. Hollibaugh, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Charles Brown of Los Angeles.

On request of the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Associate Justice of the Supreme Court of California Douglas L. Edmonds of San Francisco.

On request of Messrs. Johnson, Call, and Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Senator Grant Macfarlane, President of the Utah State Senate, and Mrs. Macfarlane of Salt Lake City, Utah.

On request of Mr. Brady, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Effie D. Moses of San Francisco and Mrs. Minnie Lou Eakin of Berkeley.

On request of Mr. King, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. John E. Frazier, former Assemblyman, and Mr. Walter J. O'Neil of Oroville.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Thomas Maloney of San Francisco, wife of the Speaker pro tempore.

On request of Mr. Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Martha Scott of Sacramento.

On request of Mr. Price, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. George Phelps of Sacramento.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Samuel Slott, Harry Joffe, Dr. and Mrs. E. I. Seidenberg, Wm. J. Melmet, Pauline Epstein, Jack Y. Berman, Oscar Lasky, and Wm. Morris of Los Angeles.

On request of Mr. Thompson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Kenneth Raymond of Sacramento.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Floyd E. Gilmore of Hemet, Mr. E. E. Smith and Mr. Earl Redwine of Riverside.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Joseph B. Lamb and Mr. Sam Vickers of Long Beach.

On request of Messrs. Allen and Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant John Ruth and Corporal Joe Keller, United States Marine Corps, recently returned from active service; Sergeant Ruth has been decorated by the War Department for exceptional bravery.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Helen Johnson, teacher, and the following pupils of the Stanford Junior High School of Sacramento: Bob Ackerman, Betty Batman, Redonah Barton, Jimmie Genasei, Emily Williams, Morris McClung, Charlotte Pruett, Dorothy Duffek, Gertha Schwagler, Betty Jean Davis, Mildred Nugent, Jean De Massey, Georgia McMasters, Bill Johnston, Dale Patton, Elwood Frates, Frances Larson, Linora Weber, Barbara Theilbahr, Melvin Coster, Gene Stadghill, Donald Pinkham, Patsy Burgess, Dorothea Munz, Virginia Havens, Rita Wilson, Bonnie Schengerger, Bob Whitaker, Barbara Fleck, and Hallie Thorne.

ADJOURNMENT

At 11:55 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, May 5, 1943, out of respect to the memory of the late Allan Christopher Balch.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FIRST LEGISLATIVE DAY
ONE HUNDRED TWENTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, May 5, 1943

The Assembly met at 10 a.m.
Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Beck, Berry, Brown, Burkhalter, Burns, Carlson, Collins, Sam L., Crichton, Debs, Doyle, Dunn, Fourt, Guthrie, Haggerty, Hawkins, Heisinger, Lowrey, McMillan, Middough, Pelletier, Robertson, Rosenthal, Sheridan, Thomas, Thompson, and Mr. Speaker—26.

Absence of Quorum Suggested

Mr. Heisinger suggested the absence of a quorum.

Call of the Assembly

Mr. Heisinger moved a call of the Assembly.

Motion carried. Time, 10.08 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 10.16 a.m., on motion of Mr. Heisinger, further proceedings under the call of the Assembly were dispensed with.

The roll was called, and the following answered to their names:

Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carev, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Mr. Speaker—63.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence Albert Kircher:

Almighty and everlasting God, who hast revealed Thy glory by Christ among all Nations, preserve the works of Thy mercy. May the great Head of the Church so enrich us with His heavenly grace, that at last we shall hear Him saying unto us "Well done, good and faithful servant."

"Blest be the tie that binds
Our hearts in Christian love;
The fellowship of kindred minds
Is like to that above.

When we asunder part,
It gives us inward pain;
But we shall still be joined in heart,
And hope to meet again."

And now unto Him that is able to keep us from falling, and to present us faultless before the presence of His glory with exceeding joy, to the only wise God, our Savior, be glory and majesty, dominion and power, both now and ever. AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Johnson.

COMMUNICATIONS

By Speaker Lyon:

The following communication was received, read, and ordered printed in the Journal:

May 2, 1943

*Speaker Charles W. Lyon, State Legislature
Sacramento, California*

MY DEAR MR. SPEAKER: I was planning today for the observance of "Mother's Day" in my Bible Class on next Sunday morning, and while doing so recalled many pleasant memories of our observances of the day in Legislatures of the past.

This prompted me to write a word of greeting to those who are there now whom I have known in other days and to express my continued appreciation for all of their expressions of kindness in the past and especially for their hearty participation in the "Mother's Day" programs which were arranged.

I have thought much of you all this year, though I have not written a single letter to attempt to influence anyone's vote.

In fact, I fear that you have had too harmonious a session. "Me grandfather was Irish" and you know nothing pleases me more than a good fight if the cause is a righteous one.

However, I wish to congratulate you on your good work and wish you a happy vacation.

Very cordially yours,

ELEANOR MILLER

Pursuant to a motion made on the previous legislative day, the following letter and remarks by Mr. Carlson were ordered printed in the Journal:

ALBANY CITY SCHOOLS

CORNELL SCHOOL
William Woolworth, Principal

919 CORNELL AVE.
Albany, California

April 30, 1943

*Senator Arthur W. Carlson
Capitol Building, Sacramento, California*

MY DEAR MR. CARLSON: I regret to hear that you were a member of the opposition to the Teachers Retirement Bill in the Senate. The teaching profession is one of outstanding service to the community and to the children; and those who devote their

lives to this service should be adequately paid and compensated after their services have been terminated.

Certainly the bill was not out of line in its request for \$75 per month for a teacher giving 30 years of her life in this service. It is beyond my understanding how you could have cast a negative vote. You can be assured that the teaching profession will have this fact in mind at the next election.

Sincerely yours,

WM. G. WOOLWORTH, Principal

Mr. Speaker and Members of the Assembly

I request unanimous consent to have this letter printed in the Assembly Journal. The letter was written by William G. Woolworth, ostensibly, at least, in his capacity as a principal of the Albany Public Schools. In my judgment this letter is a sad commentary on our entire social and political system. Here a public official, who has for many years been paid a substantial salary out of tax moneys, enjoys teachers' tenure and the bounty of our liberal laws affecting his profession, has the temerity and effrontery to unjustly criticize and question by innuendo the integrity of a Member of this Assembly simply because that member did not vote in favor of the Teachers' Retirement Bill as the same passed this Assembly.

Without going into the merits of the bill, which was fully debated by this body, I simply wish to remind you that it increased the amount of pensions to be paid to teachers at an estimated cost to the State of approximately \$12,000,000 per biennium. Principal Woolworth, in his letter, presumes to speak for the entire teaching profession and assures me that his "profession will have this fact in mind at the next election." Let me assure him, in no uncertain terms, that I do not choose to solicit his vote or support nor have I sought it in the past elections.

I am mindful of the obvious fact that his selfish and self-centered attitude does not represent that of the teaching profession or their representatives here in Sacramento, and I would not cast any reflection on that fine segment of our citizenry. However, I do wish to remind you of a dangerous trend and to point out that representative government by and for the people is fast approaching government by and for privileged classes, pressure groups and bureaucracies. The ordinary citizen, the man on the street, the small businessman, the farmer, the toiler, the average man who carries the bulk of the tax load on his shoulders is the forgotten man in these legislative halls. I wish to further remind you that if we who have the responsibility do not take heed and stop our wild spending spree, we will break the back of the taxpayer and, by the same token, destroy representative government.

I believe the activities of Principal Woolworth and his ilk are a matter of concern to the people of this State, and particularly to the teaching profession, and I have, therefore, brought this letter to your attention. Despite threats of reprisal I shall continue to vote my convictions as long as I am a member of any legislative body, and will not be intimidated by such a reprehensible letter.

ARTHUR W. CARLSON

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 33
 Assembly Bill No. 261
 Assembly Bill No. 1150

Assembly Bill No. 1331
 Assembly Bill No. 2014

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No. 956
 Assembly Bill No. 1005
 Assembly Bill No. 1021

Assembly Bill No. 1603
 Assembly Bill No. 1994
 Assembly Bill No. 1935

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 1353

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1114

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 521—An act to amend Sections 5384 and 5398 of the School Code and to amend Sections 12755 and 12784 of the Education Code, relating to the revocation of credentials, life diplomas or documents issued by the State Board of Education.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 521?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Sections 5384 and 5398 of the School Code and to amend".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Sections 5384 of the School Code is amended to"; and strike out lines 2 to 24, inclusive.

Amendment No. 3

On page 2, line 1, of said bill, strike out "SEC. 3".

Amendment No. 4

On page 2, line 14, of said bill, strike out "SEC. 4.", and insert "SEC. 2".

Amendment No. 5

On page 2 of said bill, strike out lines 26 to 30, inclusive.

Amendment No. 6

On page 2, line 7, of the printed bill, strike out "237", and insert "191, 192 insofar as said section relates to voluntary manslaughter, 193, 194-232".

Amendment No. 7

On page 2, line 19, of the printed bill, strike out "237", and insert "191, 192 insofar as said section relates to voluntary manslaughter, 193, 194-232".

Amendment No. 8

On page 2, line 7, of the printed bill, as amended, strike out "191", and insert "189".

Amendment No. 9

On page 2, line 8, of the printed bill, as amended, strike out "194-232", and insert "203, 207, 211, 211a, 216 to 222, inclusive,".

Amendment No. 10

On page 2, line 9, of the printed bill, as amended, strike out "to 267, both inclusive,".

Amendment No. 11

On page 2, line 20, of the printed bill, as amended, strike out "191", and insert "189".

Amendment No. 12

On page 2, line 21, of the printed bill, as amended, strike out "194-232", and insert "203, 207, 211, 211a, 216 to 222, inclusive,".

Amendment No. 13

On page 2, line 22, of the printed bill, as amended, strike out "to 267, inclusive,".

Amendment No. 14

On page 2 of the printed bill, as amended, following line 13, insert

"In the event such holder is subsequently granted a full pardon by the Governor, the credential, life diploma, or other document shall thereupon be restored to full force and effect if by the terms thereof it had not expired at the time such pardon was granted."

Amendment No. 15

On page 2 of the printed bill, as amended, following line 26, insert

"In the event such holder is subsequently granted a full pardon by the Governor, the certificate shall thereupon be restored to full force and effect if by the terms thereof it had not expired at the time such pardon was granted"

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 521 by the following vote:

AYES—Bashore, Beck, Dickey, Dills, Ralph C. and Rosenthal—5.

NOES—Allen, Anderson, Armstrong, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Pelletier, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—52.

Appointment of Committee on Conference Concerning Assembly Bill No. 521

The Speaker announced the appointment of Messrs. Johnson, Dills, Ralph C., and Thompson as a Committee on Conference concerning Assembly Bill No. 521.

Assembly Bill No. 539—An act to amend Section 3.351 of the School Code and to amend Section 8812 of the Education Code, relating to the establishment of junior colleges.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 539?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to amend Section 3.351 of the School Code and".

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 7, both inclusive.

Amendment No. 3

On page 1, line 9, of the printed bill, strike out "Sec. 2.", and insert "Section 1."

Amendment No. 4

On page 1 of the printed bill, beginning in line 13, strike out "of the Superintendent of Public Instruction and".

Amendment No. 5

On page 1 of the printed bill, following line 7, insert

"The State Board of Education shall not act to approve the establishment and maintenance of a junior college by any high school district without first having requested and received the recommendation of the Superintendent of Public Instruction as to the establishment and maintenance of one or more junior colleges by such high school district. The Superintendent of Public Instruction shall make his recommendation within 90 days after the State Board of Education shall have requested it"

Amendment No. 6

On page 1 of the printed bill, strike out lines 17 to 21, both inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 539 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kel-

lems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, Pelletier, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 539 ordered enrolled.

Assembly Bill No. 686—An act to amend Sections 101, 102, 104, 106, 107, 110, and 113 and to repeal Section 111 of, and to add Section 107.5 to of the Health and Safety Code, relating to the State Department Public Health.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 686?

Amendment No. 1

In line 3 of the title of said bill, strike out "of."

Amendment No. 2

In line 4 of the title of said bill, after "Department," insert "of"

Amendment No. 3

On page 1, line 17, of said bill, strike out "The director", and insert "It."

Amendment No. 4

On page 1, line 19, of said bill, strike out "subpena", and insert "subpoena."

Amendment No. 5

On page 2, line 6, of said bill, strike out "practising", and insert "practicing"

Amendment No. 6

On page 2, line 6, of said bill, after "State", strike out "The", and insert "Six."

Amendment No. 7

On page 2, line 7, of said bill, strike out "practising", and insert "practicing."

Amendment No. 8

On page 2, line 22, of said bill, strike out "The director shall be a doctor of medicine", and insert "The director shall hold the degree of doctor of medicine from an approved medical college and shall be."

Amendment No. 9

On page 2, line 24, of said bill, after "training in", insert "a school of."

Amendment No. 10

On page 2, line 25, of said bill, after "of", insert "Public."

Amendment No. 11

On page 2, line 34, of said bill, after "salaries", insert "subject to the approval of the Department of Finance."

Amendment No. 12

On page 2, line 41, of the printed bill, after "director", strike out "except with respect to the Bureau of Venereal Diseases,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 686 by the following vote:

AYES—Allen, Armstrong, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dilworth, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lyons, Maloney, McMillan, Mid-dough, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Werdel, Weybret, Wollenberg, and Mr. Speaker—46.

NOES—Anderson, Bashore, Beck, Bennett, Dickey, Dills, Ralph C., Doyle, Dunn, Kilpatrick, Kraft, Massion, and Pelletier—12.

Assembly Bill No. 686 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I have been directed to inform you that the Senate on this day requested the return of Senate Concurrent Resolution No. 45 for further consideration in this house.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Motion to Grant Request of Senate

Mr. Sam L. Collins moved that the request of the Senate for the return to that body of Senate Concurrent Resolution No. 45 be granted.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weidel, Weybret, Wollenberg, and Mr. Speaker—58

NOES—Dills, Ralph C.—1.

The Speaker ordered Senate Concurrent Resolution No. 45 returned to the Senate.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1263—An act to amend Section 2160.5 of the Welfare and Institutions Code, relating to aid to the aged.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1263?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 12, 13, and 14; and in line 15, strike out "time of entrance, has been exhausted;"

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 1263 by the following vote:

AYES—Bennett, Collins, Sam L., Crowley, Dills, Ralph C., Fourn, Knight, T. Fenton; and Sheridan—7.

NOES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Denny, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Johnson, Kellems, Kilpatrick, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weidel, Weybret, Wollenberg, and Mr. Speaker—53.

Appointment of Committee on Conference Concerning Assembly Bill No. 1263

The Speaker announced the appointment of Messrs. Wollenberg, Knight, T. Fenton, and Bennett as a Committee on Conference concerning Assembly Bill No. 1263.

Assembly Bill No. 169—An act to add amend Section 515.5 of the Vehicle Code, relating to driving speed of motor vehicles, declaring the urgency thereof, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 169?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 1, 1943, strike out "amend Section 515.5 of", and insert "Section 515.6 to".

Amendment No. 2

On page 1 of said bill, strike out lines 14 to 20, inclusive.

Amendment No. 3

On page 1, line 21, of said bill, before "Whenever", strike out "(b)", and insert "SECTION 1. Section 515.6 is added to the Vehicle Code, to read:".

Amendment No. 4

On page 2 of said bill, commencing in line 8, insert "This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or following the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendment No. 5

On page 1, line 9, of the printed bill, as amended, before "Whenever", insert "515.6".

Amendment No. 6

On page 1, line 22, of said bill, strike out "following", and insert "until".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 169 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Steam, Thomas, Thompson, Thorp, Thumau, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 169 ordered enrolled.

Assembly Bill No. 421—An act to add Section 6.744 to Article 1, Chapter 1, Part 3, Division 6 of the School Code, and to add Section 19405 to the Education Code, relating to the use of school property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 421?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "add Section 6.744 to Article 1, Chapter 1, Part 3, Division 6 of the School Code, and to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 9, inclusive.

Amendment No. 3

On page 1, line 11, of said bill, strike out "Sec. 2", and insert "Section 1".

Amendment No. 4

On page 1, line 14, of said bill, after "equipment", insert "without charge".

Amendment No. 5

On page 1 of said bill, strike out lines 16 to 18, inclusive, and insert "the selection of personnel."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 421 by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Haggerty, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller,

Niehuse, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Bashore, Dills, Ralph C., and Dilworth—3.

Assembly Bill No. 421 ordered enrolled.

Assembly Bill No. 699—An act to amend Section 108.5 of the Agricultural Code, relative to host-free periods and host-free districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 699?

Amendment No. 1

On page 1, line 25, of the printed bill, as amended, strike out "of any fruit", and insert "or prohibit the cultivation and maintenance, of any fruit trees".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 699 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Johnson, Kellems, Kilpatrick, Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehuse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 699 ordered enrolled.

Assembly Bill No. 1967—An act to repeal Sections 4239, 4239a, 4239b, 4239c, 4239d, 4239e, 4239f, 4239g, 4239h, 4239i, 4239j, 4239k, 4239l, 4239m, 4239n, 4239o, 4239p, 4239q, 4239r, 4239s, 4239t, 4239u, 4239v, and 4239w of, and to add Section 4239 to, the Political Code, relating to compensation for public services in counties of the tenth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1967?

Amendment No. 1

In line 4 of the title of the printed bill, strike out "Section 4239", and insert "Sections 4239 and 4239.5".

Amendment No. 2

On page 1 of said bill, strike out line 24; and on page 2, strike out line 1; and in line 2, strike out "\$3,000", and insert "two thousand seven hundred dollars (\$2,700)".

Amendment No. 3

On page 2 of said bill, after line 30, insert

"SEC. 3. Section 4239.5 is added to said code, to read:

4239.5. In counties of the tenth class, the chairman of the board of supervisors shall receive, in addition to the compensation provided by Section 4239, the sum of three hundred dollars (\$300) per year for services rendered as chairman of the board of supervisors."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1967 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hollibaugh, Johnson, Kellems, Kilpatrick, Kraft, Leonard, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehuse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thompson, Thorp, Thurman, Weber, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Massion—1.

Assembly Bill No. 1967 ordered enrolled.

Assembly Constitutional Amendment No. 17—A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section numbered 1c to Article XIII thereof, relating to taxation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 17?

Amendment No. 1

On page 2, line 8, of the printed measure, as amended on April 2, 1943, after "used", insert "exclusively".

Amendment No. 2

On page 2, line 8, of the printed bill, as amended April 2, 1943, after "used," insert "exclusively".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 17 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollbaugh, Johnson, Kellems, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Constitutional Amendment No. 17 ordered enrolled.

Assembly Bill No. 53—An act to amend Section 7373 and to amend and renumber Section 7444 of the Business and Professions Code, relating to hairdressers, cosmeticians, cosmetologists and junior electrologists.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 53?

Amendment No. 1

On page 1, line 22, of the printed bill, after "experience", insert "in this State".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 53 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fout, Gaffney, Guthrie, Haggerty, Hawkins, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 53 ordered enrolled.

Speaker Pro Tempore Presiding

At 10 55 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

RECESS

At 10.56 a.m., on motion of Mr. Ralph C. Dills, the Assembly recessed until 10.57 a.m., to hear from Lieutenant Governor Victor Meyers of Washington.

REASSEMBLED

At 10 57 a.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1849—An act to amend Sections 500, 502, 512, 513, and 515 of the Military and Veterans Code, to add Section 12011 to the Education Code, relating to high school cadets.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1849?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend Sections 500, 502, 512, 513, and 515 of", and insert "add Sections 500.1, 502.1, 512.1, 513.1, 515.1, and 518.1 to".

Amendment No. 2

On page 1, line 1, of the printed bill, as amended, strike out "500 of", and insert "500.1 is added to".

Amendment No. 3

On page 1, line 2, of the printed bill, as amended, strike out "is amended".

Amendment No. 4

On page 1, line 3, of the printed bill, as amended, strike out "500. Each", and insert "500.1. Except as hereinafter provided, each".

Amendment No. 5

On page 1, line 4, of the printed bill, as amended, after "over", insert "and in which there is not maintained an R. O. T. C. unit".

Amendment No. 6

On page 1, line 11, of the printed bill, as amended, after the period, insert "A high school cadet company is not required to be established in a high school unless a number of qualified male students sufficient to constitute a company of the strength prescribed by The Adjutant General voluntarily enroll therein."

Amendment No. 7

On page 1, line 13, of the printed bill, as amended, strike out "502 of said code is amended", and insert "502.1 is added to said code".

Amendment No. 8

On page 1, line 14, of the printed bill, as amended, strike out "502", and insert "502.1"

Amendment No. 9

On page 2, line 6, of the printed bill, as amended, after "detail", insert "and for service as such officers".

Amendment No. 10

On page 2, line 9, of the printed bill, as amended, strike out "512 of said code is amended", and insert "512.1 is added to said code"

Amendment No. 11

On page 2, line 11, of the printed bill, as amended, strike out "512", and insert "512.1."

Amendment No. 12

On page 2, line 24, of the printed bill, as amended, strike out "513 of said code is amended", and insert "513.1 is added to said code".

Amendment No. 13

On page 2, line 25, of the printed bill, as amended, strike out "513", and insert "513.1."

Amendment No. 14

On page 2, line 32, of the printed bill, as amended, strike out "515 of said code is amended", and insert "515.1 is added to said code".

Amendment No. 15

On page 2, line 33, of the printed bill, as amended, strike out "515.", and insert "515.1."

Amendment No. 16

On page 2 of the printed bill, as amended, following line 45, insert

"SEC. 6 Section 518.1 is added to said code, to read:

518.1. Notwithstanding the provisions of any section of this code no high school cadet company is required to be maintained in any junior college for students thereof."

Amendment No. 17

On page 2, line 47, of the printed bill, as amended, strike out "6", and insert "7".

Amendment No. 18

On page 2 of the printed bill, as amended, strike out all of lines 50 and 51, and insert "credential to any person".

Amendment No. 19

On page 3, line 1, of the printed bill, as amended, strike out the first "certificate", and insert "credential".

Amendment No. 20

On page 3, line 1, of the printed bill, as amended, strike out the second "certificate", and insert "credential".

Amendment No. 21

On page 3 of the printed bill, as amended, beginning in line 4, strike out "certificate", and insert "credential".

Amendment No. 22

On page 3, line 7, of the printed bill, as amended, strike out "certificates", and insert "credentials".

Amendment No. 23

On page 3 of the printed bill, as amended, following line 7, insert

"Service under such credential shall not be included in computing the service required as a prerequisite to attainment of, or eligibility to, classification as a permanent employee of a school district."

Amendment No. 24

On page 3 of the printed bill, as amended, strike out all of lines 8 to 11, both inclusive, and insert

"SEC. 8. This act shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this act is in effect it shall supersede any existing provisions of law which are in conflict with this act; but such provisions are not repealed by this act and after this act is no longer effective shall have the same force as though this act had not been enacted."

Amendment No. 25

In line 2 of the title of the printed bill, as amended, strike out "and 518.1", and insert "518.1 and 520.1".

Amendment No. 26

On page 3, line 12, of said bill, insert

"SEC. 65 Section 520.1 is added to said code, to read:

520.1. The principal and governing board of any private school of high school or junior college grade otherwise meeting the qualifications prescribed by this chapter may apply, to The Adjutant General for permission to establish a High School Cadet Company pursuant to this chapter. If The Adjutant General approves the petition, the principal and governing board of the private school shall have the same authority as similar officials of public high schools, and the High School Cadet Company shall in all respects be governed by the provisions of this chapter to the same extent as though it were a public high school."

Amendment No. 27

On page 2 of the printed bill, as amended, strike out line 5.

Amendment No. 28

On page 2, line 14, of said bill, strike out "and for service as such officers".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1849 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L.,

Crichton, Crowley, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1849 ordered enrolled.

Consideration of Governor's Veto

Assembly Bill No. 1254—An act to provide a method for the dissolution of Orange County Water District, a district organized and existing under an act of the Legislature of the State of California, approved June 14, 1933, and to provide for the distribution of its assets.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1254 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Werdel—1.

NOES—Allen, Anderson, Armstrong, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Kellems, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, Pelletier, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Wollenberg, and Mr. Speaker—49.

Hon. Lee T. Bashore Presiding

At 10.58 a.m., Hon. Lee T. Bashore, Member of the Assembly from the Forty-ninth District, presiding.

MOTION TO STRIKE ASSEMBLY BILL NO. 334 FROM FILE

Mr. Evans moved that Assembly Bill No. 334 be stricken from the file. Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 956—An act to authorize the creation of a branch of the University of California at Santa Barbara, to abolish Santa Barbara State College, to transfer to The Regents of the University of California all properties belonging to or used for the benefit of said college, including moneys appropriated and unexpended, or which may be appropriated, to grant to employees of Santa Barbara State College who may become employees of the University of California, certain privileges with respect to membership in retirement and pension systems.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 956?

Amendment No. 1

On page 2 of the printed bill, strike out lines 13 to 32, inclusive, and insert "SEC. 5. Every employee of the Santa Barbara State College, and every employee who is absent upon military service, at the time said State college becomes a branch of the University of California, shall thereafter continue in a like capacity as an employee of the University of California, in accordance with the terms of his contract

with Santa Barbara State College heretofore entered into. If the employee is a member of a State retirement or pension system, he shall remain a member of the retirement or pension system to which he belongs at such time, but thereafter, at his option, may withdraw therefrom to become a member of any other retirement or pension system to which he is or may become eligible; provided, he shall exercise the option hereby given within 90 days after said State college becomes a branch of the University of California. If at the time said State college becomes a branch of the University of California the employee is in the armed service of the United States, or of the State, he shall have 90 days after his separation therefrom under honorable conditions within which to exercise the option hereby given. If under said option, he elects to terminate membership in the State Employees' Retirement System and to be a member of the State Teachers' Retirement System, he shall be considered, solely for the purposes of Section 75 of the State Employees' Retirement Act, as permanently separated from State service.

The normal contribution required of each person affirmatively exercising said option to terminate membership in the State Teachers' Retirement System and to be a member of the State Employees' Retirement System, shall be based on said person's nearest age at the earliest date he became eligible for membership in the said State Employees' Retirement System prior to the time said State college becomes a branch of the University of California; and within one year after the time said State college becomes a branch of the University of California, or within one year of his return from military service, said person shall pay to the State Employees' Retirement System an amount sufficient to make the accumulated contributions credited to said person under said system equal to the amount which would have been credited had said person been a member of said system from and after the earliest date he became eligible for membership in the State Employees' Retirement System prior to the time said State college becomes a branch of the University of California. The State shall contribute to the State Employees' Retirement System on account of said person, amounts equal to contributions which would have been made had said person been a member of the State Employees' Retirement System from said first date of eligibility."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 956 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Pelletier, Potter, Robertson, Sargent, Sheridan, Smith, Thomas, Thorp, Thurman, Werdel, Wevbret, and Wollenberg—53

NOES—None.

Assembly Bill No. 956 ordered enrolled.

CONSIDERATION OF HOUSE RESOLUTION NO. 239

House Resolution No. 239

Resolved. That Frank N. Killam, Chief of the Bureau of Buildings and Grounds, be, and he is hereby directed to leave the Assembly Chamber and all the committee rooms and other rooms used by the Assemblymen and officers of the Assembly in such condition that they will be available for use of the Assembly at any time; and it is further directed that no persons other than the Members, officers and attaches of the Assembly be permitted to occupy or use the offices, committee rooms and other rooms now occupied by the Assembly without permission as hereinafter provided, and that the desks, furniture, and other equipment of the Assembly be at the disposal of the Chief Clerk of the Assembly pursuant to adjournment of this session until the Assembly shall reconvene, and that no person except Members of the Assembly be permitted to occupy any of the Assembly's offices or make use of Assembly equipment without permission of the Chief Clerk; and be it further

Resolved. That the Chief Clerk be and he is hereby placed in charge of Assembly property after adjournment of this session until the Assembly shall reconvene again; and be it further

Resolved. That the Chief Clerk be directed to deliver a copy of this resolution to the Chief of the Bureau of Buildings and Grounds and a copy to the Director of Finance.

Resolution read and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 242

House Resolution No. 242

WHEREAS, The Members of the Assembly will desire to have shipped to their various places of residence their bill files, books of codes, stationery and other printed matter at the end of the session; therefore, be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing and other materials as are necessary for the purpose of shipping same, properly packed, to said Members, and the State Controller is hereby authorized to draw his warrants on the Contingent Expense Fund of the Assembly in favor of said Wilkie Ogg, in the sum not to exceed one thousand dollars (~~\$1,000~~) and the State Treasurer is hereby directed to pay the same; and it is further directed that Wilkie Ogg furnish to the Controller vouchers and receipts for all expenditures made by him. / 200

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, and Wollenberg—60.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 226

House Resolution No. 226

Relative to the "Spirit of Freedom" Monument as designed by Mr Amos A. Wyckoff

WHEREAS, The Flag of the United States of America and the Liberty Bell are symbols of the highest American ideals; and

WHEREAS, No monument has been erected to personify the ideals and spirit for which the American Flag and the Liberty Bell are fitting emblems; and

WHEREAS, One Amos A. Wyckoff of Oakland has designed a monument which is known as "Spirit of Freedom," which would be a most fitting, imposing and inspiring memorial to the people of the United States, and which monument is more particularly described as follows:

1. The 13 steps represent the 13 colonies.
2. There are 48 columns, one to represent each State
3. The gear wheel represents the power of our United States.
4. There are 48 cogs, one for each State in the Union, to represent the power of each State. Inside each cog will be the exhibit room for each State.
5. Between each cog there will be placed a statue of the pioneers who fought their way here to make it possible for our people to live.
6. The building is constructed of four cross-like sections with niches in which to place statues.
7. On top of the building will be the statue of the California Bear.
8. Facing the east will be a statue of the first mother of California, holding a child, which represents, as the sun rises the newborn is coming to light
9. Facing the west will be a statue of the first emigrant scout to California
10. The Liberty Bell forms the dome. Inside the dome will be the paintings of war scenes. Also a statue of the man who rang the Liberty Bell so hard he cracked it.
11. Then comes the tower rising to a great height of approximately 800 feet. In this tower will be elevators running to the observation room, where visitors will pay a small fee to have a view of beautiful cities and surrounding area, as well as the beautiful blue Pacific Ocean. The income can be used for the upkeep.
12. On the top of the tower will be a powerful light for protection and guidance of airplanes.
13. Four large American Eagles, representing the keenness of vision of our United States will face the North, South, East and West. The eagles to be outlined in neon lights are guarding the American Flag, which is flying high over their heads.
14. On the point of each cog shall be a duplicate of each State Seal; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly hereby commend Mr. Amos A. Wyckoff as the originator and designer of the artistic and symbolic "Spirit of Freedom"; and be it further

Resolved, That the Members of this Assembly do recommend the construction of this symbolic monument on a suitable site to any commission for postwar reconstruction or planning as a project worthy of their most careful consideration; and, be it further

Resolved, That the Chief Clerk of the Assembly be instructed to prepare and transmit copies of this resolution to any commission for postwar reconstruction or planning and to the commission in charge of the celebration of the one hundredth anniversary of the State of California, as a project worthy of their most careful consideration, to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and each Member of the House of Representatives from California in the Congress of the United States and to the aforesaid Mr. Amos A. Wyckoff, of Oakland, California.

Resolution read and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 233

House Resolution No. 233

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-five (85) sets of the 1943 Pocket Parts for Deering's 1941 California Codes to be delivered at the Assembly Chamber; and be it further

Resolved, That the Chief Clerk is instructed to deliver one copy of the above to each Member of the Assembly; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly for two hundred fifty dollars (\$250) in payment for the above supplies, and the State Treasurer is directed to pay the same.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Ralph C., Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, and Wollenberg—56.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 65: By Mr. Sam L. Collins—
Relative to the Joint Rules of the Senate and Assembly.

Permission to Consider Assembly Bill

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, permission to consider Assembly Concurrent Resolution No. 65 was granted by unanimous consent.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 65, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 65

Assembly Concurrent Resolution No. 65—Relative to the Joint Rules of the Senate and Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Robertson, Rosenthal, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—56.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)**CONSIDERATION OF HOUSE RESOLUTION NO. 232****House Resolution No. 232**

Relative to the Postwar International Economic and Food Conference

WHEREAS, The State Department of the Government of the United States has announced that a Conference of the United Nations will be held at Hot Springs, Virginia, on Tuesday, May 18th, to discuss, study and plan the problems of freedom from want, postwar interests in full employment, free enterprise, the lightening of government controls, relief of devastated countries, international currency arrangements and trade reciprocity; and

WHEREAS, This recital of the agenda of the Food and Economic Conference marks it as one of the greatest National and international importance and of paramount interest to the world and to the people of the United States; and

WHEREAS, Forty-two nations have been invited to send representatives to this noted conference; and

WHEREAS, It has been declared by those in charge of the arrangements for the holding of the said conference that all representatives of the press will be barred from attendance at all meetings of the conference; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly protest the closing of the conference to representatives of the press as undemocratic, declare it to be a breach of the American principle of freedom of the press, deplore it as a reversion to star chamber procedures and an infringement of the right of a free people to know in full and complete detail the daily happenings of this world-important conference; and be it further

Resolved, That the Chief Clerk be directed to prepare and transmit copies of this resolution to the President, Vice President, and Secretary of State of the United States, to the Speaker of the House of Representatives, and to each Senator and each Member of the House of Representatives from California in the Congress of the United States.

Resolution read and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 214**House Resolution No. 214**

Relative to Postwar Construction of a State highway into Bear Valley

WHEREAS, It is proposed to establish a State Commission for Postwar Reconstruction to plan a program for the continuous full employment of all Americans able and willing to work; and

WHEREAS, A direct highway route to Bear Valley from Redlands, Beaumont, Banning and all the desert area to Yuma is needed and desirable for the convenience of the public; and

WHEREAS, Such a highway, if constructed, would relieve the congestion of traffic on high gear highway, as well as save mileage to residents of the eastern portion of San Bernardino, Riverside and Imperial Counties; and

WHEREAS, The completion of a highway through Bear Valley would reduce fire hazards by providing quick access of fire fighting vehicles and apparatus to and beyond Barton Flats; and

WHEREAS, Such a highway would add a scenic mountain drive to the State Highway System not to be exceeded for beautiful vistas by any other in California and would provide a beautiful mountain drive exceeding 100 miles in length from Mill Creek near Redlands to Arrow Head Spa, near San Bernardino; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Commission for Postwar Reconstruction be requested to include in its Postwar Construction Program a State highway into Bear Valley from the end of the pavement in Barton Flats to the paved road near Baldwin Lake; and be it further

Resolved, That the Clerk of the Assembly be and is hereby instructed to prepare and transmit a copy of this resolution to each member of the State Commission for Postwar Reconstruction.

Resolution read and adopted.

RE-REFERENCE OF HOUSE RESOLUTION NO. 236

Mr. Gaffney moved that House Resolution No. 236 be withdrawn from the file, and re-referred to the Committee on Rules and House Functions.

Motion carried.

PERMISSION TO CONSIDER ASSEMBLY BILL

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, permission to consider Assembly Joint Resolution No. 51 was granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Kraft, Leonard, Lowrey, Maloney, Massion, McColister, McMillan, Miller, Niehouse, Polletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 51

Assembly Joint Resolution No. 51—Relative to memorializing Congress to enact legislation creating a Federal Agency to Study Tax Structures.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Resolution ordered transmitted to the Senate.

PERMISSION TO CONSIDER ASSEMBLY BILL

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, permission to consider Assembly Concurrent Resolution No. 56 was granted by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs,

Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Johnson, Kellems, Knight, John B., Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.
NOES—None.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 56

Assembly Concurrent Resolution No. 56—Relative to settlement of Jewish refugees in Palestine.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Wollenberg—65.
NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 664—An act to include in the State civil service all persons appointed or employed by or under the State Board of Prison Directors or any warden of a State prison and to provide disciplinary procedures governing such employees.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

- On page 1 of the printed bill, as amended, strike out lines 16 to 18, and insert
- (1) One person holding a confidential position to the State Board of Prison Directors.
 - (2) The warden or person holding a similar position of any State prison or correctional institution.
 - (3) One person holding a confidential position to each such warden or person holding a similar position
 - (4) Those persons whose employment requires them to be members of any profession.
 - (5) Inmate help in any correctional institution subject to the jurisdiction of the State Board of Prison Directors.
 - (6) The Chief in charge of the Detective License Bureau."

Amendment No. 2

On page 3, line 9, of said bill, strike out "or of the rules".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF HOUSE RESOLUTION NO. 245

House Resolution No. 245

Resolved by the Assembly of the State of California, That the Director of Finance is directed to cause the installation of an additional ladies' rest room on the fourth floor of the State Capitol, to be located on the northern side, at the old entrance to Room 445; and be it further

Resolved, That the Director of Finance is directed to cause the removal of the partition between Rooms 22 and 23 on the fourth floor of the State Capitol, and of the

present two entrances to the rooms, and the installation in their stead of one entrance on the side nearest Room 442.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Johnson, Kellem, Kilpatrick, Kraft, Leonard, Lowrey, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Wollenberg—63.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 248

House Resolution No. 248

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Western Union (Tolls).....	\$132 32
Western Union (Tolls).....	5 63
Bureau of Purchases (Supplies).....	116 26
Cascade Towel Supply (Towel service).....	48 00
Hotel Senator Flower Shop (Flowers to Mrs. Frank Waters).....	10 30
H. S. Crocker Company (Supplies).....	1 24
Department of Finance (Typewriter expense).....	16 74
Department of Finance (Work on voting machine).....	11 23
Department of Finance (Telephone service).....	15 75
Department of Finance (Material and labor for work in Assembly).....	134 00
Pacific Telephone & Telegraph Company (Tolls).....	155 75

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Johnson, Kellem, Kilpatrick, Kraft, Leonard, Lowrey, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Wollenberg—63.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 249

House Resolution No. 249

Resolved, That Arthur A. Ohnimus, Chief Clerk of the Assembly, is hereby directed to take charge of arranging and preparing the bills, books and all other records of the Assembly, and filing the same with the Secretary of State, as provided by law, subsequent to adjournment or recess of the Fifty-fifth Session of the Legislature, and of the First and Second Extraordinary Sessions of the Legislature, and all indexing, correcting, comparing and proofreading, and otherwise preparing the Journal of the Assembly of the Fifty-fifth Session of the Legislature, and of the First and Second Extraordinary Sessions of the Legislature, and making the information therein contained readily available for the use of the Members of the Legislature, State officers and the general public, as a permanent record of the business transacted during the Fifty-fifth Session of the Legislature, and of the First and Second Extraordinary Sessions of the Legislature, and of compiling, preparing and having printed after adjournment or recess, a Final Calendar of the legislative business of the Fifty-fifth Session of the Legislature, and of the First and Second Extraordinary Sessions of the Legislature, said Calendar to comprise a history of all bills introduced and their authors, the numbers that shall have become law; those that shall have been read a second time and any and all such information as will provide a complete history of the session's business and a guide for the information of subsequent sessions of the Legislature, and he shall further prepare

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S. 1214
S. 1219
referred to committee
and definite decision
S. 1214
S. 1219

May 5, 1943]

copy in order to bring up to date the Constitution of this State, and of the United States, and other documents, and revise and enlarge the article on the California Legislature, as provided by resolution heretofore adopted.

When said Final Calendar is prepared, the said Arthur A. Ohnimus, Chief Clerk, is directed to forward one copy of the Final History to each public library in the State, which may apply for same, and one copy to each Member of the Assembly, and one copy of the complete unbound chapters to each Member of the Assembly and be it further

Resolved, That the Chief Clerk is hereby authorized to employ such help as may be necessary to complete the aforesaid work of the Assembly and the same shall be compensated at the same ~~paid rate per diem~~ *per hour* allowed for such services performed during the time the Legislature is in session; provided, however, that no compensation shall be allowed except for services actually performed in Sacramento, and the Chief Clerk is hereby directed to keep an accurate attendance record of all attaches so employed and certified by him to the State Controller as being entitled to compensation; and be it further

Resolved, That the State Controller is hereby authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same, and such sums shall be payable from the unexpended balance of the fund provided for the pay of officers and attaches of the Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Wollenberg—65.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 231

House Resolution No. 231

Relative to the creation of an Assembly Interim Committee to Investigate the Judiciary System of the State

WHEREAS, In a government of laws and not of men the importance of the judiciary and its system of operation can not be overemphasized; and

WHEREAS, The constitutional and statutory provisions relating to the composition and jurisdiction of the courts, the method of selection of judicial officers, the procedure and administration of the courts, and the compensation and retirement rights of the several classes of justices and judges have been subjected to piecemeal amendment and modification with little attention to the coherence of the Judiciary System of the State; and

WHEREAS, The need of a thorough investigation of all phases is manifest from the number of measures relating to these matters proposed in this Fifty-fifth Session; and

WHEREAS, In order to perform its duties in connection with these matters this body requires information which can best be obtained by a thorough study and analysis of the entire field from the legislative standpoint; now, therefore, be it

Resolved, That there is hereby created the Assembly Committee on the Judiciary System, consisting of five members appointed by the Speaker, which committee shall investigate, study, ascertain and appraise all of the facts concerning the Judiciary System of the State of California, including but not limited to matters relating to:

- (a) The composition and jurisdiction of the several courts;
- (b) The method of selection of judicial officers;
- (c) The procedure and administration of the courts and the rules thereof, whether statutory or otherwise; and

(d) The compensation and retirement of judges and justices; and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have. (i) All the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) and Sections 9400 to 9412, inclusive, of the Government Code, and except when inconsistent with this resolution, all the powers conferred upon committees by the Rules of the Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and made a part hereof

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the same as if they were set forth in this resolution in full; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws and constitutional provisions in anywise bearing upon or relating to the subject of this resolution;

(7) To meet either during sessions of this Legislature or during any recess thereof at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature including any recess thereof, and until the convening of the Fifty-sixth Legislature;

(9) To file reports with the Assembly during the Fifty-fifth Session thereof or any special extraordinary session thereof, and to file its final report with the Fifty-sixth Legislature;

(10) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and

(11) To cooperate with and secure the cooperation of county, city, city and county and other local law enforcement agencies in investigating any matter within the scope of this resolution, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee; and

(12) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of two thousand dollars (\$2,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Ralph C., Doyle, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, King, Kraft, Leonard, Lowrey, Maloney, Masson, McCollister, McMillan, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, and Wollenberg—55.

NOES—Armstrong—1.

CONSIDERATION OF HOUSE RESOLUTION NO. 238

House Resolution No. 238

Relative to the creation of an Assembly Interim Committee on the Japanese Problem

WHEREAS, The problems of this State arising out of the presence of great numbers of Japanese, native born and alien, will become even more acute upon the termination of the war than ever before; and

WHEREAS, The Japanese problem is one of great concern to the people of this State but a matter of considerably less consequence to the people of the Nation as a whole; and

WHEREAS, Many of the problems have arisen out of treaties between the United States and Japan in the making of which the desires of the people of this State may not have been fully considered; and

WHEREAS, The existence of the present state of war and the suspension of treaty rights affords an opportunity to settle these problems in such manner as will prove both fair to the individuals affected and at the same time satisfactory to the people of this State; and

WHEREAS, The people of the State look to the Legislature for leadership in this matter and the Legislature requires information based upon an impartial study and investigation of all of the factors involved in order that it may proceed intelligently toward a solution of these problems; now, therefore, be it

Resolved, That there is hereby created the Assembly Interim Committee on the Japanese Problem which shall investigate, ascertain, and appraise all facts concerning the solution of the problem of the Japanese in California, including but limited to the constitutional and other legal factors involved, and the possibilities that treaty rights may again be acquired to an extent not desired by the people of this State; and be it further

Resolved, That said committee shall consist of five members appointed by the Speaker of the Assembly; and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have: (i) All the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) and Sections 9400 to 9412, inclusive, of the Government Code, except when inconsistent with this resolution, all the powers conferred upon committees by the Rules of the Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws, both Federal and State, in anywise bearing upon or relating to the subject of this resolution;

(7) To meet either during sessions of this Legislature or during any recess thereof at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature, including any recess thereof, and until the convening of the Fifty-sixth Legislature;

(9) To file reports with the Assembly during the Fifty-fifth Session thereof or any special extraordinary session thereof, and to file its final report with the Fifty-sixth Legislature;

(10) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and

(11) To cooperate with and secure the cooperation of county, city, city and county and other local law-enforcement agencies in investigating any matter within the scope of this resolution, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee; and

(12) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution;

Resolved, That the committee, each of its members, and any representative of the committee thereto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the committee may make such representations and recommendations to the Federal Government as it may deem advisable, on any subject relating to the subject of its investigation, during such times as the Legislature may not be in session, and such representations and recommendations shall be representations and recommendations of the committee, and not of the Legislature or the Assembly thereof; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of one thousand dollars (\$1,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffner, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker

—67.

NOES—None.

Speaker Presiding

At 10.59 a.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 246

House Resolution No. 246

Relative to memorializing the President and the Secretary of the Navy to name a Navy cruiser of the United States Fleet for the City of San Pedro, California

WHEREAS, Fort MacArthur is situated at the City of San Pedro, State of California, and is now and for many years has been a home port of the Pacific Fleet of the United States; and

WHEREAS, Fort MacArthur at San Pedro, at the City of San Pedro, aforesaid, is a supply base for the Navy; and

WHEREAS, Many of the homes of the officers and men of the Navy are located at San Pedro and the citizens thereof are all interested in the welfare and progress of the Navy; and

WHEREAS, The citizens of San Pedro have loyally supported the Navy and, from time to time, have extended numerous benefits and favors upon the Navy; and

WHEREAS, It is the custom of the President, through the Secretary of the Navy, to christen naval cruisers for some prominent city of the United States; now, therefore, be it

Resolved by the Assembly of the State of California, That the President and the Secretary of the Navy are hereby respectfully solicited and requested that one of the naval cruisers of the United States Fleet now under construction, or to be constructed, when launched be christened "San Pedro" in honor of the City of San Pedro, State of California; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President of the United States and to the honorable Secretary of the Navy and to the Senators and Representatives of the State of California in the Congress of the United States, and an engrossed copy to the San Pedro Junior Chamber of Commerce.

Resolution read and adopted.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1994—An act to amend Sections 2005, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2222 and 2224 2184 of the Welfare and Institutions Code, and to add Sections 2008.5, 2014, 2015, 2016, 2017, 2020 01, 2021.01, 2163.1, 2163 2, 2163.7, 2166, 2181 01, 2181.1, 2182.1, 2183 1, 2187 01, and 2222.5 thereto, relating to aid to the aged, to take effect immediately, and to become operative as therein provided.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1994?

Amendment No. 1

In the title of the printed bill, as amended, strike out line 2, and insert "2181, 2182, 2183, 2222, and 2224 of the Welfare and".

Amendment No. 2

In the title of said bill strike out line 4, and insert "2016, 2020 01, 2020.05, 2021 01, 2142.5, 2163.1, 2163.2, 2163.7,".

Amendment No. 3

In lines 5 and 6 of the title of said bill, strike out "and 2222 5", and insert "2222.7 and 2223.5".

Amendment No. 4

On page 2 of said bill, strike out lines 32 to 37, inclusive.

Amendment No. 5

On page 3 of said bill, between lines 9 and 10, insert

"SEC. 6.5. Section 2020 05 is added to said code, to read:

2020.05. For the purposes of Section 2020, earnings of an applicant shall not be deemed income or resources of the applicant, and shall not be deducted from the amount of aid to which the applicant would otherwise be entitled.

This section shall take effect if and when amendments to the Federal statutes or rules and regulations of the Federal Social Security Board take effect permitting this State to give effect to this section without thereby rendering this State ineligible to receive Federal grants-in-aid for old age assistance in this State."

Amendment No. 6

On page 3, line 35, of said bill, insert

"SEC 7.5. Section 2142.5 is added to said code, to read:

2142.5. Every person administering aid under this chapter shall conduct himself with courtesy, consideration, and respect toward applicants for and recipients of aid under this chapter, and shall endeavor at all times to perform his duties in such

manner as to secure for every aged person the maximum amount of aid to which he is entitled, without attempting to elicit any information not necessary to carry out the provisions of this chapter, and without comment or criticism of any fact concerning applicants or recipients not directly related to the administration of this chapter."

Amendment No. 7

On page 5 of said bill, strike out lines 2 to 10, inclusive, and insert "2163. No aid under this chapter shall be granted or paid to any person who owns personal property the net value of which exceeds six hundred dollars (\$600).

The term personal property shall not include a policy or policies of insurance which has or have been in effect at least five years prior to the date of application, if the value of the policy or policies at maturity is in an amount not exceeding one thousand dollars (\$1,000). No insurance policy shall be valued at more than its present cash value to the applicant or recipient. Premiums paid on insurance policies shall not be deemed income or resources of the applicant or recipient, whether or not the person by whom the premiums are paid is a responsible relative of the applicant or recipient, and no deduction therefor shall be made from the amount of aid granted to the recipient."

Amendment No. 8

On page 5, line 20, of said bill, strike out "the", and insert "such interest in such".

Amendment No. 9

On page 5, line 26, of said bill, strike out the period, and insert ", but do not include jewelry and items of similar character."

Amendment No. 10

On page 5 of said bill, strike out lines 48 to 51, inclusive; and on page 6, strike out lines 1 and 2.

Amendment No. 11

On page 6, line 27, of said bill, strike out ", directly and not through any other agency of the county,".

Amendment No. 12

On page 8 of said bill, strike out lines 10 to 17, inclusive, and insert "in writing of its decision, and that he may, upon application to the board within 30 days, appear before the board at a time to be fixed by the board, and show cause why the action of the board is not satisfactory. The hearing shall be held within 30 days from the time of application for hearing. Upon good cause shown, the board may reconsider its previous action, and take whatever action the board deems proper upon the application. The decision of the board confirming or reconsidering its previous action shall be rendered within 15 days after the hearing.

The right of hearing by the board of supervisors provided by this section is intended as an alternative to direct appeal to the State Social Welfare Board, and an applicant who has applied for hearing before the board of supervisors shall not appeal to the State Social Welfare Board until the decision of the board of supervisors has been rendered. After the decision of the board of supervisors has been rendered, the applicant may appeal therefrom to the State Social Welfare Board. An applicant who does not apply for hearing before the board of supervisors may appeal directly to the State Social Welfare Board as provided in Section 2182."

Amendment No. 13

On page 10 of said bill, strike out lines 20 to 30, inclusive.

Amendment No. 14

On page 11, line 20, of said bill, strike out "In all cases the"; and strike out lines 21 to 25, inclusive, and insert

"Sec. 23 3. Section 2222.7 is added to said code, to read:

2222.7. Whenever the State Department of Social Welfare finds that moneys collected from recipients in repayment of aid granted under this chapter have been collected erroneously, because of mistake of law or fact, refunds shall be made as provided in this section.

Upon certification by the county or the State Department of Social Welfare that the repayment of aid was made and collected erroneously, the county shall refund to the recipient the amount of the county and State shares of the repayment, and the State shall allow to the county in computing the amounts payable to the county pursuant to Section 2188 a credit for any amount of such refund which has previously been credited to the State. If the United States Government pays or credits to the State the amount of the repayment which has been credited to the United States Government, the State shall allow a credit to the county in the amount of the credit received by the State from the United States Government, and the county shall refund to the recipient the amount so credited to the county.

This section shall be applied retroactively, to require the refund of all repayments erroneously collected from recipients of aid within the two years immediately preced-

ing its effective date, notwithstanding the provisions of Section 4075 of the Political Code.

Sec 23.6 Section 2223 5 is added to said code, to read:

2223 5. Notwithstanding the provisions of Sections 2222 and 2223, a person who has received aid in good faith, honestly believing himself to be entitled thereto, but who is found to have possessed property in excess of the amount allowed under the provisions of this chapter, shall be considered to have been ineligible for aid only during the period for which the excess property, if it had been applied to his support at the rate of the aid granted to him, would have supported him. In such case the recipient shall repay only the aid he received during such period of ineligibility."

Amendment No. 15

On page 11 of said bill, strike out lines 32 to 37, inclusive, and insert "sent to the relative inquiring whether the relative is in fact contributing to the support of the applicant, and if contributing, in what form and amount per month

If the relative is not contributing to the support of the applicant, he shall file a sworn statement showing his assets and liabilities."

Amendment No. 16

On page 5, line 40, of the printed bill, as amended, strike out "the net value of which", and insert "the value of which, less all encumbrances of record,".

Amendment No. 17

On page 5, line 47, of said bill, strike out "cash", and insert "surrender".

Amendment No. 18

On page 6 of said bill, strike out lines 8 and 9, and insert "beneficiary until it has been made available for expenditure or disposition by him."

Amendment No. 19

On page 8, line 3, of said bill, strike out "net".

Amendment No. 20

On page 13, line 37, of said bill, strike out "initial".

Amendment No. 21

On page 13, line 44, of said bill, strike out "to the support of the applicant,"; and strike out lines 45 to 48, inclusive, and insert "and will continue to contribute to the support of the applicant pursuant to the provisions of Section 2181."

Amendment No. 22

On page 12, line 19, of the printed bill, as amended, after "2181.", insert "This form shall be completed by the relative as a sworn statement."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1994 by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Muddough, Miller, Nehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybiet, Wollenberg, and Mr. Speaker—70.

NOES—Beck, King, Potter, and Werdel—4.

Assembly Bill No. 1994 ordered enrolled.

Explanations of Vote

I voted "No" on concurrence in Senate amendments to Assembly Bill No. 1994 because some of the evils in administering the act were placed back into the bill after the bill had passed the Assembly.

JULIAN BECK

In giving our favorable vote on final passage of Assembly Bill No. 1994, we do so feeling that many worthwhile changes in the law are being made.

However, there were many needful amendments offered in the Assembly and defeated or adopted and later amended out.

For instance, we are not in accord with the relatives' responsibility clause, and believe counties should be required to provide administration offices on ground

floor or served by elevators and operators, but voted "Aye" on concurrence in order to obtain passage of the \$10 per month increase and other desirable changes.

L. A. McMILLAN
FRANCIS DUNN, JR.
BERNARD R. BRADY
VERNON KILPATRICK
ELWYN S. BENNETT
EDWARD M. GAFFNEY
CLAYTON A. DILLS
RALPH C. DILLS

ERNEST E. DEBS
JOHN W. EVANS
WILLIAM H. ROSENTHAL
GEORGE D. COLLINS, JR.
WILLIAM C. BERRY
JOHN B. PELLETIER
VINCENT THOMAS
LORNE D. MIDDOUGH

**MOTION TO PRINT ANALYSIS OF ASSEMBLY BILL NO. 1994
IN JOURNAL**

Upon motion of Mr. Fourt, the following analysis of Assembly Bill No. 1994 was ordered printed in the Journal:

Analysis of Assembly Bill No. 1994 Re: Changes From Existing Law

Section 2005: This provides for the payment of aid to an applicant in a home of his own choosing in preference to placing him in an institution. The three words added to this section are "his own choosing." This follows the general practice.

Section 2008.5: This adds a new section, making it a misdemeanor for any person to accept compensation or remuneration for making an application for an applicant for old age security or for assisting the aged person in getting his aid.

Section 2014: This is a new section added to the law. It provides that in cases of dispute, the application and supporting documents pertaining to any case shall be open to the applicant or his designated agent.

Section 2015: This is a new section added to the law and provides that copies of all laws and rules and regulations shall be made available to the public. This follows the present regulations.

Section 2016: This is a new section added to the law. It provides that upon request every applicant shall be given an itemized report, setting forth the amount of aid granted to him and any deductions.

Section 2020.01: This is a new section added to the law. It increases the grant of aid to \$50 per month after deducting all income excepting such income as may be designated as casual. This section remains in effect until the closing of the next regular session of the Legislature.

Section 2020.05: This is a new section added to the law. This provides that if and when amendments to the Federal statutes or rules and regulations of the Federal Security Board permit the State to allow earnings of an applicant to be retained by the applicant without deduction from his grant, the same shall be applicable in California.

Section 2021.01: This is a new section added to the law. It appropriates \$500 per annum for each aged person by the State. This gives effect to a ratio of sharing between the counties and the State of five-sixths State and one-sixth county. This section remains in effect until the end of the next regular session of the Legislature.

Section 2142.5: This is a new section added to the code. It provides that every person administering the aid shall do so with courtesy, consideration and respect to the applicant, and prohibits the person administering the aid from attempting to elicit any information not necessary to the establishment of eligibility.

Section 2160: This is amended on page 4, line 45, changing the time in which applicants may be in a hospital and receive old age security from 60 days to two calendar months. This amendment was merely for easing administrative procedure. Again, on page 5, line 10, the clause was added providing that free board and lodging furnished the applicant as a gift shall not be grounds for refusing aid.

Section 2163: This is amended to provide that personal property may be retained by the applicant in the amount of \$600 after deducting all encumbrances of record and further provides that the premiums on insurance policies shall not be deemed income of the applicant and no deduction therefor shall be made in the amount of the grant.

Section 2163.1: This is a new section added to the law providing that an heir legatee or devisee shall not be considered the owner of the property until the property is available to him. It further provides that a beneficiary of a trust shall not be considered the owner of a trust until it is made available to him.

Section 2163.2: This is a new section added to the law and provides that personal property does not include personal effects such as furniture, clothing and household equipment, etc., but does include jewelry and other items of similar character.

Section 2163.7: This provides that any place of abode such as a boat or trailer shall be considered real property in determining eligibility.

Section 2164: This is amended to provide that the applicant may own real property of an assessed value of \$3,000 less all encumbrances of record. Heretofore we were not permitted to deduct the encumbrances.

Section 2180: This is amended to provide that if the applicant is physically unable to apply, another may apply in his behalf; however, it does provide that every application after being reduced to writing shall be signed under oath by the applicant.

Section 2181: This first provides that the investigation shall be completed within 60 days, and second, modifies the degree of relatives' responsibility. On page 7 there is a scale which sets forth the amount of contributions which shall be made by the responsible relatives in accordance with their income, such income to be determined upon the net income.

Section 2181.01: This is a new section added to the law and provides that aid shall not be withheld pending the financial condition of the responsible relatives, providing that the applicant can establish the fact that he is not receiving support.

Section 2181.1: This provides that the board of supervisors shall immediately notify the applicant of its decision on each case. The applicant has 30 days in which to apply to the board of supervisors for a rehearing on such decision; that a hearing shall be set within the following 30 days and the board of supervisors must render its decision within 15 days thereafter. This is an alternative method for the applicant to follow if he does not appeal directly to the State Social Welfare Board. However, the applicant, if dissatisfied with the decision of the board of supervisors, may then appeal to the State board.

Section 2182: This is amended to provide that an applicant can apply any time after he has been denied aid if the conditions which made him ineligible have been removed.

Section 2182.1: This is a new section added to the law providing that an applicant can appeal to the courts; that no filing fee shall be required and that if the applicant is successful shall be entitled to a reasonable attorney fee and costs to be paid by the State.

Section 2183: This has been amended to provide a 60-day investigation period and the aid to begin not later than the first day of the month following the end of the 60-day period.

Section 2183.1: This is a new section added to the law. It provides that if a warrant is lost or destroyed, the applicant may obtain a duplicate warrant without the necessity of filing a bond. It further provides that if the applicant has not received the warrant within 20 days after mailing, it shall be deemed lost or destroyed.

Section 2187.01: This is a new section added to the code and is a technical section which deals with the method of advancing State and Federal moneys to the counties on the ratio of five-sixths and one-sixth. This section is effective until the end of the next regular session of the Legislature.

Section 2222: This is amended. These are merely technical amendments for clarification of language and make no substantial change.

Section 2222.7: This is a new section added to the law and relates to the return by the county, State and Federal Government of any collections made which later prove to be erroneously collected and in fact there was no debt due from the recipient of aid to the county, State or Federal Government.

Section 2223.5: This provides that if an applicant has received aid in good faith during a period when he was not entitled thereto, the amount that shall be collected from him shall only be the amount equal to the amount of excess property which he may have possessed at the time.

Section 2224: This has been amended to provide that the county shall use a brief form to determine if the responsible relatives are in fact contributing and will continue to contribute to the support of the applicant in accordance with the scale set forth on page 7 of the bill.

The bill is set up to provide that this act shall go into effect July 1, 1943

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1005—An act to add Section 17a to an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges, and approaches thereto, and for the acquisition of all property necessary therefor, and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts, and for the annexation of additional territory thereto," approved May 25, 1923, and to add Section 27228 to the Streets and Highways Code authorizing the refunding of existing indebtedness, whether bonded or otherwise, and for the issuance of bonds and other indebtedness in aid of the refunding of existing bonds, or the creation of a new bonded indebtedness.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1005?

Amendment No. 1

On page 2, line 10, of the printed bill, as amended, strike out "Section 15", and insert "Sections 15 and 16".

Amendment No. 2

In line 1 of the title of the printed bill, as amended, strike out "17a to an act entitled "An act to pro-"; and strike out lines 2 to 10 of said title, and insert "27229".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert "SECTION 1. Section 27229 is added to the Streets and Highways Code, to read: 27229. Whenever the board deems it necessary or advisable to refund any outstanding bonds, it may, by resolution, declare such necessity or advisability and outline a general plan of refunding, including the issuance of refunding bonds and the terms and conditions thereof.

Upon adopting a general plan of refunding, the board shall, by resolution, provide for submitting to the qualified electors of the district the proposition of whether the refunding bonds shall issue. The resolution shall provide for the manner of submitting the proposition to the electors, and shall state the purpose of the refunding, the terms and conditions of the bonds, and any other facts essential for the information of the electors. The election held on the proposition shall conform to the provisions of this article.

If the proposition is favorably voted upon, the board of directors has plenary power in the matter of executing the bonds and providing for their sale and disposition."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 11, inclusive; and strike out all of pages 2 and 3, thereof.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1005 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellem, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niebouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker

—68

NOES—None.

Assembly Bill No. 1005 ordered enrolled.

Assembly Bill No. 1603—An act to amend Sections 2350, 2351, 2353, and 2357 of the Welfare and Institutions Code, and to add Sections 2350.5, 2353.1, 2353.2, and 2354.1 thereto, relating to agreements for the care of aged persons, providing for regulation and supervision of organizations and persons entering into such agreements by the State Department of Social Welfare, and providing for the issuance of writs of attachment in actions for the enforcement thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1603?

Amendment No. 1

On page 2, line 26, of the printed bill, as amended, after "Corporation", insert ", to the extent that such deposits are insured by such corporation"

Amendment No. 2

On page 2, line 27, of said bill, strike out "Deposits with", and insert "Investments in certificates issued by".

Amendment No. 3

On page 2, line 29, of said bill, after "poration", insert ", to the extent that such certificates are insured by such corporation".

Amendment No. 4

On page 3 of said bill, strike out lines 49 and 50, and insert "request the Department of Insurance to aid in the determina-".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1603 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Cuchton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1603 ordered enrolled.

Assembly Bill No. 1021—An act to amend Sections 10490, 10492, 10493, 10494, 10495, 10497, 10498, 10499 and 10501 and to add Sections 10494.5 and 10498.5 to, the Insurance Code, relating to insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1021?

Amendment No. 1

In line 3 of the title of the printed bill, as amended, after "10490", insert ", 10500".

Amendment No. 2

On page 1, line 8, of said bill, strike out "chapter", and insert "article".

Amendment No. 3

On page 1, line 14, of said bill, strike out "nothing"; and strike out lines 15 and 16, and insert "Any person subject to or exempted from Chapter 10 of this part is also exempted from this article."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 5 of said bill, between lines 22 and 23, insert

"SEC. 10.5. Section 10500 of the Insurance Code is amended to read:

10500. Every person not expressly exempted by or subject to Chapter 10 of this part [who] and any labor union not exempted by this article that transacts life or disability insurance without a valid and unrevoked certificate of authority or without a valid and unrevoked certificate of exemption issued pursuant to this article, is guilty of a misdemeanor. Every employee, officer or agent of any person who knowingly assists any person in the transaction of insurance in violation of this article, is guilty of a misdemeanor."

Amendment No. 5

In line 2 of the title of the printed bill, as amended, after "10498," insert "10499".

Amendment No. 6

On page 5, line 23, of said bill, after "person", insert "or union".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1021 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Cuchton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None

Assembly Bill No. 1021 ordered enrolled.

Assembly Bill No. 1935—An act to amend Section 107 of the Revenue and Taxation Code, relating to the taxation of real and personal property, including the taxing of possessory interests and mining rights.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1935?

Amendment No. 1

On page 1, line 21, of the printed bill, as amended, after "interests", insert "in Sections 2914 to 2919, inclusive,".

Amendment No. 2

On page 1, line 22, of said bill, after the period, insert "Suit may be brought against an assessee of such taxes in the event of delinquency in the payment thereof."

Amendment No. 3

On page 1, line 9, of said bill, after "sufficient", insert "security".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1935 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Drills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Lowrey, Lyons, Maloney, Masson, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1935 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1954

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1954—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land in Orange County as part of the State Park System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1954?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, strike out "5104", and insert "5014".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "appropriated", and insert "apportioned".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1954 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs,

Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heringer, Holibaugh, Johnson Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1954 ordered enrolled.

ANNOUNCEMENT OF CHANGE IN MEMBERSHIP OF COMMITTEE ON CONFERENCE

The Speaker announced that Mr. Ralph C. Dills would replace Mr. Clarke as a member of the Committee on Conference concerning Assembly Bill No. 381.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1842—An act to add Section 19311 to the Education Code, relating to cafeterias.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1842?

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, after "Act", insert "; and provided further, that the governing board of any school district operating a cafeteria may exempt by formal resolution of the board other individuals and organizations from the operation of this section".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1842 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heringer, Holibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1842 ordered enrolled.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 262

Resolved by the Assembly of the State of California, That each and every person heretofore employed by the Assembly is hereby stricken from the list of Assembly attaches, and the names stricken from the pay roll of the Assembly, to take effect upon the completion of work on ~~Wednesday, May 5, 1943~~, save and except Arthur A. Ohnimus, Chief Clerk, and those who are certified to the Controller by the Chief Clerk.

Resolution read, and referred to Committee on Rules and House Functions.

Handwritten signatures and a large scribble over the bottom right portion of the page, including the date 'June 1, 1943'.

By the Committee on Rules and House Functions:

House Resolution No. 263

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth, with the compensation set opposite their respective names, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing Tuesday, May 4, 1943, and ending upon the completion of work on Wednesday, May 5, 1943:

	<i>Per day</i>
Jimmy Pickett, Page-----	\$3 00

SAM L. COLLINS, Chairman

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Pelletier and Kellems:

House Resolution No. 264

WHEREAS, The Reverend Clarence A. Kircher, Chaplain of the Assembly, during the Fifty-fifth Session, has, by his prayers each morning, brought to this body valuable inspiration, and has reminded the members of their obligation not only to their God but to their fellow men, to the State, and the Nation; and

WHEREAS, His intellectual attainments have compelled the admiration of all within his hearing and have won the personal regard of all the members; now, therefore, be it

Resolved, That the Chief Clerk of the Assembly be and he hereby is authorized and instructed to have printed two hundred fifty (250) booklets containing the prayers offered at this session, and that he send ~~one~~ ^{one} of said booklets to each Member of the Assembly, and the remaining booklets to Reverend Clarence A. Kircher.

Request for Unanimous Consent

Mr. Pelletier asked for, and was granted, unanimous consent to take up House Resolution No. 264, at this time, without reference to committee.

Resolution read and adopted.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 748—An act to amend Section 689.5 of the Political Code, relating to the Service Revolving Fund.

Bill read third time.

Motion to Amend

Mr. Wollenberg moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 689 and".

Amendment No. 2

In line 2 of the title of said bill, strike out "the Service Revolving Fund", and insert "collections by the State Department of Finance from other State agencies".

Amendment No. 3

On page 1, line 1, of said bill, after "Section 1", insert "Section 689 of the Political Code is amended to read:

689. From any State department, officer, board or commission having any special fund in the State treasury made available by law for the use, support or maintenance of any part or all of the work and affairs of such department, office, board or commission, the Department of Finance may fix and collect:

(a) The pro rata share of the cost of insuring motor vehicles belonging to such department, officer, board or commission against liability for damages resulting from the negligent operation of motor vehicles and arising under the provisions of Section 400 of the Vehicle Code or, in the discretion of the director, an amount which he considers equivalent to such pro rata share to be expended by him in accordance with law paying claims under Section 400 of the Vehicle Code and paying for the investigation, adjustment, defense and administration of such claims;

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(b) Rent for the use or occupancy of space in any building owned, managed or controlled by the State and used or occupied by such State department, officer, board or commission where such space is utilized in carrying out the work and affairs, or that portion of the work and affairs, of such department, officer, board or commission, for the carrying out of which said special fund was created;

(c) The actual cost of janitor and maintenance service rendered to such department, officer, board or commission to enable it to carry out the work and affairs, or that portion of its work and affairs, for the carrying out of which the special fund was created; and

(d) The pro rata cost of workmen's compensation insurance covering the officers and employees of such department, officer, board or commission;

(e) *The pro rata cost of any bond or bonds covering the officers and employees of such department, officer, board, or commission.*

The State Department of Finance may file a claim against any appropriations made from special funds for the support or maintenance of any part or all of the work and affairs of any State department, officer, board or commission for a pro rata share of the costs or services included within this section, when such State department, officer, board, or commission refuses to pay such pro rata share of such costs or services, and the State Controller shall draw his warrant in accordance with law upon such claim in favor of the State Department of Finance.

All moneys received by the Department of Finance pursuant to paragraphs (a), (d), and (e) under the provisions hereof shall be accounted for and reported at the end of each month by said department to the State Controller to be by said Controller credited as an abatement of the expenses of said department, and at the same time such moneys shall be remitted to the State Treasury to become a part of any appropriation made available by law from out of which the expenses for such purposes were paid.

All other moneys received by the Department of Finance under the provisions of paragraph (b) hereof shall be accounted for and reported at the end of each month by said department to the State Controller, and at the same time such moneys shall be remitted to the State Treasurer to become a part of the General Fund and all moneys received by the Department of Finance under the provisions of paragraph (c) herein shall be accounted for as provided in Section 689 5 of the Political Code. Sec. 2"

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1040—An act to add Article 3, comprising Section 24541, to Chapter 5 of Division 12, of the Education Code, relating to identification emblems for children.

Bill read third time.

Motion to Amend

Mr Brown moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended, strike out "Board of Education", and insert "California State War Council".

Amendment No. 2

On page 1, lines 16 and 17, of said bill, strike out "from the ages of 1 to 12 years inclusive.", and insert a period.

Amendment No. 3

On page 1, lines 17 and 18, of said bill, strike out "from the ages of 1 to 12 years inclusive shall wear", and insert "who receive".

Amendment No. 4

On page 1, line 19, of said bill, strike out the first comma, and insert "shall wear them".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 727—An act making an appropriation to the emergency fund specified in Item 221 of the Budget Act of 1943, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Burkhalter moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "two million dollars (\$2,000,000)", and insert "one million dollars (\$1,000,000)".

Amendment No. 2

On page 1, line 9, of said bill, after "of", insert ", and for the prevention of further damage to,".

Amendments read ~~and adopted.~~

[On May 5, 1943, above action was rescinded, and record ordered expunged whereby the amendments offered by Mr. Burkhalter to Senate Bill No. 727 were this day adopted.]

Request for Unanimous Consent

Mr. Field asked for, and was granted, unanimous consent to take up further amendments to Senate Bill No. 727, at this time.

Motion to Amend

Mr. Field moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended, after "restoration", strike out "(except", and substitute "or"; and in line 19, strike out ")",

Amendment No. 2

On page 1 of the printed bill, strike out lines 20 to 22, inclusive; and on page 2, strike out lines 1 to 16, inclusive, and insert

"(a) Such expenditure and purpose is first approved by the Director of Finance.

(b) The department has first investigated and reported upon the proposed work, has found it to be a matter of general public and State interest and concern, has estimated the cost of the work and filed its report thereon with the Department of Finance.

(c) Moneys equal to or in excess of the amount expendable from this appropriation for said work shall be made available (by a political subdivision, public district, municipality, county or public agency, including agencies of local and Federal Government but excluding agencies which are a part of the Executive Department of the State Government) for expenditure by the department for such work to the end that any sums expended from this appropriation shall be matched by like or greater amounts from sources other than the State treasury or funds of any agency which is a part of the Executive Department of the State Government".

Amendments read ~~and adopted.~~

~~Bill ordered reprinted, and to third reading.~~

[On May 5, 1943, above action was rescinded, and record ordered expunged whereby the amendments offered by Mr. Field to Senate Bill No. 727 were this day adopted.]

RECESS

At 11.05 a.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 11.10 a.m.

REASSEMBLED

At 11.10 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, May 5, 1943

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly
Sacramento, California

DEAR ARTHUR: The Governor has asked me to acknowledge receipt of your letter of April 30, 1943, calling his attention to Assembly Concurrent Resolution No. 30, relating to a postwar planning for the treatment and education of crippled children. He has asked me to assure you that the matter will be called to the attention of the appropriate committee or commission, which he hopes the Legislature will see fit to establish by bills which are now pending.

Very truly yours,

RICHARD H. CHAMBERLAIN
Secretary to the Governor

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 52

J. A. BEEK, Secretary of the Senate
B. HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 255

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

House Resolution No. 254

House Resolution No. 262

House Resolution No. 256

House Resolution No. 263

House Resolution No. 258

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 740—An act to amend Section 2712 and to add Section 2716 to the Penal Code, relating to the payment of wages and workmen's compensation benefits to prisoners.

Assembly Bill No. 876—An act to amend Sections 5, 5.1 and 10 of, and to add Section 29.5 to the Personal Income Tax Act and to amend Sections 17052, 17053.5 and 17952 of, and to add Chapter 13.5, comprising Sections 19200 to 19205, inclusive, to Part 10 of Division 2 of, the Revenue and Taxation Code, relating to personal income taxes, declaring the urgency thereof, to take effect immediately.

Assembly Bill No. 883—An act to add Section 7.5 to the Bank and Corporation Franchise Tax Act, relating to a franchise tax imposed on banks and corporations, providing for the use of part of the proceeds of said tax. And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 884—An act to add Section 5.5 to the Corporation Income Tax Act, relating to the income tax imposed on corporations, providing for the use of part of the proceeds of said tax;

Assembly Bill No. 1531—An act to amend the Building and Loan Association Act by adding thereto a new article to be numbered 16, relating to building and loan associations, the Building and Loan Commissioner, plans for the rehabilitation, readjustment, reorganization or liquidation of such an association or of all or of any part of the business, properties and assets of such association or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association and the rights of investors and creditors of any such association in the possession of the commissioner to obtain assets of such association in exchange for investment certificates or unsecured creditor's claims; providing for the organization of a corporation or corporations to acquire such assets or a portion thereof; providing for the kinds of securities issuable in connection therewith; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to or dissent from a plan as defined in said Article 16, and to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such Article 16 or for property and to continue to hold as a legal investment any securities or properties so received, and exempting the proposer or proposers of a plan and the investors and creditors petitioning for withdrawal of assets from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937; And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

RESOLUTIONS

The following resolution was offered:

By Mr. Weber:

House Resolution No. 265

WHEREAS, The United States Geological Survey, the United States Coast and Geodetic Survey, and other governmental map-making agencies have recommended the adoption of a system of plane coordinates for the accurate location of points on the surface of the earth; and

WHEREAS, Such recommendations have been approved by the American Society of Civil Engineers, by the County Surveyors Association, by several State departments, and by high ranking officers in command of the United States Army and the several district heads of the United States Army Corps of Engineers; and

WHEREAS, There are existing in the State of California many such systems of plane coordinates in various localities of the State; and

WHEREAS, It is desirable that such local systems be unified in a general system; now, therefore, be it

Resolved by the Assembly of the State of California, That such a system of plane coordinates would aid in the establishment of a complete coverage by maps of the entire State and would facilitate the work of engineers in describing the location of permanent monuments necessary to the making of surveys for military and other purposes; and be it further

Resolved, That the United States Geological Survey, the responsible officers of the Army, the engineers employed by the cities, counties and the State, and also in the field of private engineering, adopt as the standard the California Coordinate System as set forth in Assembly Bill No. 1409 printed herewith as follows:

An act to define and officially adopt a state-wide system of plane coordinates for designating and stating positions of land survey points within the State of California, and permitting, but not requiring, the use thereof, in survey maps and other documents.

The people of the State of California do enact as follows:

SECTION 1 The system of plane rectangular coordinates hereinafter described shall be known and designated as the "California Coordinate System."

For the purpose of the use of this system the State is divided into seven zones: Zone 1, Zone 2, Zone 3, Zone 4, Zone 5, Zone 6, Zone 7.

The areas now included in the following counties shall constitute Zone 1: Del Norte, Humboldt, Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama and Trinity.

The area now included in the following counties shall constitute Zone 2. Alpine, Amador, Butte, Colusa, El Dorado, Glenn, Lake, Mendocino, Napa, Nevada, Placer, Sacramento, Sierra, Solano, Sonoma, Sutter, Yolo and Yuba.

The area now included in the following counties shall constitute Zone 3: Calaveras, Madera, Marin, Mariposa, Merced, Mono, San Joaquin, Santa Cruz, Stanislaus, Tuolumne, Alameda, Contra Costa, San Mateo, San Francisco and Santa Clara

The area now included in the following counties shall constitute Zone 4: Fresno, Inyo, Kings, Monterey, San Benito and Tulare.

The area now included in the following counties shall constitute Zone 5: Kern, San Luis Obispo, Santa Barbara, Ventura and San Bernardino.

The area now included in the following counties shall constitute Zone 6: Imperial, Riverside, San Diego and Orange.

The area now included in Los Angeles County shall constitute Zone 7.

SEC. 2. As established for use in Zone 1, the California Coordinate System shall be named, and in any land description, report of survey, map or other document in which it is used it shall be designated, the "California Coordinate System, Zone 1."

As established for use in Zone 2, the California Coordinate System shall be named, and in any land description, report of survey, map or other document in which it is used it shall be designated, the "California Coordinate System, Zone 2."

As established for use in Zone 3, the California Coordinate System shall be named, and in any land description, report of survey, map or other document in which it is used it shall be designated, the "California Coordinate System, Zone 3."

As established for use in Zone 4, the California Coordinate System shall be named and in any land description, report of survey, map or other document in which it is used it shall be designated, the "California Coordinate System, Zone 4."

As established for use in Zone 5, the California Coordinate System shall be named and in any land description, report of survey, map or other document in which it is used it shall be designated, the "California Coordinate System, Zone 5."

As established for use in Zone 6, the California Coordinate System shall be named and in any land description, report of survey, map or other document in which it is used it shall be designated, the "California Coordinate System, Zone 6."

As established for use in Zone 7, the California Coordinate System shall be named and in any land description, report of survey, map or other document in which it is used it shall be designated, the "California Coordinate System, Zone 7."

SEC. 3. The plane rectangular coordinates of a point on the earth's surface, to be used in expressing the position or location of such point in the appropriate zone of this system, shall consist of two distances, expressed in feet and decimals of a foot. One of these distances, to be known as the "x-coordinate," shall give the position in an east-and-west direction from the Y axis; the other, to be known as the "y-coordinate," shall give the position in a north-and-south direction from the X axis. These coordinates shall be made to depend upon and conform to the plane rectangular coordinates of the triangulation and traverse stations of the United States Coast and Geodetic Survey within the State of California, as those coordinates shall be determined to conform with provisions contained in Section 5 of this act. The Y axis of any zone shall be parallel to the meridian passing through the point of control of that zone.

SEC. 4. When any tract of land to be defined by a single description extends from any one into another of the above coordinate zones, the positions of all points on its boundaries may be referred to either of those zones, the zone which is used being specifically named in the description.

SEC. 5. For the purpose of more precisely defining the California Coordinate System, the following definition is adopted:

The California Coordinate System, Zone 1, is a Lambert conformal projection of the Clarke spheroid of 1866, having standard parallels at north latitudes $40^{\circ} 00'$ and $41^{\circ} 41'$, along which parallels the scale shall be exact. The point of control of coordinates is at the intersection of the meridian $122^{\circ} 00'$ west longitude and the parallel $39^{\circ} 20'$ north latitude. This point of control is given the coordinates: $x=2,000,000$ feet and $y=0$ feet.

The California Coordinate System, Zone 2, is a Lambert conformal projection of the Clarke spheroid of 1866, having standard parallels at north latitudes

38° 20' and 39° 50', along which parallels the scale shall be exact. The point of control of coordinates is at the intersection of the meridian 122° 00' west longitude and the parallel 37° 40' north latitude. This point of control is given the coordinates: $x=2,000,000$ feet and $y=0$ feet.

The California Coordinate System, Zone 3, is a Lambert conformal projection of the Clarke spheroid of 1866, having standard parallels at north latitudes 37° 04' and 38° 26', along which parallels the scale shall be exact. The point of control of coordinates is at the intersection of the meridian 120° 30' west longitude and the parallel 36° 30' north latitude. This point of control is given the coordinates: $x=2,000,000$ feet and $y=0$ feet.

The California Coordinate System, Zone 4, is a Lambert conformal projection of the Clarke spheroid of 1866, having standard parallels at north latitudes 36° 00' and 37° 15', along which parallels the scale shall be exact. The point of control of coordinates is at the intersection of the meridian 119° 00' west longitude and the parallel 35° 20' north latitude. This point of control is given the coordinates: $x=2,000,000$ feet and $y=0$ feet.

The California Coordinate System, Zone 5, is a Lambert conformal projection of the Clarke spheroid of 1866, having standard parallels at north latitudes 34° 02' and 35° 28', along which parallels the scale shall be exact. The point of control of coordinates is at the intersection of the meridian 118° 00' west longitude and the parallel 33° 30' north latitude. This point of control is given the coordinates: $x=2,000,000$ feet and $y=0$ feet.

The California Coordinate System, Zone 6, is a Lambert conformal projection of the Clarke spheroid of 1866, having standard parallels at north latitudes 32° 47' and 33° 53', along which parallels the scale shall be exact. The point of control of coordinates is at the intersection of the meridian 116° 15' west longitude and the parallel 32° 10' north latitude. This point of control is given the coordinates: $x=2,000,000$ feet and $y=0$ feet.

The California Coordinate System, Zone 7, is a Lambert conformal projection of the Clarke spheroid of 1866, having standard parallels at north latitudes 33° 52' and 34° 25', along which parallels the scale shall be exact. The point of control is at the intersection of the meridian 118° 20' west longitude and the parallel 34° 08' north latitude. This point of control is given the coordinates: $x=4,186,692.58$ feet and $y=4,160,926.74$ feet.

The position on the ground of the California Coordinate System shall be as marked by triangulation or traverse stations established in conformity with the standards adopted by the United States Coast and Geodetic Survey for first-order and second-order work, whose geodetic positions have been rigidly adjusted on the North American Datum of 1927, and whose plane coordinates have been computed on the system herein defined any such stations may be used for establishing a survey connection with not less than two stations of the California Coordinate System.

SEC. 6. Any map, survey or other document which is offered for recording in the office of the county recorder of any county of the State of California and which includes reference to the California Coordinate System, shall contain a certificate signed by a licensed land surveyor or registered civil engineer of the State of California, that the survey has been made by him or under his supervision in accordance with the provisions of Section 5 of this act.

SEC. 7. The use of the term, "California Coordinate System," in any land description, report of survey, map or other document, shall be limited to coordinates based on the California Coordinate System as defined in this act.

SEC. 8. Nothing contained in this act shall be interpreted as requiring any person to rely on a description based wholly on the California Coordinate System as defined in this act, but any map, survey or other document which is offered for recording in the office of the county recorder of any county of the State of California and which includes references to the California Coordinate System may also contain a reference to some other recorded map, survey, or other document, which latter reference must be sufficient to identify the property with reasonable certainty.

SEC. 9. If any provisions of this act be declared invalid, such invalidity shall not affect the validity of any portion of this act which can be given effect without such invalid part.

SEC. 10. This act may be cited as the Plane Coordinate Act

and be it further

Resolved, That the Committee on Legislative Organization is directed to investigate the effect of the adoption of such a system upon the description of property

lines affecting land titles, and to formulate legislation which would not be detrimental thereto but would aid in such descriptions

Resolution read, and referred to Committee on Rules and House Functions.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1221

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 57
Assembly Bill No. 763
Assembly Bill No. 1091
Assembly Bill No. 1207
Assembly Bill No. 1242
Assembly Bill No. 1243

Assembly Bill No. 1270
Assembly Bill No. 1319
Assembly Bill No. 1385
Assembly Bill No. 1984
Assembly Bill No. 1991

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Carter, Keating, and Ward as a Committee on Conference concerning:

Assembly Bill No. 568—An act to add Section 2780.1 to the Penal Code, relating to the prison camps, making an appropriation, declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators McBride, Brown, and Gordon as a Committee on Conference concerning:

Assembly Bill No. 667—An act to amend Sections 26200.5, 26209, 26212, 26251, 26253, 26254, 26271, 26280, 26281, 26282, 26296, 26302, 26303, 26327, 26328, 26336, 26337, 26338, 26342, 26343, 26361, 26364, 26366, 26367, 26368, and 26380 of, and add Sections 26216 and 26271 (a) to Division 21, Chapter 2 of the Health and Safety Code, relating to the adulteration, misbranding, advertising and sale of drugs and devices, and to the powers of the State Department of Public Health in relation thereto.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Breed, Judah, and Donnelly as a Committee on Conference concerning:

Assembly Bill No. 1094—An act to amend Section 18200 of the Health and Safety Code, relating to the enforcement of the provisions of Part 2 of said code.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Mayo, Deuel, and Shelley as a Committee on Conference concerning:

Assembly Bill No. 381—An act to amend Section 6000 of the Government Code and Section 4460 of the Political Code, relating to newspapers of general circulation.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Swan, Biggar, and Jespersen as a Committee on Conference concerning:

Assembly Bill No. 521—An act to amend Sections 12755 and 12784 of the Education Code, relating to the revocation of credentials, life diplomas or documents issued by the State Board of Education.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 604	Assembly Bill No. 1414
Assembly Bill No. 701	Assembly Bill No. 1914
Assembly Bill No. 939	Assembly Bill No. 1931
Assembly Bill No. 1287	Assembly Bill No. 1964

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

Hon. Randal F. Dickey Presiding

At 11.12 a.m., Hon. Randal F. Dickey, Member of the Assembly from the Fourteenth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 335—An act to amend Section 15 of the Corporate Securities Act, relating to review of orders, decisions, permits or evidences of other official acts of the Commissioner of Corporations by courts of competent jurisdiction.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—68.

NOES—Collins, George D—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 797—An act to amend Sections 3418 and 3423 of the Public Resources Code, relating to the record of assessments and charges for the Petroleum and Gas Fund and the imposition of a tax lien and the enforcement, release or subordination thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellens, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 558—An act to add Article 4, comprising Sections 990 to 991.3 inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; creating a Veterans' Finance Committee of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1944.

Bill read third time.

Motion to Amend

Mr. Fourt moved the adoption of the following amendment:

Amendment No. 1

On page 4, line 6, of the printed bill, as amended, strike out "Board of Control", and insert "Department of Finance".

Amendment read and adopted

Bill ordered reprinted, and to third reading.

PERMISSION TO CONSIDER ASSEMBLY BILL

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, permission to consider Assembly Concurrent Resolution No. 64 was granted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellens, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—71.

NOES—None.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 64

Assembly Concurrent Resolution No. 64—Relative to discontinuing the use of a dated symbol on the stationery of the Members of the Legislature.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Wollenberg—65.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 672—An act to add Section 60.3 and Section 45.2 to the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended May 4, 1943, strike out "60.3 and".

Amendment No. 2

Strike out lines 9 to 20 inclusive of the printed bill, as amended May 4, 1943.

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Crichton, Debs, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Sawallsch, Sheridan, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Wollenberg—57.

NOES—Robertson and Smith—2.

Bill ordered reprinted, and to third reading.

[On May 5, 1943, above action was rescinded, and record ordered expunged whereby the amendments offered by Mr. Johnson to Senate Bill No. 672 were this day adopted.]

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California to amend Sections 2 and 34 of Article IV of the Constitution of said State, relating to the Legislature

Resolution read.

Motion to Amend

Mr. Heisinger moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 15, of the printed measure, as amended, strike out "in March, and"; and strike out lines 16 and 17, and insert "after the first day of January and shall continue in session for a period not exceeding 21 days thereafter; whereupon a recess of both houses must be taken for not less than 30 days. After reconvening, the Legislature may continue in session for a period not exceeding 60 days from the date of reconvening. On the reassembling of the Legislature, no bill shall be introduced in either house without the consent of three-fourths of the members thereof, nor shall more than two bills be introduced by any one member after such reassembling."

Amendment No. 2

On page 1, line 25, of said measure, strike out "each regular session of the Legislature", and insert "the reconvening of the Legislature after the constitutional recess provided for in Section 2 of this article".

Amendment No. 3

On page 2, lines 17 and 18, of said measure, strike out "during the first five days of the session".

Amendment No. 4

On page 2, line 20, of said measure, strike out ", and", and insert "within five days of the reconvening of the Legislature after the constitutional recess. If introduced after the constitutional recess, the Budget Bill shall not be considered as one of the two bills which may be introduced under Section 2 of this article. It".

Amendment No. 5

On page 2 of said measure, strike out lines 26, 27, and 28; and in line 29, strike out "members thereof."

Amendments read.

Demand for Previous Question

Messrs. Robertson, Beck, Crichton, Maloney, and Rosenthal demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Heisinger to Senate Constitutional Amendment No. 25.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Allen, Bennett, Berry, Brady, Call, Collins, George D., Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, Knight, John B., Lowrey, O'Day, and Pelletier—15.

NOES—Anderson, Armstrong, Bashore, Beck, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Field, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, Potter, Price, Sargent, Smith, Thomas, Thorp, Thurman, Watson, Weber, Weybret, and Wollenberg—46.

Resolution ordered on file for adoption.

Senate Bill No. 448—An act to repeal an act entitled "An act granting rights of way for lines, roads, structures, levees, canals and excavations to the United States over the proprietary lands of this State," approved May 18, 1921, and Section 8351 of the Public Resources Code, making a statement of legislative intent and defining certain terms, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion,

McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 866—An act to add Sections 5015.5, 5016, 5017, and 5018 to the Public Resources Code, relating to parks and beaches.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 630—An act to amend Sections 1300.15, 1300.16 and 1300.19 of the Agricultural Code, relating to the marketing of agricultural commodities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 660—An act to add Sections 3695.4, 3695.5, 3774, and 3775, and to amend Sections 3705 and 3773 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Mil-

ler, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1076—An act to add Section 6060.6 to the Business and Professions Code, relating to admission to the practice of law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 10—Relative to the creation of a Joint Committee on the Tax Structure of the State to study, investigate, and report on the subject of taxation in the State.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—68.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 21—Relative to memorializing Congress to make available to the civilian population property of Japanese evacuees.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, O'Day, Potter, Price, Robertson, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Wollenberg—52.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 661—An act to add Section 131 to the Welfare and Institutions Code, relating to county refunds to the State for aid furnished.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D. Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—62.

NOES—Pelletier—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 690—An act to amend Section 1526 of the Welfare and Institutions Code, relating to the residence of needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—70.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 1061

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1061—An act to amend Sections 1 and 4 of an act entitled "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, relating to the California Farm Debt Adjustment Commission, including extension of the period of existence of and membership upon the commission; making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out all of lines 4 to 24, inclusive.

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 231—An act to add Section 4.350-1 to the School Code and to add Section 6114 to the Education Code, relating to the payment of school district employees, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—70.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—70.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 691—An act to amend Sections 1552.5, 2220 and 3078.5 of the Welfare and Institutions Code, relating to reports to the State Department of Social Welfare with respect to the suspension of grants of aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1039—An act to add Section 1556.6 to the Welfare and Institutions Code, relating to wages of minors, and determining the ownership thereof for purposes of aid to orphans and other needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 1—Relative to old-age assistance.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—65.

NOES—None.

Resolution ordered transmitted to the Senate.

RECONSIDERATION OF SENATE BILL NO. 581

In compliance with a notice given on a previous day, Mr. Lowrey moved that the vote whereby Senate Bill No. 581 was passed be reconsidered.

Senate Bill No. 581 reconsidered by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Wollenberg—65.

NOES—None.

Further Consideration of Senate Bill No. 581

Senate Bill No. 581—An act to amend Section 3493 of the Political Code, relating to reclamation districts.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 1

On page 4, line 6, of the printed bill, as amended, after "properties", insert "consisting of ditches, canals, laterals and other reclamation works."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 24—Relative to child care, and the employment of mothers of young children.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Helsing, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, McCollister, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, and Weybret—62.

NOES—None.

Resolution ordered transmitted to the Senate.

MOTION TO STRIKE SENATE BILL NO. 849 FROM FILE

Mr. Clarke moved that Senate Bill No. 849 be stricken from the file.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 886—An act to convey the Solano Monument Lands, whose use for a monument has been abandoned, to the contributors of the purchase price.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Helsing, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74

NOES—None.

Bill ordered transmitted to the Senate.

SPECIAL ORDER SET BY UNANIMOUS CONSENT

Mr. Fourt asked for, and was granted, unanimous consent that Senate Bills Nos. 558, 559, 560, and 561 be set as a special order of business for today at 1.45 p.m.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 731—An act to amend Section 5003 5, and to add Section 5014 1 to, the Public Resources Code, abolishing the State Park Maintenance and Acquisition Fund and creating the State Park Fund, relating to State parks, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 601—An act to amend Sections 1620, 1621, 1622, 1623, 1625, 1626, 1627, 1628, 1630, 2303, 2305, 2306, 2307, 2308, 2309, and 2310 of the Welfare and Institutions Code, to amend the chapter heading of Chapter 1 of Part 3 of Division 2 of said code, to repeal Sections 2300, 2301 and 2302 of said code, to add Sections 1625.5, 2300, 2300.5, 2300.7, 2301, 2301.3, 2301.5, 2301.7, 2301.9, 2302, 2302.3, 2302.5, and 2305.5 to said code, and to add Chapter 2, comprising Sections 1650 to 1660, inclusive, to Part 3 of Division 2 of said code, relating to institutions for the reception and care of persons in need of protection and care, including institutions for child care and home-finding and placement agencies and institutions, boarding homes and other places for the reception and care of aged persons, and providing for the licensing and regulation of such institutions and agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Masson, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—72.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 490—An act to add Section 4307.1 to the Political Code, relating to county charges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L.,

Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—72.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1108—An act to add Section 8 to an act entitled "An act to authorize the county judge of Tehama County to distribute town lots held by him in trust for the citizens of the Town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests," approved March 6, 1868, as amended and supplemented, relating to the conveyance of certain streets and alleys.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—72.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 266—An act to amend Section 19c of the California Irrigation District Act, relating to the appointment or election of officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—72.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 3—Relative to memorializing the Congress of the United States to initiate proper action and legislation to determine the identity, and forfeit the citizenship of those holding a dual citizenship in any other country and prohibiting such citizenship.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Sargent, Sheridan, Smith,

Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Beck, Robertson, Rosenthal, Weber, and Werdel—5.

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 11.15 a.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Senate Bill No. 603—An act to add Chapter 9.5 to Part 1 of Division 6 of the Health and Safety Code, relating to consolidation of sanitary districts without an election.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Johnson moved to expunge the record and rescind the action whereby amendments to Senate Bill No. 672 were this day adopted.

The roll was called, and the motion carried by the following vote:

AYES—Armstrong, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Hastain, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—Anderson, Beck, Brady, Carey, Carlson, Heisinger, and McMillan—7.

Further Consideration of Senate Bill No. 672

Senate Bill No. 672—An act to add Section 60.3 and Section 45.2 to the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, O'Day, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Weber, Wollenberg, and Mr. Speaker—47.

NOES—Armstrong, Bashore, Beck, Brady, Carlson, Debs, Heisinger, Knight, T. Fenton, Leonard, McMillan, Middough, Miller, Potter, Smith, Werdel, and Weybret—16.

Bill ordered reprinted, and transmitted to the Senate.

PERMISSION TO CONSIDER ASSEMBLY BILL

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, permission to consider Assembly Concurrent Resolution No. 66 was granted by unanimous consent.

**INTRODUCTION, FIRST READING AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

Assembly Concurrent Resolution No. 66: By Messrs. Hollibaugh, Fourt, and Potter—Relative to a Joint Interim Committee on Veteran Rehabilitation.

Referred to Committee on Rules and House Functions.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 350
Assembly Bill No. 680
Assembly Bill No. 746
Assembly Bill No. 1185

Assembly Bill No. 361
Assembly Bill No. 1180
Assembly Bill No. 1187
Assembly Bill No. 1188

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 634

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

Senate Bill No. 84
Senate Bill No. 178
Senate Bill No. 246
Senate Bill No. 705
Senate Bill No. 898
Senate Bill No. 237

Senate Bill No. 272
Senate Bill No. 322
Senate Bill No. 423
Senate Bill No. 461
Senate Bill No. 1000
Senate Bill No. 1090

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1538

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 716
Assembly Bill No. 1179
Assembly Bill No. 1184

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
 Assembly Concurrent Resolution No. 49
 And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Dunn, Lyons, and Werdel:

House Resolution No. 266

Resolved, That the Assembly of the State of California hereby expresses its appreciation to Thomas Keating, editor of "Labor," the official publication of the Railroad Brotherhoods, for furnishing copies of "Labor" to the Members of the Assembly; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a copy of this resolution to Thomas Keating

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Lyon, Weber, Watson, and Doyle:

House Resolution No. 267

WHEREAS, the memory of the late Dan Murphy, of Los Angeles, is revered by many citizens of this State who held him in high esteem throughout his life for his high qualities of citizenship; and

WHEREAS, in his youth Dan Murphy left his native State of Kansas and came to his adopted State as a poor boy seeking his way in the world and finding employment on the railroads; and

WHEREAS, He joined partnership with his friend, the late Frank Monahan, to establish the Town of Needles, California, and did enter into several business enterprises therein; and

WHEREAS, He was a leader and pioneer in developing and civilizing the desert areas of the southwest with its Indian inhabitants and did promote the expansion of the railroads into that great country; and

WHEREAS, By his great vision and resourcefulness he led in the development of the oil and mining industry in Southern California and did organize and direct many industries throughout the State; and

WHEREAS, Throughout his life he helped his fellow man by charity, friendship, and advice, and by his great gifts for the advancement of education and religion, and was beloved by his many friends; and

WHEREAS, He was one of the founders of the Los Angeles Ship Building Drydocks, which throughout World War I and during the present conflict constructed many merchant ships which contributed to the war effort; now, therefore, be it

Resolved by the Assembly of the State of California. That out of respect to the memory of Dan Murphy it is fitting that one of the ships being constructed at the aforesaid shipyards be given his name, and that it be christened by his daughter, Miss Bernardine Murphy, and that copies of this resolution be forwarded by the Chief Clerk of the Assembly to Rear Admiral Emory S. Land, Chairman of the United States Maritime Commission, the officials of the Los Angeles Ship Building Drydocks, and to other authorities concerned.

Request for Unanimous Consent

Mr. Weber asked for, and was granted, unanimous consent to take up House Resolution No. 267, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs. O'Day and Haggerty:

House Resolution No. 268

Relative to the creation of an Assembly Interim Committee to Investigate Juvenile Delinquency

WHEREAS, It appears that juvenile delinquency is increasing during this period of the war and the problem is a complex and complicated one, requiring long and careful study; now, therefore, be it

Resolved, That there is hereby created an Assembly Interim Committee on Juvenile Delinquency, consisting of five members appointed by the Speaker, which committee shall study, investigate, ascertain, and appraise all the facts and circumstances connected with and surrounding the cause, prevention, and elimination of juvenile delinquency in order to recommend to the Legislature and the Assembly thereof such legislation as may be appropriate for such an end; and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have: (i) All the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code and Sections 9400 to 9412, inclusive, of the Government Code; and (ii) except when inconsistent with this resolution, all the powers conferred upon committees by the Rules of the Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws and constitutional provisions in anywise bearing upon or relating to the subject of this resolution;

(7) To meet either during sessions of this Legislature or during any recess thereof at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature including any recess thereof, and until the convening of the Fifty-sixth Legislature;

(9) To file reports with the Assembly during the Fifty-fifth Session thereof or any special extraordinary session thereof, and to file its final report with the Fifty-sixth Legislature;

(10) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and

(11) To cooperate with and secure the cooperation of county, city, city and county and other local law enforcement agencies in investigating any matter within the scope of this resolution, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee; and

(12) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the

committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Desmond and Gannon:

House Resolution No. 269

Relative to the aquisition of a painting of Hock Valley Farm, the residence of General John Sutter

WHEREAS, The John Levy Galleries, Inc., of 11-13 East 57th Street, New York, have for sale a painting by W. S. Jewett in 1852 of Hock Valley Farm, the residence of General John Sutter at a price of seven hundred fifty dollars (\$750); and

WHEREAS, It is fitting and desirable that said painting be possessed by the State of California because of its historical value and interest; now, therefore, be it

Resolved by the Assembly of the State of California, That the Superintendent of Buildings and Grounds be directed to investigate the authenticity of the painting of Hock Valley Farm, by W. S. Jewett, and if the said painting is authentic, that it be purchased and placed among the art treasures of the State at Sutter's Fort, and be it further

Resolved, That the Chief Clerk be directed to prepare and transmit a copy of this resolution to the Superintendent of Buildings and Grounds.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Johnson:

House Resolution No. 270

WHEREAS, There has been compiled, published, and distributed a State Blue Book; and

WHEREAS, There has been a consistent and unusual demand made upon the Members of the Assembly for copies of this book; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Printer is hereby directed to forward to each member of the Assembly five copies of the Blue Book when authorized by the Chief Clerk of the Assembly so to do.

Resolution read, and referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred certain petitions re impeachment proceedings, reports as follows

RE: Impeachment Proceedings of Appellate Judges by Miss Lulu Mignon Murphy.

Miss Murphy appeared before the Judiciary Committee on April 22, 1943. Mr. Fourn and Mr. Sargent gave the report of the subcommittee concerning this matter Report was adopted by the committee. At the request of Miss Murphy, the matter was unanimously continued indefinitely so that she might have more time to thoroughly present her case to the Legislature.

Respectfully submitted,

CALL, Chairman

RECESS

At 11.16 a.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 11.20 a.m.

REASSEMBLED

At 11.20 a.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 7
Assembly Joint Resolution No. 49

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 154
Assembly Bill No. 500
Assembly Bill No. 849
Assembly Bill No. 851
Assembly Bill No. 867
Assembly Bill No. 968
Assembly Bill No. 1145
Assembly Bill No. 1189
Assembly Bill No. 1323
Assembly Bill No. 1488

Assembly Bill No. 1492
Assembly Bill No. 1507
Assembly Bill No. 1509
Assembly Bill No. 1510
Assembly Bill No. 1512
Assembly Bill No. 1621
Assembly Bill No. 1783
Assembly Bill No. 1839
Assembly Bill No. 2005

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No. 653
Assembly Bill No. 1194
Assembly Bill No. 1195
Assembly Bill No. 1196

Assembly Bill No. 1301
Assembly Bill No. 1774
Assembly Bill No. 2008

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

JOURNAL CORRECTED BY UNANIMOUS CONSENT

Mr. Bashore asked for, and was granted, unanimous consent to have the Journal corrected to strike out the amendments to Senate Bill No. 807 as shown on page 3297 of the Journal of May 4, 1943.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1115—An act to amend Section 4237.9 of the Political Code, relating to grand jurors and trial jurors fees and mileage in counties of the eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Burkhalter, Burns, Call, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, and Weybret—47.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1238—An act to add Section 1069.5 to the Agricultural Code, relating to the coloration of economic poisons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1238?

Amendment No. 1

On page 1, line 25, of the printed bill, as amended, strike out "distinctively", and insert "distinctly".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 26, and insert "vent resemblance to any white powdered foodstuff".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1238 by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Burkhalter, Burns, Call, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Waters, and Weybret—47.

NOES—None.

Assembly Bill No. 1238 ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 602—An act to amend Section 120 of, and to add Section 120.5 to, the Welfare and Institutions Code, relating to the State Department of Social Welfare.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 76—An act to provide for the use of property belonging to public agencies for horseback riding.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weybret, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1116

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 1116—An act authorizing the State, any city, county, city and county, or district having jurisdiction of properties to make agreements with the United States government for the leasing or use of such properties during the war and six months thereafter; declaring the urgency hereof; to take effect immediately.

Without reference to committee.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 44—Providing for the continuance of the Joint Committee on Water Problems created by Senate Concurrent Resolution No. 11 (1941 Res. Ch. 130).

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 308—An act to provide for the printing and sale of legislative publications by the State Printer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, and Wollenberg—56.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Lorne D. Middough Presiding

At 11.21 a.m., Hon. Lorne D. Middough, Member of the Assembly from the Seventieth District, presiding.

Senate Bill No. 1104—An act to add Section 6077.6 to the Harbors and Navigation Code, relating to harbor districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, and Wollenberg—57

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.22 a.m. Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Senate Bill No. 270—An act making an appropriation for the acquisition of real property for the Humboldt State College.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Burns moved a call of the Assembly.

Motion carried. Time, 11 23 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

Hon. Albert C. Wollenberg Presiding

At 11.24 a.m., Hon. Albert C. Wollenberg, Member of the Assembly from the Twenty-first District, presiding.

RESOLUTIONS

The following resolution was offered:

By Messrs. Gaffney, Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyon, Lyons, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thur-

man, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mrs. Niehouse:

House Resolution No. 271

Relative to congratulating Thomas A. Maloney

WHEREAS, Thomas A. Maloney, our capable and genial Speaker pro tempore, known to most of us as "Senator," a title reminiscent of his eight years of service in the Senate, is now serving in this Legislature for the tenth consecutive session, representing his native City of San Francisco; and

WHEREAS, It often seems that in addition to the excellent representation given in the capable discharge of his official duties as a Legislator and officer of this Assembly, Thomas A. Maloney is in his person more than a representative and is in fact an emanation of his beloved city itself, for in his eyes may be seen the grey-blue color of San Francisco Bay, his smile reflects the sunlight which falls so warmly on the Mission Hills, the life and power of the great city are well expressed in his grasp of the complex economic and social problems of this era, while his integrity, his capacity for lasting friendship, his ready human sympathy, his love of fun, and the warmth of his personality all reflect the great open-handed hospitality and love of life which is the soul of San Francisco; and

WHEREAS, In this Legislature Thomas A. Maloney has been ever quick to extend a helping hand to new members, and by his ready understanding, his congenial demeanor, and his knowledge of legislation, won the esteem and friendship of his colleagues and all others acquainted with the work of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly congratulate Thomas A. Maloney upon his long and successful service in the Legislature of California and upon the host of friends he has made here, and commend him for the splendid and statesmanlike service which he has given to the people of his district and to the people of California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit to Thomas A. Maloney a suitable copy of this resolution as an expression of the warm regard and esteem held for him by his colleagues and associates.

Request for Unanimous Consent

Mr. Gaffney asked for, and was granted, unanimous consent to take up House Resolution No. 271, at this time, without reference to committee.

Resolution read, and adopted unanimously.

MOTION TO WELCOME FAMILY OF SPEAKER PRO TEMPORE

Upon motion of Mr. Field, Mrs. Thomas A. Maloney, wife of the Speaker pro tempore, and Mr. and Mrs. Thomas A. Maloney, Jr., of San Francisco, were welcomed as guests of all of the Members of the Assembly, and accorded the privilege of the Assembly floor.

REQUEST TO PRINT 100,000 COPIES OF DIGEST

Mr. Heisinger requested that 100,000 copies of the digest prepared by Mr. Fourt appertaining to Assembly Bill No. 1994 (Pension Bill) be printed for general distribution to the public.

Request referred to Committee on Rules and House Functions.

REQUEST FOR UNANIMOUS CONSENT

Mr. Stream asked for, and was granted, unanimous consent to take up Senate Bill No. 1116, at this time.

CONSIDERATION OF SENATE BILL NO. 1116

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Stream:

Resolved, That Senate Bill No. 1116 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section

requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Wollenberg, and Mr. Speaker—63

NOES—None

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 1116—An act authorizing the State, any city, county, city and county, or district having jurisdiction of properties to make agreements with the United States Government for the leasing or use of such properties during the war and six months thereafter; declaring the urgency hereof; to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Wollenberg, and Mr. Speaker—64.

NOES—None.

Senate Bill No. 1116—An act authorizing the State, any city, county, city and county, or district having jurisdiction of properties to make agreements with the United States Government for the leasing or use of such properties during the war and six months thereafter; declaring the urgency hereof; to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 2, of the printed bill, after "State", insert "approved by the Director of Finance".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 40—Relative to continuing in existence the Fact-Finding Committee created by Senate Concurrent Resolution No. 13 of the Fifty-fifth Session, and authorizing the study of economic planning.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey,

Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 1112—An act to amend Section 11 of an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of levees, and the payment of the indebtedness of Levee District Number 1 of Sutter County," approved March 20, 1874, relating to the compensation and powers of officers of said district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, Miller, Niehouse, O'Day, Potter, Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—61.

NOES—Massion—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 198—An act to amend Section 4803 of, and add Sections 4807 2, 4807 3, 4812 5 and 4814 to, the Penal Code, relating to commutations, pardons, and the Advisory Pardon Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Harvey E. Hastain Presiding

At 11.25 a.m., Hon. Harvey E. Hastain, Member of the Assembly from the Seventy-seventh District, presiding.

Senate Bill No. 1081—An act making an appropriation for the acquisition of real property for the Preston School of Industry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Robertson, Rosenthal, Sheridan, Smith, Thomas, Thompson, Thurman, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—58.

NOES—Bashore, Collins, Sam L., Potter, and Thorp—4.

Bill ordered transmitted to the Senate.

Senate Bill No. 503—An act to add Sections 5.127-1 and 5.141-1 to the School Code and to add 12008.1 and 12042.1 to the Education Code, relating to emergency credentials authorizing service in the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended, after "credential", insert a comma.

Amendment No. 2

On page 2 of said bill, strike out line 15, and insert "12042.1. The minimum standard for an emergency credential shall be as high a general".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1111—An act to amend Section 10074 of, to add Sections 10009.5, 10023, 10024, 10025 and 11011.5 to, and to add Chapter 7, comprising Sections 10500 to 10600, to Part 1 of Division 4 of, the Business and Professions Code, relating to transactions in mineral, oil or gas property, regulating mineral, oil and gas brokers and salesmen and prescribing the powers and duties of the State Division of Real Estate with respect thereto.

Bill read third time.

Motion to Amend

Mr. Leonard moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "10600", and insert "10601".

Amendment No. 2

On page 2, line 1, of said bill, strike out "10600", and insert "10601".

Amendment No. 3

On page 3, line 43, of said bill, between "10507." and "The", insert "(a)".

Amendment No. 4

On page 3, line 50, of said bill, insert

"(b) Any real estate licensee, who performs an act or engages in a transaction subject to this chapter, which act or transaction is incidental to his real estate business but not within subdivision (a), may secure a permit for such act or transaction from the commissioner without otherwise complying with the provisions of this chapter, except Section 10512. Not more than 10 permits per fiscal year may be issued under this section to any real estate licensee. The real estate permit fee shall be paid for each permit."

Amendment No. 5

On page 12, line 36, of said bill, insert "10601. For a real estate permit, the fee is one dollar (\$1)."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Speaker Presiding

At 11.30 a.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Senate Bill No. 414—An act to amend Sections 507, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2253, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2266, 2267, 2271, 2274, 2275 of, and to add Section 2005 to the Public Resources Code, to increase the membership

of the State Mining Board and to provide for its powers and duties and for the powers and duties of employees and officers of the Division of Mines to declare the intent of the Legislature in regard thereto, and to abolish the Ore Buyer's License Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brady, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crowley, Denny, Dilworth, Doyle, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, Knight, John B., Leonard, Massion, Middough, Miller, Niehouse, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—43.

NOES—Bashore, Brown, Call, Crichton, Debs, Dills, Clayton A., Dunn, Knight, T. Fenton; Lowrey, Lyons, Maloney, McMillan, ODay, Potter, Sawallisch, Sheridan, Thomas, Thorp, and Weber—19.

Bill ordered transmitted to the Senate.

MOTION TO PRINT COMMITTEE REPORT IN JOURNAL

Upon motion of Mr. Sawallisch, the following Report of the Assembly Interim Committee on Public Morals was ordered printed in the Journal:

Report of Assembly Interim Committee on Public Morals

To the Speaker and Honorable Members of the Assembly

Your Assembly Interim Committee on Public Morals, created by resolution of the Assembly (No. 50) on January 23, 1941, renders herewith the report of its activities since its creation:

One of the first matters to be brought before your committee was the subject of commercial prostitution and juvenile delinquency, especially delinquency in the instance of teen-age girls.

In the matter of prostitution, we found that a widespread attack had already been made on this vice under the direction of Edwin J. Cooley, Chief of the Public Welfare Department of the Federal Security Administration.

Working directly with Army and Navy authorities, Mr. Cooley and his administration have succeeded, very largely, in eliminating commercialized prostitution in the vicinity of Army and Navy establishments and in various metropolitan centers wherein are situated tremendous National defense projects.

We found in most instances that local police authorities were not only willing to cooperate with the Federal Security Administration, with the Navy Shore Patrol and the Army Military Police, but in numerous cases had already taken definite action of their own to end this vicious menace to the health of our armed forces and defense workers.

Your committee found that certain tavern operators in various parts of the State were allowing their premises to be used by professional prostitutes as a center of operations, and that some tavern operators were also allowing loose women to frequent their establishments for the purpose of preying upon members of the armed forces. When this condition was called to the attention of the alcoholic beverage industry, complete cooperation was immediately forthcoming.

Liaison Committee

Leaders of the alcoholic beverage industry set up a liaison committee to aid in coordinating activities of the Army and Navy Police administration and the California State Board of Equalization enforcement officials. The member of the Board of Equalization in Los Angeles is to be congratulated on his active cooperation in establishing a general policy of suspending for the duration of the war the license of any tavern operator whose establishment had been placed "out of bounds" by military authority because of unsavory conditions. Through its liaison committee the alcoholic beverage industry should be credited in large part with the success of eliminating commercialized vice conditions in the Los Angeles area through their effective methods of self-regulation.

Similar credit must be given to tavern owner associations in various other parts of the State, particularly in Vallejo, the Oakland and East Bay area and in San Joaquin and Sacramento Valley areas.

Efforts of tavern owners and the alcoholic beverage industry to effect a self-regulation in the San Francisco area were equally forceful, having called a meeting in the State Building at San Francisco and therein pledged 100 per cent cooperation with

military authorities, but such efforts were greatly hindered by the seeming indifference of the member of the California State Board of Equalization in that area.

Prostitution

It is our opinion that the decisive action of certain members of the Board of Equalization in revoking or suspending for the duration of the war, licenses of tavern operators who allow their places to be used as a rendezvous for prostitutes has gone far toward eliminating the menace of commercialized prostitution.

We can not commend too highly the splendid cooperation given all enforcement agencies by leaders of the alcoholic beverage industry generally for their efforts at self-regulation of their industry. It is our belief that such accomplishments in self-regulation have gone a long way toward obviating a possible return of prohibition.

Race Tracks

In the matter of horse racing we find that every race track in the State has suspended operations for the duration of the war with the single exception of Bay Meadows.

Santa Anita, Tanforan, Hollywood, and others were either taken over by military authorities in the interest of National defense or track officials themselves took the initiative in directing their energies to war defense activities.

This, indeed, is a high tribute to the racing interests of California.

Separate Liquor Board

Your committee notes that there has been considerable agitation for a separate alcoholic beverage enforcement authority to take these functions from the State Board of Equalization.

This movement should be carefully watched by future interim committees as well as by the entire membership of the California State Legislature with a view toward better enforcement of existing legislation.

We recommend that there be closer cooperation between local police authorities and State enforcement of alcoholic beverage laws. Local communities share in the allocation of revenues derived from the issuance of alcoholic beverage licenses and, therefore, local authorities should take a more active part in enforcing such laws in their own communities.

It appears to us that there is sufficient legislation now on the statutes to make strict enforcement of such laws possible, but, if in the opinion of the State Board of Equalization this is not so, or if current laws can not be enforced, then the board should make recommendations to the Legislature which will be more than willing to enact such legislation as will be deemed sufficiently adequate to make enforcement more fully effective.

Senate Bill No. 552

Attention is directed to the enactment of Senate Bill No. 552 which in future bars candidates for election to the State Board of Equalization from soliciting contributions for political campaigns from licensees and tavern operators.

We condemn all those who either participated in such activities in the past or who knowingly allowed such conditions to exist. This condition was particularly flagrant in the campaign conducted by a certain candidate for membership of the State Board of Equalization in District No. 2. This reference is not made to the present member of the board from that district, who was outspoken in his denunciation of such practice during his campaign for election. It would almost appear that a contributing factor in his election was the outgrowth of feeling on the part of licensees who had been high-pressured into making monetary and other contributions to the campaign of his defeated opponent. We recommend that Members of the Legislature observe the operation of Senate Bill No. 552, and in the event it proves inadequate in any respect, additional and more drastic penalties be provided to insure an end to past pernicious practices.

Congressional Criticism

We here again make comment on the criticism directed against the District 1 member of the Board of Equalization by a Congressional committee investigating moral conditions in the vicinity of Army camps. So outspoken was this criticism toward this particular member that we feel that it could, by implication, apply to the entire State of California—which is not the case.

We recommend that this particular member of the Board of Equalization arrange his future conduct as a State official in such manner as to eliminate any stigma from his administration and place himself in line with other members of the board.

Board Commended

We have the highest commendations for all other members of the State Board of Equalization, including ex officio member Harry B. Riley. Their administration of the alcoholic beverage laws in their respective districts has been of the highest caliber.

In particular, we wish to pay a well-deserved tribute to Richard Collins, chairman of the State Board of Equalization. Mr. Collins is the oldest public servant in the State of California and enjoys the love and respect of the entire Legislature and the people of California.

We here wish to stress the fact that the alcoholic beverage industry in the State of California outranks that of any other State of the Union for its fairness and workability. And this is not only from the viewpoint of public revenue but also from its overall protection to the general public as well as the alcoholic beverage industry itself.

This success is very largely due to the able administration of California State Liquor Administrator George M. Stout and his staff of enforcement personnel.

Increase Salaries

It is our recommendation that the State Personnel Board immediately make a survey of salaries paid to the State Liquor Administrator and his entire staff to the end that all salaries be increased to a point where these offices and positions are made sufficiently attractive to keep those persons in their present positions.

It must be remembered that these individuals are given the responsibility of protecting the State against loss of revenue from this source and are also made, in large part, custodians of public welfare.

It is apparent that at present high salaries and wages as paid in defense industries the State can not expect to retain this high type of State employee unless they receive monetary remuneration sufficiently attractive to hold them in their present positions.

In connection with State revenue derived from the alcoholic beverage industry, as currently administered, it is interesting to note that under a recently adopted reporting system, revenues from distilled spirits excise taxes increased \$4,159,090.18 while expenditures decreased \$63,669.19.

According to data compiled by Mr. Frank N. Mason, chief of the Bureau of Tax Assessments, Alcoholic Beverage Control Division, this represents a reduction in percentage of expenditures to revenue from 0.158 to 0.075 or a decrease in cost per unit of 53 per cent. Similar increases in beer and wine revenue are evident.

Wine Industry

Wine making and grape growing form a major portion of the basic agricultural economy of California. Through the cooperative efforts of California's wine industry, and by virtue of the enormous National advertising program now in progress on California wines plus the entry of large National interests into the wine industry of California, this industry has brought home to the wine drinking public of America the fact that California wines are a product of outstanding excellence.

These National organizations will place at the disposal of California wine makers and grape growers the years of experience derived from scientific and laboratory studies which will be of inestimable benefit to our vineyardists, our vintners and agricultural resources generally.

We recommend that every possible encouragement be given to developments along this line because of the great importance the California wine industry will play in the postwar period. It is evident that the vineyards of war-torn Europe have been destroyed or neglected and that stores of virtually all European wines have been dissipated. It will be years before the vineyards of Europe can hope to come again into full production. The postwar world will therefore look to California for its wine supplies, and we believe there is no limit to the possibilities of expanding horizons in this respect.

California is now, and in the course of years will increasingly be, in a position to dominate the wine market of the world; and the State of California, the California Department of Agriculture, and the universities of the State must take an active interest in making possible expanding developments in the wine industry.

Liquor Rationing

Another phase of interest to public morals is the potential increase in bootlegging as a result of diminishing supplies of distilled alcoholic beverages.

American distilleries have been converted 100 per cent to the manufacture of alcohol for smokeless powder, synthetic rubber, and other vital war materials. As a result, existing stocks are being rapidly depleted.

In order to conserve supplies so that they may stay in business after the war, or until they may again begin the manufacture of distilled spirits, distillers have been forced to ration their product to wholesalers and distributors, who, in turn, have been forced to ration available supplies to retailers.

It is our recommendation that retailers and tavern owners place in effect some voluntary rationing system of their own in order that they, too, may remain in business and that existing supplies may receive the widest possible distribution.

This voluntary rationing on the part of the retailer and tavern operator is also important from the viewpoint of continued revenue to the State of California from this source.

Agricultural Resources

In conclusion, your committee believes that because a substantial part of State revenue is derived from the alcoholic beverage industry and its source of raw material,

barley, grain, hops, fruit, and grapes—California's agricultural resources—that fullest encouragement and protection be given those who derive their livelihood from this source; the small ranch owner as well as those who have made heavy financial investments in the industry.

We believe that this can best be accomplished through a fair and impartial enforcement of existing legislation, administered by responsible members of the State Board of Equalization and enforcement officials under the State Liquor Administrator.

We believe that this protection and encouragement of the development of California's agricultural resources is in the best interest of public welfare and morals.

HUGH M. BURNS, Chairman
HAROLD F. SAWALLISCH
THOMAS A. MALONEY
HARRISON W. CALL

Sacramento, California, May 5, 1943.

MOTION TO PRINT COPIES OF REPORT

Mr. Sawallisch moved that 500 separate copies of the Report of the Interim Committee on Public Morals be printed for general distribution.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56

NOES—Doyle—1.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 752—An act to add Article 7.5 consisting of Sections 20490 to 20493, inclusive, to Chapter 2 of Division 10 of the Education Code, relating to the granting of degrees to vocational teachers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Niehouse and Werdel—2

Bill ordered transmitted to the Senate.

MOTION TO RESET SPECIAL ORDER

Mr. Fourt moved that Senate Bills Nos. 558, 559, 560, and 561 heretofore set as a special order of business for 1 45 p.m., this day, be reset as a special order of business for 2 02 p.m. today.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

NOES—None.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON SENATE BILL NO. 270**

At 11.35 a m., on motion of Mr. Burns, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 270 passed by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastan, Heisinger, Kellems, King, Knight, John B., Leonard, Lowroy, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallsch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, and Mr. Speaker—53

NOES—Bashore, Carlson, Clarke, Collins, Sam L., Doyle, Evans, Hawkins, Hollibaugh, Johnson, Kilpatrick, Middough, Potter, Sargent, Smith, Watson, Werdel, and Wollenberg—17.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 716—An act to add Chapter 9 to Part 6, Division 1, of the Revenue and Taxation Code, relating to the rental and sale of tax deeded property, the disposal thereof, the assessments, the levy of taxes, the collection of taxes, the redemption of tax delinquent property and providing for an alternative procedure for accomplishing said purposes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 716?

Amendment No. 1

On page 2, line 33, of the printed bill, as amended, after "State", insert a comma

Amendment No. 2

On page 2, line 41, of said bill, after "troller", insert "and with the governing board of each taxing agency within the boundaries of which the real property is located".

Amendment No. 3

On page 3, line 5, of said bill, strike out "shall not elect", and insert "has not elected".

Amendment No. 4

On page 3, line 6, of said bill, after "property," insert "or if any renting or sales agency is terminated,".

Amendment No. 5

On page 3, line 7, of said bill, after "State", insert a comma

Amendment No. 6

On page 3, line 43, of said bill, after "notice", insert ". stating the time and place when and where bids will be received for the sale or lease of the property,".

Amendment No. 7

On page 4, line 48, of said bill, after "section", insert "unless the agency or the person bringing the action has acquired the interest of the agency named as a party defendant"

Amendment No. 8

On page 5, line 1, of said bill, after "years", insert "from the date it received a tax deed to the property from its tax collector or a corresponding officer or from the effective date of this chapter, whichever is the later".

Amendment No. 9

On page 5, line 8, of said bill, after "Controller", insert "and with the governing board of each taxing agency within the boundaries of which the real property is located".

Amendment No. 10

On page 5, line 12, of said bill, after the period, insert "Whenever an exclusive leasing and sales agency is terminated, as provided in this paragraph, the taxing agency whose rights are thus terminated shall not within three years thereafter become the exclusive leasing and sales agency of such property except with the consent of all taxing agencies."

Amendment No. 11

On page 5, line 29, of said bill, after "Controller", insert "and with the governing board of each taxing agency within the boundaries of which the real property is located".

Amendment No. 12

On page 6, line 25, of said bill, strike out "an affidavit", and insert "Affidavits".

Amendment No. 13

On page 6, line 40, of said bill, strike out "attained", and insert "obtained".

Amendment No. 14

On page 7, line 4, of said bill, after "Controller", insert "and to the governing board of each taxing agency within the boundaries of which the real property is located".

Amendment No. 15

On page 7, line 7, of said bill, strike out "three", and insert "two".

Amendment No. 16

On page 7, line 11, of said bill, strike out "January 2d", and insert "February 1st".

Amendment No. 17

On page 7, line 13, of said bill, after "sales", insert "for the preceding calendar year".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 716 by the following vote:

AYES—Anderson, Beck, Bennett, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCallister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 716 ordered enrolled.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Burns moved to expunge the record and rescind the action whereby the amendments offered by Mr. Burkhalter and the amendments offered by Mr. Field to Senate Bill No. 727 were this day adopted.

The roll was called, and the motion carried by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Further Consideration of Senate Bill No. 727

Senate Bill No. 727—An act making an appropriation to the emergency fund specified in Item 221 of the Budget Act of 1943, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "two million dollars (\$2,000,000)", and insert "one million dollars (\$1,000,000)".

Amendment No. 2

On page 1, line 9, of said bill, after "of", insert ", and for the prevention of further damage to,".

Amendment No. 3

On page 1, line 18, of said bill, strike out "(except", and insert "or".

Amendment No. 4

On page 1 of said bill, strike out lines 20 to 22, inclusive; and on page 2, strike out lines 1 to 16, inclusive, and insert "ment unless and until:

(a) Such expenditure and purpose is first approved by the Director of Finance.
 (b) The department has first investigated and reported upon the proposed work, has found it to be a matter of general public and State interest and concern, has estimated the cost of the work and filed its report thereon with the Department of Finance.

(c) Moneys equal to or in excess of the amount expendable from this appropriation for said work shall be made available (by a political subdivision, public district, municipality, county or public agency, including agencies of local and Federal Government but excluding agencies which are a part of the Executive Department of the State Government) for expenditure by the department for such work to the end that any sums expended from this appropriation shall be matched by like or greater amounts from sources other than the State treasury or funds of any agency which is a part of the Executive Department of the State Government."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 1107—An act to amend Section 505 of, and to add Sections 505.5 and 505.6 to, the Public Resources Code, relating to forestry and providing for the administration of the laws relating thereto.

Bill read third time.

Motion to Amend

Mr. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 34, of the printed bill, as amended, after "Forestry", insert "upon the office of State Forester becoming vacant".

Amendment No. 2

On page 2 of said bill, strike out lines 50, 51, and 52, and insert
 "SEC. 4. This act shall not in any manner affect the civil service rights, status, tenure or compensation of the person holding the position of State Forester when this act becomes effective and all duties and responsibilities now or hereafter imposed by law on the State Forester shall be performed by him."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1073—An act to amend Section 974 of the Labor Code, relating to penalties for violation of provisions concerning advertisements for employees during labor trouble;

Assembly Bill No. 1083—An act to amend Section 6854 of the Business and Professions Code, relating to exclusions from definition of "collection agency";

Assembly Bill No. 1109—An act to amend Section 142 of the Civil Code, relating to payment of alimony;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1166—An act to amend Section 1395 of the Labor Code, relating to the employment of minors in radio broadcasting and television studios;

Assembly Bill No. 1247—An act to amend Section 25301 of the Water Code, relating to bonds of irrigation districts;

Assembly Bill No. 1278—An act to add Section 3.363 to, and to amend Section 4.930 of, the School Code and to add Section 8819.1 to, and to amend Section 7307 of, the Education Code, relating to junior colleges and junior college classes;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1144—An act to repeal Section 1600 of the Welfare and Institutions Code, relating to the publishing of names of children in orphan asylums;

Assembly Bill No. 1115—An act to add Sections 2143, 3092, and 3463 to the Welfare and Institutions Code, relating to disputes between counties as to responsibility under the public assistance laws;

Assembly Bill No. 1161—An act to add Section 39.6 to the Fish and Game Code, relating to the sale of certain properties, real or personal, no longer necessary, or useful to the Fish and Game Commission;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1291—An act to add Section 3.223a to, and to amend Section 4.922 of, the School Code and to add Section 8703.1 to, and to amend Section 7302 of, the Education Code, relating to high schools and high school classes, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1318—An act to amend Sections 5.129, 5.344 and 5.534 of the School Code and to add Sections 12009.1, 12894.1 and 13204.1 to the Education Code, relating to persons in the military service, including service in uniformed auxiliaries thereof or thereto, of the United States of America or of the State of California, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1377—An act to add Section 786.6 to the Fish and Game Code, relating to lobsters and shellfish;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1455—An act to amend Section 4256 of the Business and Professions Code, relating to pharmacy;

Assembly Bill No. 1460—An act to amend Section 577 of the Agricultural Code, relating to oleomargarine;

Assembly Bill No. 1465—An act to amend the Dental Practice Act by amending Section 1674 of the Business and Professions Code;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1468—An act to amend Section 1675 of the Business and Professions Code, relating to the powers of the Board of Dental Examiners;

Assembly Bill No. 1511—An act to amend Section 1260.15 of the Agricultural Code, relating to time of payment of grain warehouse registration fees;

Assembly Bill No. 1594—An act to amend Section 9912 of the Revenue and Taxation Code, relating to jeopardy determinations with respect to the motor vehicle transportation license tax, including the delinquency penalty and interest in connection therewith, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1934—An act to add Section 3056 to the Business and Professions Code, relating to the admission to practice optometry, to take effect immediately;

Assembly Bill No. 1947—An act to add Section 343.5 to the Agricultural Code, relating to inspection of cattle;

Assembly Bill No. 1956—An act to add Article 5, comprising Sections 1970 to 1973, inclusive, to Chapter 4, Part 1, Division 6, of the Harbors and Navigation Code, relating to the power of the Board of State Harbor Commissioners for San Francisco Harbor to sell and lease to the United States of America or any of its departments, acting by and through any of its various agencies, property of the State of California under the control and jurisdiction of said board, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1632—An act to add Section 818.1 to the Agricultural Code, relating to potatoes for seed purposes;

Assembly Bill No. 1903—An act to amend Section 8805 of the Business and Professions Code, relating to the annual license fees of land surveyors, and providing that this act shall take effect immediately;

Assembly Bill No. 1917—An act relating to review of decisions of administrative boards, commissions and officers, providing for a thorough study and report thereon and the formulation of a comprehensive and detailed plan in respect thereto and defining the powers and duties of the Judicial Council in relation thereto;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 738—An act to add Section 2715 to the Penal Code to authorize the State Board of Prison Directors to establish a prison farm;

Assembly Bill No. 806—An act to amend Section 300 of the Labor Code, relating to the assignment of wages;

Assembly Bill No. 1049—An act to add Section 100.5 to the Labor Code, relating to preferred claims for work performed or personal services rendered;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 678—An act to add Section 2190 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid to the aged;

Assembly Bill No. 696—An act to amend Section 4828 of the Business and Professions Code, relating to emergency veterinarians;

Assembly Bill No. 708—An act to amend Section 4045 of the Business and Professions Code, and to amend Section 1066 of and add Section 1066.5 to the Agricultural Code, relating to economic poisons;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 666—An act to amend Section 1 of an act entitled "An act relating to cold storage, regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 13, 1913, relating to the cold storage of foods;

Assembly Bill No. 675—An act to add Section 1562 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid to needy children;

Assembly Bill No. 676—An act to add Section 2507 to the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid and relief to indigents;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 514—An act to amend Sections 679, 1400, 2604, 2631, 2700, 5557, 5563, 5809, 7967, and 11581 of the Elections Code, and to repeal Sections 19, 45, 46, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 134, 135, 136, 180, 181, 182, 183, 184, 185, 186, 224, 225, 226, 227, 228, 229, 230, 291, 292, 293, 294, 295, 296, 297, 298, 330, 370, 371, 372, 373, 374, and 9000 of the Elections Code as contained in Chapter 26 of the Statutes of 1939, relating to elections and matters incidental thereto;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 326—An act to amend Section 2727 of, and to add Section 2727 5 to, the Business and Professions Code, relating to the practice of nursing;

Assembly Bill No. 387—An act to authorize municipal and county governments to vacate certain easements and providing a procedure therefor;

Assembly Bill No. 400—An act to amend Section 4246 of the Political Code, relating to compensation for public services in counties of the seventeenth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 254—An act to amend Section 7c of the Municipal Court Act of 1925, relating to municipal courts in cities of the first and one-half class;

Assembly Bill No. 255—An act to amend Section 6301 of the Business and Professions Code, relating to boards of trustees of law libraries;

Assembly Bill No. 310—An act to amend Section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to the Legislative Counsel;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 247—An act to add Section 1428b to the Penal Code, relating to the destruction of old records in municipal courts;

Assembly Bill No. 248—An act to amend Section 7 of the Municipal Court Act of 1925, relating to municipal courts;

Assembly Bill No. 249—An act to amend Section 28a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to bail in municipal courts in cities of the first and one-half class;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 62—An act to make an appropriation for the cost of auditing and collecting unemployment relief restitutions, to take effect immediately;

Assembly Bill No. 70—An act to amend Section 21.5 of the Municipal Court Act of 1925, relating to mileage of judges of the municipal court in any city or city and county of the first and one-half class;

Assembly Bill No. 197—An act amending Section 4076 of the Political Code, relating to county government;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a. m.

PELLETIER, Chairman

RECESS

At 11.36 a. m., on motion of Mr. Sam L. Collins, the Assembly recessed until 11.40 a. m.

REASSEMBLED

At 11.40 a. m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

The following communication was received and ordered printed in the Journal:

WISCONSIN LEGISLATURE, SENATE CHAMBER
OFFICE OF THE CHIEF CLERK
MADISON, April 27, 1943

*Speaker of the House
State Capitol, Sacramento, California*

DEAR SIR: I am transmitting herewith an enrolled copy of a Joint Resolution adopted by the 1943 Wisconsin Legislature entitled, "Directing the Wisconsin Commission on Interstate Cooperation to study the effects of the enlargement of the activities of the Federal Government in various fields of taxation and regulation and to report to the Legislature its findings and recommendations as to the restoration to the State of Wisconsin of its rightful powers and duties as a sovereign State."

Very truly yours,

LAWRENCE R. LARSEN, Chief Clerk, Senate

STATE OF WISCONSIN

[Jt. Res. 14, S]

No.-----, 1943.

A JOINT RESOLUTION

Directing the Wisconsin commission on interstate cooperation to study the effects of the enlargement of the activities of the federal government in various fields of taxation and regulation and to report to the legislature its findings and recommendations as to the restoration to the state of Wisconsin of its rightful powers and duties as a sovereign state.

WHEREAS, Employment in the federal service in the numerous boards, bureaus and commissions, according to latest available figures for October 1942, has run into an all-time high of 2,687,093 persons; and

WHEREAS, The monthly pay roll of the numerous employes of such boards, bureaus and commissions for the month of October 1942, was the sum of \$445,135,852, and the total pay roll for the period October 1941 through October 1942 for such federal employes reached the staggering sum of \$4,199,653,711; and

WHEREAS, There have been created by executive order during the last calendar year up to September 1 a total of 19 boards, bureaus and commissions; and

WHEREAS, The concentration in Washington of the numerous boards, bureaus and commissions has created a problem of grave concern to each individual state; and

WHEREAS, It will be necessary after the termination of the present world-wide emergency to end the functions of all of the various and numerous temporary boards, bureaus and commissions and to cut the expenditures of our federal government to peace-time needs; and

WHEREAS, The federal government has in recent years by taxation, regulation, proclamation and executive decrees, assumed responsibilities and the regulation of

approximately every kind of business and human activity, practically all of which subjects and responsibilities were heretofore reserved to the various states; and

WHEREAS, The collection of all taxes by the federal government in Wisconsin has increased from approximately 95 million dollars in 1940 to the record total of more than 305 million dollars in 1942, the largest collection being the federal income tax which jumped from 67 million dollars in 1941 to 206 million dollars in 1942; and

WHEREAS, The extension of the tax bases by the federal government and the imposition of unprecedented high rates of taxes, particularly on income, leaves little if any opportunity for the states which have the same or similar bases to look to those sources for additional revenue; and

WHEREAS, It is necessary in the maintenance of a united nation, that the individual states maintain the rights reserved to them, and that further encroachments by the federal government in the field of regulation and social legislation be considered in the light of rights of individual states; and

WHEREAS, The states of this nation by integrated and aggressive action can stop the growing centralization of power in Washington and effect a return to the states of state powers and functions and the re-establishment of state sovereignty; now, therefore, be it

Resolved by the Senate, the Assembly concurring. That the Wisconsin commission on interstate cooperation be and it is hereby directed to study and report its findings to the next regular or special session of the legislature as to:

(a) The specific fields entered, and for all practical purposes taken over, by the federal government during the past 10 years.

(b) The most effective means available by which Wisconsin can apprise the federal government of the need of reserving to the states their just rights, powers and responsibilities and such recommendations as it may deem necessary for the formation of an organization of states in which each state will be represented to formulate a program to prevent further encroachment by the federal government upon the rights, duties and powers of the states of the union. Be it further

Resolved, That copies of this resolution be sent to the presiding officer of each branch of the other 47 state legislatures and to the council of state governments at Chicago and that they be invited to participate in a program designed to have restored to the individual states their just duties and powers. Be it further

Resolved, That the representatives in the Congress from Wisconsin be invited to participate in the deliberations of this committee and that copies of this resolution be transmitted to each such representative from Wisconsin.

VERNON W. THOMSON
Speaker of the Assembly
ARTHUR L MAY
Chief Clerk of the Assembly
CONRAD SHEARER
President Pro Tempore of the Senate
LAWRENCE R. LARSEN
Chief Clerk of the Senate

Above communication ordered referred to the Legislative Budget Committee.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 21—Memorializing the President and the Secretary of the Navy to name a Navy cruiser of the United States Fleet, for the City of Long Beach, California;

Assembly Joint Resolution No. 30—Relative to an increase of pay for employees of the Department of Employment;

Assembly Joint Resolution No. 32—Relative to auditing the accounts of the Department of Employment;
And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 40—Relative to memorializing Congress to enact legislation to establish a military and a naval academy on the Pacific Coast;
And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 283—An act to add Article 3, comprising Section 3.56, to Chapter 4 of Part 1 of Division 3 of the School Code, and to add Article 3, comprising Section 8286, to Chapter 3 of Division 4 of the Education Code, relating to the absence of pupils from school for participation in religious exercises or for moral and religious instruction;

Assembly Bill No. 401—An act to add Section 19.1 to the Bank Act, relating to the suspension of the provisions of the Bank Act, relating to the ratio of capital and surplus of banks to their deposit liabilities;

Assembly Bill No. 497—An act to amend Sections 5, 6 and 12 of the "Automobile Parking District Act of 1941," relating to public parking districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 538—An act to amend Section 5196 of the Public Resources Code, relating to investment of funds;

Assembly Bill No. 544—An act granting certain salt marsh, tide and submerged lands of the State of California to the City of Oakland, including the management, use and control thereof;

Assembly Bill No. 600—An act to add Section 471.5 to the Vehicle Code, relating to signs, declaring the urgency thereof, and providing this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 636—An act to amend Section 34 of the Fish and Game Code, relating to cultural operations and scientific investigations in the waters of the State of California;

Assembly Bill No. 657—An act to add Section 486.5 to the Fish and Game Code, relating to taking of fish for the taking of which a sporting fishing license is required;

Assembly Bill No. 690—An act to amend Section 1171 and to add Section 1184 to the Military and Veterans Code, relating to exemption of memorial districts from the provisions of the District Investigation Act of 1933;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 829—An act to add Section 79.03a to, and to amend Sections 79.03, 79.04 and 79.05 of the Civil Code, all relating to premarital examinations;

Assembly Bill No. 865—An act to add Section 459.3 to the Vehicle Code, relating to traffic on road approaches to private airports, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 869—An act to add Chapter 7 to Division 6 of the Agricultural Code, relating to contracts for the sale of agricultural products;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 913—An act to add Section 37b to the Reclamation Board Act, relating to flood control and the advancement to the United States of funds to be used therefor, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 974—An act to amend Section 494 of the Civil Code, relating to the sale of property and franchises of railroad corporations;

Assembly Bill No. 995—An act to validate contracts between public utility districts and individuals, firms or corporations for the joint payment for or joint construction

or joint use of sewers or sewer facilities or for the purchase of rights or capacity in any sewer or sewer facilities constructed by such districts;
And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1015—An act to amend Sections 11502, 11505, 11507, 11510, 11512, and 11513 of, to add Sections 11512.1, 11512.2, 11512.3, and 11516.5 to, and to repeal Section 11497 of, the Insurance Code, all relating to insurance;

Assembly Bill No. 1040—An act to amend Section 39 of the Fish and Game Code, relating to migratory birds;

Assembly Bill No. 1096—An act authorizing a conveyance to the United States of America of the reversionary and possessory interest of the State of California in and to certain portions of tide and submerged lands heretofore conveyed in trust to the City of Long Beach by the State of California;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1160—An act to amend Section 842 of the Fish and Game Code, relating to the unlawful use of nets, traps, lures or appliances;

Assembly Bill No. 1169—An act to amend and renumber Section 1208 of the Code of Civil Procedure as added by Statutes of 1905, Chapter 472, and amended by Statutes of 1935, Chapter 104, to be Section 1208.5, relating to liens upon animals;

Assembly Bill No. 1258—An act to amend Section 435 of the Political Code, relating to the reversion of unexpended balances of certain appropriations;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1299—An act to add Section 24628.5 to the Water Code, relating to warrants of an irrigation district;

Assembly Bill No. 1300—An act to amend the title and Sections 3 and 4 and to repeal Sections 4c and 4d of an act entitled "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and for elections and the qualification of electors therein and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, and to add Article 6 to Chapter 5, Part 5 of Division 11 of the Water Code, relating to the government, operation, and functions of irrigation districts of an area of over 500,000 acres;

Assembly Bill No. 1362—An act to amend Section 30 of the State Employees Retirement Act, relating to the membership of the retirement system established thereunder;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1389—An act to amend Sections 10170 and 10171 of the Insurance Code, relating to life insurance;

Assembly Bill No. 1425—An act to add Section 1656.5 to, and to amend Section 1657 of, the Insurance Code, relating to insurance;

Assembly Bill No. 1461—An act to amend Section 521 of the Agricultural Code, relating to butter;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1508—An act to amend Section 139 of the Agricultural Code, relating to newly discovered pests;

Assembly Bill No. 1540—An act to add Section 1005 to the Political Code and Section 1779 to the Government Code, relating to appointments by the Governor;

Assembly Bill No. 1542—An act making an appropriation to The Regents of the University of California to be expended for an investigation of the control of Pierce's disease of grapevines in California, declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1569—An act to amend Sections 40, 47, 85, 112, and 173 of and to add Section 116.5 to the State Civil Service Act, relating to the State Civil service;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1857—An act to amend Section 6 of the Municipal Court Act of 1925, relating to municipal courts in cities of the first class;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 75—An act to appropriate funds to the Division of Libraries for making microfilms of United States Census returns;

Assembly Bill No. 211—An act to amend Sections 3824 and 3921 of the Elections Code, relating to ballots;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 29—An act to amend Sections 9202 and 9203 of the Health and Safety Code, relating to cemeteries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Beck, Berry, Brown, Call, Carey, Clarke, Crichton, Denny, Desmond, Dilworth, Erwin, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Holibaugh, Knight, T. Fenton; Kraft, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Price, Rosenthal, Stream, Thompson, Thoup Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—41

NOES—Anderson, Doyle, Hawkins, Sargent, and Werdel—5

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 701—An act to add Section 281.5 to the Agricultural Code, relating to licensed wax-salvage plants, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 701?

Amendment No. 1

On page 3, line 2, of the printed bill, as amended, after "bees", insert " with screens not less than three inches apart. Entrance to the enclosure shall be through a vestibule not less than six feet in length, double-screened in the same manner as the enclosure, with tight-fitting doors at each end. No such wax, hives or appliances shall be removed from such enclosure except under permit from the inspector after treatment in the manner herein provided".

Amendment No. 2

On page 3, line 29, of the printed bill, as amended, after "wax", strike out the comma.

Amendment No. 3

On page 3, line 30, of the printed bill, as amended, strike out "hives".

Amendment No. 4

On page 3, line 40, of the printed bill, as amended, strike out "hives and".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 701 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L, Crichton, Denny, Desmond, Dilworth, Doyle, Erwin, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Price, Sargent, Sheridan, Stream, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 701 ordered enrolled.

Assembly Bill No. 1184—An act to amend Section 7302 of, and to add Section 7310 to, the Welfare and Institutions Code, relating to the Langley Porter Clinic.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1184?

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 11, 12, and 13, and insert "to administer and certify oaths."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1184 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Crichton, Debs, Denny, Desmond, Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Price, Sargent, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 1184 ordered enrolled.

Hon. Lee T. Bashore Presiding

At 11.42 a.m., Hon. Lee T. Bashore, Member of the Assembly from the Forty-ninth District, presiding.

Assembly Bill No. 939—An act to amend Section 737.6 of the Agricultural Code, relating to the duties of the Director of Agriculture.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 939?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 737.6 of", and insert "add Section 737.6-2 to".

Amendment No. 2

Strike out line 2 of the title of the printed bill, and insert "ing to testing and sampling of fluid milk delivered to distributors in accordance with stabilization and marketing plans."

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 28, inclusive; and on page 2, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 736.6-2 is added to the Agricultural Code, to read:".

Amendment No. 4

On page 2, line 13, of the printed bill, before "In", insert "737.6-2."

Amendment No. 5

On page 2, line 19, of the printed bill, strike out "section", and insert "article".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 939 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollbaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Masson, McCollister, McMillan, Middough, Miller, Pelletier, Price, Sargent, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 939 ordered enrolled.

Assembly Bill No. 1964—An act to amend Section 4310 of the Political Code, relating to sheriffs' special funds.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1964?

Amendment No. 1

On page 1, line 8, of the printed bill, after "thereafter," insert "unless the person's guardian or responsible relative has taken possession of his personal property,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1964 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollbaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Masson, McCollister, McMillan, Middough, Miller, Pelletier, Price, Sargent, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1964 ordered enrolled.

Assembly Bill No. 1179—An act to amend Sections 6726 and 6727 of the Welfare and Institutions Code, relating to payment for family care and other needs of patients on parole from State hospitals, and declaring the urgency thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1179?

Amendment No. 1

Strike out line 1 of the title of the printed bill, as amended, and insert "an act to add Section 6726.1 to, and to amend Section 6727 of, the".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Section 6726.1 is hereby added to the Welfare and Institutions Code, to read as follows:

6726.1. The department may pay any private home, licensed by the department for the care of patients paroled from State hospitals, for the care of any patient paroled to its custody at a rate to be approved by the Department of Finance but not exceeding thirty-five dollars (\$35) per month during the time such patient shall remain on parole to such private home.

This section shall remain in effect until the ninety-first day after the final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of

hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede the provisions of Section 6726 which are in conflict with this section, but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1179 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Price, Sargent, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1179 ordered enrolled.

Assembly Bill No. 1931—An act authorizing any city, county, or city and county to acquire property and to construct, operate and maintain parking facilities in connection with any stadium or coliseum maintained by such city, county, or city and county, and to make such parking facilities available to the use of the public and to make a charge therefor.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1931?

Amendment No. 1

On page 1 of the printed bill, strike out lines 8 and 9, and insert "pensation which shall be fixed by the legislative body of such city, county, or city and county. Nothing contained herein shall limit or restrict the existing powers of any city, county, or city and county to regulate, provide and control parking and parking facilities."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1931 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Price, Sargent, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1931 ordered enrolled.

Assembly Bill No. 1195—An act to amend Sections 7051, 7058, 7069 and to add Section 7058.1 and to repeal Section 7051.5 of the Welfare and Institutions Code, relating to defective and psychopathic delinquents.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1195?

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 47 to 51, inclusive, and insert

"Any person under commitment as a defective or psychopathic delinquent who escapes or attempts to escape from the institution to which committed, or who commits an assault upon any person while on escape, escaping or attempting to escape from the institution to which committed, is guilty of a misdemeanor."

Amendment No. 2

On page 3 of said bill, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 1 of said bill, strike out lines 10 and 11, and insert "quents, and shall be administered in the manner provided by law for the government of the institution in which such unit is established."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1195 by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1195 ordered enrolled.

Assembly Bill No. 1196—An act to amend Section 5050.7 of the Welfare and Institutions Code, relating to the apprehension of mentally ill or insane persons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1196?

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "each county", and insert "every county having a population of 90,000 or more."

Amendment No. 2

On page 1, line 15, of said bill, before "such", insert "having a population of 90,000 but less than 500,000."

Amendment No. 3

On page 1 of the printed bill, between lines 17 and 18, insert "In counties having a population of less than 90,000 the board of supervisors may, but need not, establish a sheriff's special fund in such sum as the board of supervisors may set aside, not to exceed two thousand five hundred dollars (\$2,500)."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1196 by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1196 ordered enrolled.

Assembly Bill No. 1194—An act to amend Sections 6720 and 6721 of the Welfare and Institutions Code, relating to escapes and return from parole of patients under the jurisdiction of a State hospital.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1194?

Amendment No. 1

In the title of the printed bill, strike out lines 2, 3, and 4, and insert "Institutions Code, relating to escaped and paroled patients and inmates of State hospitals and institutions."

Amendment No. 2

On page 1, line 4, of said bill, after "hospital", insert "or from any hospital or facility operated by or under the Veterans' Administration of the United States Government."

Amendment No. 3

On page 1 of said bill, strike out lines 5 and 6, and insert "authorized or ordered by the Department of Institutions or the facility of the Veterans' Administration, the sheriff of any county in which he is found shall without the necessity of a warrant or court order, or any person designated by the".

Amendment No. 4

On page 1 of said bill, strike out line 9, and insert "to a facility of the Veterans' Administration, or to any person or place authorized by the Department of Institutions,".

Amendment No. 5

On page 1 of said bill, strike out line 10, and insert "or by the Veterans' Administration, as the case may be, to receive".

Amendment No. 6

On page 1 of said bill, after line 19, insert
"SEC. 3. Section 6726.5 of said code is hereby repealed"

Amendment No. 7

In line 1 of the title of the printed bill, as amended, after "6721", insert "and to repeal Section 6726.5".

Amendment No. 8

In line 6 of the title of said bill, strike out "State", and insert "Public".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1194 by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollbaugh, Johnson, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Masson, McCollister, Middough, Miller, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1194 ordered enrolled.

Assembly Bill No. 653—An act to amend Section 2351 of the Labor Code, relating to conditions in places of employment.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 653?

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "exist", and insert "exit".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 653 by the following vote:

AYES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollbaugh, Johnson, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Masson, McCollister, Middough, Miller, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 653 ordered enrolled.

Assembly Bill No. 1774—An act to amend Sections 3, 4, 12, 15.1, 15.2, 15.3, 15.4, and 15.5 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, to amend and renumber Sections 8, 23, 24, 24.5, and 25 thereof to be Sections 24.4, 23.1, 24.1, 8, and 28 respectively, and to add Sections 2.1, 21.3, 21.6, 23.2, 23.3, 23.4, 23.5, 23.6, 23.7, 24.2, 24.3, 25.1, 25.2, 25.3, 25.4, 25.5, 25.6, 25.7, 25.8, 25.9, 26, 26.1, and 27 thereto, all relating to credit unions, specifying the

powers and duties thereof, providing procedures for merger and for dissolution thereof, transferring the supervision thereof and the administration of the act from the Commissioner of Corporations to a new Credit Union Commission established hereby, providing for the appointment, establishment, powers and duties of said commission, and making an appropriation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1774?

Amendment No. 1

On page 6, line 1, of the printed bill, as amended, strike out “, unless more”; and strike out lines 2 and 3, and insert a period.

Amendment No. 2

On page 6, line 44, of said bill, after “union”, and before “under”, insert “of like community interest in membership.”.

Amendment No. 3

On page 8 of the printed bill, as amended, strike out lines 11 to 23, inclusive, and insert

“Sec. 23.4. To defray the cost of administration of this act, including examinations and supervision, the Credit Union Commission shall require every credit union licensed by it or coming under its supervision to pay in advance the charges and assessments in accordance with the following schedule:

<i>Total Assets of Credit Union</i>		<i>Amount of Assessment</i>	<i>Additional Assessment Per Each Member of Credit Union</i>
Not more than \$2,500	-----	\$5 00	\$.03
Over \$2,500 but not over \$5,000	-----	10 00	.03
“ \$5,000 but not over \$10,000	-----	15 00	.03
“ \$10,000 but not over \$25,000	-----	25 00	.03
“ \$25,000 but not over \$50,000	-----	37 50	.03
“ \$50,000 but not over \$75,000	-----	62 50	.03
“ \$75,000 but not over \$100,000	-----	82 50	.02
“ \$100,000 but not over \$200,000	-----	100 00	.01
“ \$200,000 but not over \$300,000	-----	115 00	.01
“ \$300,000 but not over \$400,000	-----	125 00	.01
“ \$400,000 but not over \$500,000	-----	135 00	.01
“ \$500,000 but not over \$750,000	-----	140 00	.01
“ \$750,000	-----	140 00 plus	.01
		\$0 25 of each	
		\$1,000 of assets	
		in excess of	
		\$750,000	

Such assessments and charges shall be based upon the latest annual or special reports of such credit unions to the Credit Union Commission, except that the first assessment or charge shall be based upon the annual report for the year ending December 31, 1942, on file with the Commissioner of Corporations.”

Amendment No. 4

On page 8 of said bill, between lines 24 and 25, insert

“Sec. 23.5. If the Credit Union Commission determines that the moneys received by it are in excess of or are insufficient to meet the expenses of administration under the act, it shall increase or decrease the assessments or charges as set forth in Section 23.4 of this act in the same ratio as such excess or insufficiency bears to the actual amount of money necessary for the proper administration of this act.”

Amendment No. 5

On page 8 of said bill, strike out lines 25 to 29, inclusive, and insert

“SEC. 19. Section 23.6 is added to said act, to read:

Sec 23.6 All fees collected under this act shall be paid monthly into the State treasury to the credit of the Credit Union Commission Fund, which fund is hereby created. All money in said fund, together with twenty thousand dollars (\$20,000) out of any money in the State treasury not otherwise appropriated, is hereby appropriated to carry out the provisions of this act. The State Controller shall transfer such sum of twenty thousand dollars (\$20,000) to the credit of the Credit Union Commission Fund. The money appropriated under the provisions of this act, payable from any money in the State treasury not otherwise appropriated, shall be repaid into the General Fund out of the Credit Union Commission Fund in four

equal annual installments, the first of which installments shall be so paid on July 1, 1945. The commission may repay said loan in sums greater than equal installments at its discretion."

Amendment No. 6

On page 8 of said bill, strike out lines 30 to 47, inclusive, and insert

"SEC. 20. Section 23.7 is added to said act, to read:

Sec. 23.7. On or before the thirtieth day of November in each year, the Credit Union Commission shall notify each credit union by mail of the assessments or charges levied against it and its members. Such charges or assessments shall be paid within 20 days after receipt of notice. Upon failure to pay within the time limit as prescribed by this section, the Credit Union Commission shall revoke the certificate authorizing such defaulting credit union to act as such on the thirty-first day of December of the year in which such default occurs, and from such day the credit union whose certificate has been revoked shall have no authority to engage in the business of a credit union as defined by this act."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1774 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffnev, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1774 ordered enrolled.

Assembly Bill No. 1287—An act to amend Sections 16441, 16442, 16481, 16484, 16485 and 16461 of the Education Code, relating to supervision of the health of pupils in the public schools.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1287?

Amendment No. 1

In line 2 of the title of the printed bill, strike out "16441, 16442," and insert "12291, 16441, 16442, 16443."

Amendment No. 2

In line 3 of the title of said bill, after "of", insert ", and to add Sections 13059.1 and 13059.2 to,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, line 1, of said bill, after "Section 1.", insert "Section 12291 of the Education Code is amended to read:

12291. County or city and county boards of education may grant health and development certificates to the following:

(a) Persons holding *physician's and surgeon's* certificates [to practice medicine and surgery] issued by this State.

(b) Persons holding life diplomas of this State and special credentials in physical education, issued by the State Board of Education.

(c) Persons holding certificates to practice dentistry or dental hygiene issued by the Board of Dental Examiners of California.

(d) Persons holding certificates to practice optometry issued by the State Board of Optometry.

(e) Holders of certificates of registration as nurses issued by the Board of Nurse Examiners of the State of California.

(f) *Persons holding a certificate of registration as an audiometrist issued by the State Board of Public Health.*

SEC. 1.3. Section 13059.1 is added to the Education Code, to read:

13059.1. The qualifications for an otologist shall be a physician's and surgeon's certificate and a health and development certificate.

SEC. 14. Section 13059 2 is added to the Education Code, to read:
13059 2. The qualifications for an audiometrist shall be a certificate of registration as an audiometrist issued by the State Board of Public Health and a health and development certificate.

SEC. 16."

Amendment No. 4

On page 1, line 20, of said bill, after "optometrist," insert "otologist, audiometrist,".

Amendment No. 5

On page 2, line 26, of said bill, insert
"SEC. 2.5. Section 16443 of the Education Code is amended to read:
16443 No physician, oculist, dentist, dental hygienist, optometrist, *otologist*, *audiometrist*, nurse, or other person shall be employed or permitted to supervise the health and physical development of pupils unless he holds a health and development certificate."

Amendment No. 6

In line 1 of the title of the printed bill, as amended, after "12291," insert "13053,".

Amendment No. 7

In line 2 of the title of said bill, strike out "and 16461", and insert ", 16461 and 18221".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 8

On page 1, line 19, of said bill, insert
"SEC. 1.1 Section 13053 of the Education Code is amended to read:
13053 The qualifications of [physical inspector] *supervisors of health* shall be as provided in Sections 13054 to 13059, inclusive."

Amendment No. 9

On page 3, line 15, of said bill, insert
"SEC. 51. Section 18221 of the Education Code is amended to read:
18221. If the [physical inspector] *supervisor of health* of any school district notes any defect in plumbing, lighting, or heating, or any other defect in the school building which tends to make the building unfit for the proper housing of the children, he shall at once make a detailed report to the governing board of the school district.

If within 15 days after he has filed this report, he finds that the board has made no provision for the correction of the defect, he shall at once report the defect to the county superintendent of schools who shall under the provisions of Article 2 of Chapter 1 of this division, proceed to have the defect corrected."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1287 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1287 ordered enrolled.

Assembly Bill No. 2008—An act to add Section 797 to the Agricultural Code, relating to citrus fruits.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2008?

Amendment No. 1

On page 1 of the printed bill, strike out lines 7, 8, and 9; and in line 10, strike out "of said", and insert "The".

Amendment No. 2

On page 1 of said bill, strike out lines 12 to 15, inclusive, and insert "is hereby designated as the Coachella Valley Citrus District. The area comprising Imperial County is hereby designated as the Imperial Citrus District. Grapefruit produced in any citrus district may be labeled with the name of the citrus district in which pro-".

Amendment No. 3

On page 1, line 17, of said bill, strike out "county or geographical area", and insert "citrus district".

Amendment No. 4

On page 1, line 18, of said bill, strike out "county or area", and insert "citrus district".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2008 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None

Assembly Bill No. 2008 ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 513—An act to authorize the purchase of certain real property for the people of the State of California by the Director of Institutions, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Rosenthal, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 877—An act making an appropriation for maintenance and repair of the Jenner Jetty on the Russian River.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Rosenthal, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—54.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1116—An act authorizing the State, any city, county, city and county, or district having jurisdiction of properties to make agreements with the United States Government for the leasing

or use of such properties during the war and six months thereafter; declaring the urgency hereof; to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D. Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kraft, Leonard, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Rosenthal, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 729—An act making an appropriation for the acquisition, development and maintenance of parks in Humboldt County for public use.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheidan, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 724—An act making an appropriation for the purchase of land for the Humboldt State College.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO PRINT PROGRAM IN JOURNAL

Mr. Waters moved that the following Tax Reduction Program, enacted during the Fifty-fifth Session of the Legislature, be ordered printed in the Journal:

Motion carried.

Tax Reduction Program Enacted During the Fifty-fifth Session of the State Legislature

Summary

The Tax Reduction Program recommended by Governor Earl Warren and adopted by the 1943 State Legislature will decrease the amount of State taxes paid by California citizens approximately \$67,390,000 during the 1943-1945 Biennium and will afford material relief to local property taxpayers. The principal features of this program include:

A reduction in the retail sales tax rate from 3 per cent to 2½ per cent, effective for a two-year period beginning July 1, 1943.

An increase in the personal exemptions allowed under the State income tax from \$1,000 (single) and \$2,500 (married or head of family) to \$2,000 and \$3,500, respectively, and a decrease in the maximum rate of tax from 15 per cent to 6 per cent. The increase in personal exemptions are effective only upon the tax payable in 1944 and 1945 unless further extended by the Legislature. The decrease in maximum rate is a permanent revision.

A 15 per cent credit against the amount of bank and corporation franchise taxes payable in 1944 and 1945.

A 15 per cent credit against the corporation income tax payable in 1944 and 1945.

The transfer of two-thirds of the share of aid to needy aged now paid by county governments, which rely upon property taxes, to the State, thus providing substantial tax relief to property owners.

In addition, a total of approximately \$43,600,000 of the revenue received under the sales tax, franchise tax, and corporations income tax will be earmarked as a reserve to meet the postwar employment needs of the State.

SUMMARY TABLE

Bill No.	Tax	Present amounts	Amounts under tax reduction program
S.B. 103	<i>Retail Sales and Use Taxes</i>		
	Tax rate	3%	2½%
	Estimated revenue 1943-1945	\$201,000,000	\$172,500,000
	Reduction in tax		28,500,000
	Reserve for postwar employment		34,500,000
A.B. 876	<i>Personal Income Tax</i>		
	Personal exemptions		
	Single	\$1,000	\$2,000
	Married or head of family	2,500	3,500
	Maximum rate	15%	6%
	Estimated revenue 1943-1945	\$78,500,000	\$51,600,000
	Reduction in tax		26,900,000
A.B. 883	<i>Bank and Corporation Franchise Tax*</i>		
	War credit	none	15%
	Estimated revenue 1943-1945	\$102,350,000	\$90,430,000
	Reduction in tax		11,920,000
	Reserve for postwar employment		9,040,000
A.B. 884	<i>Corporation Income Tax</i>		
	War credit	none	15%
	Estimated revenue 1943-1945	\$650,000	\$580,000
	Reduction in tax		70,000
	Reserve for postwar employment		60,000
S.B. 1086	<i>Local Property Taxes, by Transferring Portion of Aged Aid Costs to State</i>		
	Estimated county expenditures for aged aid without change in amount of payment	\$32,363,000	\$10,800,000
	Reduction in county costs		21,600,000
	Including change in amount of payment from \$40 to \$50 per month		19,325,000
	Reduction in county costs		13,033,000

* Amounts shown for the bank and corporation franchise tax take into consideration the reduction in the rate of tax imposed upon banks from a maximum of 8 per cent to 5 per cent, effected by the adoption of Senate Bill 341. This bill accounts for approximately \$1,500,000 of the \$11,920,000 reduction in the bank and corporation franchise tax.

Retail Sales and Use Taxes

Since 1933, the State of California has levied a tax upon tangible personal property sold for consumption within this State. During the first two years of this levy the rate was 2½ per cent and exemptions were restricted principally to those commodities which the State was prevented from taxing either by the Constitution of the United States or by the Constitution of the State of California. In 1935, the Sales Tax Act was amended to exempt foodstuffs and to increase the rate of tax to 3 per cent. This rate has been maintained since that time and it was estimated in connection with the 1943-1945 State Budget that revenue from this source between July 1, 1943, and June 30, 1945, at the 3 per cent rate, would total \$201,000,000.

Senate Bill No. 103, enacted by the 1943 State Legislature makes two important changes in the Sales Tax Law. First, it reduces the rate to 2½ per cent for the two-year period beginning July 1, 1943, and ending June 30, 1945. This decrease in rate will reduce the amount of sales tax paid by the residents of California approximately \$28,500,000 in the coming two years, making the estimated total from that source \$172,500,000.

The second change provided in Senate Bill No. 103 relates to the earmarking of a portion of the sales tax to meet postwar employment needs. During the 1943-1945 Biennium, one-fifth of the revenue received under the retail sales and use taxes will be deposited in a Special Postwar Employment Reserve in the State treasury, to be expended only when appropriated by the Legislature for public projects and improvements in the postwar period. In the meantime, this reserve as it accumulates will be invested in war bonds and other obligations of the Federal Government. It is estimated that during the next two years \$34,500,000 will thus be set aside out of sales tax revenue to provide employment for citizens released from the armed forces and private industry following the relaxation of the war effort.

Personal Income Tax

The State income tax was first enacted in 1935 and except for relatively minor revisions in the law, has remained unchanged since that time. The California act requires a tax from all residents having taxable annual incomes in excess of \$1,000, if single, and \$2,500, if married or head of a family. Rates of tax are graduated from 1 per cent on incomes of \$5,000 per year or less to 15 per cent on incomes in excess of \$250,000. It was estimated that the State's revenue from this tax would amount to \$78,500,000 during the 1943-1945 Biennium, if no changes were made in the Income Tax Act.

Assembly Bill No. 876, as enacted by the State Legislature, revises the income tax law in two particulars. First, the personal exemptions are raised from \$1,000 to \$2,000 for single persons and from \$2,500 to \$3,500 for married persons or heads of families. Thus, during the next two years, only those residents with incomes in excess of \$2,000 (single) and \$3,500 (married or head of family) will be required to file State income tax returns and pay the tax. Second, Assembly Bill No. 876 reduces the maximum rate of tax from 15 per cent on taxable income in excess of \$250,000 to 6 per cent on income in excess of \$30,000. Because California is one of only two States with a 15 per cent maximum rate and because the majority of States having income taxes utilize considerably lower rate schedules than that in California, the 6 per cent maximum rate is made a permanent feature in the California act. The increase in exemptions, however, expires in 1945 unless further extended by the Legislature.

As a result of this legislation, California income taxpayers will pay approximately \$26,000,000 less in State taxes during the next biennium. However, almost half of this reduction will be taken up automatically in higher income tax payments to the Federal Government where the need for additional revenue is most pressing.

Bank and Corporation Franchise Tax

California has imposed a tax upon the incomes of banks and corporations since 1929. Since 1935, the rate of tax has been 4 per cent on all mercantile, manufacturing, and general corporations and a maximum of 8 per cent on banks and financial corporations. Budget estimates placed the revenue from this source during the 1943-1945 Biennium at \$102,350,000.

The rate of tax remains the same under the 1943 Tax Reduction Program, but beginning with the payments received in 1944, and extending through 1945, banks and corporations will be allowed a 15 per cent credit against the amount of their State taxes. In addition, Assembly Bill No. 883 provides that 10 per cent of the revenue from this source will be held in reserve for postwar needs in the same way that 20 per cent of the sales tax receipts will be earmarked for this purpose.

Another measure, Senate Bill No. 341, adopted by the 1943 Legislature reduces the tax imposed on banks from a maximum of 8 per cent to a flat 5 per cent. Although possibly not strictly a part of the Tax Reduction Program, this bill must be considered in evaluating the effect of Assembly Bill No. 883.

As a result of these measures, the State tax on banks and corporations during the 1943-1945 Biennium will be reduced \$11,920,000, while \$9,040,000 will be earmarked for postwar employment.

Corporation Income Tax

As a corollary to the bank and corporation franchise tax, the State of California imposes a tax upon corporations operating in this State which are not legally subject to the franchise levy. Revenue from this source was estimated in the 1943-1945 Budget at \$650,000. By the enactment of Assembly Bill No. 884, a 15 per cent credit is extended upon the tax due in 1944 and 1945, resulting in a tax reduction of \$70,000, while 10 per cent of the remaining revenue from this source, or \$60,000, will be placed in the Postwar Employment Reserve.

Local Property Taxes

By transferring a portion of the cost of aid to needy aged from the various counties to the State Government, the 1943 Legislature afforded substantial relief to local property taxpayers through the enactment of Senate Bill No. 1086. In the past, the State and counties have borne the cost of old age assistance, after deduction of Federal contributions, on a 50-50 basis. Senate Bill No. 1086 requires

the State to pay five-sixths of the balance after Federal contributions, and the counties to pay one-sixth. If there had been no other changes in the Old Age Security Law, this legislation alone would have saved local property taxpayers approximately \$21,600,000 during the 1943-1945 Biennium.

However, the 1943 Legislature also increased the amount of aid to needy aged persons from \$40 to \$50 per month. It is anticipated that this increase in the monthly aid payments, together with other liberalizations in the Aged Aid Law, will bring additional persons under this welfare program with the result that the total cost will increase from \$129,953,000 to \$202,000,000 for the 1943-1945 Biennium. This increase in number of cases will tend to offset some of the benefit which would otherwise accrue to property taxpayers by the enactment of Senate Bill No. 1086. It is estimated that the total cost to the counties of the liberalized Aged Aid Program and new sharing ratio during the 1943-1945 Biennium will be \$19,333,000, or a reduction of \$13,030,000 from the amount which it would have been necessary to raise from local property taxes had there been no changes in the Aged Aid Law.

Prepared by the State Department of Finance, May 5, 1943

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 124—An act to amend Section 1621 of the Streets and Highways Code and Section 8356 of the Revenue and Taxation Code, relating to allocations to counties of moneys for highway purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Delev, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Penton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMullan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sawalisch, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 501—An act to amend Sections 120 and 4372 of, to repeal Sections 4101.5 and 4371 and Article 2, consisting of Sections 4406 to 4409, inclusive, of Chapter 4 of Part 7, Division 1 of, and to add Sections 4101.5 and 4377.5 to the Revenue and Taxation Code, relating to the redemption of property.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, after "repeal", strike out "Section", and insert "Sections 4101.5 and"

Amendment No. 2

In line 7 of the title of said bill, strike out "Section", and insert "Sections 4101.5 and".

Amendment No. 3

On page 1 of said bill, between lines 6 and 7, insert "Sec. 2 Section 4101.5 of the Revenue and Taxation Code is hereby repealed. Sec. 3 Section 4101.5 is hereby added to the Revenue and Taxation Code, to read as follows:

4101.5 If tax-sold or tax-deeded property was sold to the State on or before July 6, 1942, and is redeemed on or before 90 days after this section becomes effective, the amount necessary to redeem the property is the amount of sold taxes, with

interest on the amount of sold taxes at 5 per cent per year computed beginning the day the property was sold to the State to the time of redemption, but in no event computed beyond three years from the day the property was sold to the State.

No other interest, costs, delinquent penalties, or redemption penalties accruing before 90 days after this section takes effect need be paid under such redemption.

The amount necessary to redeem under this section shall not constitute the "redemption amount" within the meaning of Section 4216 "

Amendment No. 4

On page 3, line 17, of said bill, strike out "15", and insert "4".

Amendment No. 5

On page 3, line 18, of said bill, after "Sec.", strike out "2", and insert "5".

Amendment No. 6

On page 3, line 24, of said bill, after "Sec.", strike out "3", and insert "6".

Amendment No. 7

On page 3, line 32, of said bill, after "Sec.", strike out "4", and insert "7".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 668—An act to amend Section 7403 of the Revenue and Taxation Code, relating to the Motor Vehicle Fuel License Tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1111—An act to amend Section 10074 of, to add Sections 10009 5, 10023, 10024, 10025 and 11011.5 to, and to add Chapter 7, comprising Sections 10500 to 10601, to Part 1 of Division 4 of, the Business and Professions Code, relating to transactions in mineral, oil or gas property, regulating mineral, oil and gas brokers and salesmen and prescribing the powers and duties of the State Division of Real Estate with respect thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 129—An act to amend Section 54 of the Unemployment Insurance Act, relating to the weekly benefit amount.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Debs, Denny, Dickey, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 370—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 13.13a, relating to the duties of the Building and Loan Commissioner while in possession of the property, business and assets of a building and loan association, and to accounts, inspection of records and annual reports.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Collins, George D.—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 897—An act to amend Section 706.7 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1109—An act to add Section 44.6 to the Unemployment Insurance Act, relating to contributions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Rosenthal, Sargent, Sawallisch, Sheridan

Stream, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.
 NOES—None.

Motion to Amend Title

Mr. John B. Knight moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "to", insert "add Section 44.6 to".

Amendment read and adopted.

Bill ordered reprinted, and transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1538—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1538?

Amendment No. 1

On page 1, lines 1 and 5, of the printed bill, strike out "\$674,818 97", and insert "\$681,539.74".

Amendment No. 2

On page 1, line 7, of said bill, strike out "\$559,075.70", and insert "\$650,573 35"

Amendment No. 3

On page 1, line 12, of said bill, strike out "1,733.87", and insert "1,953 18".

Amendment No. 4

On page 2, line 29, of said bill, strike out "57,777.20", and insert "62,781 01".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1538 by the following vote:

AYES—Armstrong, Clarke, Dickey, Dilworth, Maloney, Sheridan, Thurman, and Wollenberg—8.

NOES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burus, Call, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A. Dills, Ralph C. Doyle, Dunn, Evans, Fount, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B. Kraft, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thomas, Thompson, Waters, Weybret, and Mr. Speaker—56

Appointment of Committee on Conference Concerning Assembly Bill No. 1538

The Speaker announced the appointment of Messrs. Robertson, Allen, and Wollenberg as a Committee on Conference concerning Assembly Bill No. 1538.

Assembly Bill No. 1301—An act to amend Sections 22116 and 22120 of the Water Code and Sections 1 and 3 of an act entitled "An act to provide for the acquisition, development, and disposal of electrical power by irrigation districts," approved May 21, 1919, relating to the application of the California Irrigation District Act and acts amendatory thereof and supplemental to the California Irrigation District Act and to the borrowing of funds and issuance of warrants and securities by irrigation districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1301?

Amendment No. 1

On page 2, line 28, of the printed bill, as amended, strike out "22216", and insert "22116".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1301 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1301 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 615

Assembly Bill No. 1336

Assembly Bill No. 1226

Assembly Bill No. 1968

Assembly Bill No. 1335

Assembly Bill No. 684

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

UNFINISHED BUSINESS (OUT OF ORDER)**Consideration of Senate Amendments**

Assembly Bill No. 1335—An act to amend Sections 1, 4, 5 and 5a of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, relating to poisons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1335?

Amendment No. 1

On page 3, line 42, of the printed bill, as amended, strike out "Section 1061", and insert "Article 3 of Chapter 7 of Division 5".

Amendment No. 2

On page 3, line 52, of the printed bill, as amended, after "cyanide", insert "of potassium".

Amendment No. 3

On page 4, line 2, of the printed bill, as amended, after "generally," insert "when prepared, packaged, and sold in accordance with rules and regulations authorized by the provisions of said article of the Agricultural Code,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1335 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1335 ordered enrolled.

Assembly Bill No. 1336—An act to amend Section 4212 of, and to add Section 4215 to, the Business and Professions Code, relating to pharmacy.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1336?

Amendment No. 1

On page 1, line 15, of the printed bill, strike out "agency of the Federal Government", and insert "Federal court of competent jurisdiction".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1336 by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1336 ordered enrolled.

RECESS

At 11.45 a.m., on motion of Mr. Maloney, the Assembly recessed until 11.47 a.m., to hear from Lieutenant (J.G.) Rich of the Waves.

REASSEMBLED

At 11.47 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 112—An act to amend Section 57.7 of the Unemployment Insurance Act, relating to unemployment benefits for persons who have served in the armed forces.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Maloney:

House Resolution No. 272

WHEREAS, Upon the adjournment of this current session of the Legislature, the California Code Commission will resume its work of codifying the general statutory laws of this State; and

WHEREAS, The tentative program of the Code Commission for the next biennium contemplates work upon the Government Code, the Water Code, the Revenue and Taxation Code, the Streets and Highways Code, and a new code to be known as the Corporation, Partnerships and Associations Code; and

WHEREAS, It is the practice of the Code Commission to prepare preliminary drafts of proposed codes in mimeographed form for distribution to interested persons and groups for study and criticism prior to submission to the Legislature, but distribution by such means is necessarily limited; and

WHEREAS, If such proposed codes were printed they could be more widely circulated among interested persons and groups, thus enabling them to receive the careful scrutiny to which proposed legislation of such importance is entitled; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Code Commission is hereby directed to prepare for printing as soon as practical after the adjournment of the 1943 Session of the Legislature, such codes or portions thereof as it proposes to submit to the next session of the Legislature for consideration, and immediately upon such printing to distribute the same to all interested persons and groups; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to have not to exceed 1,500 copies of each of such proposed codes printed, the cost thereof to be payable from the legislative printing appropriation.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 272, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 615—An act to amend Section 3476 and to postpone and suspend the operation of Sections 3511.3, 3571, 3571.3, 3571.5, 3572, 3573, 3574, 3575, 3576, 3577 and 3578 of the Revenue and Taxation Code, relating to taxation

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 615?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly, April 17, 1943, following "such", insert "tax-sold".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 615 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawalbsch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 615 ordered enrolled.

Assembly Bill No. 1914—An act to repeal Sections 1060 and 1061 of, and to add Sections 1060, 1060.1, 1060.2, 1060.3, 1060.4, 1060.5, 1060.6, 1060.7, 1060.8, 1060.9, 1060.10, 1060.11, 1060.12, 1060.13, 1060.14 and 1062b to, the Code of Civil Procedure, relating to declaratory relief.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1914?

Amendment No. 1

On page 2, line 32, of the printed bill, strike out the period, and insert “, and shall not render or enter a declaratory judgment or decree in any case involving the administration, interpretation or validity of tax laws.”

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1914 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Nichouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawalisch,* Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1914 ordered enrolled.

Assembly Bill No. 684—An act to amend Section 6015 of the Revenue and Taxation Code, relating to the taxation of the privilege of selling and storing, using, or otherwise consuming tangible personal property, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 684?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly April 3, 1943, after “Code”, insert “and to add Section 6364 to said code”.

Amendment No. 2

In line 4 of the title of said bill, after “property”, insert “and to certain exemptions from said taxation”.

Amendment No. 3

On page 2, line 4, of said bill, insert
“SEC. 2. A new section is added to said code to be numbered 6364, and to read: 6364. There are exempted from the taxes imposed by this part, the gross receipts from sales of and the storage, use, or other consumption in this State of:

(a) Nonreturnable containers when sold without the contents to persons who place the contents in the container and sell the contents together with the container.

(b) Containers when sold with the contents if the sales price of the contents is not required to be included in the measure of the taxes imposed by this part.

(c) Returnable containers when sold with the contents in connection with a retail sale of the contents or when resold for refilling.

As used herein the term “returnable containers” means containers of a kind customarily returned by the buyer of the contents for reuse. All other containers are “nonreturnable containers.”

Amendment No. 4

On page 2, line 5, of said bill, strike out “2”, and insert “3”.

Amendment No. 5

On page 2, line 13, of said bill, strike out “3”, and insert “4”.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 684 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 684 ordered enrolled.

Assembly Bill No. 1226—An act to amend Sections 66 to 72, inclusive, of the Unemployment Insurance Act, relating to claims for benefits.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1226?

Amendment No. 1

On page 3 of the printed bill, between lines 5 and 6, insert
 “(d) An initial determination or an additional claim determination may for good cause be reconsidered by the commission whether or not a written objection has been filed as provided in Section 69 and any person to whom a notice is required to be mailed pursuant to this section shall be notified of any amended determinations resulting from such reconsideration.”

Amendment No. 2

On page 3, line 15, of the printed bill, after “determination”, insert “or a reconsidered initial determination”.

Amendment No. 3

On page 3, line 16, of the printed bill, after “determination”, insert “or a reconsidered additional claim determination”.

Amendment No. 4

On page 3, line 41, of the printed bill, as amended, strike out “Every”, and insert “During such time as any of the members of the commission are designated specifically to represent either employers or employees, every”.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1226 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastam, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1226 ordered enrolled.

Assembly Bill No. 1968—An act to add Section 209 5 to the Revenue and Taxation Code, relating to exemptions from taxation.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1968?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly, April 17, 1943, following “emergency”, insert “and for which no consideration is paid as rental”.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1968 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1968 ordered enrolled.

Assembly Bill No. 1414—An act to add Section 471.5 to the Agricultural Code, relating to cream.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1414?

Amendment No. 1

In the title of the printed bill, as amended, beginning with "Section" in line 1, strike out the remainder of the title and insert "Article 1A to Chapter 1 of Division 1 of the Agricultural Code, to include Section 35, relating to the formulation of temporary provisions, conditions, standards, and prices"

Amendment No. 2

Strike out lines 2 to 11, inclusive, of said bill, and insert "SECTION 1. Article 1A is added to Chapter 1 of Division 1 of the Agricultural Code, to read:

Article 1A. Temporary Provisions, Conditions, Standards or Prices

35. The Legislature hereby declares that in order to protect the agricultural interests of the people of this State and to conserve the agricultural wealth of the State and protect the health and general welfare of our citizens during the continuance of the wars in which the United States is now engaged, and in order to maintain or enforce State laws, orders or regulations prescribing conditions, standards or prices it is necessary that provision be made for the formulation of conditions, standards, or prices to take the place of those conditions, standards or prices which are rendered ineffectual or unenforceable by reason of any conflict with a Federal law, order or regulation made under the Federal war powers.

Whenever the director shall be notified in writing by the Attorney General of this State that any provision, condition, standard or price established by or under authority of this code is in conflict with a Federal law, order or regulation made under the Federal war powers, and is thereby rendered ineffectual and unenforceable, he shall prepare proposed new provisions, conditions, standards or prices to take the place of such provisions, conditions, standards or prices declared by the Attorney General to be in conflict as aforesaid, and shall as soon as reasonably possible call a public hearing to consider the same at a place within the State that he deems suitable

Notice of such hearing shall be given at least five days prior thereto by publication in a newspaper of general circulation printed and published in the County of Sacramento and in a similar newspaper printed and published in the county where such hearing is held.

At such hearing the director shall receive and hear the evidence of all interested persons which shall be taken under oath, and all written evidence and exhibits introduced at such hearing shall be preserved and open to inspection by any interested person.

If from the evidence and data produced at such hearing and from such other knowledge and information as the director may have he shall find in writing:

1. That the conflict between the existing provision, condition, standard or price and the Federal law, order or regulation and the consequent unenforceability of such provision, condition, standard or price seriously impairs or prevents the effectuation of the purpose and intent of such provision, condition, standard or price or of the statute of which it is a part;

2. That the effectuation of the purpose and intent of such provision, condition, standard or price or of the statute of which it is a part will be best served by the adoption of such new provision, condition, standard or price as will remove such conflict with the Federal law, order or regulation;

3. That the new provision, condition, standard or price is as similar to the existing provision, condition, standard or price as is reasonably possible without being in conflict with such Federal law, order or regulation;

4. That the new provision, condition, standard or price will protect the agricultural interests of the people of this State and conserve the agricultural wealth of the State and protect the health and general welfare of our citizens during the life of the Federal law, order or regulation in conflict with the existing provision, condition, standard or price.

Then, and upon such findings, the director shall transmit his determination and recommendations thereon to the Governor. The Governor shall review the determination and recommendations so submitted and if he finds that the purposes and objectives of this section are to be attained thereby shall issue an order formulating and making effective such new provision, condition, standard or price.

Such new provisions, conditions, standards or prices so formulated and made effective shall continue in force and effect only during the life of such Federal law, order or regulation in conflict with the original existing provision, condition, standard or price, and while in force and effect shall supersede the original existing provision, condition, standard or price and be administered and enforced by the director in the same manner and to the same extent, and violations thereof shall be subject to the same penalties, as provided in the case of such original existing provisions, conditions, standards or prices.

Upon the termination of this act all provisions, conditions, standards and prices formulated and made effective hereunder shall immediately terminate and cease and be of no further force or effect and any and all original existing provisions, conditions, standards or prices so temporarily superseded shall be and become in full force and effect as though no new provision, condition, standard or price had been formulated and made effective hereunder. The same shall be true at any sooner time upon the expiration of the life of any such conflicting Federal law, order or regulation as to the particular provisions, conditions, standards or prices affected thereby.

As used in this section, 'director' means Director of Agriculture, except with reference to Article 1 of Chapter 3 of Division 5 and Article 4 of Chapter 8 of Division 5 of this code; and as to those articles only, 'director' means Director of Public Health.

This article shall remain in force until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1414 by the following vote:

AYES—Anderson, Beck, Bennett, Brown, Clarke, Collins, George D. Crowley, Dickey, Dills, Clayton A., Dills, Ralph C., Erwin, Field, Guthrie, Heisinger, Johnson, Leonard, Lowrey, Lyons, Massion, McMillan, Middough, Miller, Rosenthal, Sheridan, Thomas, Thompson, Thurman, and Weybret—28.

NOES—Armstrong, Bashore, Berry, Brady, Burkhalter, Burns, Call, Carey, Collins, Sam L. Crichton, Debs, Denny, Desmond, Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Hollibaugh, Kellems, King, Knight, T. Fenton; Kraft, Malouey, McCollister, Niehouse, O'Dav, Pelletier, Price, Robertson, Sargent, Sawallisch, Stream, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—44.

Appointment of Committee on Conference Concerning Assembly Bill No. 1414

The Speaker announced the appointment of Messrs. Thorp, Dills, Ralph C., and Denny as a Committee on Conference concerning Assembly Bill No. 1414.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 560—An act to add Chapter 6, comprising Sections 980 to 981.7, inclusive, to Division 4 of the Military and Veterans Code, relating to the education of veterans, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Fourt moved the adoption of the following amendment:

Amendment No. 1

On page 3, lines 17 and 18, of the printed bill, as amended, strike out "one million dollars (\$1,000,000)", and insert "five hundred thousand dollars (\$500,000)".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Arinstrong, Bashore, Brown, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Deuny, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraut, Leonard, Lyons, Maloney, Mid-dough, Miller, Niehouse, Price, Sargent, Sawallsch, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—40.

NOES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Collins, George D., Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Haggerty, Hawkins, Heisinger, Lowrey, Massion, McMillan, O'Day, Pelletier, Robertson, Rosenthal, Sheridan, and Thomas—29.

Bill ordered reprinted, and to third reading:

RESOLUTIONS

The following resolution was offered:

By Messrs. Burns, Bashore, Thurman, Dilworth, Collins, George D., Evans, Debs, Kellems, Gaffney, Field, Weber, Gannon, Lyons, Lyon, Clarke, Thorp, Allen, Sawallsch, Sargent, Pelletier, Maloney, Wollen-berg, O'Day, Haggerty, Berry, Brady, Hollibaugh, Dills, Clayton A., Dills, Ralph C. and Mrs. Niehouse:

House Resolution No. 273

Relative to United States Senator Hiram W. Johnson

WHEREAS, This Assembly has learned of the serious illness of California's senior Senator Hiram W. Johnson in Washington, D. C.; and

WHEREAS, Hiram W. Johnson, a native of California and twice elected Governor of this State, has been United States Senator from California for 27 years, having been reelected by an overwhelming majority of all the people of this State at the conclusion of each of his several terms; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express their deep regret that Senator Hiram W. Johnson is suffering such illness; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitable copy of this resolution to Senator Johnson, conveying to him the heartfelt good wishes of the Members of this Assembly that he may enjoy a speedy and complete recovery.

Request for Unanimous Consent

Mr. Burns asked for, and was granted, unanimous consent to take up House Resolution No. 273, at this time, without reference to committee.

Resolution read and adopted unanimously.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 347	Assembly Bill No. 1235
Assembly Bill No. 377	Assembly Bill No. 1388
Assembly Bill No. 417	Assembly Bill No. 1431
Assembly Bill No. 448	Assembly Bill No. 1484
Assembly Bill No. 622	Assembly Bill No. 1514
Assembly Bill No. 624	Assembly Bill No. 1515
Assembly Bill No. 628	Assembly Bill No. 1516
Assembly Bill No. 798	Assembly Bill No. 1519
Assembly Bill No. 1020	Assembly Bill No. 1521
Assembly Bill No. 1042	Assembly Bill No. 1522
Assembly Bill No. 1043	Assembly Bill No. 1907
Assembly Bill No. 1227	Assembly Bill No. 1957
Assembly Bill No. 1228	Assembly Bill No. 1959
Assembly Bill No. 1232	Assembly Bill No. 642
Assembly Bill No. 1233	Assembly Bill No. 1518

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to
Assembly Bill No. 1847

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day struck from the file:
Assembly Bill No. 296

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

RECESS

At 2 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2.01 p.m.

REASSEMBLED

At 2.01 p.m., the Assembly reconvened.
Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1994—An act to amend Sections 2005, 2160, 2163, 2164, 2165, 2180, 2181, 2182, 2183, 2222, and 2224 of the Welfare and Institutions Code, and to add Sections 2008.5, 2014, 2015, 2016, 2020.01, 2020.05, 2021.01, 2142.5, 2163.1, 2163.2, 2163.7, 2181.01, 2181.1, 2182.1, 2183.1, 2187.01, 2222.7 and 2223.5 thereto, relating to aid to the aged, to take effect immediately, and to become operative as therein provided;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 20—An act to amend Section 506 of the Public Resources Code, relating to the State Park Commission and the Chief of the Division of Parks; And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 11 a.m.

PELLETIER, Chairman

RESOLUTIONS

The following resolutions were offered:

By Mr. Rosenthal:

House Resolution No. 274

Relative to the Boy Scouts of America

WHEREAS, The Boy Scouts of America have in addition to their usual activities carried out many projects of National as well as local value connected with the National war emergency—they have sold war bonds and stamps, collected tin cans, scrap iron, aluminum, and other products—they have trained and acted as messengers to distribute instruction sheets, notices and signs used in the civilian defense program; they have trained and are prepared to act as assistants in first aid in black-outs, bombing raids, or other disasters; and

WHEREAS, The wartime activities of the Boy Scouts of America are worthy of the highest praise of the people of the United States; and

WHEREAS, National and local area council chiefs of staff, officers, leaders, instructors, and the parents of Boy Scouts have all contributed of their time, work, advice, and financial support of the wartime activities of the Boy Scouts of America; now, therefore, be it

Resolved by the Assembly of the State of California, That the members hereof pass this resolution in commendation of the multifarious activities of the Boy Scouts of America, their officers, leaders, instructors, and parents, and in praise of the excellent manner in which their activities have been undertaken and performed; and be it further

Resolved, That the Chief Clerk of this Assembly be directed to prepare and transmit suitable copies of this resolution to Elbert K. Fretwell, Chief Scout Executive, 2 Park Avenue, New York, and to Raymond O. Hanson, Regional Executive, 215 West Fifth Street, Room 813, Los Angeles, California, and to Floyd Forker, President Los Angeles Metropolitan Area Council, 830 Bendix Building, Los Angeles

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Middough, Burkhalter, Anderson, Haggerty, Bennett, Thomas, Kilpatrick, Heisinger, Doyle, Gaffney, Crichton, Rosenthal, Dills, Ralph C. O'Day, and Dills, Clayton A.:

House Resolution No. 275

Relative to aid to the aged

WHEREAS, The welfare of the aged of the State is of the greatest importance to the people of the State, and the laws providing for public assistance to aged persons should be administered in a considerate and benevolent manner; and

WHEREAS, It has come to the attention of the Members of the Assembly that some of the places used for the administration of aid to the aged are difficult of access for the aged, or located on the upper floors of public buildings and are not served with an elevator and elevator operator, so that the strength of aged persons is sorely taxed when they find it necessary to present themselves at such places; and

WHEREAS, It has been suggested that the new provisions of Welfare and Institutions Code Section 2163 2, as added thereto by Assembly Bill No. 1994, which provide that personal property does not include personal effects, but that personal effects do not include jewelry, may be construed or interpreted to make the limitations on personal property apply to the engagement rings and wedding rings cherished by applicants for and recipients of aid to the aged; now, therefore, be it

Resolved by the Assembly of the State of California, That it is the consensus of this Assembly that all places used for the administration of aid to the aged ought to be easily accessible to the aged or maimed, and either located on a ground floor or served with an elevator and elevator operator; and that all persons exercising any authority in respect to the selection and maintenance of such places are hereby memorialized to do everything in their power to see that such places are so located and so served; and be it further

Resolved, That the Members of the Assembly do not regard engagement and wedding rings as mere articles of personal adornment, but as enduring symbols of betrothal and holy wedlock; that, as such, engagement rings and wedding rings do not come within the term "jewelry" as used in Section 2163 2 of the Welfare and Institutions Code; and that in enacting that section it was the intention of the Assembly that engagement rings and wedding rings should be considered as personal effects and not as jewelry; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the State Social Welfare Board, and to the board of supervisors of every county in this State

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Rosenthal:

House Resolution No. 276

WHEREAS, The need for the reconstruction and improvement of the road described in this resolution is real and such reconstruction and improvement would be of great benefit to transportation in its vicinity, now, therefore, be it

Resolved by the Assembly of the State of California, That the following route be selected for reconstruction and improvement as a feeder road to the State Highway System in any postwar construction program conducted under authorization of the State Legislature and financed by appropriation made by the State Legislature:

From State Highway Route 172 to State Highway Route 26 via Indiana Avenue, in Los Angeles County.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Johnson :

House Resolution No. 277

Relative to the birth of Ronald Goodman Gould

WHEREAS, It has come to the attention of the Assembly that Hazel Gould, the wife of Jay Gould, former Deputy Legislative Counsel and now Assistant Inheritance Tax Attorney, was presented with a second bundle of joy in the person of a second son, Ronald Goodman Gould; and

WHEREAS, This Assembly again wishes to rejoice with the proud parents in their happiness and desires again to extend to them its felicitations; now, therefore, be it

Resolved by the Assembly of the State of California, That it does hereby offer to Mr and Mrs. Jay Gould its best wishes and heartiest congratulations; and be it further

Resolved, That it is the further wish of the Assembly that Ronald Goodman Gould shall justify, as Jay Anthony Gould has justified, the fond hopes and expectations of his parents; and be it further

Resolved, That the Chief Clerk present to Mr. and Mrs. Gould a suitably engrossed copy of this resolution

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No. 277, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Gaffney :

House Resolution No. 278

Relating to the creation of an Assembly Committee on Safety and Accident Prevention

WHEREAS, The National Safety Council reports that a total of 128,000 persons have been killed in accidents since the start of the war as compared with 12,123 deaths in the armed forces.

The California Industrial Accident Commission states that since the war 1,348 fatalities and 29,660 injuries have been reported to it

In 1942 there were 36,310 traffic accidents involving death or injury. Deaths totaled 2,671 for the year and injuries totaled 49,481. The 1942 figures show an improvement over 1941; but these traffic casualties of 1942 in California are practically equal to the total war casualties of the entire Nation for the first year since the Pearl Harbor disaster.

This huge waste of manpower on the home front is more important than ever before in view of the fact that the Nation is taking increasingly drastic steps to mobilize every available ounce of manpower to insure victory. It is necessary that every person be extra careful to avoid the loss of time that is hindering production and delaying the delivery of vital supplies and war materials to the armed forces; and

WHEREAS, The present session of the Legislature is functioning in time of war and may be called in special session on matters of a grave and necessary concern to a victorious conclusion of hostilities; now, therefore, be it

Resolved by the Assembly of the State of California, That each and every Member thereof constitute himself a committee of one to observe and study the underlying causes and circumstances surrounding traffic and industrial accidents in his locality for the purpose of recommending changes and proposing legislation designed to promote safety and prevent such accidents and thereby preserve all the manpower possible for the successful war effort

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Waters and Maloney :

House Resolution No. 279

Relating to the appointment of an Assembly Interim Committee on Insurance

WHEREAS, The business of insurance is one peculiarly affected with a public interest in view of the fact that the people of this State have spent in excess of four hundred million dollars (\$400,000,000) for insurance premiums during the year 1940 and that such premium expenses have increased approximately at the rate of fifty million dollars (\$50,000,000) a year since then; and

WHEREAS, There are considered at each session of the Legislature various proposals to amend the insurance laws which are by their very nature technical and complex; and

WHEREAS, The Insurance Code has been in force for almost 10 years and has been the subject of much piecemeal amendment and contains some obsolete and anachronistic provisions and the entire field of insurance law and administration, exclusive of unemployment insurance, should be studied for the information and the assistance of the Members of this Assembly in considering legislation affecting insurance; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Interim Committee on Insurance to consist of three Members of the Assembly appointed by the Speaker. Vacancies of the committee shall be filled by appointment of the Speaker. The committee shall investigate, ascertain and appraise all facts concerning the administration, operation and enforcement of the laws relating to insurance (other than unemployment insurance) and to that end may meet with the Insurance Commissioner and participate in conferences conducted by him in matters relating to legislation and the enforcement of insurance laws; and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have: (i) All the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) and Sections 9400 to 9412, inclusive, of the Government Code, except when inconsistent with this resolution, all the powers conferred upon committees by the Rules of the Assembly and the Joint Rules of the Senate and Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws, both Federal and State, in anywise bearing upon or relating to the subject of this resolution;

(7) To meet either during sessions of this Legislature or during any recess thereof at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature, including any recess thereof, and until the convening of the Fifty-sixth Legislature;

(9) To file reports with the Legislature during the Fifty-fifth Session thereof or any special extraordinary session thereof, and to file its final report with the Fifty-sixth Legislature;

(10) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and

(11) To cooperate with and secure the cooperation of county, city, city and county and other local law enforcement agencies in investigating any matter within the scope of this resolution, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee; and

(12) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution;

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That the Insurance Commission and every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the committee may make such representations and recommendations to the Federal Government as it may deem advisable, on any subject relating to the subject of its investigation, during such times as the Legislature may not be in session, and such representations and recommendations shall be representations and recommendations of the committee, and not of the Legislature; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0 5½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of one thousand two hundred dollars (\$1,200) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid equally from the Contingent Fund of the Assembly and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to the Committee on Rules and House Functions.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1013—An act to add Section 13654 to the Education Code, relating to reappointment rights of permanent employees.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D. Collins, Sam L. Crichton, Crowley, Denny, Desmond, Dickey, Dilworth, Doyle, Erwin, Evans, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, King, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Price, Robertson, Sargent, Sawallisch, Sheridan, Stream, Thompson, Thurman, Waters, Watson, Weidel, Weybret, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 382—An act to amend Sections 5.822, 5.850, 5.851, 5.852 and 5.852-1 of the School Code and to amend Sections 14340, 14432, 14439 and 14450 of, and to add Section 14456.1 to, the Education Code, relating to the State Teachers Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Call, Carey, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Dickey, Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Fount, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, King, Knight, John B. Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weidel, Weybret, and Mr. Speaker—55

NOES—None.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXCUSE COMMITTEE MEMBERS

Upon motion of Mr. Sam L. Collins, the following members of the Committee on Rules and House Functions were excused from roll calls since the last recess, due to their having been in attendance at a meeting of the committee: Messrs. Collins, Sam L., Chairman; Desmond, Vice Chairman; Burns, Bashore, Dickey, Dills, Ralph C., Doyle, Field, Johnson, Knight, John B., Sawallisch, Wollenberg, and Call.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 902—An act to add Section 6359.5 to the Revenue and Taxation Code, relating to the sales and use taxes and exemptions therefrom.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 6359.5", and insert "Sections 6359.5 and 6365".

Amendment No. 2

On page 1 of said bill, after line 10, insert
 "SEC. 2 Section 6365 is added to the Revenue and Taxation Code, to read:
 6365. There are exempted from the taxes imposed by this part the gross receipts from sale of and the storage, use, or other consumption of orthopedic, surgical, dental, ophthalmic, and ocular appliances or restorations and their appurtenances, applied or dispensed by a person duly licensed to do the same, or sold or delivered upon the prescription of a person duly licensed to issue such prescription, and auditory appliances or restorations and their appurtenances. The materials or supplies used in such appliances or restorations and their appurtenances, and the repairs and replacements thereof, are likewise exempted."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Rosenthal, Sheridan, Smith, Thomas, Thompson, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—76.

NOES—Clarke, Collins, Sam L., Desmond, Knight, T. Fenton; Sargent, Stream, Watson, and Werdel—8.

Bill ordered reprinted, and to third reading.

Rush Order Placed on Printing of Senate Bill No. 902

The Speaker ordered a rush order on the printing of Senate Bill No. 902.

Senate Bill No. 1082—An act providing for preparation for post-war State highway construction projects, and making an appropriation therefor.

Bill read third time.

Demand for Previous Question

Messrs. Weber, Werdel, Evans, Doyle, and Anderson demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 1082.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Stream, Thompson, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—80.

NOES—Bashore, Beck, Carlson, Collins, Sam L., Knight, T. Fenton; Lowrey, Miller, Potter, Smith, Werdel, and Mr. Speaker—11.

Bill ordered transmitted to the Senate.

Senate Bill No. 1083—An act providing for preparation for post-war county highway construction projects, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—60.

NOES—Bashore, Beck, Carlson, Collins, Sam L., Lowrey, Miller, Potter, Smith, Werdel, and Mr. Speaker—10.

Bill ordered transmitted to the Senate.

Senate Bill No. 727—An act making an appropriation to the emergency fund specified in Item 221 of the Budget Act of 1943, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Catey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—62.

NOES—Carlson, Collins, Sam L., Miller, and Smith—4.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—62.

NOES—Carlson, Collins, Sam L., Miller, and Smith—4.

Bill ordered transmitted to the Senate.

Hon. Everett G. Burkhalter Presiding

At 2.02 p.m., Hon. Everett G. Burkhalter, Member of the Assembly from the Forty-second District, presiding.

CONSIDERATION OF SPECIAL ORDERS

The hour of 2.02 p.m. having arrived, Senate Bills Nos. 558, 559, 560, and 561 were taken up.

Senate Bill No. 558—An act to add Article 4, comprising Sections 990 to 991 3, inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; creating a Veterans' Finance Committee of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1944.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 559—An act to amend Section 691 of the Military and Veterans Code, relating to the Veterans' Welfare Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker.—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 560—An act to add Chapter 6, comprising Sections 980 to 981.7, inclusive, to Division 4 of the Military and Veterans Code, relating to the education of veterans, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 561—An act to add Article 3, comprising Sections 985 to 988.3, inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, relating to farm and home aid for veterans and defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) CONSIDERATION OF HOUSE RESOLUTION NO. 255

House Resolution No. 255

Relative to Assembly Fact-Finding Committee on Correctional Problems

Resolved by the Assembly of the State of California, That the Assembly Fact-Finding Committee on Correctional Problems created under House Resolution No. 117 is hereby authorized to exercise all of the powers granted to it by House Resolution No. 117 after the final adjournment of this (the Fifty-fifth) Session of the Legislature and to file its report with the Assembly of the Fifty-sixth Regular Session of the Legislature during January, 1945; and be it further

Resolved, That in addition to any sum otherwise available under House Resolution No. 117, the sum of the five thousand dollars (\$5,000), or so much thereof as may be necessary, is hereby made available to the committee from the Contingent Fund of the Assembly for the expenses or claims it and its members may incur under this resolution and House Resolution No. 117, to be paid from the Contingent Fund of the Assembly and disbursed, after certification of the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

In line 2, paragraph 2, of the resolution, strike out "five thousand dollars (\$5,000)," and insert "two thousand five hundred dollars (\$2,500)".

Amendment read and adopted.

Request for Unanimous Consent

Mr. O'Day asked for, and was granted, unanimous consent to take up House Resolution No. 255, as amended, at this time.

Consideration of House Resolution No. 255, As Amended

House Resolution No. 255

Relative to Assembly Fact-Finding Committee on Correctional Problems

Resolved by the Assembly of the State of California, That the Assembly Fact-Finding Committee on Correctional Problems created under House Resolution No. 117 is hereby authorized to exercise all of the powers granted to it by House Resolution No. 117 after the final adjournment of this (the Fifty-fifth) Session of the Legislature and to file its report with the Assembly of the Fifty-sixth Regular Session of the Legislature during January, 1945; and be it further

Resolved, That in addition to any sum otherwise available under House Resolution No. 117, the sum of two thousand five hundred dollars (\$2,500), or so much thereof as may be necessary, is hereby made available to the committee from the Contingent Fund of the Assembly for the expenses or claims it and its members may incur under this resolution and House Resolution No. 117, to be paid from the Contingent Fund of the Assembly and disbursed, after certification of the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thorp, Thurman, Waters, Watson, Werdel, and Weybret—65.

NOES—None.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 508—An act to add Sections 194 and 1.95 to the School Code and to add Sections 16276 and 16277 to the Education Code, relating to the lease of busses owned by, or under lease to, school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C.,

Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, and Wollenberg—67.

NOES—Werdel—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, and Wollenberg—67.

NOES—Werdel—1.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 2.03 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Senate Bill No. 548—An act to add Section 16424 to the Education Code and to amend Sections 10270 and 11512 of the Insurance Code and to add Section 11512 4 to the Insurance Code, all relating to the insurance of pupils of the public schools.

Bill read third time.

Demand for Previous Question

Messrs. Doyle, Heisinger, Berry, Gaffney, and Miller demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 548.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Massion, McMillan, Middough, Miller, Niehouse, Potter, Price, Robertson, Sargent, Sheridan, Stream, Thorp, Thurman, Weybret, and Mr. Speaker—42.

NOES—Allen, Bashore, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Denny, Erwin, Haggerty, Johnson, Kellems, Knight, T. Fenton; O'Day, Smith, Thomas, Waters, Watson, Weber, Werdel, and Wollenberg—22.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California to amend Sections 2 and 34 of Article IV of the Constitution of said State, relating to the Legislature.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Beck, Bennett, Brady, Brown, Burns, Call, Clarke, Collins, George D., Crichton, Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Gannon, Guthrie, Haggerty, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Armstrong, Berry, Burkhalter, Carlson, Crowley, Dilworth, Erwin, Gaffney, Hawkins, Heisinger, Kilpatrick, King, Lowrey, and O'Day—14.

Resolution ordered transmitted to the Senate.

MOTION TO STRIKE SENATE BILL NO. 135 FROM FILE

Mr. Bashore moved that Senate Bill No. 135 be stricken from the file.

Mr. Lowrey seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Smith, Thomas, Thompson, Thorp, Weber, and Mr. Speaker—47.
NOES—Carlson, Denny, Dickey, Doyle, Fourt, Gaffney, Gannon, Kellems, Knight, T. Fenton; Kraft, Miller, Niehouse, Potter, Sheridan, Stream, Thurman, Waters, Watson, Werdel, Weybret, and Wollenberg—21.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 721—An act to add Sections 132.5, 293.5, 296.5, 5901.5, and 5931.5 to the Elections Code, relating to absentee registration and voting of members of the armed forces of the United States, or any auxiliary branch thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1007—An act to add Chapter 2.5, comprising Section 8180, to Division 4 of the Education Code, relating to report cards.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, as amended, strike out "in reading, grammar, arithmetic, penmanship, and United States history", and insert "or Grades A, B, C, D or F in reading, writing, language study, spelling, arithmetic and civics".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 692—An act making an appropriation for the purchase of land by the Director of Institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Robertson, Rosenthal, Sawallusch, Sheridan, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Armstrong, Bashore, Carlson, Collins, Sam L., Dickey, Hawkins, Heisinger, Massion, Niehouse, Price, Sargent, Smith, Stream, and Thorp—14.

Bill ordered transmitted to the Senate.

Senate Bill No. 472—An act to add Section 4.283 to the School Code and to add Section 5007 to the Education Code, relating to the investment of funds of school districts in bonds issued by the United States of America, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 580—An act to add Section 1272 to the Fish and Game Code, relating to deer.

Bill read third time.

Motion to Amend

Mr. Burkhalter moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, strike out "60", and insert "45".

Amendment No. 2

On page 1, line 5, of said bill, strike out "December 31st", and insert "November 15th".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Collier, Swing, and DeLap as a Committee on Conference concerning:

Assembly Bill No. 1538—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, to take effect immediately.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1263—An act to amend Section 2160.5 of the Welfare and Institutions Code, relating to aid to the aged;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

SHELLEY
CUNNINGHAM
LUCKEY

Senate Committee on Conference

WOLLENBERG
T. FENTON KNIGHT
BENNETT

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Mille~~l~~, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66
NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1538—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, to take effect immediately;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

**SWING
 COLLIER
 DELAP**

Senate Committee on Conference

**ALLEN
 WOLLENBERG**

Assembly Committee on Conference

The roll was called, and the report refused adoption by the following vote:

AYES—Allen, Armstrong, Bashore, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Debs, Denny, Desmond, Dilworth, Erwin, Gaffney, Gannon, Guthrie, Haggerty, Kellems, Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Price, Sargent, Smith, Stream, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—44.

NOES—Beck, Brady, Burkhalter, Clarke, Crichton, Crowley, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Kraft, Lowrey, O'Day, Pelletier, Potter, Rosenthal, Sawallisch, Waters, and Weber—26.

**Appointment of Second Committee on Conference Concerning
 Assembly Bill No. 1538**

The Speaker announced the appointment of Messrs. Dills, Ralph C., Potter, and Call as a Second Committee on Conference concerning Assembly Bill No. 1538.

RECESS

At 2.04 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2.05 p.m., to hear from Hon. Washington J. McCormick, of Montana.

REASSEMBLED

At 2.05 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1538—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, to take effect immediately.

J. A. BEEK, Secretary of the Senate
 By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 12
 Assembly Bill No. 1346
 Assembly Bill No. 1348
 Assembly Bill No. 1485
 Assembly Bill No. 902

Assembly Bill No. 903
 Assembly Bill No. 1399
 Assembly Bill No. 1396
 Assembly Bill No. 1824

J. A. BEEK, Secretary of the Senate
 By A. P. BELLISLE, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 153
 Assembly Bill No. 561
 Assembly Bill No. 537
 Assembly Bill No. 674
 Assembly Bill No. 1071

Assembly Bill No. 1081
 Assembly Bill No. 1259
 Assembly Bill No. 1265
 Assembly Bill No. 1391
 Assembly Bill No. 1692

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
 By A. P. BELLISLE, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 667—An act to amend Sections 26200.5, 26209, 26212, 26251, 26253, 26254, 26271, 26280, 26281, 26282, 26296, 26302, 26303, 26327, 26328, 26336, 26337, 26338, 26342, 26343, 26361, 26364, 26366, 26367, 26368, and 26380 of, and add Sections 26216 and 26271 (a) to Division 21, Chapter 2 of the Health and Safety Code, relating to the adulteration, misbranding, advertising and sale of drugs and devices, and to the powers of the State Department of Public Health in relation thereto

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Crittenden, Hatfield, and Donnelly as a Committee on Conference concerning:

Assembly Bill No. 1414—An act to add Article 1a to Chapter 1 of Division 1 of the Agricultural Code, to include Section 35, relating to the formulation of temporary provisions, conditions, standards, and prices.

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to.

Senate Bill No. 998—An act to add Section 59 to the Unemployment Insurance Act, relating to seasonal employment;
 And appointed Senators Ward, Shelley, and Judah as a Committee on Conference to meet a like committee from the Assembly

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

House Resolution No. 259
 House Resolution No. 270
 House Resolution No. 279

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 268

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 280

Resolved, By the Assembly of the State of California, That following adjournment of this session of the Legislature, Frank N. Killam, Chief of the Bureau of Buildings and Grounds is hereby directed to have the electrical roll call system of the Assembly completely overhauled, repaired, illuminated portions relamped, and any other needed work done in relation to said roll call system; and be it further

Resolved, That the sum of \$250 or so much thereof as may be necessary is hereby made available to Frank N. Killam out of the Contingent Fund of the Assembly for expenditure in accordance with this resolution, and that proper vouchers be filed by Frank N. Killam with the Controller for all money expended under the provisions of this resolution.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 280, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Bennett, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dilworth, Doyle, Dunn, Fourt, Gaffney, Guthrie, Haggerty, Heisinger, Holibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Lowrey, Lyons, Maloney, Middough, O'Day, Rosenthal, Sargent, Sheridan, Thompson, Thorp, Thurman, Waters, Weber, Wollenberg, and Mr. Speaker—43.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 295—An act to add Section 226 to the Labor Code, relating to wages;

Assembly Bill No. 446—An act to amend an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries;

Assembly Bill No. 573—An act to add Section 2497 to the Business and Professions Code, relating to drugless practitioners under the Board of Osteopathic Examiners;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 222—An act to add Section 511.4 to the Vehicle Code, relating to reduction of speed on State highways within cities;

Assembly Bill No. 250—An act to amend Section 4300f of the Political Code, relating to jurors' fees in municipal courts;

Assembly Bill No. 294—An act to amend Section 16c of the Bank Act, relating to the deposit of checks in banks and the return of unpaid items;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1439—An act to amend Section 456 of the Political Code, relating to the salaries of State officers and employees in the State Treasurer's Office;

Assembly Bill No. 1625—An act to amend Section 403 of the Business and Professions Code, relating to buildings of the Department of Professional and Vocational Standards;

Assembly Bill No. 1626—An act to amend Section 4013 of the Business and Professions Code, relating to the California State Board of Pharmacy;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1940—An act to amend Section 4247 of the Political Code, relating to salaries and expenses of officers;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 89—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class;

Assembly Bill No. 125—An act to add Section 8425 to the Fish and Game Code, relating to the use of nets;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 131—An act to amend the chapter heading of Chapter 5.7, Part 6, Division 1, and Sections 3620, 3625, 3627, 3631, 3635 and 3637 of, and to add Section 3638 to, the Revenue and Taxation Code, relating to a taxpayer's action to contest the validity of a tax sale or tax deed, to take effect immediately;

Assembly Bill No. 148—An act to amend Section 277 of the Vehicle Code, relating to chauffeur's licenses, declaring the urgency hereof, to take effect immediately;

Assembly Bill No. 184—An act to add Section 140 to the Welfare and Institutions Code, relating to public assistance, and providing a procedure for the issue and payment of duplicate warrants therefor, in case of the loss or destruction of the original warrants;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 576—An act to amend Section 151 of the Business and Professions Code, relating to the salary of the Director of Professional and Vocational Standards;

Assembly Bill No. 855—An act to amend Sections 452, 525, 528 and 596 of, and to add Sections 459.1 and 459.2 to, the Vehicle Code, relating to traffic regulations;

Assembly Bill No. 918—An act to amend Section 5133 of the Streets and Highways Code, relating to publications;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1294—An act to repeal Sections 22900, 22901, 22902, 22903, 22904, 22905, and 22906 of the Water Code, relating to the distribution of electric power in irrigation districts containing 500,000 acres or more;

Assembly Bill No. 1295—An act to amend Section 22950 of the Water Code, relating to assessments in irrigation districts containing 500,000 acres or more;

Assembly Bill No. 1296—An act to amend Sections 25035 and 25335 of the Water Code, relating to refunding bonds of irrigation districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1012—An act to amend Sections 102 and 112 of the Insurance Code, relating to insurance;

Assembly Bill No. 1032—An act to amend Sections 28, 43.5 and 43.6 of the County Employees Retirement Act of 1937, relating to retirement;

Assembly Bill No. 1069—An act to amend Section 359b of the Political Code, relating to the Governor's Council;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1627—An act to amend Section 114 of the Business and Professions Code, relating to the renewal of licenses by boards or commissions of the Department of Professional and Vocational Standards;

Assembly Bill No. 1659—An act to amend Section 21224 of the Business and Professions Code, relating to licensing of sellers of prophylactics;

Assembly Bill No. 1834—An act to add Section 83.1 to the State Civil Service Act, relating to oral examinations;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 44—Relative to the appointment of the Honorable Jesse Tapp as Assistant to the Food Administrator of the United States,

Assembly Joint Resolution No. 45—Relative to facilitating the employment of Mexican citizens in agriculture;

Assembly Joint Resolution No. 46—Relative to repair facilities and materials for agricultural machinery and implements;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

RECESS

At 2.06 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2.07 p.m.

REASSEMBLED

At 2.07 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED) ·
CONSIDERATION OF HOUSE RESOLUTION NO. 263

House Resolution No. 263

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth, with the compensation set opposite their respective names, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

<i>Commencing Tuesday, May 4, 1943, and ending upon the completion of work on Wednesday, May 5, 1943</i>	<i>Per day</i>
Jimmy Pickett, Page.....	\$3 00

SAM L. COLLINS, Chairman

Resolution read.
The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sam L. Collins moved a call of the Assembly.

Motion carried. Time, 2.08 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 263

At 2.09 p.m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and House Resolution No. 263 adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Guthrie, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Knight, T. Fenton; Kraft, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, O'Day, Sargent, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, and Weybret—43.

NOES—None.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1544
And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

Above bill ordered to unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1008—An act to add Section 11181.1 to the Education Code, relating to school textbooks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dickey, Dilworth, Doyle, Dunn, Erwin, Fourt, Guthrie, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Knight, T. Fenton; Kraft, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, O'Day, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—46.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1110—An act to add Article 2.5 to Chapter 5 of Division 9 of the Education Code, relating to the leasing of real property by school districts, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney,

McMillan, Middough, Miller, Niehouse, O'Day, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Weybret—55.
 NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, O'Day, Rosenthal, Sargent, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Weybret—55.

NOES—None.

- Bill ordered transmitted to the Senate.

Senate Bill No. 359—An act to add Section 128 to the Welfare and Institutions Code, relating to moneys appropriated for public assistance, and providing for audits by the Director of Finance of records pertaining to the receipt and expenditure thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Dills, Clayton A., Doyle, Erwin, Evans, Gaffney, Guthrie, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Knight, T. Fenton; Kraft, Lyons, Maloney, McMillan, Middough, Miller, Niehouse, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Werdel, and Weybret—43.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 830—An act to amend Section 10055 of the Business and Professions Code, relating to the Real Estate Commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Dills, Clayton A., Doyle, Erwin, Evans, Gaffney, Gannon, Guthrie, Hawkins, Knight, John B., Knight, T. Fenton; Lyons, Maloney, McMillan, Middough, Miller, Niehouse, Rosenthal, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—42.

NOES—Anderson, Armstrong, Dilworth, Dunn, Heisinger, Kraft, and Price—7.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 2.10 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Senate Bill No. 1091—An act to amend Section 8202 of the Government Code, relating to eligibility to and performing the duties of the office of notary public.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, McMillan, Middough, Miller, Niehouse, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 136—An act to add a new chapter to Title 14 of Part 4 of Division 3 of the Civil Code to be known as Chapter 3b, relating to the assignment of accounts receivable and providing for the giving of notice thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Gaffney, Guthrie, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Kraft, Lyons, Maloney, McMillan, Miller, Niehouse, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—47.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 965—An act to add Section 395.1 to the Code of Civil Procedure, relating to the venue of actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Gaffney, Guthrie, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, McMillan, Miller, Niehouse, Pelletier, Price, Rosenthal, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1092—An act to amend Section 737p of the Political Code, relating to the salary of the superior judge of the County of Kings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Gaffney, Guthrie, Hawkins, Hollibaugh, King, Knight, John B., Lyons, Maloney, McMillan, Middough, Miller, Niehouse, Price, Rosenthal, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—44.

NOES—Bashore, Dilworth, Heisinger, Knight, T. Fenton; and Pelletier—5.

Bill ordered transmitted to the Senate.

Senate Bill No. 319—An act to amend Section 1 of an act entitled “An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts,” approved July 1, 1937, relating to retirement of judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Berry, Brady, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Doyle, Evans, Gaffney, Guthrie, Haggerty, Hastam, Hawkins, King, Knight, John B., Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—42.

NOES—Armstrong, Bashore, Dilworth, Dunn, Erwin, Kilpatrick, Knight, T. Fenton; Pelletier, Price, and Watson—10.

Bill ordered transmitted to the Senate.

Senate Bill No. 489—An act making an appropriation from the State Park Maintenance Fund to repay a loan made from the Emergency Fund, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Crowley, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Kraft, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 853—An act to amend Section 1233 of the Probate Code, and Section 2009 of the Code of Civil Procedure, relating to rules of pleading and practice in judicial proceedings, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McColhister, McMillan, Middough, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—57.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McColhister, McMillan, Middough, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 612—An act to amend Section 696 of the Political Code, relating to the revolving fund for State purchases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McColhister, McMillan, Middough, Niehouse, O'Day, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 77—An act to authorize the Bureau of Criminal Identification and Investigation to lease the teletype system maintained

in and by the County of Mendocino for the purpose of connecting the system with the telephone-typewriter system of communication maintained under the direction of the bureau between counties and cities and counties of this State, and to make an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Crowley, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—57.

NOES—Evans and Kilpatrick—2.

Bill ordered transmitted to the Senate.

MOTION TO EXCUSE MEMBERS

Upon motion of Mr. Desmond, Messrs. Dills, Ralph C., Denny, Thorp, and Desmond were excused from roll calls following the last recess, due to their having been in attendance at a Conference Committee meeting.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 902—An act to add Sections 6359.5 and 6365 to the Revenue and Taxation Code, relating to the sales and use taxes and exemptions therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Denny, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Sawallisch, Smith, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Mr. Speaker—57.

NOES—Collins, Sam L., Desmond, Doyle, Potter, Sargent, Stream, and Weybret—7.

Bill ordered transmitted to the Senate.

Senate Bill No. 288—An act making appropriation of money to be used by the Attorney General in the payment of expenses in the proceeding brought by the Attorney General in the Court of Claims of the United States in behalf of the Indians of the State of California, in accordance with an act of the Legislature of 1927, Statutes of 1927, Chapter 643.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Potter,

Price, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 2.11 p.m., on motion of Mr. Kraft, the Assembly recessed until 2.12 p m. to present a tribute to Assemblyman and Mrs. Stream upon their fiftieth wedding anniversary.

REASSEMBLED

At 2.12 p.m., the Assembly reconvened.
Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

RESOLUTIONS

The following resolution was offered:

By Messrs. Pelletier, Lyon, Maloney, Collins, Sam L., Stream, and Watson:

House Resolution No. 281

Commending and congratulating Charles W. Robbins

WHEREAS, Every bill passed by this Assembly is consigned to what in the minds of most of us is a mysterious nebulae called engrossing and engrassing; and

WHEREAS, Some persons in inquiring about engrassing and enrolling have wondered whether they should ask "What is it?" or "Who are they?" not knowing whether it was a process, like cleaning and pressing, or a team, like Burns and Allen; and

WHEREAS, It now appears that Engrossing and Enrolling is one Charles W. Robbins, a most faithful member of the staff of this Assembly whose work, though unseen, is a vital factor in the process of turning a legislative bill into a statute; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly commend Charles W. Robbins upon the fine job he has done in seeing that so many bills have passed through amendment, reprinting, and enrollment without error, and they hereby extend felicitations to Charles W. Robbins and congratulate him that he has come through to the end of this session with no lines left out, no strange words inserted, no periods lost, and no commas left over; and be it further

Resolved, That the Chief Clerk of this Assembly transmit a copy of this Resolution, suitably engrossed by the Chairman of the Engrossing and Enrolling Committee, to Charles W. Robbins.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 281, at this time, without reference to committee.

Resolution read and adopted unanimously.

COMMUNICATIONS

By Mr. Hawkins:

The following communication was received, read, and ordered printed in the Journal:

LOS ANGELES, CALIFORNIA, May 6, 1943

Hon. Augustus F. Hawkins
Assembly Chamber, Sacramento, California

Please express to the Assembly and to those who joined with you in presenting it, my deep appreciation of the resolution adopted May 4th relative to the illness which compelled me to leave Sacramento and return to my home for treatment. I value more than I can tell you the friendship and confidence which, through the years, as

*a deep appreciation
I have been unwilling to*

*Spencer White to
H. F. Johnson*

W. W. ...

at the present time, have been manifested toward me by so many of my legislative friends. Glad to report that I have just returned to my desk.

WILL H. FISCHER

By Speaker Lyon :

The following communication was received, read, and ordered printed in the Journal :

ORINDA, CALIFORNIA, May 6, 1943

California State Assembly

Care Arthur A. Ohnimus, Chief Clerk, Assembly

To Members of California State Assembly:

Please accept my sincerest thanks for the beautiful thoughts in memory of Fred, which I will always treasure.

MRS. FRED E. STEWART

Also :

The following communication from the Legislative Counsel was received, read, and ordered printed in the Journal :

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, May 5, 1943

Honorable Charles W. Lyon, Speaker of the Assembly
Assembly Chamber, Sacramento, California

CONFERENCE COMMITTEES

DEAR MR. SPEAKER: You have advised us that the Senate has refused to concur in Assembly amendments to a Senate bill and in respect to the appointment of an Assembly Conference Committee have asked us the following questions :

Question

(1) Is the "point about which the difference has arisen" within the meaning of Joint Rule 28, the adoption of the bill as amended by the Assembly, or the adoption of an amendment if there be only one, or any particular amendment of various amendments, if there be more than one?

(2) As respects the Assembly, is the prevailing side confined to those members who voted for the amendment in issue, or does it include all those who voted for the bill?

(3) If the vote on final passage of the bill was unanimous, and the prevailing side consists of all those who voted for the bill (as distinguished from the amendments), should the minority be represented by one who voted against the amendments?

Opinion

(1) We think that the phrase "the point about which the difference has arisen" as used in Joint Rule 28, refers to the vote on passage of the bill and not to the vote on any amendment or amendments that may have been made to the bill.

(2) In such a case the prevailing side would be the side that voted for the bill upon final passage by the Assembly.

(3) Where the vote on final passage was unanimous, it is not required that the Speaker ascertain any dissenting vote in a preliminary stage of the consideration of a bill, although we have been advised that in the Senate it is customary in that house so to do, in order to secure adequate representation of all views.

Our reasons for these views are that unless the bill had been passed as amended, there could have been no point of controversy, and that there is always a roll call vote on final passage of the bill, and there is not necessarily such a vote on the adoption of amendments.

In addition, any other rule would be most difficult of application for in many cases bills are amended on several different days, and in some cases, various sets of amendments are adopted on the same day, which are not necessarily a part of a unified revision of the bill. In such a case, how can it be said which of the several amendments was the point in issue; to which did the Senate refuse to concur?

The use of the word "point" is explained by the history of Joint Rule 28. In 1937 and 1939 this rule was Joint Rule 29 and provided for a vote on whether or not the house in which the amendments were made would recede from the amendments.

Obviously, the point at issue in such a case would be the vote on whether or not the house would recede. In the other house the vote would be on whether or not that house would concur.

In 1941, the number of the Joint Rule was changed to No. 28, and appears to be in the same language as present Joint Rule 28. The language concerning the

question of receding was eliminated, and we think that it can be fairly assumed that it was eliminated because, in the vast majority of cases, the putting of the question was an idle act.

This could be on the assumption that all those who voted for the bill as it passed the house of amendment were still of the same mind and there would be no point in tendering them the same issue; whether or not they would still vote for the bill in its then present form.

Support for this view is found in the discussion in Section 564 of Mason's Manual of Legislative Procedure, where the author speaks of the point at issue as a "bill" in the following language:

Where there was a division in the house with reference to a bill, it is the established practice to appoint a majority of the committee from the prevailing side in the controversy, but to also appoint a representative from the minority. In committees of three, two will represent the majority and one, the minority, if any.

The bill concerning which the dispute exists as to amendments should be referred to the Conference Committee of the house in whose possession the bill remains.

Yours very truly,

FRED B. WOOD, Legislative Counsel
By SIDNEY L. WEINSTOCK, Deputy

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 998

The Speaker announced the appointment of Messrs. Knight, T. Fenton; Sargent and Doyle as a Committee on Conference concerning Senate Bill No. 998.

Hon. Michael J. Burns Presiding

At 2.13 p.m., Hon. Michael J. Burns, Member of the Assembly from the First District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 993—An act to amend Sections 6 and 90, and to repeal Sections 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87 and 88 of, and to add Sections 75, 76, 77, 78, 79, 80, 81, 82 and 83 to the Unemployment Insurance Act, relating to the administration thereof, creating the California Employment Stabilization Commission and the California Unemployment Insurance Appeals Board and abolishing the California Employment Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Brady, Call, Clarke, Collins, Sam L. Denny, Dickey, Dilworth, Erwin, Field, Fourn, Gannon, Guthrie, Hastain, Johnson, Kellems, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Middough, Miller, Potter, Price, Robertson, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Collins, George D., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Rosenthal, Sargent, Sawallisch, Sheridan, and Thomas—36.

Bill ordered transmitted to the Senate.

MOTION TO STRIKE SENATE BILL NO. 771 FROM FILE

Mr. Lowrey moved that Senate Bill No. 771 be stricken from the file. Motion carried.

RECESS

At 2.14 p.m., on motion of Mr. Dickey, the Assembly recessed until 2.15 p.m. to hear from Señor Gerald Mekma, American Consul to

Lower California, and Señor Stephen Ferro, business associate of General Rodriquez, former President of Mexico.

REASSEMBLED

At 2.15 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 879

Assembly Bill No. 1452

Assembly Bill No. 1560

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By A. P. BELLISLE, Assistant Secretary

Above bills ordered to unfinished business file.

UNFINISHED BUSINESS (OUT OF ORDER)

Consideration of Senate Amendments

Assembly Bill No. 879—An act to amend Sections 6051 and 6201 of the Revenue and Taxation Code, relating to the sales and use taxes, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 879?

Amendment No. 1

On page 1 of the printed bill, as amended, after line 11, insert

"After payment of refunds, one-fifth the proceeds of such tax which are deposited in the Retail Sales Tax Fund on and after July 1, 1943, and to and including June 30, 1945, shall be transferred by the Controller to the General Fund and set aside as a Postwar Employment Reserve, which shall be available for expenditure only when appropriated by the Legislature for public projects and improvements that will provide postwar employment for citizens released from the armed forces and private enterprise following relaxation of the war effort.

The money in the Postwar Employment Reserve shall be excluded in determining surplus, excess, deficit or deficiency in the General Fund in any balance sheet or other statement of the financial condition of the State of California.

The money in the Postwar Employment Reserve may be invested and reinvested by the Director of Finance in bonds or other obligations of the United States, or for which the full faith and credit of the United States are pledged, and such securities may be sold or exchanged by the Director of Finance if, in his discretion, such sale or exchange appears to be in the best interest of the State in effectuating the purposes of this section. The increment from such investment shall accrue to the General Fund."

Amendment No. 2

On page 2 of said bill, after line 8, insert

"After payment of refunds, one-fifth the proceeds of such tax which are deposited in the Retail Sales Tax Fund on and after July 1, 1943, and to and including June 30, 1945, shall be transferred by the Controller to the General Fund and set aside as a Postwar Employment Reserve, which shall be available for expenditure only when appropriated by the Legislature for public projects and improvements that will provide postwar employment for citizens released from the armed forces and private enterprise following relaxation of the war effort.

The money in the Postwar Employment Reserve shall be excluded in determining surplus, excess, deficit or deficiency in the General Fund in any balance sheet or other statement of the financial condition of the State of California.

The money in the Postwar Employment Reserve may be invested and reinvested by the Director of Finance in bonds or other obligations of the United States, or for which the full faith and credit of the United States are pledged, and such securities may be sold or exchanged by the Director of Finance if, in his discretion, such sale or

exchange appears to be in the best interests of the State in effectuating the purposes of this section. The increment from such investment shall accrue to the General Fund."

Amendment No. 3

On page 2 of said bill, strike out lines 16 to 24, inclusive, and insert "The necessity of high taxation for war purposes requires that all nonessential taxes be abolished or reduced. With the high cost of living at the present time, it is essential that articles of necessity, such as those subject to the sales and use taxes, be relieved of so high a rate of taxation so that people will not be unduly curtailed in securing the necessities of life, by reason of their inability to meet the taxes thereon."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 879 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Pelletier—1.

Assembly Bill No. 879 ordered enrolled.

MOTION TO STRIKE SENATE BILL NO. 1515 FROM FILE

Mr. Robertson moved that Senate Bill No. 1515 be stricken from the file.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California to amend the Constitution of the State, by adding Section 8b to Article V thereof, relating to appointments by the Governor.

Resolution read.

Motion to Amend

Mr. Call moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 14, of the printed measure, after "office", insert ", and except the appointments to judicial offices".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63

NOES—Pelletier—1.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 1040—An act to add Article 3, comprising Section 24541, to Chapter 5 of Division 12, of the Education Code, relating to identification emblems for children.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed bill, after "receive", strike out "shall wear".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 866—An act to add Sections 5015.5, 5016, 5017, and 5018 to the Public Resources Code, relating to parks and beaches;

And appointed Senators Tenney, Judah, and Breed as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1116—An act authorizing the State, any city, county, city and county, or district having jurisdiction of properties to make agreements with the United States Government for the leasing or use of such properties during the war and six months thereafter; declaring the urgency hereof; to take effect immediately; And appointed Senators Crittenden, Fletcher, and Mayo as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 672—An act to add Section 60.3 and Section 45.2 to the Alcoholic Beverage Control Act, relating to alcoholic beverages;

And appointed Senators Swing, Parkman, and Burns as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 601—An act to amend Sections 1620, 1621, 1622, 1623, 1625, 1626, 1627, 1628, and 1630, 2303, 2305, 2306, 2307, 2308, 2309 and 2310 of the Welfare and Institutions Code, to amend the chapter heading of Article 1 of Part 3 of Division 2 of said code, to repeal Sections 2300, 2301, and 2302 of said code, to add Sections 1625.5, 2300, 2300.5, 2300.7, 2301, 2301.3, 2301.5, 2301.7, 2301.9, 2302, 2302.3, 2302.5, and 2305.5 to said code, and to add Chapter 2, comprising Sections 1650 to 1660, inclusive, to Part 3 of Division 2 of said code, relating to institutions for the reception and care of persons in need of protection and care, including institutions for child care and home-finding and placement agencies, and institutions, boarding homes and other places for the reception and care of aged persons, and providing for the licensing and regulation of such institutions and agencies;

And appointed Senators Mixter, Mayo, and Hatfield as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 650—An act to add Section 3.735-3 to the School Code and to add Section 10126.1 to the Education Code, relating to attendance of pupils upon courses of physical education;

And appointed Senators Salsman, Swau, and Burns as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 343
Assembly Bill No. 586
Assembly Bill No. 782
Assembly Bill No. 1293
Assembly Bill No. 1571

Assembly Bill No. 1684
Assembly Bill No. 1697
Assembly Bill No. 1853
Assembly Bill No. 1854

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage on:

Assembly Bill No. 873
Assembly Bill No. 1687

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 301
Assembly Bill No. 671
Assembly Bill No. 1031

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 92
Assembly Bill No. 302
Assembly Bill No. 422
Assembly Bill No. 441
Assembly Bill No. 526
Assembly Bill No. 625
Assembly Bill No. 672
Assembly Bill No. 776

Assembly Bill No. 860
Assembly Bill No. 900
Assembly Bill No. 941
Assembly Bill No. 942
Assembly Bill No. 1061
Assembly Bill No. 1062
Assembly Bill No. 1729

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Mayo, Breed, and Tickle as a Second Committee on Conference concerning:

Assembly Bill No. 1538—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

**APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING
SENATE BILL NO. 866**

The Speaker announced the appointment of Messrs. Kellem, Middough, and Anderson as a Committee on Conference concerning Senate Bill No. 866.

**APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING
SENATE BILL NO. 1116**

The Speaker announced the appointment of Messrs. Stream, Bashore, and Thompson as a Committee on Conference concerning Senate Bill No. 1116.

**APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING
SENATE BILL NO. 672**

The Speaker announced the appointment of Messrs. Middough, Sawallisch, and Call as a Committee on Conference concerning Senate Bill No. 672.

**APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING
SENATE BILL NO. 650**

The Speaker announced the appointment of Messrs. Thompson, Miller, and Werdel as a Committee on Conference concerning Senate Bill No. 650.

**APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING
SENATE BILL NO. 601**

The Speaker announced the appointment of Messrs. Werdel, Guthrie, and Armstrong as a Committee on Conference concerning Senate Bill No. 601.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1954—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land in Orange County as part of the State Park System;

Assembly Bill No. 2014—An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately; And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 866—An act to add Sections 5015 5, 5016, 5017, and 5018 to the Public Resources Code, relating to parks and beaches;
Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill, as amended on May 4, 1943, be further amended as follows:

Amendment No. 1

On page 3, line 12, of the printed bill, as amended, strike out "population,".

TENNEY
JUDAH
BREED

MIDDOUGH
ANDERSON
KELLEMS

Senate Committee on Conference

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George L., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Gaffney, Gaunon, Guthrie, Haggerty, Hustain, Heringer, Hollibaugh, Johnson, Kellems, King, Knight, John B., Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Robertson, Rosenthal, Sargent, Sawalisch, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—Pelletier—1

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 710—An act to amend Sections 13026, 13108 and 13109 of the Health and Safety Code, relating to the authority of the State Fire Marshal.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, as amended, strike out "to: Fire", and insert "to fire".

Amendment No. 2

On page 1, line 14, of said bill, strike out the comma, and insert "in, and".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1081—An act to amend Section 3714 of the Political Code, relating to annual financial estimates of counties.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1081?

Amendment No. 1

On page 9, line 22, of the printed bill, as amended, after "deemed", insert "or construed".

Amendment No. 2

On page 9, line 24, of said bill, strike out "reclamation district, irrigation district, municipal"; and strike out lines 25 to 33, inclusive, and insert "district in

the county whose affairs and funds are not under the supervision and control of the county board of supervisors."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1081 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—86.

NOES—Pelletier—1.

Assembly Bill No. 1081 ordered enrolled.

PERMISSION TO CONSIDER ASSEMBLY BILL

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, permission to consider Assembly Concurrent Resolution No. 67 was granted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 67: By Messrs. Weber, Doyle, and Robertson—Relative to the calling of a special session of the Legislature.

Referred to Committee on Rules and House Functions.

RESOLUTIONS

The following resolutions were offered:

By Mr. Rosenthal:

House Resolution No. 282

Relative to appreciation of Cinco de Mayo, the National Holiday of the Republic of Mexico

WHEREAS, On May 5, 1862, at the Battle of the Pueblo, the Mexican Army defeated the troops of the invading French Empire and thereby won the right to govern themselves; and

WHEREAS, The Republic of Mexico, in remembrance of their great victory, have established that day as a great national holiday, and celebrate each anniversary thereof as Cinco de Mayo; and

WHEREAS, The Republic of Mexico is one of the Allied Nations in World War II; and

WHEREAS, The Republic of Mexico is a good neighbor of the United States; and

WHEREAS, It is the wish, desire and intention of the people of the United States to live in peace and harmony with the people of Mexico, to work together to reestablish Democracy in the world and a better understanding and appreciation among the people of the earth; now, therefore, be it

Resolved by the Assembly of the State of California, That the members hereof do hereby extend to the people of the Republic of Mexico their best wishes on this Cinco de Mayo for their continued prosperity and happiness; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to prepare and transmit an engrossed copy of this resolution to Avila Camacho, President of the Republic of Mexico, and to the Mexican Consul at Los Angeles.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Hollibaugh:

House Resolution No. 283

Relative to the creation of an Interim Committee on Veteran Rehabilitation

WHEREAS, Many thousands of persons have been called from their civil occupations to the armed services of our Country; and

WHEREAS, Their return to civil life at the conclusion of the present hostilities will create many problems of rehabilitation, reemployment, farm location, and economic adjustment; and

WHEREAS, The facts can best and most expeditiously be ascertained and analyzed through a joint interim committee charged with the study of every phase of the foregoing problems; now, therefore, be it

Resolved by the Assembly of the State of California, That an Assembly Interim Committee, to be known as the Assembly Interim Committee on Veteran Rehabilitation, is hereby created to consist of five Members of the Assembly, appointed by the Speaker thereof, and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have all the powers conferred upon committees by the Rules of the Assembly and the Joint Rules of the Senate and Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full, and all powers, except the power to compel the attendance of witnesses, necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers.

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in anywise bearing upon or relating to the subject of this resolution;

(7) To meet either during sessions of this Legislature or during any recess thereof at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature including any recess thereof, and until the convening of the Fifty-sixth Legislature;

(9) To file reports with the Legislature during the Fifty-fifth Session thereof or any special extraordinary session thereof, and to file its final report with the Fifty-sixth Legislature;

(10) To cooperate with and secure the cooperation of county, city, city and county and other agencies in investigating any matter within the scope of this resolution; and

(11) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

RECESS

At 2.16 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2.17 p.m.

REASSEMBLED

At 2.17 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 111
Assembly Bill No. 363
Assembly Bill No. 378
Assembly Bill No. 475

Assembly Bill No. 490
Assembly Bill No. 545
Assembly Bill No. 583
Assembly Bill No. 1989

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1139
Assembly Bill No. 1976
Assembly Bill No. 1999

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 306
Assembly Bill No. 360
Assembly Bill No. 698

Assembly Bill No. 1601
Assembly Bill No. 2001

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 224

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By A. P. BELLISLE, Assistant Secretary

Above bill ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Universities and Colleges

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Universities and Colleges, to which was referred:

Senate Bill No. 11

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

JOHNSON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 11—An act to add Section 8821.1 to the Education Code, relating to admission of students to junior colleges, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 153—An act to amend Section 4277 of the Political Code, relating to compensation for public services in counties of the forty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Beck, Berry, Brown, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Kellems, Kilpatrick, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Miller, Potter, Price, Robertson, Rosenthal, Smith, Stream, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—41.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 827—An act to amend Section 2.1412 of the School Code and to amend Section 144 of the Education Code, relating to the Deputy Superintendent of Public Instruction.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bashore moved a call of the Assembly.

Motion carried. Time, 2.18 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

RESOLUTIONS

The following resolution was offered :

By Messrs. Wollenberg, Lyons, John C., and Maloney :

House Resolution No. 284

Relative to memorializing the Congress of the United States to enact S. 971 or H.R. 2426, Seventy-eighth Congress, First Session, providing for Federal participation in financing of a Postwar Highway Construction Program.

WHEREAS, Two measures are pending in the Congress of the United States, namely, S. 971 and H.R. 2426, to authorize Federal assistance to the States in financing a Postwar Construction Program on Rural and Urban Highways; and

WHEREAS, Such legislation is designed to, and will, provide useful employment for those returning from services in the armed forces, or released by war industries after the war, and will, accordingly, tend to prevent unemployment, and the necessity for unemployment relief; and

WHEREAS, Necessary wartime restrictions on gasoline and highway transportation have resulted in curtailment of revenues received by the highway departments of the States, and restrictions on use of materials have curtailed construction and reconstruction of needed highways during a period in which many highways have been damaged by heavy wartime truck traffic, engaged in transportation for the war effort; and

WHEREAS, Such legislation will assist the States in bringing their highway systems and their highway construction programs back to normal, and in making up the time lost due to necessary deferment of highway construction during the war; and

WHEREAS, There will be particular need to provide employment in California, following the war, due to the large number of war industries in this State; and

WHEREAS, There will be particular need in California for reconstruction of highways due to such war conditions; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States be and the same is hereby memorialized to enact either S. 971 or H.R. 2426; and be it further

Resolved, That the Chief Clerk shall transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to the Chairman of the House Committee on Roads, and to the Chairman of the Senate Committee on Post Offices and Post Roads, and to each Senator and Member of the House of Representatives in the Congress of the United States from California.

Request for Unanimous Consent

Mr. Wollenberg asked for, and was granted, unanimous consent to take up House Resolution No. 284, at this time, without reference to committee.

Resolution read and adopted.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 614—An act to amend Section 675.1 of the Political Code, relating to the approval of salaries by the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Debs, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Potter, Rosenthal, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 748—An act to amend Sections 689 and 689.5 of the Political Code, relating to collections by the State Department of Finance from other State agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Dilworth, Erwin, Evans, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Kellems, Kilpatrick, King, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Potter, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 599—An act providing that revenues, rents and proceeds from lands lying within any by-pass area under the control of the Reclamation Board shall be paid into the General Fund, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Potter, Price, Robertson, Rosenthal, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 807—An act to repeal an act entitled "An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof," approved by the Governor, June 14, 1935, to establish the "State Reconstruction and Reemployment Commission" and prescribing its powers and duties; authorizing the State Reconstruction and Reemployment Commission to make investigations, reports, recommendations and plans for a program for the promotion, development, conservation and utilization of the human, natural, and economic resources of the State; making an appropriation; and to transfer the duties, powers, purposes, responsibilities, unexpended moneys, and jurisdiction of the State Planning Board to the State Reconstruction and Reemployment Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dilworth, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Price, Rosenthal, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1089—An act to amend Sections 14084 and 14200 of the Health and Safety Code, relating to weed abatement and removal

of fire hazards in fire protection districts in unincorporated areas, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dilworth, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Price, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dilworth, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Price, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—54.

Bill ordered transmitted to the Senate.

Senate Bill No. 410—An act making an appropriation for the acquisition for State park purposes of certain lands in San Mateo County to be incorporated in the State Park System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollbaugh, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Price, Robertson, Rosenthal, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—49.

NOES—Carey, Clarke, Middough, Niehouse, Potter, and Smith—6.

Bill ordered transmitted to the Senate.

Senate Bill No. 781—An act to add Section 19532 1 to the Business and Professions Code, relating to horse racing and horse race meetings, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dvile, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Potter, Price, Robertson, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

[On May 5, 1943, above action was rescinded, and record ordered expunged whereby the urgency clause to Senate Bill No. 781 was this day adopted.]

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Call moved a call of the Assembly.

Motion carried. Time, 2.19 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

MOTION TO EXCUSE COMMITTEE MEMBERS

Upon motion of Mr. Doyle, Messrs. Sargent, Knight, T. Fenton; and Doyle were excused from roll calls following the last recess, due to their having been in attendance at a Committee on Conference meeting.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 746—An act to amend Section 2762 of the Penal Code, relating to prison road camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 362—An act to make an appropriation to carry into effect Article 4 of Chapter 8 of Title 1 of Part 3 of the Penal Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Price, Robertson, Rosenthal, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 577—An act to amend Section 255 of the Probate Code, relating to inheritance by illegitimate children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Price, Robertson, Rosenthal, Sargent, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 611—An act to provide for the acquisition of the Mount Tamalpais Ridgecrest Boulevard by the State, and the inclusion thereof in the Park System, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Niehouse, Robertson, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—44.

NOES—Armstrong, Brown, Burkhalter, Carey, Carlson, Dills, Ralph C., Middough, Potter, Price, Sargent, and Smith—11.

Bill ordered transmitted to the Senate.

Senate Bill No. 664—An act to include in the State civil service certain persons appointed or employed by or under the State Board of Prison Directors or any warden of a State prison and to provide disciplinary procedures governing such employees.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Anderson, Beck, Carey, Carlson, Crowley, Dilworth, Doyle, Dunn, Gannon, Hollibaugh, Johnson, King, Knight, T. Fenton; Maloney, Massion, McCollister, Stream, Thompson, and Weber—19.

NOES—Allen, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Dills, Ralph C., Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Middough, Niehouse, Pelletier, Potter, Price, Robertson, Sheridan, Smith, Thomas, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—46.

Senate Bill No. 431—An act appropriating money for construction, improvement, and equipment for the California Maritime Academy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—60.

NOES—Carlson, Clarke, Potter, and Sargent—4.

Bill ordered transmitted to the Senate.

Senate Bill No. 145—An act making an appropriation to the California Polytechnic School for the cultivation of herbs, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Massion, McCollister, Middough, Miller, O'Day, Potter, Price, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Weybret—55.

NOES—Armstrong, Bennett, Carey, Carlson, Dills, Clayton A., Lyons, Maloney, Pelletier, Sargent, and Smith—10.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Beck, Berry, Brady, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft,

Leonard, Lowrey, Massion, McCollister, Middough, Miller, O'Day, Potter, Price, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Weybret—55.

NOES—Armstrong, Bennett, Brown, Carey, Carlson, Dills, Clayton A., Lyons, Maloney, Pelletier, Sargent, and Smith—11.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2.20 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Senate Bill No. 1905—An act to add Section 205 to the Water Code, and to add Section 363h to the Political Code, relating to membership of the Department of Public Works in National associations for the promotion of reclamation and irrigation and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brady, Brown, Burns, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, Middough, Miller, Nichouse, O'Day, Potter, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—54.

NOES—Armstrong, Bennett, Burkhalter, Carey, Carlson, Dunn, Hollibaugh, Pelletier, Sargent, and Smith—10.

Bill ordered transmitted to the Senate.

Senate Bill No. 406—An act making an appropriation to the Department of Agriculture for the construction, maintenance and operation of a highway inspection station for the purpose of enforcing certain provisions of the Agricultural Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Massion, McCollister, Middough, Miller, Nichouse, O'Day, Potter, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, and Weybret—54.

NOES—Armstrong, Bashore, Carey, Carlson, Collins, Sam L., Dunn, Kraft, Maloney, Pelletier, and Smith—10.

Bill ordered transmitted to the Senate.

Senate Bill No. 1107—An act to amend Section 505 of, and to add Sections 505.5 and 505.6 to, the Public Resources Code, relating to forestry and providing for the administration of the laws relating thereto.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Berry, Burns, Call, Carey, Clarke, Crowley, Denny, Dickey, Dilworth, Erwin, Fourt, Gaffney, Gannon, Guthrie, Hastain, Knight, John B., Leonard, Lyons, Maloney, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, and Mr. Speaker—29.

NOES—Anderson, Armstrong, Bashore, Beck, Brady, Brown, Burkhalter, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dills, Ralph C., Doyle, Dunn, Evans, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight,

T. Fenton; Kraft, Lowrey, Massion, Middough, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Stream, and Watson—37.

Senate Bill No. 509—An act relating to the forest situation in California and making an appropriation.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Berry, Brady, Burns, Collins, George D., Crichton, Crowley, Denny, Desmond, Field, Fourt, Gaffney, Hastain, King, Leonard, Lowrey, Miller, O'Day, Sheridan, Thompson, Thurman, Waters, and Weybret—22.

NOES—Allen, Anderson, Armstrong, Bashore, Bennett, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L. Deb, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Holibaugh, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, Middough, Niehouse, Pelletier, Potter, Robertson, Sargent, Smith, Stream, Thorp, Watson, Werdel, Wollenberg, and Mr. Speaker—40.

[On May 5, 1943, above action was rescinded and record ordered expunged whereby Senate Bill No. 509 was this day refused passage.]

Senate Bill No. 307—An act to add Sections 4.1-1, 4.781-1, 4.782-1, 4.784-1, 4.791-1, 4.793-1, 4.794-1, and 4.796-1 to the School Code and to add Sections 5151.1, 6952.1, 6953.1, 6957.1, 6972.1, 6974.1, 6975.1, and 6977.1 to the Education Code, relating to the support of the public elementary schools, and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, strike out "five dollars (\$35)", and insert "three dollars (\$33)".

Amendment No. 2

On page 2, line 18, of said bill, strike out "eight hundred forty-five dollars (\$845)", and insert "seven hundred eighty-five dollars (\$785)".

Amendment No. 3

On page 2, line 27, of said bill, strike out "eight hundred forty-five dollars (\$845)", and insert "seven hundred eighty-five dollars (\$785)".

Amendment No. 4

On page 2, line 35, of said bill, strike out "eight hundred forty-five dollars (\$845)", and insert "seven hundred eighty-five dollars (\$785)".

Amendment No. 5

On page 2, line 48, of said bill, strike out "thirty-five dollars (\$35)", and insert "thirty-three dollars (\$33)".

Amendment No. 6

On page 3, lines 4 and 5, of said bill, strike out "eight hundred forty-five dollars (\$845)", and insert "seven hundred eighty-five dollars (\$785)".

Amendment No. 7

On page 3, lines 11 and 12, of said bill, strike out "eight hundred forty-five dollars (\$845)", and insert "seven hundred eighty-five dollars (\$785)".

Amendment No. 8

On page 3, lines 18 and 19, of said bill, strike out "eight hundred forty-five dollars (\$845)", and insert "seven hundred eighty-five dollars (\$785)".

Amendment No. 9

On page 3, line 38, of said bill, strike out "thirty-five dollars (\$35)", and insert "thirty-three dollars (\$33)".

Amendment No. 10

On page 4, line 11, of said bill, strike out "eight hundred forty-five dollars (\$845)", and insert "seven hundred eighty-five dollars (\$785)".

Amendment No. 11

On page 4, line 20, of said bill, strike out "eight hundred forty-five dollars (\$845)", and insert "seven hundred eighty-five dollars (\$785)".

Amendment No. 12

On page 4, lines 28 and 29, of said bill, strike out "eight hundred forty-five dollars (\$845)", and insert "seven hundred eighty-five dollars (\$785)".

Amendment No. 13

On page 4, line 41, of said bill, strike out "five dollars (\$35)", and insert "three dollars (\$33)".

Amendment No. 14

On page 4, lines 50 and 51, of said bill, strike out "eight hundred forty-five dollars (\$845)", and insert "seven hundred eighty-five dollars (\$785)".

Amendment No. 15

On page 5, lines 4 and 5, of said bill, strike out "eight hundred forty-five dollars (\$845)", and insert "seven hundred eighty-five dollars (\$785)".

Amendment No. 16

On page 5, lines 10 and 11, of said bill, strike out "eight hundred forty-five dollars (\$845)", and insert "seven hundred eighty-five dollars (\$785)".

Amendment No. 17

On page 5, lines 21 and 22, of said bill, strike out "fourteen million dollars (\$14,000,000)", and insert "eight million two hundred fifty thousand dollars (\$8,250,000)".

Amendment No. 18

On page 5, line 33, of said bill, strike out "9, 10, 11, 12, 13, 14, 15, and 16", and insert "1, 2, 3, 4, 5, 6, 7, and 8".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON SENATE BILL NO. 781**

At 2.21 p.m., on motion of Mr. Call, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and ~~Senate Bill No. 781~~ refused passage by the following vote:

AYES—Allen, Beck, Bennett, Berry, Burns, Call, Collins, George D., Collins, Sam L., Crichton, Crowley, Doyle, Evans, Fourt, Gaffney, Guthrie, Haggerty, King, Knight, John B., Leonard, Lyons, Maloney, McCollister, McMillan, Middough, Miller, Robertson, Rosenthal, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—35.

NOES—Anderson, Armstrong, Bashore, Brown, Carey, Carlson, Clarke, Dilworth, Erwin, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Kraft, Lowrey, Massion, Niehouse, Potter, Price, Sargent, Smith, and Watson—23.

Motion to Expunge Record and Rescind Action

Mr. Call moved to expunge the record, and rescind the action whereby Senate Bill No. 781 was this day refused passage.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Motion to Expunge Record and Rescind Action

Mr. Call moved to expunge the record, and rescind the action whereby the urgency clause to Senate Bill No. 781 was this day adopted.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, O'Day, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Further Consideration of Senate Bill No. 781

Senate Bill No. 781—An act to add Section 19532.1 to the Business and Professions Code, relating to horse racing and horse race meetings, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, strike out "shall", and insert "may".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

COMMUNICATIONS

By Mr. Rosenthal:

The following communication, referred to the Committee on Rules and House Functions, was ordered printed in the Journal:

To the Members of the California Assembly

LADIES AND GENTLEMEN: In response to House Resolution No. 140 which requires the Superintendent of Public Instruction to report to the Assembly relative to the possibility of establishing a junior college in Assembly District No. 40, may I report after a limited and cursory survey that, in my judgment, this matter should be brought before the attention of the State Board of Education at its next meeting. This body will in all probability select a special committee to make a detailed study in cooperation with the superintendent of the City of Los Angeles and the city board of education. This being the normal plan of procedure, we recommend that it be followed in this instance. Inasmuch as the Board of Education has full authority in matters of this kind, there appears to be no needed legislation to cover this matter.

Appreciating fully the desire of this important district for a junior college, I pledge hearty cooperation with the State Board of Education and the local city authorities as they study this problem.

In this connection it must not be overlooked that junior colleges throughout the State have decreased in enrollment more than 50 per cent since 1940-1941. The Fortieth Assembly District is served by the Roosevelt, Garfield, and Lincoln High Schools. Roosevelt enrollment for the seventh month of 1942 was 3,110, and for the same month in 1943, 2,314. Other schools show comparable decreases in enrollment. It is, therefore, evident that the number of students in the Fortieth Assembly District who would contemplate attending junior college will be greatly on the decrease. The City College in Los Angeles had an average daily attendance in the seventh month of 1942 of 4,016, while in the same month in 1943 it had an average daily attendance of 2,812.

In view of these significant decreases, I am sure that the Legislature will want a thorough and detailed study of the problem before action is recommended.

Respectfully yours,

WALTER F. DEXTER

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1544—An act to amend Section 7 of the Unemployment Insurance Act, relating to excluded employments under said act.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1544?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 7 of", and insert "add Section 7.6 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 28, inclusive; strike out all of pages 2 and 3; and on page 4, line 1, strike out "(m)", and insert

"SECTION 1. Section 7.6 is added to the act cited in the title hereof, to read:
Sec. 7.6. The term "employment" does not include".

Amendment No. 3

In line 1 of the title of the printed bill, as amended, strike out "Section 7.6", and insert "Sections 7.6 and 7.7".

Amendment No. 4

On page 4 of the printed bill, as amended, in lieu of the material stricken out in lines 19 to 26, inclusive, insert

"SEC. 2. Section 7.7 is added to the act cited in the title hereof, to read:

Sec. 7.7. The term "employment" does not include services performed by an individual for a person as an insurance agent or as an insurance solicitor, if all such services performed by such individual for such persons are performed for remuneration solely by commission."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1544 by the following vote:

AYES—Armstrong, Bashore, Brady, Call, Carey, Carlson, Clarke, Collins, Sam L, Crowley, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Guthrie, Hastain, Heisinger, Johnson, Kellems, Knight, John B, Knight, T. Fenton; Kraft, Leonard, Middough, Miller, Potter, Sargent, Smith, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Wollenberg—41

NOES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Collins, George D., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Evans, Gaffney, Hawkins, Hollibaugh, Kilpatrick, King, Lowrey, Lyons, Massion, McMillan, O'Day, Pelletier, Rosenthal, Stream, and Waters—27.

Assembly Bill No. 1544 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 827

At 2.22 p.m., on motion of Mr. Bashore, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 827 passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyons, Maloney, McCollister, McMillan, Miller, O'Day, Potter, Rosenthal, Sargent, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Anderson, Carey, Carlson, Denny, Dilworth, Evans, Heisinger, Kraft, Lowrey, Massion, Middough, Pelletier, Price, Robertson, Sheridan, Waters, and Werdel—17.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 53—An act to amend Section 7373 and to amend and renumber Section 7444 of the Business and Professions Code, relating to hairdressers, cosmeticians, cosmetologists and junior electrologists;

Assembly Bill No. 57—An act making an appropriation to meet the deficiency in the appropriation for workmen's compensation benefits of State officers and employees and providing that this act shall take effect immediately;

Assembly Bill No. 88—An act to amend Section 11c of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 433—An act to amend Section 5658 of the Elections Code, relating to the residence of persons living in trailers or vehicles or at camping grounds or public camps;

Assembly Bill No. 493—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, as amended, by adding Section 7.5, relating to sales of real property by the State;

Assembly Bill No. 519—An act providing for the taking of a census in cities, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 591—An act to amend Section 14230 of the Health and Safety Code, relating to fire protection districts in unincorporated areas;

Assembly Bill No. 652—An act to amend Section 404 of the Fish and Game Code, relating to licenses;

Assembly Bill No. 835—An act to amend Section 737d of the Political Code, relating to salary of the judge of the superior court in and for the County of Butte;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 890—An act to amend Section 4240 of the Political Code, relating to compensation for public services in counties of the eleventh class;

Assembly Bill No. 906—An act to add Sections 19129 and 19130 to the Education Code, relating to school district libraries;

Assembly Bill No. 919—An act to add Section 57.2 to, and to amend Sections 62, 93, 95, 96, 131, and 132 of, the County Employees Retirement Act of 1937, relating to retirement;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 987—An act to amend Section 1043 of the Insurance Code, relating to insurance;

Assembly Bill No. 989—An act to add Section 13.20 to the Building and Loan Association Act, relating to employment of the commissioner or his employees by merged, liquidated or reorganized associations;

Assembly Bill No. 1035—An act to provide for the formation of districts within municipalities for the acquisition, construction, maintenance and operation of parking places, garages and other improvements for the parking of motor vehicles; the levy and collection of assessments upon property in said districts; the issuance, sale and payment of bonds secured by such assessments; the collection of rentals, fees, and charges for the use of such parking places, garages or other improvements; the administration thereof; the levy of taxes; and the powers and duties of cities relating thereto;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1054—An act to add Sections 862.29 and 887 to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to powers of a city council in cities of the sixth class;

Assembly Bill No. 1129—An act to amend Section 57 of an act entitled "An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution," approved July 1, 1937, relating to employees of the Attorney General's Office;

Assembly Bill No. 1203—An act to amend Sections 736.14 and 737.6 of the Agricultural Code, relating to assessments for administration of stabilization and marketing plans for fluid milk and fluid cream;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1239—An act to amend Section 25502 of the Water Code, relating to irrigation district assessments;

Assembly Bill No. 1313—An act to amend Section 1023 of the Probate Code, relating to final distribution of estates in probate;

Assembly Bill No. 1433—An act to add Section 21a to the Corporate Securities Act, relating to the commissioner or his employees accepting employment by corporations, the organization, reorganization, rehabilitation or merger of which they supervised;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1590—An act to add Section 2 to an act entitled "An act making an additional appropriation for construction, improvements, and equipment at the University of California," approved July 8, 1941, relative to the period of time during which the moneys thereby appropriated are available for expenditure;

Assembly Bill No. 1602—An act to add Section 2 to an act entitled "An act to provide for the establishment and maintenance of a College of Veterinary Medicine in the University of California, and to make an appropriation therefor," approved June 9, 1941, relative to the period of time during which the moneys thereby appropriated are available for expenditure;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 52—Relative to Joint Rules;

Assembly Concurrent Resolution No. 62—Relative to requesting the University of California to establish and equip a forest products laboratory;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1915—An act to add Section 1066 to the Code of Civil Procedure, relating to the judicial review of administrative determinations;

Assembly Bill No. 1916—An act to add Section 1065 to the Code of Civil Procedure, and to add Chapter 4, comprising Sections 300 to 302, inclusive, to Division 1 of the Business and Professions Code, relating to the judicial review of administrative determinations, and providing the time within which administrative action for the imposition of disciplinary penalties is to be commenced and shall be terminated; And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1420—An act to amend Sections 3 and 626 of, and add a new Section 633 to the District Organization Act (Statutes of 1933, page 2280), relating to the improvement district acts made applicable to the provisions for the dissolution of such districts in the manner provided in said District Organization Act;

Assembly Bill No. 1593—An act to amend Sections 6736, 6738, 6757 and 6796, and to repeal Sections 6360 and 6361 of the Revenue and Taxation Code, relating to the sales and use taxes, declaring the urgency thereof, to take effect immediately; And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1238—An act to add Section 1069.5 to the Agricultural Code, relating to the coloration of economic poisons;

Assembly Bill No. 1242—An act to amend Section 4.5 of an act entitled "An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California to adopt a system of group life, health and accident insurance and health services for the benefit of officers and employees and to deduct from the compensation thereof the premiums upon such insurance," approved May 25, 1939, relating to group insurance of public employees;

Assembly Bill No. 1280—An act relating to public officers, deputies, assistants, and employees, and their return to public service; And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1048—An act to amend and renumber the heading of Article 1 of Chapter 1 of Part 9 of Division 2 of the Labor Code, to add Article 1, comprising Sections 2200 and 2201, and Article 3.5, comprising Sections 2370 and 2371, to said chapter, and to repeal an act entitled "An act to provide for the keeping of medical and surgical appliances in factories," approved May 19, 1913, and an act entitled "An act to require employers of labor to furnish, without charge, pure drinking water to their employees during working hours," approved May 24, 1915, all relating to the obligations of employers of labor to provide for the health and comfort of their employees;

Assembly Bill No. 1097—An act to amend Section 8.1 of the Metropolitan Water District Act, relating to district taxation;

Assembly Bill No. 1132—An act to amend Section 8406 of the Education Code, relating to kindergartens;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 648—An act to add Section 53.65 to the Alcoholic Beverage Control Act, relating to bottles;

Assembly Bill No. 680—An act to amend Section 3473 of the Welfare and Institutions Code, and to repeal Section 3474 thereof, relating to aid to partially self-supporting blind residents;

Assembly Bill No. 867—An act to amend Section 453 of, and to add Section 453.1 to, the Agricultural Code, relating to milk and cream;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 421—An act to add Section 19405 to the Education Code, relating to the use of school property;

Assembly Bill No. 539—An act to amend Section 8812 of the Education Code, relating to the establishment of junior colleges;

Assembly Bill No. 541—An act to amend Section 1183.5 of the Civil Code, relating to the proof or acknowledgment of instruments, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1888—An act to add Section 1714.5 to the Civil Code, relating to negligence as a matter of law, and defenses, for acts or omissions in complying with orders or proclamations of military authorities, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 1904—An act to amend Section 6799 of the Business and Professions Code, relating to fees under The Civil Engineers' Act, and providing that this act shall take effect immediately;

Assembly Bill No. 1906—An act to add Section 5806 to the Education Code, relating to the Vocational Rehabilitation Fund;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1761—An act to add Section 30c to the Alcoholic Beverage Control Act, relating to the destruction and use of emptied distilled spirits bottles;

Assembly Bill No. 1842—An act to add Section 19311 to the Education Code, relating to cafeterias;

Assembly Bill No. 1865—An act to add Section 1.5 to an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts," approved July 1, 1937, relating to retirement of judges;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1282—An act to amend the Government Code, by adding Section 9303 thereto, relating to expenses of Members of the Legislature;

Assembly Bill No. 1331—An act to amend Section 22103 of the Business and Professions Code, relating to the marking of precious metals;

Assembly Bill No. 1359—An act to add Chapter 3, comprising Section 2650, to Division 4 of the Welfare and Institutions Code, and to repeal certain laws and parts of laws therein specified, relating to relief and public assistance due to and caused by unemployment, abolishing the State Relief Administration, the State Relief Commission and the office of State Relief Administrator, providing for the disposition of the properties thereof, and prohibiting the expenditure of money for certain purposes;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1150—An act to add Section 8653 to the Revenue and Taxation Code, relating to the use fuel tax;

Assembly Bill No. 1188—An act to amend Section 162 of the Welfare and Institutions Code, relating to the expenses of deporting nonresident persons who were committed to State institutions;

Assembly Bill No. 1197—An act to amend Sections 1516, 1535, 1550, 1554, and 1558 of the Probate Code, relating to guardianship matters of persons confined in State institutions;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 988—An act to add Section 135g to the Bank Act, relating to conservators, Superintendent of Banks, or their employees accepting employment by merged, liquidated or reorganized banks;

Assembly Bill No. 1017—An act to add Section 11730x to, and to amend Sections 11561, 11699 and 11715 of, the Insurance Code, relating to insurance;

Assembly Bill No. 1021—An act to amend Sections 10490, 10492, 10493, 10494, 10495, 10497, 10498, 10499, 10500 and 10501 and to add Sections 10494.5 and 10498.5 to, the Insurance Code, relating to insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 33—An act to add Section 511.9 to the Vehicle Code, relating to the regulation of speeds on public streets and highways, declaring the urgency thereof, and providing that this act shall take effect immediately;

Assembly Bill No. 154—An act to amend Section 2571 and to repeal Section 2570 of the Elections Code, relating to statement of number of voters;

Assembly Bill No. 169—An act to add Section 515.6 to the Vehicle Code, relating to driving speed of motor vehicles, declaring the urgency thereof, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 278—An act to amend Sections 14726, 14727, 14728, 14730, 14776, and 14777 of the Education Code, relating to district and joint district retirement plans;

Assembly Bill No. 359—An act to add Section 1752.6 to the Welfare and Institutions Code, relating to the powers of the Youth Correction Authority;

Assembly Bill No. 361—An act to amend Sections 860 and 862 of the Welfare and Institutions Code, relating to expenditures by the counties for the support of wards;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 438—An act to amend Section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 445—An act to amend Section 4248 of the Political Code, relating to compensation of public officers;

Assembly Bill No. 467—An act to add Article 3, comprising Sections 2400 to 2404, inclusive, to Chapter 2 of Title 1 of Part 3 of the Penal Code, relating to parole; And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 500—An act to amend Section 4701 of the Labor Code, relating to workmen's compensation, including burial expenses and death benefits;

Assembly Bill No. 531—An act to amend Section 108 of the Civil Code, relating to divorce actions;

Assembly Bill No. 599—An act to add Section 403.5 to, and to amend Section 765 of, the Vehicle Code, relating to the effect of the war emergency and Federal and local regulations arising therefrom applicable to vehicles on the provisions of said code, declaring the urgency thereof and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 796—An act to amend Sections 10751 and 10758 of, and to add Section 10753.5 to, the Revenue and Taxation Code, relating to the vehicle license fee;

Assembly Bill No. 849—An act to amend Sections 761, 762, 762.5 and 763 of, and to add Sections 761.1, 762.6, 762.7, 762.8, 762.9, 763.1, 763.2, and 763.3 to, the Agricultural Code, relating to tomato standards, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 923—An act authorizing municipal corporations to compromise litigation wherein the United States of America seeks to condemn tide or submerged lands heretofore granted such municipal corporation;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 686—An act to amend Sections 101, 102, 104, 106, 107, 110, and 113 and to repeal Section 111 of, and to add Section 107.5 to the Health and Safety Code, relating to the State Department of Public Health;

Assembly Bill No. 746—An act to amend Section 3083.5 of the Welfare and Institutions Code, relating to aid to the blind;

Assembly Bill No. 763—An act making an appropriation for the care and education of pupils of the California School for the Blind who are both deaf and blind;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 956—An act to authorize the creation of a branch of the University of California at Santa Barbara, to abolish Santa Barbara State College, to transfer to The Regents of the University of California all properties belonging to or used for the benefit of said college, including moneys appropriated and unexpended, or which may be appropriated, to grant to employees of Santa Barbara State College who may become employees of the University of California, certain privileges with respect to membership in retirement and pension systems;

Assembly Bill No. 960—An act to amend Section 2 of the Fish and Game Code, relating to definitions of terms used in said code;

Assembly Bill No. 968—An act to add Section 487a to the Penal Code, and to add Section 378.5 to the Agricultural Code, relating to theft of animals or carcasses thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1005—An act to add Section 27229 to the Streets and Highways Code authorizing the refunding of existing indebtedness, whether bonded or otherwise, and for the issuance of bonds and other indebtedness in aid of the refunding of existing bonds, or the creation of a new bonded indebtedness;

Assembly Bill No. 1013—An act to amend Section 108 of the Insurance Code, relating to liability insurance;

Assembly Bill No. 1016—An act to add Chapter 6a to Part 2, Division 1, of the Insurance Code, relating to taxes on nonadmitted insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1091—An act making an appropriation to pay the claim of the County of Sacramento against the State of California;

Assembly Bill No. 1113—An act to add Sections 1521.5, 3047.5 and 3448 to the Welfare and Institutions Code, relating to the property of persons receiving public assistance;

Assembly Bill No. 1145—An act to add Section 83.6 to the Agricultural Code, relating to the board of directors of LA District Agricultural Association;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1147—An act to amend Section 1011.5 of the Fish and Game Code, relating to sharks and shark livers, to take effect immediately;

Assembly Bill No. 1180—An act to amend Sections 5355 and 5356 of and to add Sections 5355.1, 5356.1 and 5356.2 to the Welfare and Institutions Code, relating to the commitment, support, parole, and discharge of narcotic addicts;

Assembly Bill No. 1221—An act to amend Section 5362 of the Streets and Highways Code, relating to notices of filing of and hearings on assessments under the Improvement Act of 1911;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1392—An act to amend Sections 6301, 6321, 6834, and 6502, to amend and renumber Sections 6443 and 6444 of and to add Section 6443 to, the Public Resources Code, relating to leases or exchanges of land by the State Lands Commission;

Assembly Bill No. 1430—An act to add Section 797.1 to the Fish and Game Code, relating to abalones, and declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 1492—An act to amend Sections 736.2 and 736.15 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream provisions of said code and to control boards thereunder, declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1503—An act to amend Section 9176 of the Education Code, relating to the education of persons;

Assembly Bill No. 1512—An act to amend Sections 1261, 1268, 1269, 1271 and 1273, and to repeal Sections 1268.5 and 1270 of the Agricultural Code, relating to produce dealers and brokers;

Assembly Bill No. 1988—An act to amend Section 11010 of the Business and Professions Code, relating to real estate subdivision;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1991—An act making an appropriation for the support of the California Commission on Interstate Cooperation, to take effect immediately;

Assembly Bill No. 2005—An act to add Section 429.5 to the Fish and Game Code, relating to fishing by persons in the armed forces of the United States and the auxiliary branches thereof, declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 19—Relative to memorializing and petitioning Congress to enact legislation giving to draftees and others entering the military

and naval service of the United States adequate insurance protection for themselves in the form of permanent total disability insurance as well as life insurance protection;

Assembly Joint Resolution No. 52—Relative to a sponsorship of the 13th Armored Division of the United States Armed Forces;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

RECESS

At 2.23 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2.24 p.m.

REASSEMBLED

At 2.24 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Hon. Lee T. Bashore Presiding

Hon. Lee T. Bashore, Member of the Assembly from the Forty-ninth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 503—An act to add Sections 5.127-1 and 5.141-1 to the School Code and to add 12008.1 and 12042 1 to the Education Code, relating to emergency credentials authorizing service in the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly.

Motion carried. Time, 2.25 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 511—An act to amend Section 12751 of the Education Code, relating to the suspension of credentials issued by the State Board of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brady, Brown, Carlson, Clarke, Collins, George D., Crichton, Debs, Dilworth, Doyle, Dunn, Field, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Potter, Price, Robertson, Rosenthal, Sargent, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Wevbret, and Mr. Speaker—44.

NOES—Dills, Ralph C, Lyons, and Pelletier—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 756—An act to amend Section 13841 of the Education Code, relating to absences from duty of employees of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Field, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Potter, Price, Robertson, Sargent, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—50.

NOES—Pelletier—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 449—An act making an appropriation for landscaping and auto parking at Marshall's Monument grounds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brady, Brown, Burkhalter, Call, Clarke, Collins, George D., Crichton, Debs, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Field, Fourt, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McMillan, Miller, Niehouse, Potter, Price, Robertson, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—47.

NOES—Sargent—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 618—An act to add Section 4.925 to the School Code and to add Section 7305 to the Education Code, relating to the average daily attendance of high school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Motion carried. Time, 2.26 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 234—An act making an appropriation to the State Department of Education for the acquisition of real property for the San Jose State College.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thompson moved a call of the Assembly.

Motion carried. Time, 2.27 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1061—An act to amend Sections 1 and 4 of an act entitled "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, relating to the California Farm Debt Adjustment Commission, including extension of the period of existence of and membership upon the commission; making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellem, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Sargent, Sheridan, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Hollibaugh—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 581—An act to amend Section 3493 of the Political Code, relating to reclamation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellem, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 254

House Resolution No. 254

WHEREAS, Fox West Coast Theaters, Spyros P. Skouras, president; Charles P. Skouras, executive vice president; A. M. Bowles, division manager; W. H. Loller, tax division and civic public relations; Mrs. Hulda McGinn, California Theater Association, and Blumenfeld Theater Circuit, Joseph Blumenfeld, manager, have contributed to the entertainment of the Members of the Assembly and their families

during their stay in Sacramento, by granting admission courtesies of their various places of amusement; now, therefore, be it

Resolved, That the Members of the Assembly hereby express their appreciation of the thoughtful courtesies extended them by the aforesaid theaters and their officials; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution suitably engrossed to each of said parties.

Resolution read and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 256

House Resolution No. 256

WHEREAS, There has arisen in the southeastern corner of California along the Arizona and Mexican Borders a spontaneous movement for the purposes of aiding in any way possible the successful and speedy termination of World War II; and

WHEREAS, This movement has been given form, cohesiveness and permanency of character by the formation of the Fathers of Fighters, consisting of "Forts" composed of fathers having sons in active service and fathers whose sons have died in the service of their Country; and

WHEREAS, This organization was formally completed at the courthouse in El Centro, California, on the fourteenth day of March, 1943, and has had a rapid and healthy growth, becoming nation-wide in scope, with Forts being formed in every part of the Country, and is deserving of the encouragement of this Legislature to the end that it shall be an ever-growing, stimulating influence in the efforts this Nation is making to arm and supply the fighters of America; now, therefore, be it

Resolved by the Assembly of the State of California, That this body endorses the principles of the Fathers of Fighters as set forth in this resolution and wishes it every success in its efforts to bring the present wars to a successful and speedy conclusion; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the Assembly to D E. Green and Charles G. Halliday, president and secretary respectively of the parent Fort of the Fathers of Fighters at El Centro, California.

Resolution read and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 258

House Resolution No. 258

Resolved by the Assembly of the State of California, That a leave of absence is hereby granted to each Member of this Assembly who enters the military service of the United States, for the period of such service; and be it further

Resolved, That except as otherwise expressly required by law, such entry into the military service and continuance therein shall not deprive a Member of the Assembly of any of his rights and privileges as a Member of the Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dulworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 262

House Resolution No. 262

Resolved by the Assembly of the State of California, That each and every person heretofore employed by the Assembly is hereby stricken from the list of Assembly attaches, and the names stricken from the pay roll of the Assembly, to take effect upon the completion of work on Wednesday, May 5, 1943, save and except Arthur A. Ohnimus, Chief Clerk, and those who are certified to the Controller by the Chief Clerk.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—69.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 259

House Resolution No. 259

Relative to an Assembly Interim Committee on Unemployment Insurance

WHEREAS, It is imperative that all pertinent facts bearing upon the subjects of (i) employment and unemployment conditions in California, (ii) the administration, application, operation and effects of the Unemployment Insurance Act, (iii) activities and operations of the Department of Employment, including the State Employment Service, (iv) the relationships between the Department of Employment and the Federal Security Agency, including the Social Security Board and the Bureau of Employment Security, (v) the collection and disposal of revenues collected in California under the Federal Unemployment Tax Act, and (vi) the requirements and conditions imposed upon the Governmental agencies of this State by the agencies of the Federal Government under the Federal Social Security Act and the Federal Unemployment Tax Act with respect to unemployment insurance, should be found, assembled and analyzed to the end that the Legislature of California may be enabled to act advisedly and judiciously in the premises for the best interests of California in the consideration and enactment of legislation; and

WHEREAS, The facts can best and most expeditiously be ascertained and analyzed through an Interim Committee charged with the study of every phase of the foregoing subjects; now, therefore, be it

Resolved by the Assembly of the State of California, That an Interim Committee, to be known as the Assembly Interim Committee on Unemployment Insurance, is hereby created to consist of three Members of the Assembly appointed by the Speaker thereof. The committee shall investigate, study and analyze, accurately and in detail, each and every phase of the foregoing subjects for the purposes of considering and enacting legislation; and be it further

Resolved, That said committee shall have and may exercise all of the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code, by Sections 9400 to 9412 of the Government Code, and by the Joint Rules and Assembly Rules; and be it further

Resolved, That said committee shall have power:

(1) To select a vice chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in anywise bearing on the subject matter of this resolution;

(7) To meet at any time during this session of the Legislature or after the final adjournment thereof;

(8) To report to this Assembly at any time prior to final adjournment of the Fifty-sixth Regular Session of the Legislature;

(9) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and procure testimony;

(10) To do any and all things necessary to carry out the purposes and intent of this resolution; and he it further

Resolved, That the Sergeant-at-Arms of the Assembly or other officers designated by him, are hereby directed to serve any and all subpoenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and he it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and he it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and he it further

Resolved, That the sum of two thousand dollars (\$2,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. John B. Knight moved a call of the Assembly.

Motion carried. Time, 2.28 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF HOUSE RESOLUTION NO. 270

House Resolution No. 270

WHEREAS, There has been compiled, published, and distributed a State Blue Book; and

WHEREAS, There has been a consistent and unusual demand made upon the Members of the Assembly for copies of this book; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Printer is hereby directed to forward to each Member of the Assembly five copies of the Blue Book when authorized by the Chief Clerk of the Assembly so to do.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Masson, Miller, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker

—68.

NOES—None.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON URGENCY CLAUSE TO SENATE BILL NO. 618**

At 2.29 p.m., on motion of Mr. Lowrey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 618 adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Price, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65

NOES—Bennett, Collins, Sam L., Kilpatrick, Knight, T. Fenton; Lyons, Pelletier, Potter, and Sargent—8

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Price, Rosenthal, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65

NOES—Bennett, Collins, Sam L., Kilpatrick, Knight, T. Fenton; Lyons, Pelletier, Potter, and Sargent—8.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 279

House Resolution No. 279

Relating to the appointment of an Assembly Interim Committee on Insurance

WHEREAS, The business of insurance is one peculiarly affected with a public interest in view of the fact that the people of this State have spent in excess of four hundred million dollars (\$400,000,000) for insurance premiums during the year 1940 and that such premium expenses have increased approximately at the rate of fifty million dollars (\$50,000,000) a year since then; and

WHEREAS, There are considered at each session of the Legislature various proposals to amend the Insurance Laws which are by their very nature technical and complex; and

WHEREAS, The Insurance Code has been in force for almost 10 years and has been the subject of much piecemeal amendment and contains some obsolete and anachronistic provisions and the entire field of insurance law and administration, exclusive of unemployment insurance, should be studied for the information and the assistance of the Members of this Assembly in considering legislation affecting insurance; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Interim Committee on Insurance to consist of three Members of the Assembly appointed by the Speaker. Vacancies of the committee shall be filled by appointment of the Speaker. The committee shall investigate, ascertain and appraise all facts concerning the administration, operation and enforcement of the laws relating to insurance (other than unemployment insurance) and to that end may meet with the Insurance Commissioner and participate in conferences conducted by him in matters relating to legislation and the enforcement of insurance laws; and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have: (i) All the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) and Sections 9400 to 9412, inclusive, of the Government Code, except when inconsistent with this resolution, all the powers conferred upon committees by the Rules of the Assembly and the Joint Rules of the Senate and Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and make a part hereof the same as if they were set forth in this resolution in full; (iii) all powers necessary or convenient to accomplish the objects

and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws both Federal and State, in anywise bearing upon or relating to the subject of this resolution;

(7) To meet either during sessions of this Legislature or during any recess thereof at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature including any recess thereof, and until the convening of the Fifty-sixth Legislature;

(9) To file reports with the Legislature during the Fifty-fifth Session thereof or any special extraordinary session thereof, and to file its final report with the Fifty-sixth Legislature;

(10) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and

(11) To cooperate with and secure the cooperation of county, city, city and county and other local law enforcement agencies in investigating any matter within the scope of this resolution, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee; and

(12) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution;

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That the Insurance Commissioner and every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the committee may make such representations and recommendations to the Federal Government as it may deem advisable, on any subject relating to the subject of its investigation, during such times as the Legislature may not be in session, and such representations and recommendations shall be representations and recommendations of the committee, and not of the Legislature; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of one thousand two hundred dollars (\$1,200) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid equally from the Contingent Fund of the Assembly and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Berry, Brown, Burns, Carey, Clarke, Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hastain, Hollibaugh, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Middough, Miller, O'Day, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—54.

NOES—Brady, Burkhalter, Carlson, Collins, George D., Heisinger, Kilpatrick, Massion, and Pelletier—8.

PERMISSION TO CONSIDER ASSEMBLY BILL

Pursuant to the provisions of Senate Concurrent Resolution No. 32, upon recommendation of the Speaker, permission to consider Assembly Concurrent Resolution No. 49 was granted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, McMillan, Middough, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Mr. Speaker—64.

NOES—None

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 49

Assembly Concurrent Resolution No. 49—Relative to a Joint Legislative Committee on Conservation and Research for the efficient development, distribution and utilization of all the human, natural and economic resources of the State, in furtherance of California's participation in the war effort, and in anticipation of the adjustments which must be made when hostilities cease, and defining the powers and duties of the committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Weybret—61.

NOES—Clarke—1.

Resolution ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 234

At 2.30 p.m., on motion of Mr. Thompson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 234 passed by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Massion, McMillan,

Middough, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, Weber, Weybret, and Mr. Speaker—59.

NOES—Bashore, Carlson, Dilworth, Doyle, Hastain, Kilpatrick, Knight, T. Fenton; Lyons, Malouey, Pelletier, Sargent, Smith, Thorp, Watson, Werdel, and Wollenberg—16.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 259

At 2.31 p.m., on motion of Mr. John B. Knight, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and House Resolution No. 259 adopted by the following vote:

AYES—Armstrong, Bashore, Beck, Brady, Brown, Burns, Clarke, Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Fourt, Gannon, Guthrie, Hastain, Hawkins, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Maloney, McMillan, Middough, Miller, O'Day, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—50.

NOES—Allen, Anderson, Berry, Burkhalter, Carlson, Collins, George D., Dunn, Evans, Gaffney, Haggerty, Hersinger, Hollibaugh, Kilpatrick, Lowrey, Lyons, Massion, Niehouse, Pelletier, Robertson, Thomas, and Wollenberg—21.

APPOINTMENT OF INTERIM COMMITTEE ON UNEMPLOYMENT INSURANCE

Pursuant to the provisions of House Resolution No. 259, the Speaker announced the appointment of Messrs. Knight, John B., Smith, and O'Day as members of the Interim Committee on Unemployment Insurance.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 503

At 2.32 p.m., on motion of Mr. Johnson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 503 adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—Knight, T. Fenton, and Pelletier—2.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—Knight, T. Fenton, and Pelletier—2.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 234

House Resolution No. 234

Relative to the Assembly Interim Committee on Legislative Organization

Resolved by the Assembly of the State of California, That the sum of two thousand dollars (\$2,000) is hereby made available from the Contingent Fund of the Assembly for expenses of the Committee on Legislative Organization (created by House resolution adopted January 6, 1943, with duties further defined by House resolution adopted January 30, 1943) and its members, and for any other changes, expenses or claims it may incur under those resolutions or under this resolution, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer; the committee to continue with its work and its studies after adjournment of the Legislature at this session, with power to sit and act whether the Legislature be in session or not, until the convening of the Fifty-sixth Regular Session in 1945, reporting from time to time, its final report to be submitted not later than March 15, 1945.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burnas, Call, Carey, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Lyons, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Waters, Weber, and Weybret—54.

NOES—Allen, Armstrong, Carlson, Clarke, Collins, Sam L., Denny, Dulworth, Gannon, Maloney, and Werdel—10.

CONSIDERATION OF HOUSE RESOLUTION NO. 268

House Resolution No. 268

Relative to the creation of an Assembly Interim Committee
to Investigate Juvenile Delinquency

WHEREAS, It appears that juvenile delinquency is increasing during this period of the war and the problem is a complex and complicated one, requiring long and careful study; now, therefore, be it

Resolved, That there is hereby created an Assembly Interim Committee on Juvenile Delinquency, consisting of five members appointed by the Speaker, which committee shall study, investigate, ascertain, and appraise all the facts and circumstances connected with and surrounding the cause, prevention, and elimination of juvenile delinquency in order to recommend to the Legislature and the Assembly thereof such legislation as may be appropriate for such an end; and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have: (i) All the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code and Sections 9400 to 9412, inclusive, of the Government Code; and (ii) except when inconsistent with this resolution, all the powers conferred upon committees by the Rules of the Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws and constitutional provisions in anywise bearing upon or relating to the subject of this resolution;

(7) To meet either during sessions of this Legislature or during any recess thereof at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature including any recess thereof, and until the convening of the Fifty-sixth Legislature;

(9) To file reports with the Assembly during the Fifty-fifth Session thereof or any special extraordinary session thereof, and to file its final report with the Fifty-sixth Legislature;

(10) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and

(11) To cooperate with and secure the cooperation of county, city, city and county and other local law enforcement agencies in investigating any matter within the scope of this resolution, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee; and

(12) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Motion to Amend

Mr. O'Day moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the typewritten resolution, strike out "five", and insert "three".

Amendment No. 2

On page 2, in the first sentence of the final *Resolved* clause, strike out "five thousand dollars (\$5,000)", and insert "one thousand five hundred dollars (\$1,500)".

Amendments read and adopted.

Request for Unanimous Consent

Mr. O'Day asked for, and was granted, unanimous consent to take up House Resolution No. 268, as amended, at this time.

Consideration of House Resolution No. 268, as Amended

House Resolution No. 268

Relative to the creation of an Assembly Interim Committee to Investigate Juvenile Delinquency

WHEREAS, It appears that juvenile delinquency is increasing during this period of the war and the problem is a complex and complicated one, requiring long and careful study; now, therefore, be it

Resolved, That there is hereby created an Assembly Interim Committee on Juvenile Delinquency, consisting of three members appointed by the Speaker, which committee shall study, investigate, ascertain, and appraise all the facts and circum-

stances connected with and surrounding the cause, prevention, and elimination of juvenile delinquency in order to recommend to the Legislature and the Assembly thereof such legislation as may be appropriate for such an end; and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have: (1) All the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; and Sections 9400 to 9412, inclusive, of the Government Code; and (11) except when inconsistent with this resolution, all the powers, conferred upon committees by the Rules of the Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full; (111) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws and constitutional provisions in anywise bearing upon or relating to the subject of this resolution;

(7) To meet either during sessions of this Legislature or during any recess thereof at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature including any recess thereof, and until the convening of the Fifty-sixth Legislature;

(9) To file reports with the Assembly during the Fifty-fifth Session thereof or any special extraordinary session thereof, and to file its final report with the Fifty-sixth Legislature;

(10) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and

(11) To cooperate with and secure the cooperation of county, city, city and county and other local law enforcement agencies in investigating any matter within the scope of this resolution, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee; and

(12) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of one thousand five hundred dollars (\$1,500), or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any

charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Doyle, Dunn, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, McMillan, Middough, Miller, Niehouse, O Day, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Mr. Speaker—55

NOES—Allen, Armstrong, Carlson, Dilworth, Erwin, Field, Gannon, Hastain, and Pelletier—9.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Desmond:

Resolved, That Senate Bill No. 11 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 11

Senate Bill No. 11—An act to add Section 8821.1 to the Education Code, relating to admission of students to junior colleges, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 3 to 8, inclusive, and insert

“8821.1. The board of a unified school district may permit a high school pupil who has attained the age of 17 years and who has not completed his last year of high school and who lacks sufficient credits for graduation to attend a junior college and, in addition to courses leading to high school graduation, take junior college courses and receive credit for the courses he completes.

The principal of a junior college may admit such high school pupils.”

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Hon. Ralph C. Dills Presiding

At 2.33 p.m., Hon. Ralph C. Dills, Member of the Assembly from the Sixty-ninth District, presiding.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 153—An act to amend Section 103½ of the Code of Civil Procedure, relating to justices' clerks in cities and towns.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 153?

Amendment No. 1

On page 2, lines 37 and 38, of the printed bill, as amended, strike out "one thousand five hundred dollars (\$1,500)", and insert "two thousand one hundred dollars (\$2,100)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 153 by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, McMillan, Middough, Niehouse, O'Day, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, and Watson—54.

NOES—None.

Assembly Bill No. 153 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 308	Assembly Bill No. 1342
Assembly Bill No. 1186	Assembly Bill No. 1343
Assembly Bill No. 1205	Assembly Bill No. 1581
Assembly Bill No. 1340	Assembly Bill No. 1848
Assembly Bill No. 1341	

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 17
Assembly Concurrent Resolution No. 45

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 2003	Assembly Bill No. 1322
Assembly Bill No. 1776	Assembly Bill No. 372
Assembly Bill No. 1582	Assembly Bill No. 288

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 76
 Assembly Bill No. 263
 Assembly Bill No. 265
 Assembly Bill No. 289
 Assembly Bill No. 731
 Assembly Bill No. 783

Assembly Bill No. 990
 Assembly Bill No. 1112
 Assembly Bill No. 1266
 Assembly Bill No. 1513
 Assembly Bill No. 1789

J. A. BEEK, Secretary of the Senate
 By A. P. BELLISLE, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 46
 Assembly Concurrent Resolution No. 59

J. A. BEEK, Secretary of the Senate
 By A. P. BELLISLE, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1979
 Assembly Bill No. 1386
 Assembly Bill No. 1146
 Assembly Bill No. 1412
 Assembly Bill No. 1672

Assembly Bill No. 1993
 Assembly Bill No. 1463
 Assembly Bill No. 1370
 Assembly Bill No. 736
 Assembly Bill No. 2004

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
 By A. P. BELLISLE, Assistant Secretary

Above bills ordered to unfinished business file.

APPOINTMENT OF INTERIM COMMITTEE ON INSURANCE

Pursuant to the provisions of House Resolution No. 279, the Speaker announced the appointment of Messrs. Waters, Chairman; Miller, and Carey as the Interim Committee on Insurance.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 538—An act making an appropriation for the improvement of county airports in the County of Inyo.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thurman moved a call of the Assembly.

Motion carried. Time, 2.34 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 47—Relative to investigating committees.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Bennett, Berry, Brown, Burkhalter, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Fout, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, McMillan, Middough, Miller, Niehouse, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Weber, Werdel, and Weybret—51.

NOES—Dills, Ralph C.—1.

Resolution ordered transmitted to the Senate.

Senate Bill No. 781—An act to add Section 19532.1 to the Business and Professions Code, relating to horse racing and horse race meetings, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fout, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fout, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 710—An act to amend Sections 13026, 13108 and 13109 of the Health and Safety Code, relating to the authority of the State Fire Marshal.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, Pelletier, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Weber, Werdel, Weybret, and Mr. Speaker—54.

NOES—Dills, Ralph C.—1.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 268—An act to amend Sections 101, 102, and 103 of the Welfare and Institutions Code, to repeal Sections 105, 106, and 130 thereof, and to add Section 105 thereto, relating to the State Department of Social Welfare, abolishing the present Social Welfare Board in the department and transferring its powers, duties, responsibilities and jurisdiction to a Social Welfare Board created by this act, abolishing the Office of Director of the Department of Social Welfare and transferring its powers, duties, responsibilities and jurisdiction to a new Office of Director of Social Welfare, and providing for the appointment and tenure of office of the members of the board and of the director.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 268?

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "to hold office at his pleasure".

Amendment No. 2

On page 1 of said bill, between lines 6 and 7, insert "Each member of the board except the members first appointed after the effective date of this act shall hold office for a term of four years, the terms to rotate in the order established by law. In the case of an appointment to fill a vacancy a member shall hold only for the remainder of that term."

Amendment No. 3

On page 2, line 47, of said bill, after act., insert "Of the members first appointed by the Governor when this act becomes effective two shall hold office for a term of one year, one for a term of two years, one for a term of three years and one for a term of four years."

Amendment No. 4

On page 1, line 5, of said bill, after "Governor", insert "with the advice and consent of the Senate."

Amendment No. 5

On page 2 of said bill, strike out line 34, and insert "by the Governor, with the advice and consent of the Senate. He shall hold office at the pleasure of the Governor, and shall".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill 268 by the following vote:

AYES—Bashore, Beck, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Hastain, Heisinger, Johnson, King, Knight, John B., Knight T., Fenton; Kraft, Leonard, Lowrey, Lyons, Middough, Miller, Niehouse, O'Day, Potter, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Mr. Speaker—49.

NOES—Anderson, Bennett, Burkhalter, Dills, Ralph C., Hawkins, Kilpatrick, Massion, and Pelletier—8.

Assembly Bill No. 268 ordered enrolled.

Assembly Bill No. 224—An act to add Sections 3211.2, 3211.4, 3211.6, 3211.7, 3211.8, and 3352.5 to, and Chapter 10, comprising Sections 4301 to 4337, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 10.5 to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to civilian defense workers, including the limiting of the liability of the State of California, counties, cities, and civilian defense organizations for injuries arising out of and occurring in the course of activities as a civilian defense worker, authorizing the California

State War Council to certify civilian defense organizations and to make rules and regulations for the classifying and registering of civilian defense workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 224?

Amendment No. 1

On page 9, line 12, of the printed bill, as amended, after "Council", insert "in any material degree, the California State War Council,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 224 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Dills, Clayton A., Dilworth, Dunn, Erwin, Field, Gaffney, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 224 ordered enrolled.

Assembly Bill No. 561—An act to add Section 13841.1 to the Education Code, relating to leaves of absence for persons employed by school districts in positions requiring certification qualifications.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 561?

Amendment No. 1

On page 2, line 9, of the printed bill, as amended, strike out "60,000", and insert "50,000".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 561 by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 561 ordered enrolled.

Assembly Bill No. 1259—An act to add Section 13003.1 to the Education Code, relating to persons employed by school districts in positions requiring certification qualifications.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1259?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, strike out "not".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1259 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clay-

ton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, John B., Knight, T. Fenton; Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Weybret—58.

NOES—Kraft—1.

Assembly Bill No. 1259 ordered enrolled.

Assembly Bill No. 1391—An act to amend Sections 7301, 7303, 7304, 7351, 7352, 7402, 7405, 7501, and 7604 of, and to amend and renumber Section 7306 to be Section 6210.3 of, the Public Resources Code, relating to the sale and exchange of land, and granting and taking rights and interests therein, by the State and its political subdivisions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1391?

Amendment No. 1

In line 3 of the title of the printed bill, between "of," and "the", insert "and to add Sections 8103 and 10017 to,".

Amendment No. 2

In line 6 of the title of said bill, after "subdivisions", insert "repealing acts and parts of acts therein specified".

Amendment No. 3

On page 4 of said bill, after line 11, insert
SEC. 11 Section 8103 is added to the Public Resources Code, to read:
 8103. All moneys, securities, or other properties arising from the sale of the 72 sections granted to the State for a seminary of learning, and from the sale of the 10 sections granted to the State for the erection of public buildings, shall be paid out of the State treasury on the order of The Regents of the University.

SEC. 12. Section 10017 is added to the Public Resources Code, to read:
 10017. Section 3535 of the Political Code is hereby repealed."

Amendment No. 4

On page 2, line 8, of the printed bill, as amended, strike out "script", and insert "scrip".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1391 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collius, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—62.

NOES—Sawallisch—1.

Assembly Bill No. 1391 ordered enrolled.

Assembly Bill No. 604—An act to amend Section 5.751 of the School Code and to amend Section 13842 of the Education Code, relating to salaries of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 604?

Amendment No. 1

On page 1 of the printed bill, as amended, beginning in line 6, strike out "one thousand six hundred twenty dollars (\$1,620)", and insert "one thousand six hundred dollars (\$1,600)".

Amendment No. 2

On page 1, line 12, of the printed bill, as amended, strike out "one thousand six hundred twenty dollars (\$1,620)", and insert "one thousand six hundred dollars (\$1,600)".

Amendment No. 3

On page 2 of the printed bill, as amended, beginning in line 20, strike out "one thousand six hundred twenty dollars (\$1,620)", and insert "one thousand six hundred dollars (\$1,600)".

Amendment No. 4

On page 2 of the printed bill, as amended, beginning in line 25, strike out "one thousand six hundred twenty dollars (\$1,620)", and insert "one thousand six hundred dollars (\$1,600)".

Amendment No. 5

In line 1 of the title of the printed bill, as amended, strike out "amend Section 5.751", and insert "add Section 5.751-1".

Amendment No. 6

In line 2 of the title of the printed bill, as amended, strike out "amend Section 13842", and insert "add Section 13842.1".

Amendment No. 7

On page 1, line 1, of the printed bill, as amended, strike out "Section 5.751 of the School Code is amended", and insert "Section 5.751-1 is added to the School Code".

Amendment No. 8

On page 1, line 3, of the printed bill, as amended, strike out "5.751.", and insert "5.751-1."

Amendment No. 9

On page 2, line 18, of the printed bill, as amended, strike out "Section 13842 of the Education Code is amended", and insert "Section 13842.1 is added to the Education Code".

Amendment No. 10

On page 2, line 20, of the printed bill, as amended, strike out "13842.", and insert "13842 1."

Amendment No. 11

On page 3 of the printed bill, as amended, following line 2, insert "SEC. 4. This act shall remain in effect until June 30, 1945. While this act is in effect it shall supersede any existing provisions of law which are in conflict with this act; but such provisions are not repealed by this act and after this act is no longer effective shall have the same force as though this act had not been enacted"

Amendment No. 12

On page 3, line 3, of the printed bill, as amended, strike out "SEC. 4", and insert "SEC. 5"

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 604 by the following vote:

AYES—Bashore, Beck, Brown, Carlson, Debs, Dunn, Erwin, Evans, Kilpatrick, Niehouse, and Sheridan—11.

NOES—Anderson, Bennett, Berry, Burkhalter, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dilworth, Doyle, Field, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Weybret—50.

Appointment of Committee on Conference Concerning Assembly Bill No. 604

The Speaker announced the appointment of Messrs. Dilworth, Beck, and Field as a Committee on Conference concerning Assembly Bill No. 604.

Assembly Bill No. 306—An act to establish a Postwar Reserve for the construction and reconstruction of State buildings and institutions; defining the powers and duties of State officers in connection therewith, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 306?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "to establish a Postwar"; and strike out all of lines 5, 6, and 7, of said title, and insert "relating to the Postwar Employment Reserve; defining".

Amendment No. 2

In line 10 of the title of said bill, strike out "therefor", and insert "for preparation of plans for a State Building Program".

Amendment No. 3

On page 2, line 46, of said bill, strike out "there"; and strike out lines 47 to 51, inclusive, and insert "and to provide postwar employment for citizens released from the armed forces and private enterprise following relaxation of the war effort, there is in the General Fund in the State treasury a Postwar Employment Reserve, which shall be available for expenditure only when appropriated by the Legislature."

Amendment No. 4

On page 3 of said bill, strike out all of lines 1 to 17, inclusive; and in line 18, strike out "provided for herein."

Amendment No. 5

On page 3, line 18, of said bill, following "Postwar", insert "Employment".

Amendment No. 6

On page 3, line 19, of said bill, strike out "for State Building Construction and Reconstruction".

Amendment No. 7

On page 3, line 20, of said bill, strike out "as provided in Section 1"; and in line 21, strike out "hereof".

Amendment No. 8

On page 3, line 25, of said bill, strike out "3", and insert "2".

Amendment No. 9

On page 3, line 25, of said bill, strike out "appropriated by this act", and insert "in the Postwar Employment Reserve".

Amendment No. 10

On page 3, line 33, of said bill, strike out "he"; and in line 34, strike out "paid into", and insert "accrued to".

Amendment No. 11

On page 3, line 35, of said bill, strike out "4", and insert "3".

Amendment No. 12

On page 3, lines 35 and 36, of said bill, strike out "Reserve for State Building Construction and Reconstruction", and insert "Employment Reserve".

Amendment No. 13

On page 3, line 41, of said bill, strike out "hereunder", and insert "thereunder".

Amendment No. 14

On page 3 of said bill, between lines 41 and 42, insert
 "SEC. 4. There is hereby appropriated out of the Postwar Employment Reserve the sum of one million, two hundred fifty thousand dollars (\$1,250,000) which, upon written authorization of the Department of Finance and the approval of the State Board of Control, shall become available to the State Department of Public Works for expenditure as provided by law for surveys, preparation of plans and specifications and other preliminary work necessary to a program of construction, reconstruction, rehabilitation and replacement of buildings and other facilities for State institutions, prisons, reformatories or custodial schools, homes, including the Woman's Relief Corps Home and the Veterans' Home of California, colleges, schools, and other State agencies on land owned by the State of California."

Amendment No. 15

On page 2, line 30, of the printed bill, as amended, strike out "accrued", and insert "accrue".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 306 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley,

Debs, Denny, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 306 ordered enrolled.

Assembly Bill No. 1265—An act to add Article 9 to Chapter 7 of Part 3 of Division 5 of the School Code, comprising Sections 5.725 to 5.725q, inclusive, and to add Article 8 to Chapter 11 of Division 7 of the Education Code, comprising Sections 13701 to 13718, inclusive, relating to emergency leaves of absence, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1265?

Amendment No. 1

On page 7 of the printed bill, as amended, between lines 47 and 48, insert

"SEC. 2.5. Section 2 of this act becomes operative on the effective date of the Education Code, as enacted by the Legislature at its Fifty-sixth Session, and at such time Article 9, as added to Chapter 7 of Part 3 of Division 5 of the School Code, by this act, is hereby repealed."

Amendment No. 2

On page 2 of the printed bill, strike out line 32, and insert "capacity in which service of a certificated employee is required by the district."

Amendment No. 3

On page 2 of the printed bill, strike out lines 40 to 49, inclusive.

Amendment No. 4

On page 5 of the printed bill, strike out line 38, and insert "capacity in which service of a certificated employee is required by the district."

Amendment No. 5

On page 5 of the printed bill, strike out lines 46 to 51, inclusive; and on page 6, strike out lines 1 to 4, inclusive.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1265 by the following vote:

AYES—Bennett, Debs, Doyle, Evans, Kilpatrick, and Sheridan—6.

NOES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dilworth, Erwin, Fount, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Robertson, Sargent, Sawallisch, Smith, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—53.

Appointment of Committee on Conference Concerning Assembly Bill No. 1265

The Speaker announced the appointment of Messrs. Middough, Beck, and Doyle as a Committee on Conference concerning Assembly Bill No. 1265.

Assembly Bill No. 360—An act to amend Section 1711 5 of the Welfare and Institutions Code and to make an appropriation for the support of the Youth Authority, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 360?

Amendment No. 1

On page 1, line 20, of the printed bill, as amended, after the period, insert "Revolving funds may be withdrawn from the appropriation herein made in accordance with the provisions of Section 4 of the "Budget Act of 1943" or Section 4 of the "Budget Act of 1941.""

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 360 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Kellems, Kilpatrick, Knight, John B., Kraft, Lowrey, Maloney, Masson, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thompson, Thorp, Waters, Weber, Werdel, and Weybret—56.

NOES—None.

Assembly Bill No. 360 ordered enrolled.

Assembly Bill No. 698—An act making an appropriation for the control and eradication of Oriental fruit moth, and declaring the urgency thereof to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 698?

Amendment No. 1

On page 1, line 11, of the printed bill, as amended, after "ure", insert "necessary".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 698 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Masson, McMillan, Middough, Miller, O'Day, Pelletier, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Weybret—61.

NOES—None.

Assembly Bill No. 698 ordered enrolled.

Assembly Bill No. 1601—An act to amend Section 4.52, 4.923, 4.930, 4.942, and 4.950 of the School Code and to amend Sections 5453, 7303, 7307, 7203 and 7226 of the Education Code, relating to the support of public junior colleges, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1601?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 4.52, 4.923, 4.930, 4.942 and 4.950"; strike out line 2; and in line 3, strike out "7203 and 7226 of", and insert "add Sections 4.52-5, 4.923-5, 4.930-5, 4.942-5, and 4.950-5 to the School Code and to add Sections 5453.5, 7303.5, 7307.5, 7203.5 and 7226.5 to".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert "SECTION 1. Section 4.52-5 is added to the School Code, to".

Amendment No. 3

On page 1, line 3, of said bill, strike out "4.52", and insert 4.52-5".

Amendment No. 4

On page 1 of said bill, strike out line 16, and insert "SEC. 2. Section 4.923-5 is added to the School Code, to".

Amendment No. 5

On page 1, line 18, of said bill, strike out "4.923", and insert "4.923-5".

Amendment No. 6

On page 2 of said bill, strike out line 5, and insert
 "SEC. 3. Section 4.930-5 is added to the School Code, to".

Amendment No. 7

On page 2, line 7, of said bill, strike out "4.930", and insert "4.930-5".

Amendment No. 8

On page 2 of said bill, strike out line 26, and insert
 "SEC. 4. Section 4.942 is added to the School Code, to".

Amendment No. 9

On page 2, line 28, of said bill, strike out "4.942", and insert "4.942-5".

Amendment No. 10

On page 2 of said bill, strike out line 33, and insert
 "SEC. 5. Section 4.950-5 is added to the School Code, to".

Amendment No. 11

On page 2, line 35, of said bill, strike out "4.950", and insert "4.950-5".

Amendment No. 12

On page 2 of said bill, strike out line 41, and insert
 "SEC. 6. Section 5453 5 is added to the Education Code".

Amendment No. 13

On page 2, line 43, of said bill, strike out "5453", and insert "5453.5".

Amendment No. 14

On page 3, line 5, of said bill, insert
 "This section shall remain in effect until July 1st next succeeding the cessation of hostilities in all wars in which the United States is now engaged. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendment No. 15

On page 3 of said bill, strike out line 6, and insert
 "SEC. 7. Section 7303 5 is added to the Education Code".

Amendment No. 16

On page 3, line 8, of said bill, strike out "7303", and insert "7303 5".

Amendment No. 17

On page 3, line 17, of said bill, insert
 "This section shall remain in effect until July 1st next succeeding the cessation of hostilities in all wars in which the United States is now engaged. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendment No. 18

On page 3 of said bill, strike out line 18, and insert
 "SEC. 8. Section 7307.5 is added to the Education Code".

Amendment No. 19

On page 3, line 20, of said bill, strike out "7307", and insert "7307.5".

Amendment No. 20

On page 3, line 38, of said bill, insert
 "This section shall remain in effect until July 1st next succeeding the cessation of hostilities in all wars in which the United States is now engaged. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendment No. 21

On page 3 of said bill, strike out line 39, and insert
 "SEC. 9. Section 7203 5 is added to the Education Code".

Amendment No. 22

On page 3, line 41, of said bill, strike out "7203", and insert "7203 5".

Amendment No. 23

On page 3, line 45, of said bill, insert
 "This section shall remain in effect until July 1st next succeeding the cessation of hostilities in all wars in which the United States is now engaged. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendment No. 24

On page 3 of said bill, strike out line 46, and insert
 "SEC. 10. Section 7226 5 is added to the Education Code".

Amendment No. 25

On page 3, line 48, of said bill, strike out "7226", and insert "7226.5".

Amendment No. 26

On page 4, line 4, of said bill, insert
 "This section shall remain in effect until July 1st next succeeding the cessation of hostilities in all wars in which the United States is now engaged. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendment No. 27

On page 4 of said bill, strike out lines 5 to 9, inclusive, and insert
 "Sec. 11. Sections 4.52-5, 4.923-5, 4.930-5, 4.942-5, and 4.950-5 of the School Code are operative only until the Education Code, enacted by the Legislature at its Fifty-fifth Regular Session, takes effect; at which time Sections 4.52-5, 4.923-5, 4.930-5, 4.942-5, and 4.950-5 of the School Code, added by".

Amendment No. 28

On page 2, line 27, of the printed bill, as amended, strike out "4.942", and insert "4.942-5".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1601 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hastam, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Weybret—61.

NOES—None.

Assembly Bill No. 1601 ordered enrolled.

Assembly Bill No. 2001—An act creating the Palm Springs Winter Park Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Natural Resources in connection therewith, and authorizing the Department of Natural Resources to cooperate with the Authority; authorizing the Authority to construct and operate systems for the transportation of persons and property to Mount San Jacinto State Park and for the improvement of the recreational facilities in said park, including the development, operation and maintenance of ski grounds and all facilities necessary or convenient for winter sports; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; appropriating such proceeds and all revenues received from the operation of the projects to the uses and purposes set forth herein.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2001?

Amendment No. 1

On page 5, line 3, of the printed bill, strike out "legal".

Amendment No. 2

On page 23 of said bill, between lines 25 and 26, insert
 "Sec. 11.14. The Attorney General shall serve as legal counsel for the authority,
 and the cost of such legal services shall be paid out of the funds of the authority."

Amendment No. 3

On page 4, lines 43 and 44, of the printed bill, as amended, strike out "9, 10, 11,
 12, 13, 14, N. $\frac{1}{2}$ 15, N. $\frac{1}{2}$ 16", and insert "11, 12, 13, 14".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2001 by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Robertson, Sargent, Sawallisch, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Weybret—57.

NOES—Collins, Sam L., and Field—2.

Assembly Bill No. 2001 ordered enrolled.

Assembly Bill No. 1776—An act to add Section 2013 to the Welfare and Institutions Code, relating to the filing of statements by persons or organizations promoting old age pensions.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1776?

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, after "expenditures", insert
 "; provided, however, that the provisions hereof shall not apply to religious, benevolent or fraternal organizations".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1776 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Maloney, Massion, McMillan, Middough, Miller, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Weybret—57.

NOES—Pelletier—1.

Assembly Bill No. 1776 ordered enrolled.

MOTION TO EXCUSE COMMITTEE MEMBERS

Upon motion of Mr. Ralph C. Dills, Messrs. Potter, Call, and Dills, Ralph C., were excused from roll calls following the last recess, due to their having been in attendance at a Committee on Conference meeting.

UNFINISHED BUSINESS (RESUMED)**Consideration of Senate Amendments**

Assembly Bill No. 372—An act to add Section 2222.5 to the Welfare and Institutions Code, relating to aid to the aged, and imposing limitations upon the cancellation, suspension, or revocation of aid granted.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 372?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 8 to 19, inclusive, and insert "and until evidence supporting the action is filed in the case record."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 372 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D. Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—59.

NOES—Desmond and Field—2.

Assembly Bill No. 372 ordered enrolled.

Assembly Bill No. 1979—An act to be known as the “Local Area Rehabilitation Act” to authorize cities, counties and cities and counties to reorganize, rehabilitate and reconstruct retrograde areas within the territories thereof; defining such retrograde areas and declaring the existence thereof; declaring the necessity of such reorganization, rehabilitation and reconstruction of such retrograde areas for the preservation of the public peace, health and safety and that same constitutes a public use and purpose for which private property may be condemned and granting such cities, counties and cities and counties the right to exercise the power of eminent domain and to enter into contracts for such purposes and that for such purposes public moneys may be spent and other aid given; establishing planning commissions in certain cases and conferring certain powers and duties upon such planning commissions and the legislative bodies of such communities for the purpose of carrying out the purposes of this act; empowering such legislative bodies to make contracts with property owners and others; to sell such properties in the manner prescribed in this act and to take and foreclose mortgages, and to take and enforce undertakings given in the performance of the terms of this act; to maintain actions for the enforcement of such contracts, and prescribing procedure for the performance of the duties of such legislative bodies and planning commissions under this act, and establishing such commissions as State agencies and waiving the trust status of the properties bought and sold in pursuance of the purposes of this act and declaring that this act and the powers thereby conferred are for public use and purpose.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1979?

Amendment No. 1

On page 4, line 14, of the printed bill, after “shall”, insert “have power to”.

Amendment No. 2

On page 4, line 18, of said bill, after “body.”, insert “Such petition shall allege facts showing:

(a) A general description of the topographic, structural, health, safety and economic conditions relating to such alleged retrograde area within itself and its relation to other areas generally contiguous thereto and bearing on the facts concerning such retrograde area.

(b) A general description of the lands, rights of way, easements, streets, grades and property proposed by such petition to be reorganized and rehabilitated pursuant to any general improvement plan proposed therein.

(c) An estimate of the cost of such reorganization, rehabilitation and reconstruction project, including an estimate of the values in such area at the time of the filing of such petition, including an estimate of the cost of such reorganization, rehabilitation and reconstruction work, including street work, grading, building costs and other expense in connection therewith, and including purchase price of properties, and payment of liabilities for existing mortgages, deeds of trust, unpaid taxes and

assessments and other liens; and including legal, clerical, architectural, engineering, superintendent, inspection, printing and advertising costs involved in the averments set forth in such petition.

Such petition shall include recommendations by such petitioner for the manner and character of such proposed improvements, permissive uses of the properties of such area, and proposed restrictive regulations concerning the improvements proposed to be constructed therein.

At the time of the filing of such petition, such petitioner shall deposit with the clerk of such legislative body the sum of two hundred fifty dollars (\$250) to be used by such legislative body to pay the expenses involved in the proceedings provided for in this act up to and including any resolution of such legislative body establishing a local rehabilitation area as provided in this act. Such legislative body shall have power to require such petitioner to deposit additional sums of money to the aggregate of one thousand dollars (\$1,000) over and above such sum of two hundred fifty dollars (\$250) to be used in the same manner and for the same purposes as prescribed herein with reference to said sum of two hundred fifty dollars (\$250). In the event such moneys are not deposited as required by this act and the order of such legislative body, further proceedings with reference to such petition shall terminate and such moneys so deposited by such petitioner shall not be recoverable thereby. In the event such local rehabilitation area is established, such legislative body shall include such moneys so deposited by such petitioner, or so much thereof as may be expended in the manner and for the purposes aforesaid, in the items of expense to be added to the selling price of properties acquired by such legislative body pursuant to the provisions of this act, or the payments made under any reconstruction contract, proportionately at the discretion of the legislative body, which such money shall be repaid such petitioner when recovered by such legislative body."

Amendment No. 3

On page 5, line 16, of said bill, after "clerical," insert "architectural".

Amendment No. 4

On page 6, line 40, of said bill, strike out "Legal", and insert "Local".

Amendment No. 5

On page 15 of said bill, after line 32, insert
"SEC. 25. The provisions of Chapter 3, Division 5, Title 1 of the Government Code, relating to contractors' bonds, and Section 1184e of the Code of Civil Procedure, relating to claims against public agencies, shall apply to all projects undertaken directly by a legislative body under this act."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1979 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Hastain, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—65
NOES—None.

Assembly Bill No. 1979 ordered enrolled.

Assembly Bill No. 1386—An act to add Section 16 to "An act to establish police courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, relating to jurors' fees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1386?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "16", and insert "18".

Amendment No. 2

On page 1, line 1, of said bill, strike out "16", and insert "18".

Amendment No. 3

On page 1, line 3, of said bill, strike out "16", and insert "18".

Amendment No. 4

On page 1, line 8, of said bill, strike out "from the"; and strike out lines 9 and 10, and insert "out of the city treasury."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1386 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1386 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 538

At 2.35 p.m., on motion of Mr. Thurman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 538 passed by the following vote:

AYES—Allen, Anderson, Beck, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Evans, Field, Gaffney, Gannon, Guthrie, Hawkins, Hollibaugh, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—56.

NOES—Armstrong, Bashore, Bennett, Carlson, Erwin, Hastain, Heisinger, Knight, T. Fenton; McMillan, Potter, Sargent, and Smith—12.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1146—An act to add Section 799.1 to the Fish and Game Code, relating to abalones.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1146?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, after "abalones", insert ", the shell of which is not less than eight inches measured in the greatest diameter,".

Amendment No. 2

On page 1, line 7, of said bill, after "10", insert "when the abalones are taken in water not less than 20 feet in depth".

Amendment No. 3

On page 1 of said bill, after line 11, insert "This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1146 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Hastam, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Masson, McMillan, Middough, Miller, Potter, Price, Robertson, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thurman, Waters, Watson, Werdel, Weybret, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1146 ordered enrolled.

Assembly Bill No. 2003—An act to amend Sections 1701 and 1710 of, the heading of Chapter 1 of Division 2.5 of, and the headings of Articles 2, 3 and 4 of Chapter 1 of Division 2.5 of, and to repeal Section 1711.5 of, and to add Sections 1725 and 1742 to, the Welfare and Institutions Code, relating to the Youth Authority and the care, custody and rehabilitation of youths, providing for the costs of such care, custody and rehabilitation, and making an appropriation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2003?

Amendment No. 1

On page 2, line 23, of the printed bill, as amended, strike out "two", and insert "ten".

Amendment No. 2

On page 3, line 2, of said bill, strike out "forty dollars (\$40)", and insert "twenty dollars (\$20)".

Amendment No. 3

On page 3, line 3, of said bill, strike out "to any person committed to the"; strike out line 4; and in line 5, strike out "imprisonment in a State prison, nor".

Amendment No. 4

On page 3, line 8, of said bill, after "persons", insert "under 21 years of age".

Amendment No. 5

On page 3, line 10, of said bill, after "persons", insert "under 21 years of age".

Amendment No. 6

On page 2, line 47, of the printed bill, as amended, after "1742.", insert "(a)".

Amendment No. 7

On page 2 of said bill, strike out lines 50 and 51; and on page 3 of said bill, strike out lines 1 to 3, inclusive, and insert "the control of the Authority, to the extent and in the manner provided in this section.

(b) The Authority shall from time to time determine the monthly rate for the care of persons committed thereto, but in no case shall the rate exceed the rate of forty dollars (\$40) per month.

(c) The estate of the person committed, or the parents, guardian, or other person liable for the support of the person committed shall pay to the county the cost of the care of the person committed at the monthly rate therefor fixed by the Authority.

At the time of commitment of any person to the Authority the committing court shall inquire into the earnings, property, and estate of the person committed, and into the ability of his parents, guardian, or other person liable for his support and maintenance, to pay for the expense of his support and maintenance, in the manner provided in Section 863 for inquiry in respect to the support of wards of the juvenile court. The committing court shall make orders for the payment of the cost of the support of the committed person to the county, with the same powers and in the same manner as is provided for orders for the support of wards of the juvenile court. All of the provisions of Sections 863 to 868 10, inclusive, of this code, relating to the support of wards of the juvenile court and the reimbursement of the county therefor, shall apply to the support of persons committed to the Authority and the reimbursement of the county therefor, to the same extent and in the same manner as if said sections were set forth in this section, and all references in said sections to "ward or other minor person" and to the "juvenile court" shall be deemed to refer to "person committed to the Authority" and to the "committing court," respectively.

Upon request of the board of supervisors, the district attorney or other civil legal officer of the county shall, on behalf of the county, maintain an action in the superior court against the estate of the person committed, or the parents, guardian, or other person liable for his support, to recover for the county such portion of the cost of care of the person committed as the estate, parents, guardian, or other person liable for support is able to pay, and to secure an order requiring the payment to the county of any sums which may become due in the future for which the defendant may be liable.

(d) If the county collects from the estate of the person committed, or from the parents, guardian, or other person liable for the support of the person committed, the full amount of the cost of care of the person at the monthly rate therefor fixed by the Authority, the county shall pay to the State the full amount of the cost of the care of the person committed at the monthly rate thereof fixed by the Authority. If, however, the county can not collect from the estate, parents, guardian, or other person liable for the support of the person committed the full amount of the cost of the care of the person at the rate therefor fixed by the Authority, the county shall pay to the State any sums collected from said estate, parents, guardian, or other person, plus one-half of the difference between the sum so collected and the full amount of the cost of the care of the person committed at the monthly rate therefor fixed by the Authority; but in no event shall the county pay to the State from the funds of the county and without receiving reimbursement therefor from the estate of the person committed, or from the parents, guardian, or other person liable for his support, any sum greater than twenty dollars (\$20) per month.

(e) Each county auditor shall include in his State settlement report, rendered to the Controller in the months of June and January, the amount due to the State under the provisions of this section, and the county treasurer, at the time of the settlement with the State in such months, shall pay to the State Treasurer, upon the order of the Controller, the amounts so due.

(f) This section shall not apply".

Amendment No. 8

On page 3, line 29, of the printed bill, as amended, following the period, insert "Revolving funds may be withdrawn from the appropriation herein made in accordance with the provisions of Section 4 of the "Budget Act of 1943." "

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2003 by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Knight, John B., Knight, T. Feuton; Kraft, Leonard, Lyons, Maloney, Masson, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, and Weybret—60.

NOES—None.

Assembly Bill No. 2003 ordered enrolled.

Assembly Bill No. 1672—An act to provide aid to counties, cities and counties, cities and districts for civilian defense purposes; to prescribe the duties and powers of the State Board of Control to administer such aid; to make an appropriation for such purposes; and to declare the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1672?

Amendment No. 1

In the title of the printed bill, as amended, strike out all of lines 3, 4, and 5, and insert "to provide for the administration thereof; to make an appro-".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 10 and 11.

Amendment No. 3

On page 2, line 7, of the printed bill, as amended, strike out "board, and it is hereby", and insert "State Director of Finance, and he is hereby".

Amendment No. 4

On page 2, line 12, of the printed bill, as amended, strike out "board", and insert "State Director of Finance".

Amendment No. 5

On page 2 of the printed bill, as amended, strike out line 13, and insert "(b) Administer the appropriation hereinafter made and to".

Amendment No. 6

On page 2, line 16, of the printed bill, as amended, after the period, strike out the remainder of said line; and strike out lines 17 to 24, inclusive, and insert "(provided, that none of the moneys hereby appropriated shall be expended, allotted, encumbered, or become available for expenditure until moneys equal to or in excess of the amount to be expended from this appropriation shall have been made available by a person, firm, association, corporation, political subdivision, public district, municipality, county or public agency, including agencies of local and Federal Government, but excluding agencies which are a part of the Executive Department of the State Government, for expenditure for like purposes for which allocations have been made from this appropriation, to the end that any sums expended from this appropriation shall be matched by like or greater amounts from sources other than the State treasury or fund of any agency which is a part of the Executive Department of the State Government."

Amendment No. 7

On page 2 of the printed bill, as amended, strike out lines 30 to 33, inclusive, and insert "(c) Prescribe, amend, modify or rescind such rules and regulations as he may determine".

Amendment No. 8

On page 2 of the printed bill, as amended, strike out lines 37 to 39, inclusive, and insert

"SEC. 4. No moneys may be allocated or facilities provided to any local agency from the appropriation hereinafter made by the State Director of Finance without the written approval of the State Director of Civilian Defense, obtained in advance."

Amendment No. 9

On page 2, line 46, of the printed bill, as amended, after the period, insert "There shall first be appropriated from this appropriation for the use of the Department of Finance such amount as the Director of Finance shall determine is necessary for administration of the provisions of this act, the total of which amount shall in no event exceed 1 per cent of the total appropriation herein made."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1672 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Call, Carev, Carlson, Clarke, Collins, George D. Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Hastan, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1672 ordered enrolled.

Assembly Bill No. 1993—An act to amend Section 338 of the Code of Civil Procedure, relating to limitation of actions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1933?

Amendment No. 1

On page 1, line 14, of the printed bill, strike out the period after "official"; and strike out "The", and insert "except any".

Amendment No. 2

On page 1, line 15, of said bill, after "action", strike out "in such case", and insert "based on fraud or embezzlement is".

Amendment No. 3

On page 1, line 16, of said bill, between "party" and the comma, insert "or his agent".

Amendment No. 4

On page 1, line 17, of said bill, strike out "a", and insert "said".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1993 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1993 ordered enrolled.

Assembly Bill No. 1463—An act granting to the City and County of San Francisco certain tidelands and submerged lands belonging to the State of California and situated in the County of San Mateo for development and use in connection with the San Francisco Airport in San Mateo County and as a part of the public airport being used, operated and maintained by the City and County of San Francisco, regulating the management, use and control thereof and authorizing the reclamation and improvement thereof all in conjunction with the use, operation and maintenance of the San Francisco Airport in San Mateo County.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1463?

Amendment No. 1

On page 2 of the printed bill, as amended, after line 33, insert "SEC 5 Upon the cessation by the City and County of San Francisco of use of the property herein granted, under the terms and conditions outlined in Section 2 hereof, or upon use of the property for purposes other than for which the property is herein granted, unless such other use is merely incidental to the use for which the property is herein granted, the properties herein granted shall immediately revert to the State, and control of the same by the City and County of San Francisco shall cease."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1463 by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—64.

NOES—None

Assembly Bill No. 1463 ordered enrolled.

Assembly Bill No. 1370—An act to amend Section 96 of the Labor Code, relating to assignments of claims.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1370?

Amendment No. 1

On page 1 of the printed bill, as amended, after line 19, insert "(j) Claims for exemption of wages from attachment or execution."

Amendment No. 2

On page 1 of said bill, strike out lines 18 and 19, and insert

"(i) Any claim for damages arising out of a contract for the rendition of personal services."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1370 by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Gaffney, Gannon, Guthrie, Hastam, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Muddough, Miller, Pelletier, Potter, Price, Sargent, Sawallsch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, and Weybret—55

NOES—Desmond, Erwin, and Stream—3

Assembly Bill No. 1370 ordered enrolled.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, May 5, 1943

To the Members of the Assembly of the State of California

GREETINGS: As a matter of urgency I am calling your attention to a legislative development in Washington which I believe is of the utmost importance to California and particularly to our elder citizens and our great farming industry.

Some weeks ago there was introduced in the House of Representatives a joint resolution "making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1943."

Included therein, as a means of attracting farm labor, is the provision

"The Federal Security Administrator shall promptly notify each State that grants under such title will be available for the payment of old age assistance with respect to any person without regard to remuneration received by such person for agricultural labor performed by him during such period; and no State shall be required in determining need in the case of any individual."

The bill was passed in this manner but was sent to conference. In the conference the above provision was limited to those States which have not increased old age pension allowances since April, 1943. As far as we can ascertain there is at this moment but one State in the Union which has enacted such a statute this month.

It becomes apparent, therefore, that old age pensioners in every State in the Union except California are to be privileged to retain their earnings for agricultural labor and are thus to be encouraged to produce for victory. On the other hand, the senior citizens of California are to be deprived of that right and thus discouraged from participating in the war effort.

Whatever the reason for this change in the legislation may have been, it results in a gross discrimination against our State at a time when we are crying out for all of the farm labor that can be obtained. It would seem to be a penalty placed upon us merely because we have made an honest effort to adequately care for our deserving elders during times of abnormal living costs.

I have just been in conversation with Washington and have ascertained that the resolution in this form has been signed by the President. Any remedy for the situation would seem to lie in corrective legislation by Congress.

The matter is of sufficient importance, both to our senior citizens and to the agriculture of California now preparing for a victory harvest season, to warrant an immediate effort being made to undertake corrective action. If it were not for the fact that I must spend the next 30 days in California reviewing the bills passed by the Legislature, I would leave immediately for Washington to see if this discrimination can not be rectified in time to assist in the harvesting of crops this season. Someone should undertake the task. I am, therefore, of the opinion that the California Legislature should immediately take appropriate action in the matter and it is my suggestion to you that a joint committee be named to proceed to Washington immediately in an attempt to bring an end to such a discriminatory law.

Respectfully,

EARL WARREN, Governor

RESOLUTIONS

The following resolutions were offered:

By Mr. Maloney:

House Resolution No. 285

Relating to deduction of earnings from agricultural labor from old age assistance and the creation of a committee in respect thereto

WHEREAS, House Joint Resolution 96, as passed by the Senate of the United States included, as subdivision (f) of Section 5 thereof, provisions that no person should be deemed not to be a needy individual by reason of remuneration paid to such person for any agricultural labor performed by him from the enactment of the resolution until six months after the termination of hostilities in the present war; and that no State should be required, in determining need in the case of any individual, to take into consideration any income or resources derived by him from agricultural labor; and

WHEREAS, Conference reports amending House Joint Resolution 96 were adopted by both houses of Congress, whereby the benefits of the subdivision were withheld from any State which had increased the amount of aid payable to recipients of old age since April 30, 1943; and

WHEREAS, The State of California has at the present session of the Legislature increased the maximum monthly individual grant of aid to the aged from forty dollars (\$40) per month to fifty dollars (\$50) per month; and the State of California is the only State which has increased the amount of aid payable to recipients of old age assistance since April 30, 1943; and

WHEREAS, House Joint Resolution 96 in the form in which it was put by the amendments made by the Conference Report is flagrantly discriminatory against the State of California, and penalizes this State for its action in increasing the amount of aid to an amount more nearly adequate, under present conditions, for the maintenance of health and decency; and

WHEREAS, The farm labor shortage in the State of California is no less severe than in other States whose contributions to the production of food and other agricultural products do not surpass nor even equal the contribution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of the Assembly is hereby created, consisting of three Members of the Assembly appointed by the Speaker of the Assembly; and be it further

Resolved, That this committee is instructed and authorized to go to Washington to consult with the proper representatives of the Federal Government, the Federal Social Security Board, and with Members of Congress, and protest vigorously against this unfair and unjust discrimination against the State of California and the citizens of this State, and seek by every means possible to persuade the Congress of the United States to eliminate or, if H.R. 96 becomes law, repeal this deterrent against the procurement of all assistance possible in the production of food and fiber in this State; and be it further

Resolved, That the sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses and claims the members of the committee may incur under this resolution, to be disbursed upon certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Sam L. Collins:

House Resolution No. 286

Resolved, That Arthur A. Ohnimus, Chief Clerk, be and he is hereby authorized and empowered to receipt for any warrants that may be due members, officers, or other attaches of the Assembly, after the close of the session, or that may be drawn upon the Contingent Fund of the Assembly.

Request for Unanimous Consent

Mr. Sam L. Collins asked for and was granted, unanimous consent to take up House Resolution No. 286, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Sam L. Collins :

House Resolution No. 287

Resolved. That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same.

Department of Finance (Construct and paint shelves)-----	\$18 89
Department of Finance (Extend cabinet for History Clerk)-----	18 98
Cascade Towel Supply Co (Towel service)-----	12 68
Department of Finance (Replace lights in Assembly)-----	80 38
Department of Finance (Construction of wooden case)-----	7 05

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 287, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hastan, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—66.

NOES—None.

By Messrs. Lyon, Call, Haggerty, O'Day, Gaffney, Allen, Burns, King, Lowrey, McCollister, Robertson, Sawallisch, Hollibaugh, Miller, Denny, Pelletier, Sheridan, Thurman, Dickey, Middough, Evans, Doyle, Kraft, Lyons, Rosenthal, Dills, Clayton A., Stream, Debs, Maloney, Clarke, Weybret, Waters, Berry, Crichton, Dills, Ralph C., Thorp, Brown, Desmond, Dunn, Thompson, and Hawkins :

House Resolution No. 288

Relating to the salary rates of the employees in the State Alcoholic Beverage Control Division

WHEREAS, On May 28, 1937, the Assembly adopted House Resolution No. 216, which requested and urged the State Personnel Board to increase the salary rates of certain employees in the State Alcoholic Beverage Control Division ; and

WHEREAS, The State Personnel Board did increase the salary rates of said employees in accordance with the recommendations made in that resolution, but subsequently decreased the salary rates ; and

WHEREAS, The Alcoholic Beverage Control Division of the State Board of Equalization has recently lost many of its liquor control officers to the armed services and the defense industries ; and

WHEREAS, The division has been experiencing much difficulty in obtaining replacements from civil service eligible lists by reason of the fact that defense industries are paying their employees higher wages than those now paid to liquor control officers ; and

WHEREAS, The enforcement and control work accomplished by the Alcoholic Beverage Control Division has become of increased importance due to conditions created by the war ; and

WHEREAS, It is extremely important that the State's social control policies, as provided in the Alcoholic Beverage Control Act, be enforced by personnel highly competent, efficient, and loyal to the State ; and

WHEREAS, The liquor, wine, and brewing industries, which, through excise taxes and license fees, finance the support of the State Alcoholic Beverage Control Division, have steadfastly favored an increase of the salaries of the positions in the division hereinafter mentioned ; and

WHEREAS, In Chapter 62 of the Statutes of 1943, approved by the Governor on April 2, 1943, an appropriation of two million five hundred thousand dollars (\$2,500,000) was made to meet just such conditions ; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly hereby finds that as to the following offices in the State Beverage Control Division, the salary rates herein indicated are suitable and necessary minimum rates therefor, in conformity with a sound personnel policy and particularly in view of the conditions presented by the war, and the State Personnel Board is requested and urged to revise the minimum-maximum salary range so as to accomplish the same:

The State Liquor Administrator, a minimum salary of ten thousand dollars (\$10,000) per annum; the Associated State Liquor Administrator, six thousand dollars (\$6,000) per annum; each district liquor control administrator, in charge of an administrative district, five thousand dollars (\$5,000) per annum; each supervising liquor control officer, three thousand dollars (\$3,000) per annum; each special liquor investigator, three thousand dollars (\$3,000) per annum; and each liquor control officer, two thousand two hundred eighty dollars (\$2,280) per annum; and be it further

Resolved, That the Chief Clerk of the Assembly forthwith transmit copies of this resolution to the State Personnel Board and to each member thereof.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Call:

House Resolution No. 289

Memorializing Congress to enact necessary legislation to permit the reuse of bottles used as containers of alcoholic beverages

WHEREAS, Under the provisions of Federal law the reuse of bottles containing bonded alcoholic beverages is prohibited, and compliance with the Federal laws requires a complete destruction of bottles used for the purpose of containing alcoholic beverages once filled and stamped; and

WHEREAS, Replacement of bottles so destroyed constitutes an extravagance and waste of essential manpower, manufacturing equipment, production facilities and raw materials that would be of inestimable value in production for war; and

WHEREAS, The Federal legislation is designed and intended to protect Federal revenue under internal revenue statutes and adequate provision to safeguard such revenue could be made without the necessity of destruction of containers; now, therefore, be it

Resolved by the Assembly of the State of California, That the House of the State of California hereby respectfully petitions the Congress of the United States to so amend the provisions of the Federal law to permit for the duration of the war the reuse of bottles used for the purpose of containing alcoholic beverages; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the United States and to the Senators and Congressmen from California in the Congress of the United States; and be it further

Resolved, That the Senators and Congressmen from California in the Congress of the United States are respectfully requested to urge the legislation set forth in this resolution.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Johnson:

House Resolution No. 290

Relating to congratulating James H. Corley upon his reelection to the Berkeley City Council

WHEREAS, James H. Corley, Comptroller of the University of California, who has been in attendance at recent legislative sessions as official representative of the University, has been reelected this week as city councilman for the City of Berkeley in an election at which he received the highest number of votes cast for any candidate; and

WHEREAS, James H. Corley is known to all of the Members of this Assembly as a man of high integrity and unusual ability, and is esteemed as a friend by all; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly by this resolution congratulate James H. Corley upon his success at the polls, that we extend to him our best wishes for a successful term in office, and that

we commend the people of the City of Berkeley for their good fortune in inducing men of such character and ideals to enter the public service; and be it further

Resolved, That the Chief Clerk of the Assembly is requested to transmit a suitably engrossed copy of this resolution to James H. Corley.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No. 290, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Johnson :

House Resolution No. 291

Relative to memorializing Senator Sheridan Downey to support United States Senate Bill No. 654

WHEREAS, The proper care of the feet of the personnel of the Army is essential to its success; and

WHEREAS, It is known that feet, like teeth, require specialized care which only chiropodists can give; and

WHEREAS, Chiropodists have been commissioned in the Navy for some time, and the American Legion at its National convention in 1942 endorsed the need for chiropodists in the Army; now, therefore, be it

Resolved by the Assembly of the State of California, That the Honorable Senator Downey, United States Senator from California and member of the Military Affairs Committee of the United States Senate, is memorialized to support United States Senate Bill No. 654, Reynolds, providing for the commissioning of chiropodists in the United States Army; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Senator Downey and Senator Reynolds.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Weber :

House Resolution No. 292

Relative to the calling of a special session of the Legislature

WHEREAS, Owing to the lack of time and the great pressure of business at the Regular Session of the Fifty-fifth Legislature, it is impossible to deliberate upon and consider the important problems relating to preparation of plans and to procedure of planning; and

WHEREAS, In view of demands of the public for the expenditure of large sums of money on public works and other projects, it is necessary that this matter receive full and careful legislative consideration, in order properly to aid in the economic stability and security of the public; and

WHEREAS, There are already grave dislocations in the economic and social structure of the State, and, moreover, there are dark clouds appearing on the horizon which portend coming events, somber in aspect, which will require comprehensively planned policies in government, and the utmost cooperation of the people, in order that our representative government may survive; and

WHEREAS, There is a deep solicitude on the part of the people in anticipation of the difficulties ahead which makes them look to the government, through the procedure of planning, to avoid the pitfalls of the past, and to make secure our liberty and form of government; now, therefore, be it

Resolved by the Assembly of the State of California. That the Governor of the State of California is respectfully requested, at any time a special session of the Legislature is called, to include in the call the following subjects:

Items relating to procedure of planning in government;

Items affecting the preparation of plans by cities, counties, and departments of State;

Items affecting purchase of rights of way in preparation of postwar planning and related matters; and be it further

Resolved. That the Chief Clerk of the Assembly of the State of California is hereby requested to transmit a copy of this resolution to the Governor of the State of California.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Burkhalter :

House Resolution No. 293

Relative to requesting the Department of Public Works to investigate and remedy certain flood situations

WHEREAS, Certain areas of this State present peculiarly urgent flood problems which should be investigated and remedied to the fullest extent provided by law; and

WHEREAS, The following areas are among those to which specific attention should be given: Pacoima Canyon, East, West, and South Tujunga Canyons, Tyrone Wash, La Tuna Canyon, and other flood sources adjacent thereto; now, therefore, be it

Resolved by the Assembly of the State of California. That the Department of Public Works is hereby requested to take such steps as are authorized by law to investigate the aforesaid canyons and other areas and to prevent recurrent floods of the waters carried thereby, and to report to the Assembly upon the results of such investigations and preventive work.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Desmond :

House Resolution No. 294

Relative to Thomas Hill's painting, "The Driving of the Last Spike"

WHEREAS, Thomas Hill's famous painting, "The Driving of the Last Spike," commemorating the completion of the first transcontinental railroad, was presented by the owner to the State of California; and

WHEREAS, Because of lack of proper facilities for caring for such a painting, the painting was for many years either stored or on loan for exhibition on various occasions; and

WHEREAS, Theodore Baggelman, an artist of Sacramento, learned of this painting and on behalf of the Sacramento Junior Chamber of Commerce interested himself in bringing its condition and the possibilities for its proper showing in the State Capitol to the attention of the Legislature of California; and

WHEREAS, Because of age and lack of care the painting was found to be rapidly deteriorating and in need of restoration; and

WHEREAS, Pursuant to authorization by this Legislature such work of restoration was undertaken and successfully completed by Mr. Charles Muskawitch, art conservator of the E. B. Crocker Art Gallery, and thereafter the painting was properly hung and lighted under the direction of Theodore Baggelman in the lobby of the State Capitol, where it has proved of great interest to Californians as well as to the many visitors who throng this Capitol annually; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly does hereby commend Charles Muskawitch for his excellent work in this most difficult task of restoration, and congratulate and thank Theodore Baggelman for his unselfish interest and efforts in getting this great painting on proper exhibition; and be it further

Resolved, That the Chief Clerk of this Assembly is requested to transmit suitably engrossed copies of this resolution to Theodore Baggelman and Charles Muskawitch.

Motion to Temporarily Suspend the Rules

Mr. Desmond moved that the Rules be temporarily suspended for the purpose of considering House Resolution No. 294, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Anderson, Bashore, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Field, Faurt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lowrey, Lyons, Maloney, Massion, Middough, Niehouse, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—54.

NOES—Call, Carlson, Dunn, Johnson, Pelletier, and Sawallisch—6

Resolution read and adopted.

By Mr. Robertson:

House Resolution No. 295

Relative to the creation of an Assembly Committee on the Elections Code, defining its powers and duties, and making an appropriation for its expenses

WHEREAS, There are many obsolete provisions in the Elections Code; and

WHEREAS, There are other provisions which, though not obsolete, are greatly in need of clarification and simplification; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on the Elections Code, which committee shall study and investigate, accurately and in detail, the provisions of the Elections Code for the purpose of recommending changes and proper legislation in order to clarify and simplify such provisions.

The committee shall consist of three members, appointed by the Speaker of the Assembly. Vacancies on the committee shall be filled by appointment by the Speaker.

Upon the appointment of its members, the committee may organize, appoint a secretary, and employ such clerical and technical assistants, and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein.

The committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records, of every kind and description, and to take all necessary means to compel the attendance of witnesses and to procure testimony. The members of the committee may each administer oaths, and all of the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, and Sections 9400 to 9412 of the Government Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it.

The committee may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter, defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The committee may hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee. The committee may also meet in executive session. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-sixth Legislature. The committee may report to any session of this Legislature or to the regular session of the Fifty-sixth Legislature, on or before March 15, 1945.

Every department, commission, board, agency, officer, and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee upon request, any and all assistance and information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of ten dollars (\$10) per day for accommodations and meals.

The sum of two hundred fifty dollars (\$250) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee hereby created and its members, and for any other charges, expenses, or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee, by warrants of the State Controller drawn upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

Hon. Ralph C. Dills Presiding

At 2.36 p.m., Hon. Ralph C. Dills, Member of the Assembly from the Sixty-ninth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 736—An act to amend the title of an act entitled "An act to provide for the acquisition by municipalities of land for public park or playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring and improving such land." approved April 22, 1909, as amended; and to add two new sections thereto, to be numbered 1b and 1c, providing for the maintenance of improvements on such lands and for the establishment of assessment districts and the assessment of property therein to pay the expenses of maintaining said improvements.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 736?

Amendment No. 1

On page 1, line 19, of the printed bill, as amended, after the period, insert "If at the time of hearing protests against such maintenance proceedings, written protests against the work or against the levying of assessments to pay the cost thereof have been filed with the clerk of the legislative body, by the owners of more than one-half of the area of the property to be assessed for such maintenance, then the proposed proceedings shall be forthwith abandoned, and the legislative body shall not for one year thereafter commence any proceedings for such maintenance under this act."

Amendment No. 2

On page 2, line 10, of the printed bill, as amended, after the period, insert "If at the time of hearing protests against such maintenance proceedings, written protests against the work or against the levying of assessments to pay the cost thereof have been filed with the clerk of the legislative body, by the owners of a majority of the frontage of the property fronting on the improvement in those cases where the cost in whole or part of the maintenance is to be assessed upon property fronting on the improvement, or by the owners of more than one-half of the area of the property to be assessed for such maintenance in those cases where the cost in whole or part of the maintenance is to be assessed on the property within a district, then the proposed proceedings shall be forthwith abandoned, and the legislative body shall not for one year thereafter commence any proceedings for such maintenance under said act."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 736 by the following vote:

AYES—Allen, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L. Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Maddough, Niehouse, O'Day, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—54.

NOES—Carlson, Erwin, and Pelletier—3.

Assembly Bill No. 736 ordered enrolled.

Assembly Bill No. 2004—An act to amend Sections 1, 2, 4.5, 9, 10, 11, and 13 and to add Sections 4.1, 9.1, and 9.2 to an act entitled "An

act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax." approved May 5, 1931, as amended, relating to county peace officer's retirement systems and providing for the inclusion in such systems of county and district employees engaged in fire prevention and suppression work, including work related thereto.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2004?

Amendment No. 1

On page 2, line 31, of the printed bill, following "county", insert ", and if the fund herein provided for be inadequate to pay such pensions, they shall be paid from and constitute a charge upon the general fund of the county".

Amendment No. 2

On page 3, line 38, of the printed bill, strike out "all", and insert "one-half of all".

Amendment No. 3

On page 5, line 38, of the printed bill, after "thereafter", insert ", or if there is no widow entitled to receive the same,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2004 by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Fourn, Gaffney, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Price, Sargent, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Weber, Werdel, Wevret, Wollenberg, and Mr. Speaker—52.

NOES—Beck, Erwin, Evans, Guthrie, Pelletier, Rosenthal, and Smith—7.

Assembly Bill No. 2004 ordered enrolled.

Assembly Bill No. 537—An act to amend Section 6 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to county peace officers' retirement system.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 537?

Amendment No. 1

On page 1, line 18, of the printed bill, as amended, strike out "to the extent of the insurance protection".

Amendment No. 2

On page 2, line 1, of said bill, strike out "afforded thereby,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 537 by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sargent, Sawallisch,

Sheridan, Smith, Stream, Thomas, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 537 ordered enrolled.

Assembly Bill No. 674—An act to add Section 325 to Article 2 of Chapter 1, of Division 3 of the Agricultural Code, relating to foreign cold storage meat.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 674?

Amendment No. 1

On page 1, line 7, of the printed bill, after "meat", insert "produced in the Dominion of Canada and".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 674 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Haggerty, Hastain, Hawkins, Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Burkhalter, Denny, Desmond, Guthrie, Heisinger, Kilpatrick, and Lowrey—7.

Assembly Bill No. 674 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 961—An act to add Chapter 7, comprising Section 4025, to Part 1 of Division 5 of the Health and Safety Code, relating to water.

Bill read third time.

Motion to Amend

Mr. Burns moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended, after the period, insert "The provisions of this section do not apply to any water to which Section 482 of the Fish and Game Code applies."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

MOTION TO EXTEND THANKS

Mr. Field moved that the Assembly extend thanks to Assemblyman and Mrs. Desmond, Assemblyman and Mrs. Gannon, and Senator Swan for their genial hospitality in entertaining Members of the Assembly and their families today.

Motion carried unanimously.

RECESS

At 2.37 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2.38 p.m.

REASSEMBLED

At 2.38 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 515	Assembly Bill No. 1381
Assembly Bill No. 800	Assembly Bill No. 1480
Assembly Bill No. 961	Assembly Bill No. 1733
Assembly Bill No. 1065	Assembly Bill No. 1962
Assembly Bill No. 1067	Assembly Bill No. 2007

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 24	Assembly Bill No. 998
Assembly Bill No. 226	Assembly Bill No. 1055
Assembly Bill No. 472	Assembly Bill No. 1415
Assembly Bill No. 543	Assembly Bill No. 2002

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

Above bills ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 229—An act to add Sections 30a to 30r to the Bank Act and to add Section 3081 to the Civil Code, relating to the disposal of unclaimed contents of safe deposit boxes rented by banks or other corporations and relating to unclaimed items of personal property left with a bank for safekeeping or storage;

Assembly Bill No. 261—An act to amend Sections 19484 and 19562 of the Business and Professions Code, relating to horse racing meetings;

Assembly Bill No. 566—An act to amend Section 4 of an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919, relating to funds of the system;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 7—Relative to memorializing Congress to give a larger part in the war effort to the small businesses of the United States;

Assembly Joint Resolution No. 49—Relative to memorializing Congress to appropriate additional funds to provide for payment to student nurses during their training to become trained nurses a monthly wage in keeping with the high and noble nature of their profession;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 17—A resolution proposing to the people of the State of California an amendment to the Constitution of the State,

by adding a new section numbered 1c to Article XIII thereof, relating to taxation; And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 654—An act to amend Section 352 of the Political Code, relating to the traveling expenses of State officers and employees;

Assembly Bill No. 677—An act to add Section 3091.5 to Article 4, Chapter 1, Part 1, Division 5 of the Welfare and Institutions Code, relating to the destruction of certain records in the county administration of aid to the needy blind;

Assembly Bill No. 687—An act to amend Sections 6011, 6012, 6015, 6353, 6358, 6381, 6486, 6487, 6702, 6711, 6776, 6811, and 6812 of the Revenue and Taxation Code, to amend and renumber Section 6245, to add Sections 6095, 6245, 6363, 6364, and 6385 to said code, to repeal Section 6456 of said code, and to amend Section 51 of the Retail Sales Tax Act of 1933, all relating to the taxation of the privilege of selling and of storing, using, or otherwise consuming tangible personal property and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 699—An act to amend Section 108.5 of the Agricultural Code, relative to host-free periods and host-free districts;

Assembly Bill No. 729—An act to amend the County Water District Act approved June 10, 1913, as amended, by amending Sections 3, 4, 5, 6, 8 and 14, relating to county water districts; and by adding new Sections 12.16, relating to payment of expenses of organization of districts; 14.5, relating to liability of district directors, officers, agents and employees; 14.6, relating to claims against districts, their directors, officers, agents and employees and actions thereon; 14.7, relating to liability of districts, their directors, officers, agents and employees; 14.8, relating to judgments against district directors, officers, agents and employees; and 22d, relating to the use of various improvement acts in district improvements;

Assembly Bill No. 847—An act to add Sections 784.9 and 789.1 to the Agricultural Code, relating to fruits, nuts and vegetables;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 983—An act to amend Section 4077 of the Political Code, relating to the allowance or rejection of claims against counties;

Assembly Bill No. 1011—An act to add Sections 838.5, 1710, 1691.3, 1831.6, 1831.7, 1831.8, and 1831.9 to the Insurance Code, to add Article 18, comprising Sections 1110 to 1113, inclusive, to Chapter 1, Part 2, Division 1, thereof, and to amend Sections 382, 763, 1200, 1202, 1591, 1808 and 1831.5 to, and to repeal Section 1710 of the Insurance Code, all relating to insurance;

Assembly Bill No. 1014—An act to add Sections 10176, 10206.5 and 10641.5 to, and to amend Sections 10202, 10203, 10206, 10270.5, 10270.55, 10270.9, 10270.93 and 10270.95 of, the Insurance Code, relating to insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1019—An act to amend Sections 916 and 986 and repeal Section 10487 of, to add Sections 10150.1, 10478, 10479, 10488, 10489 and 10929 to, and to add Article 3a to Chapter 1 of, and Article 3a to Chapter 5 of, Part 2, Division 2 of the Insurance Code, relating to insurance;

Assembly Bill No. 1052—An act making an additional appropriation for the support, operation, construction, improvements, and equipment at the State prisons of California;

Assembly Bill No. 1058—An act to amend Sections 7, 7305, 7306, 7307, 7308, 7351, 7352, 7353, 7401, 7454, 7457, 7481, 7485, 7493, 7507, 7508, 7651, 7652, 7701, 7702, 7703, 7704, 7727, 7728, 7729, 7730, 7871, 7891, 7892, 7895, 7934, 7935, 7981, 8101, 8191,

8253, 8303, 8304, 8306, 8403, and 50007 of the Revenue and Taxation Code, to add Sections 28, 7407, 7655, 7660, 7661, 7662, 7663, 7698, 7699, 7700, 7706, 8193, 8194, to amend the headings of Articles 1, 2, and 3 of Chapter 5 of Part 2 of Division 2, and of Article 5 of Chapter 7 of said part, to add Article 2.5 consisting of Sections 7670 to 7675, inclusive, and Article 3.5 consisting of Sections 7710 to 7716, inclusive, to Chapter 5 of said part, and to repeal Sections 7653, 7654, 7676, 7677, and 7678 of said Code, relating to the scope of, returns under, payments under, administration of, and collection of the motor vehicle fuel license tax, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1185—An act to add Section 6564 to the Welfare and Institutions Code, relating to nonprofit stores on the grounds of State institutions;

Assembly Bill No. 1187—An act to amend Sections 5701 and 5701.5 of the Welfare and Institutions Code, relating to licensing of private institutions;

Assembly Bill No. 1189—An act to amend Sections 165, 6656.5, 6660.5 and 6661 of the Welfare and Institutions Code, relating to funds and personal property belonging to patients in State institutions;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1207—An act to repeal Section 2.2012 of the School Code and to repeal Section 4643 of the Education Code, relating to the annexation of school districts to unified school districts;

Assembly Bill No. 1243—An act to amend Section 6 of an act entitled "An act to provide for the replacement and/or the reconstruction in whole or in part of all city, county, school district, or other special district buildings wholly or partially destroyed by earthquakes since January, 1933, declaring the urgency thereof and providing that this act shall take effect immediately," approved May 26, 1933, relating to the payment, disposition and expenditure of rentals payable under said act;

Assembly Bill No. 1270—An act to amend Section 160 and to add Sections 55.5 and 154 to the County Employees Retirement Act of 1937, relating to retirement;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1308—An act to repeal Chapter 8, comprising Sections 6850 to 6955, inclusive, of Division 3 of the Business and Professions Code, and to add Chapter 8 comprising Sections 6850 to 6991, inclusive, to Division 3 of the Business and Professions Code, providing for the regulation, bonding, supervision and licensing of collection agencies and penalizing violations thereof;

Assembly Bill No. 1319—An act to repeal Sections 2244 and 2259 of the Political Code and to repeal Sections 20773 and 20923 of the Education Code, relating to the qualifications of certain teachers appointed or employed by the State Department of Education;

Assembly Bill No. 1323—An act to amend Section 1352 of the Labor Code, relating to working hours for women;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1385—An act to amend Section 12 of "An act to establish police courts in cities of the second class, to fix their jurisdiction and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, relating to imprisonment of persons convicted in the courts;

Assembly Bill No. 1444—An act to amend Section 10301 of the Education Code, relating to the course of study for elementary schools;

Assembly Bill No. 1445—An act to amend Section 3.735-2 of the School Code and to amend Section 10126 of the Education Code, relating to exemption from physical education;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1488—An act to amend Section 469 of the Agricultural Code and to repeal Section 472, relating to milk and cream;

Assembly Bill No. 1509—An act to amend Sections 122 and 123 of, and to add Sections 123.55, 123.56, 123.57 and 123.58 to, the Agricultural Code, relating to inspection and certification of nursery stock;

Assembly Bill No. 1510—An act to add Section 1152.5 to the Agricultural Code, relating to cooperative agreements to effectuate the purposes of marketing laws;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1541—An act to add Section 37i to the Water Commission Act, and Chapter 9 to Part 4 of Division 2 of the Water Code, relating to methods and procedure to carry into effect decrees providing for the distribution of water and for the allocation and payment of the expenses thereof;

Assembly Bill No. 1544—An act to add Sections 7.6 and 7.7 to the Unemployment Insurance Act, relating to excluded employments under said act;

Assembly Bill No. 1591—An act to add Parts 8 and 9, comprising Sections 13301 to 16652, inclusive, to Division 2 of the Revenue and Taxation Code, and to add Section 50014 thereto, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Inheritance Tax Act of 1935, the Gift Tax Act of 1939, and Section 445 of the Political Code, and repealing acts and parts of acts specified therein;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1592—An act to add Part 10, comprising Sections 17001 to 19452, inclusive, to Division 2 of, and to add Section 50015 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Personal Income Tax Act, and repealing acts and parts of acts specified herein;

Assembly Bill No. 1603—An act to amend Sections 2350, 2351, 2353, and 2357 of the Welfare and Institutions Code, and to add Sections 2350.5, 2353.1, 2353.2, and 2354.1 thereto, relating to agreements for the care of aged persons, providing for regulation and supervision of organizations and persons entering into such agreements by the State Department of Social Welfare, and providing for the issuance of writs of attachment in actions for the enforcement thereof;

Assembly Bill No. 1604—An act to add Section 258.1 to the Vehicle Code, relating to chauffeurs;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1701—An act to amend Section 4 of the "Municipal Water District Act of 1911," relating to elections therein;

Assembly Bill No. 1746—An act to amend Sections 3656 and 3659 of, and to add Sections 3659.3, 3659.5, 3659.6, 3659.7, 3659.9, 3791.5, and 4653.1 to the Revenue and Taxation Code, relating to the management of tax deeded property, providing for the distribution of the proceeds therefrom to the taxing agencies and revenue districts having interests in such property, prescribing the powers and duties of the State Controller and of the taxing agencies, revenue districts, and the officers thereof in relation to such property, establishing a Redemption Tax Fund, and making an appropriation;

Assembly Bill No. 1783—An act to amend Section 1663 of the Probate Code, relating to incompetent veterans and other incompetent and minor beneficiaries of the Veterans Administration, and providing for commitments and transfers to the Veterans Administration or other agency of the United States of persons eligible for care or treatment thereby;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1839—An act to add Section 1944.1 to the Labor Code, relating to the employment of certain aliens and declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 1849—An act to add Sections 500.1, 502.1, 512.1, 513.1, 515.1, 518.1 and 520.1 to the Military and Veterans Code, and to add Section 12011 to the Education Code, relating to high school cadets;

Assembly Bill No. 1881—An act to amend Sections 202, 173 and 153.5 of the State Civil Service Act, relating to the State civil service, and declaring the urgency hereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1935—An act to amend Section 107 of the Revenue and Taxation Code, relating to the taxation of real and personal property, including the taxing of possessory interests and mining rights;

Assembly Bill No. 1937—An act to amend Sections 7618, 7630, to add Section 7632 to, and to amend Sections 7640, 7641, 7643, 7647, 7662, 7665, 7666, 7667, 7668, 7669, 7680, 7702, 7726 and 7729 of the Business and Professions Code, relating to funeral directors, embalmers and apprentice embalmers, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1958—An act to add Section 782 to the Vehicle Code, relating to the expenditure of money for crossing guards by the Department of Motor Vehicles, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1963—An act to amend Sections 802.6, 803, 823, 828.15, 828.25, 828.4 and 829.2 of the Agricultural Code, relating to standard containers for deciduous fruits and grapes, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 1990—An act to amend Section 4029 of the Political Code, relating to supervisory districts;

Assembly Bill No. 2013—An act to repeal Section 5007 of the Government Code, relating to the reconversion of registered bonds into coupon bonds;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 136

Assembly Bill No. 582

Assembly Bill No. 1018

Assembly Bill No. 1028

Assembly Bill No. 1107

Assembly Bill No. 1111

Assembly Bill No. 1140

Assembly Bill No. 1504

Assembly Bill No. 1699

Assembly Bill No. 1705

Assembly Bill No. 1953

Assembly Bill No. 1975

Assembly Bill No. 1045

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By MARGARET DOUVILLE, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 56
 Assembly Joint Resolution No. 50
 Assembly Concurrent Resolution No. 65

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 257	Assembly Bill No. 1125
Assembly Bill No. 406	Assembly Bill No. 1222
Assembly Bill No. 590	Assembly Bill No. 1529
Assembly Bill No. 805	Assembly Bill No. 1624
Assembly Bill No. 856	Assembly Bill No. 1633
Assembly Bill No. 857	Assembly Bill No. 1969
Assembly Bill No. 908	Assembly Bill No. 1033
Assembly Bill No. 1063	Assembly Bill No. 2015
Assembly Bill No. 1070	

J. A. BEEK, Secretary of the Senate
 By MARGARET DOUVILLE, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Swan, DeLap, and Rich as a Committee on Conference concerning:

Assembly Bill No. 604—An act to add Section 5.751-1 of the School Code and to add Section 13842.1 of the Education Code, relating to salaries of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Swan, Tickle, and Carter as a Committee on Conference concerning:

Assembly Bill No. 1265—An act to add Article 9 to Chapter 7 of Part 3 of Division 5 of the School Code, comprising Sections 5.725 to 5.725q, inclusive, and to add Article 8 to Chapter 11 of Division 7 of the Education Code, comprising Sections 13701 to 13718, inclusive, relating to emergency leaves of absence, declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
 By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 51
 Senate Joint Resolution No. 26

J. A. BEEK, Secretary of the Senate
 By A. P. BELLISLE, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 51—Relative to the appointment of the State Controller as Accounting Officer for the Legislature for tax and other purposes.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 51, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 51

Senate Concurrent Resolution No. 51—Relative to the appointment of the State Controller as Accounting Officer for the Legislature for tax and other purposes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Dilworth, Doyle, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Pelletier, Potter, Price, Robertson, Rosenthal, Thompson, Thorp, Thurman, Waters, Weber, Werdel, and Mr. Speaker—47.

NOES—None.

Resolution ordered transmitted to the Senate.

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 26—Relative to deduction of earnings from agricultural labor from old-age assistance.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 26, at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 26

Senate Joint Resolution No. 26—Relative to deduction of earnings from agricultural labor from old-age assistance.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Doyle, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kellem, Kilpatrick, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Thompson, Thorp, Thurman, Waters, Weber, Weybret, and Mr. Speaker—51.

NOES—None.

Resolution ordered transmitted to the Senate.

MOTION TO PRINT IN JOURNAL

Upon motion of Mr. Sam L. Collins, the following statement by Mr. Guthrie, read by Speaker Lyon, was ordered printed in the Journal:

I have cowboied all of my life and have been on the wrong end of this law-making business. I broke 'em.

It's been a lot of fun moving this herd up the Victory Trail for Old Man Warren. With the Republican cowboys working out there on the point and us Democrats bringing up the drags. Back there in the dust we saw some amusing things as we worked on the south end of those little dogies going north.

In the poker game around the campfire at night we saw cowboy Wollenberg get plumb reckless with the Old Man's chips. And the next morning as we saddled up, it was hard to resist the impulse to stick a burr under this old cowboy's pony's tail so that the people of California might see the fun, but we Democrats think too much of the Boss to do that—yet. We saw the Old Man cross his elephant with his jackass, and we suspect that the offspring will be a little red deficit. The moral is that these two pets should play together less and fight more.

We never will forget that morning when the Assistant Trail Boss, Sam Collins, threw back the blankets and discovered that he had given birth to that anti-fourth term resolution. We Democrats were always allergic to that baby and were glad when the little cuss sickened and died. We never held that against Sam because we were all wild in our youth. He was simply used, abused, and abandoned by a Republican politician. On the rest of the trip every time one of us Democrats crawled in bed with a Republican, we always buckled on our spurs. You never can tell.

It's been a good trip. Trail Boss Charlie Lyon has sure rolled us out early in the morning and we always hit the trail before sunup, but the Old Boy is a square shooter and we love him regardless.

If any of you old boys ever stray down into the Joaquin, turn your horse out in the pasture and stay awhile. The latch string is always out.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 568—An act to add Section 2780.1 to the Penal Code, relating to the prison camps, making an appropriation, declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 672—An act to add Section 60.3 and Section 45.2 to the Alcoholic Beverage Control Act, relating to alcoholic beverages.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 601—An act to amend Sections 1620, 1621, 1622, 1623, 1625, 1626, 1627, 1628, and 1630, 2303, 2305, 2306, 2307, 2308, 2309, and 2310 of the Welfare and Institutions Code, to amend the chapter heading of Chapter 1 of Part 3 of Division 2 of said code, to repeal Sections 2300, 2301, and 2302 of said code, to add Sections 1625.5, 2300, 2300.5, 2300.7, 2301, 2301.3, 2301.5, 2301.7, 2301.9, 2302, 2302.3, 2302.5, and 2305.5 to said code, and to add Chapter 2, comprising Sections 1650 to 1660, inclusive, to Part 3 of Division 2 of said code, relating to institutions for the reception and care of persons in need of protection and care, including institutions for child care and home-finding and placement agencies and institutions, boarding homes and other places for the reception and care of aged persons, and providing for the licensing and regulation of such institutions and agencies.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Second Committee on Conference concerning:

Assembly Bill No. 1538—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 521—An act to amend Sections 12755 and 12784 of the Education Code, relating to the revocation of credentials, life diplomas or documents issued by the State Board of Education.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1116—An act authorizing the State, any city, county, city and county, or district having jurisdiction of properties to make agreements with the United States Government for the leasing or use of such properties during the war and six months thereafter; declaring the urgency hereof; to take effect immediately.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 650—An act to add Section Section 10126.1 to the Education Code, relating to attendance of pupils upon courses of physical education

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 568—An act to add Section 2780.1 to the Penal Code, relating to the prison camps, making an appropriation, declaring the urgency thereof, to take effect immediately;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

CARTER
KEATING
WARD

Senate Committee on Conference

FOURT
THOMAS
MCMILLAN

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Dickey, Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, T. Penton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Niehouse, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 568 ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 601—An act to amend Sections 1620, 1621, 1622, 1623, 1625, 1626, 1627, 1628, and 1630, 2303, 2305, 2306, 2307, 2308, 2309, and 2310 of the Welfare and Institutions Code, to amend the chapter heading of Chapter 1 of Part 3 of Division 2 of said code, to repeal Sections 2300, 2301, and 2302 of said code, to add Sections 1625.5, 2300, 2300.5, 2300.7, 2301, 2301.3, 2301.5, 2301.7, 2301.9, 2302, 2302.3, 2302 5, and 2305.5 to said code, and to add Chapter 2, comprising Sections 1650 to 1660, inclusive, to Part 3 of Division 2 of said code, relating to institutions for the reception and care of persons in need of protection and care, including institutions for child care and home-finding and placement agencies and institutions, boarding homes

and other places for the reception and care of aged persons, and providing for the licensing and regulation of such institutions and agencies;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill, as amended on May 3, 1943, be further amended as follows:

Amendment No. 1

In the title of the printed bill, as amended, strike out lines 2 to 19, inclusive, and insert "1627, 1628, and 1630 of the Welfare and Institutions Code, to amend the chapter heading of Chapter 1 of Part 3 of Division 2 of said code, and to add Chapter 2, comprising Sections 1650 to 1660, inclusive, to Part 3 of Division 2 of said code, relating to institutions for child care and home-finding and placement agencies, and providing for the licensing and regulation of such institutions and agencies."

Amendment No. 2

On page 2 of said bill, strike out lines 44 to 52, inclusive; and on page 3, strike out lines 1 to 13, inclusive.

Amendment No. 3

On page 5 of said bill, strike out lines 32 to 52, inclusive; and strike out all of pages 6 to 9, inclusive.

MIXTER
MAYO
HATFIELD

Senate Committee on Conference

WERDEL
GUTHRIE
ARMSTRONG

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dickey, Dilworth, Doyle, Erwin, Evans, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, Pelletier, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Mr. Speaker—54.

NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. PRESIDENT: The Committee on Conference concerning:

Senate Bill No. 672—An act to add Section 60.3 and Section 45.2 to the Alcoholic Beverage Control Act, relating to alcoholic beverages;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on May 4, 1943, be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and Section 45 2".

Amendment No. 2

Strike out lines 1 to 9, inclusive, of said bill, and insert
"SECTION 1. Section 60 3 is added to said act, to read:"

Amendment No. 3

On page 1, line 16, of said bill, after "value", insert " , other than any tax properly chargeable and not included in such maximum purchase price,".

Amendment No. 4

On page 1, line 20, of said bill, after the period, insert
"This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs."

BURNS
SWING
PARKMAN

Senate Committee on Conference

SAWALLISCH
CALL
MIDDOUGH

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote :

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Pelletier, Robertson, Sargent, Sawallisch, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—54.

NOES—None.

REPORT OF SECOND COMMITTEE ON CONFERENCE

The following report of Second Committee on Conference was received and read :

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER : The Second Committee on Conference concerning :

Assembly Bill No. 1538—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, to take effect immediately ;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following :

That the amendments of the Senate be concurred in and that the bill, as amended on May 4, 1943, be further amended as follows :

Amendment No. 1

On page 1, lines 1 to 3, inclusive, of the printed bill, as amended, strike out "six hundred eighty-one thousand five hundred thirty-nine dollars and seventy-four cents (\$681,539.74)", and insert "six hundred sixty thousand five hundred thirty-six dollars and eighty-five cents (\$660,536.85)".

Amendment No. 2

On page 1, lines 7 to 9, inclusive, of said bill, strike out "six hundred eighty-one thousand five hundred thirty-nine dollars and seventy-four cents (\$681,539.74)", and insert "six hundred sixty thousand five hundred thirty-six dollars and eighty-five cents (\$660,536.85)".

Amendment No. 3

On page 1, line 10, of said bill, strike out "\$500,573.35", and insert "five hundred thirty-nine thousand four hundred seventy dollars and forty-six cents (\$539,470.46)".

**TICKLE
BREED
MAYO**

Second Senate Committee
on Conference

**CALL
POTTER**

Second Assembly Committee
on Conference

The roll was called, and the report adopted by the following vote :

AYES—Allen, Bashore, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dilworth, Dunn, Evans, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Niehouse, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—55.

NOES—Pelletier—1.

Assembly Bill No. 1538 ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read :

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER : The Committee on Conference concerning :

Senate Bill No. 650—An act to add Section 10126.1 to the Education Code, relating to attendance of pupils upon courses of physical education ;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following :

That the amendments of the Assembly be concurred in and that the bill, as amended on April 30, 1943, be further amended as follows :

Amendment No. 1

On page 1, line 24, of the printed bill, as amended, strike out “, with”; and strike out lines 25 and 26.

Amendment No. 2

On page 2, line 8, of said bill, strike out “3.735-3.735-1”, and insert “10123, 10124, and 10125”.

Amendment No. 3

On page 2 of said bill, strike out lines 9 to 11, inclusive.

SALSMAN
SWAN

Senate Committee on Conference

THOMPSON
MILLER

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Anderson, Beck, Berry, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dilworth, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Hastam, Hawkins, Kellems, King, Kraft, Leonard, Lyons, Maloney, Massion, Niehouse, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—48

NOES—Dunn and Werdel—2.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Conference concerning:

Assembly Bill No. 521—An act to amend Sections 12755 and 12784 of the Education Code, relating to the revocation of credentials, life diplomas or documents issued by the State Board of Education;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill, as amended on May 1, 1943, be further amended as follows:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, after “189,” insert “inclusive.”.

Amendment No. 2

On page 1, line 9, of said bill, strike out “both inclusive.”.

Amendment No. 3

On page 1, line 10, of said bill, strike out “both”.

Amendment No. 4

On page 1, line 11, of said bill, strike out “both”.

Amendment No. 5

On page 2, line 2, of said bill, after “189.” insert “inclusive.”.

Amendment No. 6

On page 2, line 4, of said bill, strike out “both inclusive.”.

Amendment No. 7

On page 2, line 5, of said bill, strike out “both”.

Amendment No. 8

On page 2, line 6, of said bill, strike out “both”.

SWAN
BIGGAR
JESPERSEN

Senate Committee on Conference

JOHNSON
DILLS, RALPH C.
THOMPSON

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Pelletier, Potter, Price, Robertson,

Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—57.
 NOES—None.

Assembly Bill No. 521 ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 1116—An act authorizing the State, any city, county, city and county, or district having jurisdiction of properties to make agreements with the United States Government for the leasing or use of such properties during the war and six months thereafter; declaring the urgency hereof; to take effect immediately; Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill be further amended, as follows:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended, strike out "approved by", and insert "acting through".

CRITTENDEN
 FLETCHER
 MAYO

STREAM
 THOMPSON
 BASHORE

Senate Committee on Conference

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—57.
 NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 667—An act to amend Sections 26200.5, 26209, 26212, 26251, 26253, 26254, 26271, 26280, 26281, 26282, 26296, 26302, 26303, 26327, 26328, 26336, 26337, 26338, 26342, 26343, 26361, 26364, 26366, 26367, 26368, and 26380 of, and add Sections 26216 and 26271 (a) to Division 21, Chapter 2 of the Health and Safety Code, relating to the adulteration, misbranding, advertising and sale of drugs and devices, and to the powers of the State Department of Public Health in relation thereto;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

MCBRIDE
 GORDON
 BROWN

POTTER
 SHERIDAN
 DOYLE

Senate Committee on Conference

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—57.
 NOES—None.

Assembly Bill No. 667 ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1094—An act to amend Section 18200 of the Health and Safety Code, relating to the enforcement of the provisions of Part 2 of said code; Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be not concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended, strike out "if authorized by the Division of Immigration and Housing,".

DONNELLY

JUDAH

BREED

Senate Committee on Conference

CAREY

ROSENTHAL

WATSON

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Anderson, Bennett, Berrv, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Pelletier, Potter, Price, Robertson, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—57.

NOES—None.

UNFINISHED BUSINESS (RESUMED)**Consideration of Senate Amendments**

Assembly Bill No. 1031—An act to add Section 1844a to the Code of Civil Procedure, relating to proof of gifts causa mortis.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1031?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "causa mortis", and insert "in view of death".

Amendment No. 2

On page 1 of said bill, strike out line 4; and in line 5, strike out "blood to the donor", and insert "a gift in view of death, as defined in Section 1149 of the Civil Code,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1031 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Crichton, Crowley, Debs, Dickey, Dilworth, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Hawkins, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 1031 ordered enrolled.

Assembly Bill No. 1452—An act to add Section 265 to the Fish and Game Code, relating to stocking of waters of the State with fish and

providing for the acquisition of public easements over private property for the purpose of taking fish from waters stocked by the State.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1452?

Amendment No. 1

On page 1, line 18, of the printed bill, as amended, after the period, insert "The provisions of this section shall not apply to lakes with a shore line of more than five miles."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1452 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Crichton, Crowley, Debs, Dickey, Dilworth, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Hawkins, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Potter, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 1452 ordered enrolled.

Assembly Bill No. 515—An act to provide for the establishment and maintenance of a School of Public Health in the University of California and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 515?

Amendment No. 1

On page 1, line 4, of the printed bill, after "expended", insert "during the Ninety-fifth and Ninety-sixth Fiscal Years."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 515 by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, Miller, Niehouse, Pelletier, Potter, Robertson, Rosenthal, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weidel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 515 ordered enrolled.

Assembly Bill No. 800—An act to amend Section 776 of the Vehicle Code, relating to the "Motor Vehicle Support Fund," to take effect July 1, 1943.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 800?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after the comma, insert "and Section 11001 of the Revenue and Taxation Code."

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "Motor Vehicle Support Fund," and insert "reporting and depositing of application and license fees received by the Department of Motor Vehicles."

Amendment No. 3

On page 1, line 5, of the printed bill, as amended, after "covering", insert "all".

Amendment No. 4

On page 1, line 5, of the printed bill, as amended, strike out the last "for".

Amendment No. 5

On page 1, line 6, of the printed bill, as amended, strike out "vehicle registration".

Amendment No. 6

On page 1 of the printed bill, as amended, following line 22, insert "SEC. 2. Section 11001 of the Revenue and Taxation Code is hereby amended to read as follows:

11001. All money collected by the department for accepted applications under this part shall be reported monthly to the Controller and at the same time deposited in the State treasury to the credit of the Motor Vehicle License Fee Fund, which fund is continued in existence."

Amendment No. 7

On page 1, line 24, of the printed bill, as amended, strike out "2", and insert "3".

Amendment No. 8

In lines 6 and 7 of the title of the printed bill, as amended, strike out "July 1, 1943", and insert "immediately".

Amendment No. 9

On page 2, line 12, of said bill, after "effect", insert "immediately, and shall become operative".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 800 by the following vote:

AYES—Allen, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Guthrie, Hawkins, Heisinger, Johnson, Kellems, King, Kraft, Leonard, Maloney, McCollister, McMillan, Miller, Niehouse, Pelletier, Rosenthal, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 800 ordered enrolled.

Assembly Bill No. 1111—An act to amend the heading of Article 11 of Chapter 1 of Division 5, to amend Sections 2451, 2452, 2453, 2455, 2831, 2832, 2839, 2840, 2841, 2842, and 2843 and to repeal Section 2450 of the Elections Code, relating to county central committees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1111?

Amendment No. 1

In line 3 of the title of the printed bill, as amended, after "2843", insert ", to add Sections 3881 and 3882 to,".

Amendment No. 2

On page 2, line 8, of said bill, after the period, insert "The sections in this article which prescribe the form of the separate county central committee election ballot shall apply only to those counties in which the board of supervisors determines that a separate ballot shall be used."

Amendment No. 3

On page 3 of said bill, after line 12, insert "SEC. 14. Section 3881 is added to said code, to read: 3881. In those counties in which it is determined by the board of supervisors that a separate county central committee election ballot shall not be used, the names of candidates for the county central committee shall appear upon the presidential primary election ballot.

SEC. 15. Sections 3882 is added to said code, to read: 3882. The names of the candidates for the county central committee shall appear immediately below the names of the candidates for the office of Delegates to the

National Convention, and that portion of the ballot shall be in substantially the following form:

MEMBERS OF THE COUNTY CENTRAL COMMITTEE

Member of County Central Committee	Vote for Seven
John T. Hunt School Teacher	
Joseph T. Johnson Paving Contractor	
H. L. Maynard Broker	
E. S. Minor Real Estate Agent	
H. D. Robinson Doctor	
Edward F. Stevens Dentist	
N. Mallard Lawyer	
D. G. Elton Baker	
	"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1111 by the following vote:

AYES—Allen, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Diekey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Hawkins, Heisinger, Johnson, Kellems, King, Kraft, Leonard, Maloney, McCollister, McMillan, Miller, Niehouse, Pelletier, Rosenthal, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No 1111 ordered enrolled.

Assembly Bill No. 1381—An act to add Section 164.1 to the Military and Veterans Code, relating to the compensation of The Adjutant General.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1381?

Amendment No. 1

On page 1 of the printed bill, strike out lines 7 to 14, inclusive.

Amendment No. 2

In line 1 of the title of the printed bill, after "act", insert "to amend Section 162 of, and".

Amendment No. 3

In line 2 of the title of said bill, strike out "the compensation of".

Amendment No. 4

On page 1, line 1, of said bill, after "SECTION 1", insert "Section 162 of the Military and Veterans Code is amended to read:

162. The Adjutant General shall be appointed by *the Governor with the advice and consent of the Senate*, and *shall* hold office at the pleasure of the Governor, or until his successor is appointed and has qualified. No person is eligible for appointment as Adjutant General unless he had attained the grade of field officer and has had four years previous experience as a commissioned officer in command, or in service with troops of the line of this State, or of another State or Territory, the District of Columbia, or the United States Army or Marine Corps, or in any or all of such services combined.

SEC. 2".

Amendment No. 5

On page 1 of the printed bill, strike out lines 7 to 14, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1381 by the following vote:

AYES—Allen, Beck, Bennett, Berry, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Maloney, McMillan, Miller, Potter, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—47.

NOES—Heisinger and Pelletier—2.

Assembly Bill No. 1381 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, MAY 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 727—An act making an appropriation to the emergency fund specified in Item 221 of the Budget Act of 1943, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency of this act, to take effect immediately;

And appointed Senators Quinn, Biggar, and Rich, as a Committee on Conference to meet a like committee from the Assembly

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

**APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING
SENATE BILL NO. 727**

The Speaker announced the appointment of Messrs. Burkhalter, Leonard, and Dunn as a Committee on Conference concerning Senate Bill No. 727.

UNFINISHED BUSINESS (RESUMED)**Consideration of Senate Amendments**

Assembly Bill No. 1071—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1071?

Amendment No. 1

On page 1, lines 21 and 22, of the printed bill, as amended, strike out "and maintained exclusively".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 25, and insert "(f) An emergency vehicle of a public".

Amendment No. 3

On page 2, line 1, of the printed bill, as amended, after "calls", insert "for the repair or maintenance of its service".

Amendment No. 4

On page 2, line 2, of the printed bill, as amended, after the period, insert "A vehicle mentioned in this subdivision may display a red light but need not be equipped with a siren."

Amendment No. 5

On page 2, line 24, of the printed bill, as amended, immediately following subdivision (j), insert

"(k) A motor vehicle owned by the State and operated by a member of the Board of State Harbor Commissioners for San Francisco Harbor or by any officer or employee of said board, and used exclusively in responding to emergency calls on the San Francisco water front."

Amendment No. 6

On page 1, lines 5 and 6, of the printed bill, as amended, strike out "by a police or fire department or traffic law enforcement officer", and insert "in the performance of his duty, by a member of any police or fire department, any sheriff, constable, or deputy sheriff, or traffic law enforcement officer who is regularly employed by the State, or any city, or any city and county, or any county".

Amendment No. 7

On page 1, line 21, of said bill, after "constructed", insert "and maintained exclusively".

Amendment No. 8

On page 2 of said bill, between lines 35 and 36, insert
 "(l) A motor vehicle operated by the director of plant protection of any factory, building or plant engaged solely in producing equipment for the armed forces of the United States."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1071 by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, Johnson, Kellems, King, Kraft, Leonard, Maloney, Massion, McMillan, Miller, Potter, Rosenthal, Sawallsch, Sheridan, Stream, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—48.

NOES—Carlson, Debs, Evans, Smith, and Waters—5

Assembly Bill No. 1071 ordered enrolled.

Assembly Bill No. 301—An act to amend Section 79.07 of the Civil Code, relating to destruction of records by county clerks.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 301?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "order", and insert "orders".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 301 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Maloney, Massion, McMillan, Miller, Pelletier, Price, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 301 ordered enrolled.

Assembly Bill No. 671—An act to add Section 1020.5 to Chapter 5, Title 14, Part 2 of the Code of Civil Procedure, relating to dispensing with the giving of notice to persons who are enemies or allied with

enemies of the United States as defined in the Trading With the Enemy Act, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 671?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, after "statute", insert "of this State".

Amendment No. 2

On page 2, line 16, of said bill, strike out "by registered mail".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 671 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Ralph C. Dulworth, Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Maloney, Massion, McMillan, Miller, Pelletier, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 671 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 902—An act to add Sections 6359.5 and 6365 to the Revenue and Taxation Code, relating to the sales and use taxes and exemptions therefrom; And appointed Senators Ward, Breed, and Salsman, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1061—An act to amend Sections 1 and 4 of an act entitled "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, relating to the California Farm Debt Adjustment Commission, including extension of the period of existence of and membership upon the commission; making an appropriation therefor;

And appointed Senators Jespersen, Powers, and Gordon, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

**APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING
SENATE BILL NO. 1061**

The Speaker announced the appointment of Messrs. Weybret, Clarke, and Thorp as a Committee on Conference concerning Senate Bill No. 1061.

**APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING
SENATE BILL NO. 902**

The Speaker announced the appointment of Messrs. Robertson, Collins, George D., and Weybret as a Committee on Conference concerning Senate Bill No. 902.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1412—An act to add Division 8, comprising Sections 8001 to 8212, inclusive, to the Public Resources Code, relating to surveys and maps, creating a State Board of Maps and Surveys, and prescribing its powers and duties.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1412?

Amendment No. 1

On page 5, line 11, of the printed bill, as amended, strike out "Department of Natural Resources", and insert "State Lands Commission".

Amendment No. 2

On page 5, line 22, of said bill, strike out "Department of Natural Resources", and insert "State Lands Commission".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1412 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Maloney, Massion, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—60

NOES—None.

Assembly Bill No. 1412 ordered enrolled.

Assembly Bill No. 1065—An act to amend Sections 619, 625, 645, 646, 665, and 699 of, to add Section 620.5 to, and to repeal Section 707 of, the Vehicle Code, relating to lamps and devices on vehicles, elevated wheels and length of loads.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1065?

Amendment No. 1

On page 2, line 24, of the printed bill, as amended, insert "(c) On and after January 1, 1940, the color of the light emitted from clearance lamps on new vehicles sold or operated in this State and required to be equipped with clearance lamps as provided in this section shall be amber or amber at the front and red at the rear of the vehicle. Vehicles sold or operated prior to January 1, 1940, may be equipped with and display amber clearance lamps or amber at the front and red at the rear of the vehicle."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1065 by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton, Leonard, Lyons, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Weybret—57.

NOES—None.

Assembly Bill No. 1065 ordered enrolled.

Assembly Bill No. 1067—An act to amend Sections 130, 142, 146, 154, 164.5, 164.7, 175, 217, 222, 225, 245.5, 371.5, 374, 378, 383, 384

and 776 of, and to add Sections 10.5, 56 and 372.5 to the Vehicle Code, relating to registration of vehicles and fees, and Section 11001 of the Revenue and Taxation Code, relating to the report and deposit of moneys.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1067?

Amendment No. 1

On line 3 of the title of the printed bill, as amended, after "Sections" and before "56", strike out "10.5".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 8, inclusive.

Amendment No. 3

On page 1, line 10, of the printed bill, as amended, strike out "Sec. 2", and insert "Sec. 1".

Amendment No. 4

On page 1, line 15, of the printed bill, as amended, strike out "Sec. 3", and insert "Sec. 2".

Amendment No. 5

On page 2, line 25, of the printed bill, as amended, strike out "Sec. 4", and insert "Sec. 3".

Amendment No. 6

On page 2, line 47, of the printed bill, as amended, strike out "Sec. 5", and insert "Sec. 4".

Amendment No. 7

On page 3, line 24, of the printed bill, as amended, strike out "Sec. 6", and insert "Sec. 5".

Amendment No. 8

On page 3, line 33, of the printed bill, as amended, strike out "Sec. 7", and insert "Sec. 6".

Amendment No. 9

On page 4, line 1, of the printed bill, as amended, strike out "Sec. 8", and insert "Sec. 7".

Amendment No. 10

On page 4, line 34, of the printed bill, as amended, strike out "Sec. 9", and insert "Sec. 8".

Amendment No. 11

On page 5, line 8, of the printed bill, as amended, strike out "Sec. 10", and insert "Sec. 9".

Amendment No. 12

On page 5, line 22, of the printed bill, as amended, strike out "Sec. 11", and insert "Sec. 10".

Amendment No. 13

On page 5, line 45, of the printed bill, as amended, strike out "Sec. 12 Section 225", and insert "Sec. 11. Section 225".

Amendment No. 14

On page 6, line 7, of the printed bill, as amended, strike out "Sec. 13", and insert "Sec. 12".

Amendment No. 15

On page 6, line 21, of the printed bill, as amended, strike out "Sec. 14", and insert "Sec. 13".

Amendment No. 16

On page 6, line 32, of the printed bill, as amended, strike out "Sec. 15", and insert "Sec. 14".

Amendment No. 17

On page 6, line 48, of the printed bill, as amended, strike out "Sec. 16", and insert "Sec. 15".

Amendment No. 18

On page 7, line 31, of the printed bill, as amended, strike out "Sec. 17", and insert "Sec. 16".

Amendment No. 19

On page 8, line 1, of the printed bill, as amended, strike out "Sec. 18", and insert "Sec. 17".

Amendment No. 20

On page 8, line 19, of the printed bill, as amended, strike out "Sec. 19", and insert "Sec. 18".

Amendment No. 21

On page 8, line 38, of the printed bill, as amended, strike out "Sec. 20", and insert "Sec. 19".

Amendment No. 22

On page 9, line 9, of the printed bill, as amended, strike out "Sec. 21", and insert "Sec. 20".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1067 by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton, Leonard, Lyons, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Weybret—57.

NOES—None.

Assembly Bill No. 1067 ordered enrolled.

Assembly Bill No. 1480—An act to add Section 53.2 to the Alcoholic Beverage Control Act, relating to places where alcoholic beverages are received, kept, or brought for consumption.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1480?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, strike out "or other place".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1480 by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton, Leonard, Lyons, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, and Weybret—57.

NOES—None.

Assembly Bill No. 1480 ordered enrolled.

Assembly Bill No. 1733—An act making an appropriation for child care centers, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1733?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 22 to 25, inclusive; and on page 2, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. In addition to any other sum appropriated, there is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of five hundred thousand dollars (\$500,000), or as much thereof as may be necessary, to the California State War Council, to be used by the War Council during the Ninety-fifth and Ninety-sixth Fiscal Years for supplemental support of child care centers created pursuant to Chapter 3 of Part 3 of Division 6 of the School Code and Chapter 11 of Division 9 of the Education Code.

SEC. 2. Of the sum hereby appropriated twenty-two thousand two hundred dollars (\$22,200) shall be expended by the State War Council only for the purpose

of making allocations to the Director of Education for the purpose of supervising such child care centers.

SEC. 3. The remainder of the sum hereby appropriated shall be expended by the California State War Council only for the purpose of making allocations to local districts which have established such child care centers, for the purpose of supplementing support from the Federal Government, parents of children cared for, and industry where those sources are insufficient to meet the costs of operating the child care centers.

SEC. 4. In making this appropriation, the Legislature makes the following statement of its intent:

(a) That child care centers are intended as emergency institutions, to be conducted for the period of the war only, and are to be discontinued completely within six months after the cessation of hostilities.

(b) That the Legislature views the problem of caring for children whose parents are employed in essential war industries as essentially a part of the National defense effort, and that the obligation of supporting the child care centers is primarily a Federal responsibility.

(c) That since the parents of the children are employed in industry, they are able to contribute to the cost of their care, and are primarily liable for furnishing the necessities of life for the children.

(d) That participation by the State or locality in payment of the costs of the program should be of supplementary or emergency nature only, until the Federal Government, parents, and industry can maintain its full support.

(e) That limitation of the operation to care for children of day workers only should be encouraged, and industry, parents, and school districts should be encouraged to arrange for employment of mothers in daytime only.

(f) That employment of mothers of more than two children of very tender years appears inadvisable except in extreme cases.

(g) That the Legislature recognizes that the cost of maintenance of the child care centers should not be imposed against local real property, but must be paid for upon a broader tax basis.

SEC 5. Before allocating the funds appropriated the California State War Council shall make every effort to arrange for support of the child care centers by the Federal Government, parents of the children, and industry. If sufficient funds for the purpose can not be secured from these sources, the War Council may allocate to the respective child care centers such sums as it deems necessary for supplemental use only.

SEC 6. Before making any allocation to any district, the California State War Council shall determine that the district is operating efficiently. In making such allocations the War Council shall not recognize costs based on elaborate organization or standards that are excessively high or extravagant.

SEC. 7. The California State War Council shall make a survey of the respective child care centers petitioning for allocation of funds, and after determining the necessity, costs, and support derived from the Federal Government, parents, and industry, shall allocate such sums to the respective child care centers as it deems necessary to insure their efficient operation.

SEC. 8. This act shall remain in effect until the one hundred eighty-first day after the cessation of hostilities in all wars in which the United States is now engaged, and the powers hereby conferred upon the California State War Council shall thereupon terminate."

Amendment No. 2

On page 2, line 4, of said bill, strike out "SEC. 2", and insert "SEC. 9".

Amendment No. 3

In line 1 of the title of the printed bill, as amended, strike out "making an appropriation for", and insert "to add Sections 6.781-5 and 6.793-5 to the School Code and Sections 19602.5 and 19614.5 to the Education Code, and making an appropriation, relating to".

Amendment No. 4

On page 1, line 8 of said bill, after "Section 1", insert "Section 6.781-5 is added to the School Code, to read:

6.781-5. Said governing board may accommodate in a child care center maintained by it children residing in another district, upon such terms and under such conditions as may be agreed upon by the governing boards of both districts

SEC. 1.1. Section 6.793-5 is added to the School Code, to read:

6.793-5. No standards relating to child care centers proposed to be established by the Superintendent of Public Instruction in accordance with the provisions of this chapter shall take effect unless and until such proposed standards have been reviewed and approved by the California State War Council.

SEC. 1.2. Section 19602.5 is added to the Education Code, to read:

19602.5. Said governing board may accommodate in a child care center maintained by it children residing in another district, upon such terms and under such conditions as may be agreed upon by the governing boards of both districts.

SEC 1.3. Section 19614.5 is added to the Education Code, to read:
 19614.5 No standards relating to child care centers proposed to be established by the Superintendent of Public Instruction in accordance with the provisions of this chapter shall take effect unless and until such proposed standards have been reviewed and approved by the California State War Council

Sec. 1.5."

Amendment No. 5

On page 1, line 17, of said bill, strike out the period, and insert ", where in the discretion of the War Council a demonstrated need for such supplemental support can be established. Any such allocations shall be made by the War Council directly to the governing board of the school district maintaining the child care center for which the allocation is made."

Amendment No. 6

On page 3 of said bill, strike out lines 15 to 17, inclusive, and insert ", it is necessary that State funds be made available for temporary or supplemental financial assistance to child care centers where a demonstrated need can be shown and for proper supervision of child care centers so that parents who are engaged or hereafter must engage in essential war work may have assurance of proper care for their minor children during the hours of their employment. It is, therefore, necessary that this act take effect immediately."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1733 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—Burns, Collins, Sam L., Desmond, Field, Waters, and Werdel—6

Assembly Bill No. 1733 ordered enrolled.

Assembly Bill No. 1962—An act making an appropriation for the protection of the ocean beach at the City of Redondo Beach.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1962?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, after "expended", insert "subject to the provisions of Chapter 942, Statutes of 1941".

Amendment No. 2

On page 1, line 3, of the printed bill, as amended, after "Division of", insert "Beaches and".

Amendment No. 3

On page 1, lines 6 and 7, of said bill, strike out "subject to the provisions of Chapter 942, Statutes of 1941", and insert "by said city on behalf of and in the public interest of the State".

Amendment No. 4

On page 1, line 8, of said bill, after the period, insert "No portion of this appropriation shall be expended unless moneys equal to or in excess of the amount to be expended from this appropriation for that purpose shall have been made available (by any person, municipal corporation, political subdivision, public district or public agency other than the State) for expenditure for that purpose, to the end that any sums expended from this appropriation shall be matched by like or greater amounts from sources other than the State."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1962 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Field, Fourt, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day,

Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1962 ordered enrolled.

Assembly Bill No. 136—An act to amend Section 9 of the Municipal Court Act 1925, relating to the constitution of the court and to compensation of officials.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 136?

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, strike out "seven hundred fifty dollars (\$6,750)", and insert "dollars (\$6,000)".

Amendment No. 2

On page 1, line 17, of said bill, strike out "twenty-five dollars (\$325)", and insert "dollars (\$300)".

Amendment No. 3

On page 1, line 19, of said bill, after "receive", insert "a minimum of two hundred fifty dollars (\$250) and a maximum of".

Amendment No. 4

On page 1, line 22, of said bill, after "month", insert "with ten dollar (\$10) increments".

Amendment No. 5

On page 1, line 23, of said bill, strike out "each of whom", and insert "formerly known as court clerks and deputy clerks, each of whom shall receive a minimum of two hundred dollars (\$200) and a maximum of two hundred twenty dollars (\$220)".

Amendment No. 6

On page 2 of said bill, strike out line 2.

Amendment No. 7

On page 2, line 3, of said bill, after "month", insert "with five dollar (\$5) increments".

Amendment No. 8

On page 2 of said bill, strike out lines 4 to 7, inclusive, and insert "One deputy clerk, grade 2, formerly known as bookkeeper, who shall receive a minimum of one hundred fifty-five dollars (\$155) and a maximum of one hundred seventy-five dollars (\$175)".

Amendment No. 9

On page 2, line 8, of said bill, after "month", insert "with five dollars (\$5) increments".

Amendment No. 10

On page 2 of said bill, between lines 8 and 9, insert "Two deputy clerks, grade 2, each of whom shall receive a minimum of one hundred fifty dollars (\$150) and a maximum of one hundred seventy-five dollars (\$175) per month, with five dollar (\$5) increments;".

Amendment No. 11

On page 2 of said bill, strike out lines 9, 12, and 13, and insert "Five deputy clerks, grade 3, formerly known as file index clerks, each of whom shall receive a minimum of one hundred thirty dollars (\$130) and a maximum of one hundred fifty dollars (\$150) per month, with five dollar (\$5) increments;".

Amendment No. 12

On page 2 of said bill, strike out line 17, and insert "a minimum of one hundred twenty dollars (\$120) and a maximum of one hundred forty dollars (\$140)".

Amendment No. 13

On page 2, line 18, of said bill, after "month", insert "with five dollar (\$5) increments".

Amendment No. 14

On page 2, line 21, of said bill, strike out "twenty-five dollars (\$325)", and insert "dollars (\$300)".

Amendment No. 15

On page 2, line 23, of said bill, after "receive", insert "a minimum of two hundred twenty-five dollars (\$225) and a maximum of".

Amendment No. 16

On page 2, line 26, of said bill, after "month", insert "with ten dollar (\$10) increments".

Amendment No. 17

On page 2, line 27, of said bill, after "receive", insert "a minimum of two hundred dollars (\$200) and a maximum of".

Amendment No. 18

On page 2, line 30, of said bill, after "month", insert "with ten dollar (\$10) increments".

Amendment No. 19

On page 2, line 31, of said bill, strike out "Six", and insert "Three".

Amendment No. 20

On page 2, line 34, of said bill, strike out "two hundred twenty dollars (\$220)", and insert "a minimum of one hundred ninety-five dollars (\$195) and a maximum of two hundred fifteen dollars (\$215)".

Amendment No. 21

On page 2, line 35, of said bill, after "month", insert "with five dollar (\$5) increments".

Amendment No. 22

On page 2 of said bill, strike out line 39, and insert "a minimum of one hundred seventy dollars (\$170) and a maximum of one hundred ninety dollars (\$190) per month, with five dollar (\$5) increments".

Amendment No. 23

On page 2, line 40, of said bill, after "receive", insert "a minimum of one hundred forty dollars (\$140) and a maximum of".

Amendment No. 24

On page 3, line 44, of said bill, after "month", insert "with five dollar (\$5) increments".

Amendment No. 25

On page 2, line 45, of said bill, after "matron," insert "court probation officer, and matron".

Amendment No. 26

On page 2 of said bill, strike out line 49, and insert "a minimum of one hundred sixty-five dollars (\$165) and a maximum of one hundred eighty-five dollars (\$185) per month, with five dollar (\$5) increments".

Amendment No. 27

On page 2, line 50, of said bill, insert
 "Upon entrance into the service, the attaches shall start at the minimum salary, and the increases are made at semiannual intervals by the amount set up as increments based upon efficient service as evidenced by a system of service rating reports made semiannually to the city civil service commission. Any person now in the same class for two and one-half years will receive the maximum salary for that class. The appointing authority, which appointing authority within the meaning of this section, is hereby defined to be the person having the power in the first instance to select the employee from an eligible list provided for that purpose, shall have the power to lay off and suspend an employee or employees because of lack of work requiring the service of the existing personnel of such office or department."

Amendment No. 28

On page 3, line 14, of said bill, after "supplies", insert ", books, furniture and suitable quarters, for carrying out their duties, including supplies".

Amendment No. 29

On page 3, line 21, of said bill, strike out "30", and insert "20".

Amendment No. 30

On page 1, line 17, of the printed bill, as amended, strike out "dollars (\$300)", and insert "twenty-five dollars (\$325)".

Amendment No. 31

On page 2, line 27, of said bill, strike out "dollars (\$300)", and insert "twenty-five dollars (\$325)".

Amendment No. 32

On page 3, lines 28 and 29, of the printed bill, as amended, strike out ", books, furniture and suitable quarters, for carrying out their duties, including supplies".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 136 by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Heisinger and Massion—2.

Assembly Bill No. 136 ordered enrolled.

Assembly Bill No. 582—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in a primary election.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 582?

Amendment No. 1

On page 2, line 12, of the printed bill, as amended, strike out "has previously qualified in a", and insert "qualified in the previous".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 582 by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fourt, Gaffney, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—Collins., George D., and Heisinger—2.

Assembly Bill No. 582 ordered enrolled.

Explanation of Vote

This bill was turned down by the Senate Elections Committee after a full and fair hearing. Then, afterward, without any hearing of or notice to the opponents of the bill, it was voted out to the floor of the Senate and passed. Some of the committee later voting for the bill never even heard the arguments. This is a very unfair practice to say the least. I have voted "No," on concurrence in the Senate amendments because I can not countenance such tactics.

GEORGE D. COLLINS, JR.

Assembly Bill No. 1018—An act to amend Sections 11561 and 11699 of the Insurance Code, relating to insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1018?

Amendment No. 1

In line 4 of the title of the printed bill, as amended, strike out "and 11699", and insert "11699 and 11715".

Amendment No. 2

On page 2, line 10, of said bill, strike out "reserved", and insert "reserve".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, after line 51, insert

"Sec. 3. Section 11715 of said code is amended to read:

11715. Any workmen's compensation insurer may, in lieu of and subject to the same conditions as the bond required by Section 11690, deposit with the commissioner

cash or approved interest-bearing securities readily convertible into cash. Such deposit shall be made from time to time as demanded by the commissioner. He shall forthwith re-deposit such cash and securities as a separate deposit with the State Treasurer. Such deposit shall be maintained at an amount not less than twenty-five thousand dollars (\$25,000) nor less than the [required reserves at the time of deposit, for outstanding losses on] required of such insurer to be maintained under any of the provisions of Article 1, Chapter 1, Part 3, Division 2 of this code, relating to loss reserves on workmen's compensation business of the insurer in this State."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1018 by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Fourt, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, and Wollenberg—59.

NOES—None.

Assembly Bill No. 1018 ordered enrolled.

Assembly Bill No. 1028—An act to add Section 3656.5 to the Revenue and Taxation Code, relating to rental by State of tax deeded property.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1028?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly, April 17, 1943, strike out "Any consideration"; and strike out lines 13, 14, and 15.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1028 by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1028 ordered enrolled.

Assembly Bill No. 1692—An act to amend Sections 50, 51, 54, and 55 of the Fish and Game Code, relating to game management areas.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1692?

Amendment No. 1

On page 2, line 43, of the printed bill, as amended, strike out "November", and insert "October".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1692 by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sawallisch, Sheridan, Smith,

Stream, Thomas, Thorp, Thurman, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—58.
 NOES—None.

Assembly Bill No. 1692 ordered enrolled.

Assembly Bill No. 1140—An act to provide for the erection and equipment of a building or buildings on the Campus of the University of California at Los Angeles for use in connection with instruction in engineering, for the establishment and maintenance of a course in engineering on the Campus of the University of California at Los Angeles, and to make an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1140?

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended, strike out "one million two hundred and fifty thousand dollars (\$1,250,000)", and insert "six hundred fifty thousand dollars (\$650,000)".

Amendment No. 2

On page 2, line 3, of said bill, strike out "erection and".

Amendment No. 3

On page 2 of said bill, strike out lines 5 to 9, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1140 by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Hollibaugh, Kellems, Kilpatrick, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—55

NOES—Carlson, Knight, T. Fenton; and Wollenberg—3.

Assembly Bill No. 1140 ordered enrolled

Assembly Bill No. 2007—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land in Santa Barbara County as part of the State Park System.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2007?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "appropriated", and insert "apportioned".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2007 by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Werdel, and Weybret—56.

NOES—Carlson, Collins, Sam L., Potter, and Wollenberg—4.

Assembly Bill No. 2007 ordered enrolled.

Assembly Bill No. 1699—An act to amend Section 152.5 of the State Civil Service Act. relating to leaves of absence to employees who enter war industries.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1699?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended, strike out "at the request of or".

Amendment No. 2

On page 1 of said bill, after line 19, insert

"This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this act; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1699 by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourn, Gaffney, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McColister, McMillan, Middough, O'Day, Pelletier, Price, Robertson, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—51.

NOES—Carlson—1.

Assembly Bill No. 1699 ordered enrolled.

Assembly Bill No. 1504—An act relating to the National Flag and the Flag of the State of California, and other flags.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1504?

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 32 to 36, inclusive.

Amendment No. 2

On page 2, line 40, of said bill, strike out "4", and insert "3".

Amendment No. 3

On page 2, line 46, of said bill, strike out "5", and insert "4".

Amendment No. 4

On page 3, line 1, of said bill, strike out "6", and insert "5".

Amendment No. 5

On page 3, line 16, of said bill, strike out "7", and insert "6".

Amendment No. 6

On page 3, line 21, of said bill, strike out "8", and insert "7".

Amendment No. 7

On page 3, line 27, of said bill, strike out "8 5", and insert "8".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1504 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Haggerty, Hastain, Hawkins, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1504 ordered enrolled.

Assembly Bill No. 1107—An act to amend Education Code Sections 14265, 14268, 14272, 14274, 14325, 14326, 14327, 14361, 14363, 14427, 14431, 14432, 14433, 14434, 14435, 14436, 14440, 14441, 14442, 14444, 14445, 14446, 14447, 14450, 14452, 14458, 14491, 14492, 14494, 14496, 14523, 14526, 14534, and to add Education Code Sections 14274.1, 14274.2, 14274.3, 14274.4, 14274.5, 14437, 14438, 14458.1, 14458.2, 14458.3, 14469, 14523.1, 14523.2, 14523.3, 14526.1, and 14542, and to repeal Education Code Sections 14365, 14437, 14438, 14439, and 14456, relating to the California State Teachers' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1107?

Amendment No. 1

On page 19, line 40, of the printed bill, as amended, after "interest", insert a comma.

Amendment No. 2

On page 19 of the printed bill, as amended, beginning in line 42, strike out "in the determination of the actuarial equivalent."

Amendment No. 3

On page 20 of the printed bill, as amended, beginning in line 11, strike out "pension fund", and insert "Pension Fund".

Amendment No. 4

On page 20, line 26, of the printed bill, as amended, strike out "14438", and insert "14436".

Amendment No. 5

On page 21 of the printed bill, as amended, beginning in line 15, strike out "retirement system", and insert "Retirement System".

Amendment No. 6

On page 21, line 16, of the printed bill, as amended, after "and", insert "in".

Amendment No. 7

On page 21, line 25, of the printed bill, as amended, after the first "of", insert "the second".

Amendment No. 8

On page 21, line 25, of the printed bill, as amended, strike out "next".

Amendment No. 9

On page 21, line 31, of the printed bill, as amended, after "of", insert "any or all of".

Amendment No. 10

On page 21, line 36, of the printed bill, as amended, strike out "or", and insert "of".

Amendment No. 11

On page 21, line 46, of the printed bill, as amended, after "separately", insert ", at least in members' individual accounts,".

Amendment No. 12

On page 22, line 2, of the printed bill, as amended, strike out "pension fund", and insert "Pension Fund".

Amendment No. 13

On page 22, line 15, of the printed bill, as amended, after "14436", insert "and 14438".

Amendment No. 14

On page 22, line 18, of the printed bill, as amended, after "in", insert "Section 14469,".

Amendment No. 15

On page 22, line 18, of the printed bill, as amended, strike out "Education Code Article 8.5 of this chapter,".

Amendment No. 16

On page 22, line 32, of the printed bill, as amended, after the first "Fund", insert a comma.

Amendment No. 17

On page 22, line 52, of the printed bill, as amended, after "1944", insert a comma.

Amendment No. 18

On page 23, line 2, of the printed bill, as amended, after "1935", insert a comma.

Amendment No. 19

On page 23, line 3, of the printed bill, as amended, strike out the first "of".

Amendment No. 20

On page 23, line 4, of the printed bill, as amended, after "1914", insert a comma.

Amendment No. 21

On page 23, line 8, of the printed bill, as amended, after "person", insert "as rendered".

Amendment No. 22

On page 23, line 33, of the printed bill, as amended, strike out "by", and insert "to".

Amendment No. 23

On page 23, line 33, of the printed bill, as amended, strike out "is".

Amendment No. 24

On page 23, line 34, of the printed bill, as amended, strike out "shall be", and insert "is".

Amendment No. 25

On page 24, line 28, of the printed bill, as amended, strike out "such".

Amendment No. 26

On page 24, line 29, of the printed bill, as amended, after "persons", insert "so retired".

Amendment No. 27

On page 27, line 42, of the printed bill, as amended, after the second "Fund", insert a comma.

Amendment No. 28

On page 27, line 51, of the printed bill, as amended, strike out "act", and insert "chapter".

Amendment No. 29

On page 28, line 6, of the printed bill, as amended, strike out "act", and insert "chapter".

Amendment No. 30

On page 30, line 8, of the printed bill, as amended, strike out "pension fund", and insert "Pension Fund".

Amendment No. 31

On page 30, line 17, of the printed bill, as amended, strike out "pension fund", and insert "Pension Fund".

Amendment No. 32

On page 31, line 41, of the printed bill, as amended, strike out "pension fund", and insert "Pension Fund".

Amendment No. 33

On page 31, line 44, of the printed bill, as amended, strike out "pension fund", and insert "Pension Fund".

Amendment No. 34

On page 32 of the printed bill, as amended, beginning in line 33, strike out "pension fund", and insert "Pension Fund".

Amendment No. 35

On page 32, line 49, of the printed bill, as amended, strike out "the".

Amendment No. 36

On page 33, line 4, of the printed bill, as amended, after "be", insert "the".

Amendment No. 37

On page 33, line 22, of the printed bill, as amended, strike out "this".

Amendment No. 38

On page 33, line 22, of the printed bill, as amended, strike out "section", and insert "Section 14523 2".

Amendment No. 39

On page 33, line 29, of the printed bill, as amended, after "the", insert "accumulated".

Amendment No. 40

On page 33, line 38, of the printed bill, as amended, strike out "such".

Amendment No. 41

On page 33 of the printed bill, as amended, strike out lines 39, 40 and 41, inclusive; and in line 42, strike out "and", and insert "bers".

Amendment No. 42

On page 33, line 43, of the printed bill, as amended, after the comma following "retirement", insert "sixty dollars (\$60) per month plus two dollars and fifty cents (\$2.50) per month for each year credited to them, respectively, during which they were required to make normal contributions, but not to exceed".

Amendment No. 43

On page 33 of the printed bill, as amended, strike out line 44; and in line 45, strike out "1,1944, and", and insert "members".

Amendment No. 44

On page 33, line 48, of the printed bill, as amended, after "years", strike out the period, and insert ", but not to exceed the minimum retirement allowance to which they would be entitled if they were 60 years of age."

Amendment No. 45

On page 34, line 3, of the printed bill, as amended, strike out "section", and insert "article".

Amendment No. 46

On page 34, line 29, of the printed bill, as amended, strike out "ration", and insert "ratio".

Amendment No. 47

On page 34, line 44, of the printed bill, as amended, after "amount", insert ", not to exceed the retirement allowance to which the member would be entitled if he were credited with thirty (30) years of service, but otherwise".

Amendment No. 48

On page 35, line 1, of the printed bill, as amended, after "the", insert "accumulated".

Amendment No. 49

On page 35 of the printed bill, as amended, strike out lines 3 to 8, inclusive.

Amendment No. 50

On page 35 of the printed bill, as amended, following line 27, insert "SEC. 55. Sections 10 and 11 of this act shall take effect 90 days after the adjournment of the Fifty-fifth Session of the Legislature and all other sections of this act shall take effect July 1, 1944"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1107 by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weybret, and Mr. Speaker—61.

NOES—Bashore, Carlson, Collins, Sam L, Hastain, Werdel, and Wollenberg—6.

Assembly Bill No. 1107 ordered enrolled.

Assembly Bill No. 1705—An act to amend Section 105 of the Vehicle Code, relating to the office of director.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1705?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, after "shall", insert ", with the advice and consent of the Senate,".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 1705 by the following vote:

AYES—Burns, Call, Crowley, Dilworth, Field, Hastain, Knight, John B., Knight, T. Fenton; Sheridan, Stream, Thomas, and Watson—12.

NOES—Anderson, Bashore, Beck, Berry, Brown, Burkhalter, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Diekey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Haggerty, Hollibaugh, Johnson, Kellems, Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, Price, Robertson, Sargent, Sawallisch, Smith, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—43.

Appointment of Committee on Conference Concerning Assembly Bill No. 1705

The Speaker announced the appointment of Messrs. Sawallisch, Call, and Burns as a Committee on Conference concerning Assembly Bill No. 1705.

RECESS

At 2.39 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2.40 p.m.

REASSEMBLED

At 2.40 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 426	Assembly Bill No. 719
Assembly Bill No. 1795	Assembly Bill No. 1653
Assembly Bill No. 549	Assembly Bill No. 1628
Assembly Bill No. 1784	Assembly Bill No. 428
Assembly Bill No. 1978	Assembly Bill No. 427

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 1234

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 42

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Mayo, Mixter, and DeLap, as a Committee on Conference concerning:

Assembly Bill No. 1705—An act to amend Section 105 of the Vehicle Code, relating to the office of director.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 487

Assembly Bill No. 1555

Assembly Bill No. 1047

Assembly Bill No. 1983

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate

By A. P. BELLISLE, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 929

Assembly Bill No. 1823

Assembly Bill No. 1190

Assembly Bill No. 1897

Assembly Bill No. 1191

Assembly Bill No. 1970

Assembly Bill No. 1623

Assembly Bill No. 1995

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 520

Assembly Bill No. 1570

Assembly Bill No. 579

Assembly Bill No. 63

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 50

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1414—An act to add Article 1a to Chapter 1 of Division 1 of the Agricultural Code, to include Section 35, relating to the formulation of temporary provisions, conditions, standards, and prices

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1066

Assembly Bill No. 1772

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Concurrent Resolution No. 64

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day struck from file:

Assembly Bill No. 962

Assembly Bill No. 963

Assembly Bill No. 1352

Assembly Bill No. 1534

Assembly Bill No. 948

Assembly Bill No. 1595

Assembly Bill No. 532

Assembly Bill No. 1304

Assembly Bill No. 1856

J. A. BEEK, Secretary of the Senate

By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 388

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 513

Assembly Bill No. 1306

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bills ordered enrolled.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 961—An act to add Chapter 7, consisting of Sections 880 and 881, to Division 1 of the Streets and Highways Code, relating to the acquisition, by the State, of shore line property adjoining State highways.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 961?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out line 7, and insert "880. Where land not exceeding 300 feet in width intervenes between the right of way line of a State highway,"

Amendment No. 2

On page 1, line 9, of the printed bill, as amended, strike out "is"; strike out all of lines 10 to 22, inclusive; and on page 2, strike out lines 1 and 2, and insert "it may be acquired as a part of the highway right of way acquisition. Land heretofore or hereafter so acquired may, except when required wholly or in part for State highway widening or other State highway requirements, be transferred to the control of the State Park Commission, and when so transferred shall be dedicated in perpetuity for beach, park and recreational purposes for the benefit and use of the public; provided, however, that where such land which is not necessary for State highway purposes is producing oil, gas or other hydrocarbons, or is within a distance of six hundred sixty (660) feet from a producing oil or gas well, then if by a majority vote of the State Park Commission and the State

Highway Commission it is determined that the acquisition of an easement thereof is desirable, and if the portion thereof lying between the mean high tide line and the extreme high tide line is not occupied by any well, and adequate well sites exist on the remainder of the property, then in accordance with this section an easement may be acquired upon and over the portion of said land lying between said mean high tide line and the said extreme high tide line as a right of way for persons traveling on foot and on horseback and for fishermen and for bathers if such land is".

Amendment No. 3

On page 2, line 6, of the printed bill, as amended, before "or", insert ", or is producing oil, gas or other hydrocarbons, or is within a distance of six hundred sixty (660) feet from a producing oil or gas well,".

Amendment No. 4

On page 2, line 7, of said bill, before the period, insert "for such part or recreational purposes".

Amendment No. 5

On page 2 of said bill, strike out lines 18 to 28, inclusive, and insert "§81. Contracts may be entered into between the department and the State Park Commission for such acquisitions and transfers, and for the apportionment of the cost thereof. Nothing in this chapter contained shall be deemed a limitation on the authority granted to the department under any other provision of this code, or under other law, to acquire property for highway purposes, including beach and shoreline property, and nothing in this chapter contained shall require the department or the commission to acquire for, or to transfer to, the State Park Commission any property required for State highway purposes, or to acquire any property for State park purposes, when, in the opinion of the commission, the acquisition of such property is not practicable, or in the public interest."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 961 by the following vote:

AYES—Anderson, Bashore, Brady, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Fount, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, Pelletier, Robertson, Sargent, Stream, Thomas, Thompson, Waters, Watson, Weber, Weybret, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 961 ordered enrolled.

Assembly Bill No. 1582—An act to amend Sections 290 and 403c of the Civil Code, relating to corporations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1582?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 403c", and insert ", 303, 403c and 604".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of the printed bill, strike out lines 27 to 31, inclusive, and insert "SEC. 2. Section 303 of the Civil Code is hereby amended to read:

303. What may be regulated in by-laws. The by-laws of a corporation may make provisions not in conflict with law or its articles for:

1. The time, place and manner of calling, conducting and giving notice of shareholders' and directors' meetings. The by-laws may dispense with notice of all regular and/or annual meetings of shareholders or directors, except as required under Section 312, Civil Code.

2. The requirements for a quorum for a shareholders' meeting, which shall be not less than a majority of the shares entitled to vote in case of a stock corporation.

3. The manner of execution, revocation and use of proxies.

4. The number, qualifications and duties of directors; the time of their annual election; the requirements of a quorum for a directors' meeting, in no case less than

one-third of the authorized number of directors nor less than two. The authorized number of directors may be changed by amendment of the articles, or, unless the articles forbid, by a by-law duly adopted by the shareholders.

In any case in which it is proposed to reduce the authorized number of directors below five the votes or written consents of shareholders holding more than 80 per cent of the voting power shall be necessary for such reduction.

5. The appointment and authority of an executive committee and other committees of the board of directors.

6. The appointment, duties, compensation and tenure of office of officers other than directors, and the compensation of directors.

7. Special qualifications of persons who may be shareholders and reasonable restrictions upon the right to transfer or hypothecate shares.

8. The method of publication of notices of meetings of the shareholders or board of directors when publication is required; the mode of determination of shareholders of record; and the making of annual reports and financial statements to the shareholders or dispensing therewith.

9. The issue of certificates for shares prior to full payment.

10. The qualifications of members and different classes of memberships of nonstock corporations, and the property, voting and other rights, interests or privileges of each class.

11. The admission, election or appointment, suspension or expulsion of members.

12. The transfer, forfeiture and termination of membership, and whether the property interest of members shall cease at their death and the mode of ascertaining the property interest, if any, at death or termination of membership.

13. [The time and manner in which profits arising from the business may be divided or distributed among members of nonstock corporations for profit.] Cooperative corporations for profit may provide in their articles or by-laws for the distribution of the profits arising from the business in whole or in part among certain classes of persons other than the members or shareholders, if any, and the persons to whom and the manner in which such distribution may be made.

14. The fees of admission, transfer fees, dues and assessments to be paid by members or different classes of members of nonstock corporations and the method of collection. Such dues or assessments or both may be authorized upon all classes of membership alike, or in different amounts or proportions or upon a different basis upon different classes of membership, and memberships of one or more classes may be made exempt from either dues or assessments or both.

The amount and method of collection of such dues or assessments or both may be fixed in the by-laws or the by-laws may authorize the board of directors to fix the amount thereof from time to time, and make them payable at such times or intervals, and upon such notice, and by such methods as the directors prescribe. They may be made enforceable by action or by forfeiture of membership, or both, upon reasonable notice.

15. The manner of voting by members of nonstock corporations and whether they have the right of cumulative voting.

16. Any other proper and lawful regulations."

Amendment No. 3

On page 2, line 38, of the printed bill, strike out "2", and insert "3".

Amendment No. 4

On page 3 of the printed bill, strike out lines 9 and 10.

Amendment No. 5

On page 3, line 14, of the printed bill, strike out ". Thereupon", and insert "thereupon".

Amendment No. 6

On page 4 of the printed bill, after line 9, insert

"SEC. 4. Section 604 of the Civil Code is hereby amended to read:

604. [A nonprofit corporation, excepting a corporation meeting the requirements prescribed in Section 330.25, shall not issue shares of stock, but membership in such corporation] *Membership in corporations formed under this title* may be evidenced by certificates. Upon the face of such certificates there must be printed in clear type a statement that the corporation is not one for profit. [Nonprofit corporations meeting the requirements prescribed by Section 330.25 may issue either shares of stock, or membership in such corporation, which shares of stock or membership may be evidenced by certificates.]"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1582 by the following vote:

AYES—Anderson, Bachore, Bennett, Berry, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dills, Clayton A., Dills,

Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Robertson, Sargent, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 1582 ordered enrolled.

Assembly Bill No. 1322—An act to amend Sections 799 and 800 of the Political Code, relating to qualification of notaries public.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1322?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "799 and 800 of the Political", and insert "§212 and §213 of the Government".

Amendment No. 2

On page 1 of said bill, strike out lines 1, 2, and 3, and insert "SECTION 1. Section §212 of the Government Code is amended to read: §212. Every person appointed a notary public shall execute".

Amendment No. 3

On page 1 of said bill, strike out lines 7 to 10, inclusive, and insert "Unless the bond is executed by an admitted surety insurer, it shall".

Amendment No. 4

On page 1 of said bill, strike out line 12, and insert "which the person is commissioned to act as notary public."

Amendment No. 5

On page 1 of said bill, strike out lines 14 and 15; and in line 16, strike out "800", and insert "SEC 2 Section §213 of said code is amended to read: §213."

Amendment No. 6

On page 1, line 17, of said bill, strike out "must", and insert "shall".

Amendment No. 7

On page 1, line 19, of said bill, strike out "must", and insert "shall".

Amendment No. 8

On page 1 of said bill, strike out line 24, and insert "of the county. Upon filing the oath and bond, the county".

Amendment No. 9

On page 2, line 2, of said bill, strike out "said", and insert "the".

Amendment No. 10

On page 2, line 3, of said bill, strike out "said", and insert "the".

Amendment No. 11

On page 2, line 4, of said bill, strike out "said", and insert "the".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1322 by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Robertson, Sargent, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 1322 ordered enrolled.

Assembly Bill No. 1560—An act to amend Sections 658 and 658.1 of the Fish and Game Code, relating to the taking of salmon.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1560?

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "April", and insert "May".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1560 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Erwin, Evans, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Robertson, Rosenthal, Sargent, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1560 ordered enrolled.

Assembly Bill No. 1975—An act to provide for the augmentation of the food and fiber supply of this State and Nation by authorizing public officers of this State to acquire by eminent domain any otherwise agricultural machinery and equipment, and for the use of such agricultural machinery and equipment, making an appropriation therefor, and declaring the urgency of said act, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1975?

Amendment No. 1

On page 4 of the printed bill, strike out line 25, and insert "sum of one hundred fifty thousand dollars (\$150,000)."

Amendment No. 2

On page 4 of the printed bill, strike out lines 18 to 21, inclusive.

Amendment No. 3

On page 4, line 22, of the printed bill, strike out "11", and insert "10".

Amendment No. 4

On page 4 of the printed bill, strike out lines 27 to 29, inclusive.

Amendment No. 5

On page 4, line 30, of the printed bill, strike out "13", and insert "11".

Amendment No. 6

On page 4, line 39, of the printed bill, strike out "14", and insert "12".

Amendment No. 7

On page 4, line 43, of the printed bill, strike out "15", and insert "13".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1975 by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1975 ordered enrolled.

MOTION TO REQUEST SENATE TO RETURN SENATE BILL NO. 509

Mr. Johnson moved that the Assembly request the Senate to return Senate Bill No. 509 for purpose of further consideration by this House.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Gaffney, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Miller, Niehouse, Pelletier, Rosenthal, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—Knight, T. Fenton; McCollister, and Watson—3.

UNFINISHED BUSINESS (RESUMED)**Consideration of Senate Amendments**

Assembly Bill No. 1953—An act to amend Section 672 of the Vehicle Code, relating to escorts, declaring the urgency hereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1953?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 672 of", and insert "add Section 672.5 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive; and in line 7, strike out "police", and insert

"SECTION 1. Section 672.5 is added to the Vehicle Code, to read:
672.5. Police".

Amendment No. 3

On page 1, line 8, of said bill, after "of", insert "an officer of".

Amendment No. 4

On page 1, line 9, of said bill, strike out ", escort or convoy", and insert "who has charge of".

Amendment No. 5

On page 1, line 12, of said bill, after the comma, insert "escort or convoy such vehicle".

Amendment No. 6

On page 1 of said bill, between lines 20 and 21, insert

"This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-sixth Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1953 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 1953 ordered enrolled.

Assembly Bill No. 487—An act to make an appropriation to pay off the amount of outstanding bonds issued under "An act to provide for

the payment of the funded indebtedness of the State of California and to contract a funded debt for that purpose," approved April 2, 1870, and to repeal "An act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to repeal an act of the Legislature of the State of California, approved March 4, 1881, entitled 'An act to appropriate money to reimburse the University of California, for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom and appropriated to other State purposes,' and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893," approved March 3, 1893.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 487?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "the amount of"; and in line 2 of said title, strike out "outstanding bonds issued", and insert "a portion of the outstanding indebtedness of the State".

Amendment No. 2

On page 1, line 2, of said bill, strike out "two hundred"; and strike out line 3, and insert "three hundred and fifty-seven thousand two hundred fifty dollars (\$2,357,250)".

Amendment No. 3

On page 1 of said bill, strike out all of lines 5 to 9, inclusive, and insert "to pay off a portion of the outstanding indebtedness of the State in the manner following, to wit: If provision for the payments provided for in subparagraphs (a) and (b) of this section is not otherwise made, on or after July 1, 1945, upon the direction of the Director of Finance:

(a) The Controller shall transfer two million two hundred seventy-seven thousand five hundred dollars (\$2,277,500) to the Interest and Sinking Fund, to be used to pay off the principal of the funded debt bonds, the issuance of which was authorized by "An act to provide for the payment of the funded indebtedness of the State of California and to contract a funded debt for that purpose," approved April 2, 1870, all of which bonds are held by the State in trust for the University Fund and the State School Fund. When the sum is transferred to the Interest and Sinking Fund the Treasurer shall redeem the bonds held by him in trust for the University Fund and the School Fund, and the bonds shall be paid and retired.

(b) The State Treasurer shall, upon warrants drawn by the Controller according to law, pay the sum of seventy-nine thousand seven hundred fifty dollars (\$79,750) to The Regents of the University of California to repay moneys heretofore appropriated to the Endowment Fund, but by mistake withheld therefrom and used for other State purposes.

Sec. 2. The Director of Finance shall invest and reinvest the amount appropriated by this act in bonds or obligations of the United States of America or for the payment of which the faith and credit of the United States are pledged."

Amendment No. 4

On page 1, line 10, of said bill, strike out "2", and insert "3".

Amendment No. 5

On page 2, line 8, of said bill, after "repealed", insert ". effective July 1, 1945".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 487 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fout, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 487 ordered enrolled.

Assembly Bill No. 1555—An act to add Section 499c to the Penal Code, relating to theft of automobile tires, and fixing the time when the section shall no longer be effective.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1555?

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "felony", and insert "public offense that shall be punished by imprisonment in the State prison for not exceeding five years, or by imprisonment in the county jail for not exceeding one year, or by a fine not to exceed five hundred dollars (\$500), or both."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1555 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr Speaker—66.

NOES—None.

Assembly Bill No. 1555 ordered enrolled.

Assembly Bill No. 1712—An act to amend Sections 752, 757, 763 and 771 of the Code of Civil Procedure, relating to partition of real and personal property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1712?

Amendment No. 1

On page 3, line 1, of the printed bill, as amended, strike out "this section", and insert "the action".

Amendment No. 2

On page 2, line 13, of the printed bill, as amended, after "may", insert "with the consent of the parties".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1712 by the following vote.

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No 1712 ordered enrolled.

Assembly Bill No. 1190—An act to amend Sections 7500, 7501, 7505 and 7506 of the Welfare and Institutions Code, relating to the general powers and duties of the State Department of Institutions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1190?

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, after "sanitarium," insert "boarding".

Amendment No. 2

On page 1, line 16, of said bill, after "hospitals," insert "boarding".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1190 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 1190 ordered enrolled.

Assembly Bill No. 1191—An act to amend Sections 5700, 5703, 5705, 5706, 5707, 5708, 5750, 5751, and 5753 of the Welfare and Institutions Code, and to add Sections 5699 and 5700.5 thereto, relating to private institutions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1191?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "5750".

Amendment No. 2

On page 3 of said bill, strike out lines 34 to 47, inclusive.

Amendment No. 3

On page 3, line 49, of said bill, strike out "Sec. 8.," and insert "Sec. 7."

Amendment No. 4

On page 4, line 27, of said bill, strike out "Sec. 9.," and insert "Sec. 8."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1191 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 1191 ordered enrolled.

Assembly Bill No. 1983—An act to add Section 15159 to the Health and Safety Code, relating to application of the State Housing Act, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1983?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "add Section 15159 to the Health and Safety Code.," and strike out line 2 of said title, and insert

"authorize the Director of Finance to make the Napa State Farm available for the purposes of the California Food and Fiber Production Act and the Emergency Farm Production Act, declaring".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 16, inclusive, and insert
 "SECTION 1. Any other provision of law to the contrary notwithstanding, the Director of Finance may make all or any portion of the Napa State Farm available, by lease or otherwise, for the housing of farm labor or for any of the purposes set forth in either of the acts cited in the title hereof."

Amendment No. 3

On page 1 of said bill, strike out lines 23 to 27, inclusive; and on page 2, strike out lines 1 to 8, inclusive, and insert

"The wartime emergency has depleted the farm labor supply and increased the need for food and fiber to such an extent that it is necessary to utilize every available source of farm labor and to house such labor in the areas in which it is needed. With the harvest season rapidly approaching, it is necessary that authority be conferred upon the Director of Finance to permit the use of the Napa State Farm at once."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1983 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None

Assembly Bill No. 1983 ordered enrolled.

Assembly Bill No. 929—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 929?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "vehicles", insert
 ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, line 37, of said bill, strike out "This section", and insert
 "SEC. 2. This act".

Amendment No. 3

On page 2, line 44, of said bill, strike out "section", and insert "act".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 929 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 929 ordered enrolled.

Assembly Bill No. 1045—An act making an appropriation to pay the claim of the City and County of San Francisco against the State of California, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1045?

Amendment No. 1

In the title of the printed bill, strike out ", and providing that this act shall take effect immediately."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1045 by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Dunn, Field, Gaffney, Haggerty, Hawkins, Heisinger, Johnson, King, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Miller, Nichouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 1045 ordered enrolled.

Assembly Bill No. 1047—An act to amend Section 4316 of the Political Code, relating to the privileges of public officers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1047?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "clerks," (immediately following "Sheriffs,").

Amendment No. 2

On page 1, line 9, of the printed bill, as amended, after the period, insert "This section is not applicable in counties having a population of less than 300,000"

Amendment No. 3

On page 1, lines 4 and 5, of the printed bill, as amended, strike out "and justice's court clerks who have civil service status,".

Amendment No. 4

On page 1, line 9, of said bill, after "such", insert ", and clerks of justice's courts are prohibited from practicing law in justice's courts in the counties where they hold office".

Amendment No. 5

On page 1, line 4, of the printed bill, as amended, after "deputies.", insert "and justice's court clerks in counties having a population of more than 300,000 who have civil service status,".

Amendment No. 6

On page 1, line 9, of said bill, strike out ", and clerks of justices courts are pro-"; and strike out all of lines 10 to 12, inclusive, and insert a period.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Carlson moved a call of the Assembly.

Motion carried. Time, 2:41 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: In accordance with your message of this day, I have been directed to return to you herewith Senate Bill No. 509.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Johnson moved to expunge the record, and rescind the action whereby Senate Bill No. 509 was this day refused passage.

The roll was called, and the motion carried by the following vote:

AYES—Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sawallisch, Smith, Stream, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Burkhalter, Heisinger, Knight, T. Fenton; McCollister, and Watson—5.

Further Consideration of Senate Bill No. 509

Senate Bill No. 509—An act relating to the forest situation in California and making an appropriation.

Bill read third time.

Motion to Amend

Mr. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, strike out "twenty-five thousand dollars (\$25,000)", and insert "fifteen thousand dollars (\$15,000)".

Amendment No. 2

On page 2, line 18, of the printed bill, as amended, after the period, insert "The appropriation made by this act is exempt from the provisions of Sections 664 and 669 of the Political Code."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 727—An act making an appropriation to the emergency fund specified in Item 221 of the Budget Act of 1943, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency of this act, to take effect immediately; Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill, as amended on May 5, 1943, be further amended as follows:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended, after "restoration", insert "of".

Amendment No. 2

On page 1, line 8, of said bill, after the second "or", insert "both".

Amendment No. 3

On page 1, line 9, of said bill, strike out "both, of".

Amendment No. 4

On page 1, line 18, of said bill, strike out the second "or", and insert "except".

Amendment No. 5

On page 1, line 18, of said bill, after "restoration", insert "and for the prevention of further damage".

QUINN
RICH
BIGGAR
Senate Committee on Conference

BURKHALTER
DUNN
LEONARD
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 998—An act to add Section 59 to the Unemployment Insurance Act, relating to seasonal employment;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill, as amended on May 4, 1943, be further amended as follows:

Amendment No. 1

On page 2, line 41, of the printed bill, as amended, strike out "three", and insert "not in excess of two".

Amendment No. 2

On page 2, line 43, of said bill, strike out "available for work", and insert "employed".

WARD
GORDON
SHELLEY
Senate Committee on Conference

T. FENTON KNIGHT
SARGENT
DOYLE
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, O'Day, Pelletier, Potter, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—59

NOES—Collins, George D.—1.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1414—An act to add Article 1a to Chapter 1 of Division 1 of the Agricultural Code, to include Section 35, relating to the formulation of temporary provisions, conditions, standards, and prices;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

CRITFENDEN
HATFIELD
DONNELLY

Senate Committee on Conference

THORP
RALPH C. DILLS

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burkhalter, Carey, Carlson, Clarke, Collins, Sam L., Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Fourn, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Maloney, Massion, Middough, Miller, Niehouse, Pelletier, Potter, Price, Sawallisch, Sheridan, Smith, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—Brady, Burns, Crichton, Denny, Desmond, Evans, Field, Gannon, Haggerty, Hollibaugh, Lyons, McCollister, Sargent, and Thomas—14.

Assembly Bill No. 1414 ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 902—An act to add Sections 6359.5 and 6365 to the Revenue and Taxation Code, relating to the sales and use taxes and exemptions therefrom;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill, as amended on May 5, 1943, be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Sections 6359.5 and 6365" and insert "Section 6359.5".

Amendment No. 2

On page 1 of said bill, strike out lines 10 to 22, inclusive.

WARD
BREED
SALSMAN

Senate Committee on Conference

ROBERTSON
WEYBRET

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Bashore, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Dilworth, Doyle, Erwin, Evans, Field, Fourn, Gannon, Johnson, Kellems, King, Knight, T. Fenton; Leonard, McCollister, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—43.

NOES—Anderson, Bennett, Berry, Brady, Collins, George D., Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Dunn, Haggerty, Hawkins, Heisinger, Lyons, Maloney, Massion, O'Day, Sheridan, Smith, and Thomas—20.

**CHANGE IN MEMBERSHIP OF INTERIM COMMITTEE
ON MILITARY AFFAIRS**

The Speaker announced the appointment of Mr. Clayton A. Dills as a member of the Interim Committee on Military Affairs, replacing Mr. Waters, resigned.

**CHANGE IN MEMBERSHIP OF INTERIM COMMITTEE
ON GOVERNMENTAL EFFICIENCY AND ECONOMY**

The Speaker announced the appointment of Mr. Werdel as a member of the Interim Committee on Governmental Efficiency and Economy, replacing Mr. Waters, resigned.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read :

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER : The Committee on Conference concerning :

Assembly Bill No. 1265—An act to add Article 9 to Chapter 7 of Part 3 of Division 5 of the School Code, comprising Sections 5.725 to 5.725g, inclusive, and to add Article 8 to Chapter 11 of Division 7 of the Education Code, comprising Sections 13701 to 13718, inclusive, relating to emergency leaves of absence, declaring the urgency thereof, to take effect immediately ;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following :

That the amendments of the Senate be concurred in, and that the bill, as amended on May 2, 1943, be further amended as follows :

Amendment No. 1

On page 2, line 31, of the printed bill, as amended, after "employee", insert "retained".

Amendment No. 2

On page 3, line 2, of said bill, strike out "in each subject field".

Amendment No. 3

On page 3, line 11, of said bill, strike out ", or in any district any"; and strike out lines 12 to 15, inclusive, except the period.

Amendment No. 4

On page 5, line 39, of said bill, after "employee", insert "retained".

Amendment No. 5

On page 6, line 11, of said bill, strike out "in each subject field".

Amendment No. 6

On page 6, line 20, of said bill, strike out ", or in any district any"; and strike out lines 21 to 24, inclusive, except the period.

SWAN
RICH
TICKLE

Senate Committee on Conference

MIDDOUGH
BECK
DOYLE

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote :

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dels, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Nuepouse, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1823—An act to add Section 4090.2 to the Political Code, relating to county coroners.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1823?

Amendment No. 1

On page 1, line 18, of the printed bill, as amended, after "4290," insert "in cases where no private ambulance service other than that operated by a coroner is available,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1823 by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Njehouse, Pelletier, Price, Robertson, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1823 ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1705—An act to amend Section 105 of the Vehicle Code, relating to the office of director;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on May 4, 1943, be further amended as follows:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, strike out "with the advice and consent of the Senate,".

DELAP
MIXTER
Senate Committee on Conference

SAWALLISCH, Chairman
BURNS
CALL
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Berry, Brady, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Hawkins, Heisinger, Johnson, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Middough, Miller, Njehouse, Pelletier, Price, Sawallisch, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—43.

NOES—Brown, Carlson, Doyle, Kellems, Knight, T. Fenton; Potter, Watson, and Werdel—8.

**CHANGE IN MEMBERSHIP OF INTERIM COMMITTEE
ON MILITARY AFFAIRS**

The Speaker announced the appointment of Mr. Hollibaugh as a member of the Interim Committee on Military Affairs, replacing Mr. Sargent, resigned.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1897—An act to add Section 6722 to the Welfare and Institutions Code, and to repeal Section 6664 thereof, relating to State institutions, including the inmates thereof and persons committed thereto.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1897?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 6722 to", and insert "repeal Section 6664 of".

Amendment No. 2

In line 2 of the title of said bill, strike out "and to repeal Section 6664 thereof."

Amendment No. 3

On page 1, line 1, of said bill, strike out everything except "Section 1."; strike out lines 2 to 21, inclusive; and in line 22, strike out "Sec 2"

Amendment No. 4

On page 1, line 22, of the printed bill, as amended, strike out "said code," and insert "the Welfare and Institutions Code".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1897 by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Bulkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Criebton, Denny, Desmond, Dills, Clayton A. Dills, Ralph C. Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, Miller, Niehouse, O'Day, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61

NOES—None.

Assembly Bill No. 1897 ordered enrolled.

Assembly Bill No. 1970—An act to add Section 86.3 to, and to amend Section 173 of, the State Civil Service Act, relating to time limit for protesting examinations and holding hearings.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1970?

Amendment No. 1

On page 2, line 29, of the printed bill, as amended, strike out ". not exceeding 90 days,".

Amendment No. 2

On page 2, lines 30 and 31, of said bill, strike out "or after the effective date of this amendment, whichever is the later,".

Amendment No. 3

On page 2, line 36, of said bill, after the period, insert "Such hearing shall be held within 90 days after the filing of the answer or within 90 days of the effective date of this amendment, whichever is the later, but the failure to hold such hearing within said period shall not affect the validity of the proceedings or the jurisdiction of the board"

Amendment No. 4

In line 1 of the title of the printed bill, as amended, strike out ". and to amend Section 173 of,".

Amendment No. 5

On page 1 of said bill, strike out lines 6 to 25, inclusive; and strike out pages 2 and 3.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1970 by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C. Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Hawkins, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weyhret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1970 ordered enrolled.

Assembly Bill No. 1995—An act to increase the statutory salary and the statutory compensation of State officers and State employees, and making an appropriation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1995?

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "\$80.00", and insert "\$81.00".

Amendment No. 2

On page 1, line 19, of said bill, strike out "77.00", and insert "78.00".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1995 by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C. Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Potter, Price, Robertson, Sargent, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weyhret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1995 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

House Resolution No. 269	House Resolution No. 288
House Resolution No. 275	House Resolution No. 289
House Resolution No. 291	House Resolution No. 295

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Universities and Colleges

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Universities and Colleges, to which was referred:

Senate Bill No. 652

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

JOHNSON, Chairman

Above reported bill ordered to second reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Johnson:

Resolved, That Senate Bill No. 652 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—55

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 652

Senate Bill No. 652—An act to amend Section 3.816 of the School Code and to amend Section 10624 of the Education Code, relating to credit hours of junior college work.

Bill read second time, and ordered placed on file for third reading.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California to amend the Constitution of the State, by adding Section 8b to Article V thereof, relating to appointments by the Governor.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Call moved a call of the Assembly.

Motion carried. Time, 2.42 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT****CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 300—An act to amend Section 2261 of the Civil Code, Section 105 of the Bank Act, and Section 584 of the Probate Code, relating to the investment of trust funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Brown, Burkhalter, Burns, Carey, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Doyle, Dunn, Erwin, Fount, Gannon, Hastain, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, McCollister, McMillan, Middough, Niehouse, Pelletier, Potter, Price, Robertson, Sheridan, Smith, Thompson, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—44.

NOES—Anderson, Bashore, Berry, Brady, Carlson, Clarke, Collins, George D., Denny, Dills, Ralph C., Evans, Gaffney, Haggerty, Heisinger, Hollibaugh, Johnson, Lyons, Miller, O'Day, Sargent, Thomas, and Werdel—21.

Bill ordered transmitted to the Senate.

Senate Bill No. 580—An act to add Section 1272 to the Fish and Game Code, relating to deer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fount, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 501—An act to amend Sections 120 and 4372 of, to repeal Sections 4101.5 and 4371 and Article 2, consisting of Sections 4406 to 4409, inclusive, of Chapter 4 of Part 7, Division 1 of, and to add Sections 4101.5 and 4377.5 to the Revenue and Taxation Code, relating to the redemption of property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fount, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Ralph C. Dills Presiding

At 2.43 p.m., Hon. Ralph C. Dills, Member of the Assembly from the Sixty-ninth District, presiding.

Senate Bill No. 856—An act to amend Section 58 of the Unemployment Insurance Act, relating to eligibility for benefits.

Bill read third time.

Motion to Table Senate Bill No. 856

Mr. Hawkins moved that Senate Bill No. 856 be laid on the table.

Mr. Bashore seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Evans, Fourn, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, Lyons, Maloney, Massion, McCollister, McMillan, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Smith, Thomas, Thompson, and Waters—48

NOES—Call, Clarke, Collins, Sam L., Dilworth, Erwin, Hastain, Heisinger, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Middough, Potter, Thorp, Thurman, Watson, and Weber—18.

Explanation of Vote

When I voted on Senate Bill No. 856 I thought the vote was on the passage of the bill, hence my "No" vote.

On tabling, I should have voted "Aye" instead of "No."

S. L. HEISINGER

Senate Bill No. 999—An act to amend Section 56 of the Unemployment Insurance Act, relating to eligibility for benefits.

Motion to Table Senate Bill No. 999

Mr. Maloney moved that Senate Bill No. 999 be laid on the table.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Collins, George D., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallsch, Sheridan, Thomas, Thompson, Waters, Watson, Weber, and Werdel—53.

NOES—Call, Clarke, Collins, Sam L., Dilworth, Hastain, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Potter, Smith, Thorp, and Thurman—13.

Senate Bill No. 1007—An act to add Chapter 2.5, comprising Section 8180, to Division 4 of the Education Code, relating to report cards.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourn, Gaffney, Gannon, Haggerty, Hastain, Hawkins, Heisinger, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Wollenberg, and Mr. Speaker—59.

NOES—Johnson, Middough, and Smith—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 1011—An act to add Section 12756 to the Education Code, relating to suspension of diplomas, certificates, credentials and other documents.

Bill read third time.

Motion to Amend

Mr. Weber moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, strike out "two", and insert "one".

Amendment read.

Motion to Table Amendment

Mr. Waters moved that the amendment be laid on the table.

Mr. Johnson seconded the motion.

Motion carried.

The question being on the passage of Senate Bill No. 1011.

Motion to Table Senate Bill No. 1011

Mr. Weber moved that Senate Bill No. 1011 be laid on the table.

The roll was called, and the motion lost by the following vote:

AYES—Bashore, Denny, Dilworth, Erwin, Field, Heisinger, Knight, T. Fenton; Lowrey, McMillan, Rosenthal, Smith, Thorp, Watson, and Weber—14.

NOES—Allen, Anderson, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Desmond, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Fourn, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Massion, Middough, O'Day, Pelletier, Potter, Price, Thomas, Thompson, Thurman, Waters, and Werdel—44.

The question being on the passage of Senate Bill No. 1011.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Desmond, Dills, Clayton A., Dills, Ralph C., Evans, Fourn, Gaffney, Gannon, Haggerty, Hawkins, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Massion, O'Day, Pelletier, Price, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thurman, Waters, and Werdel—42.

NOES—Bashore, Denny, Dilworth, Erwin, Field, Heisinger, Knight, John B., Knight, T. Fenton; Lowrey, McMillan, Niehouse, Potter, Smith, Thorp, Watson, and Weber—16.

Bill ordered transmitted to the Senate.

Senate Bill No. 1040—An act to add Article 3, comprising Section 24541, to Chapter 5 of Division 12, of the Education Code, relating to identification emblems for children.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Anderson, Brown, Clarke, Collins, George D., Gaffney, Hawkins, Kilpatrick, Lowrey, Lyons, Maloney, Massion, McMillan, O'Day, Robertson, Rosenthal, and Thompson—16

NOES—Allen, Bashore, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Desmond, Dilworth, Dunn, Erwin, Evans, Fourn, Gannon, Haggerty, Heisinger, Hollibaugh, Johnson, Knight, T. Fenton; Kraft, Miller, Niehouse, Potter, Price, Sawallisch, Smith, Thorp, Waters, Watson, Werdel, and Wollenberg—36.

Senate Bill No. 977—An act to amend Sections 10617 and 115, and to repeal Sections 10621 and 10622 of the Health and Safety Code, relating to the registration of previously unregistered births, making an appropriation therefor, declaring the urgency hereof, providing for the transfer of such appropriation into the Public Health Fund, abolishing the Delayed Registration of Vital Statistics Fund, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Desmond, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister,

McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 307—An act to add Sections 4.1-1, 4.781-1, 4.782-1, 4.784-1, 4.791-1, 4.793-1, 4.794-1, and 4.796-1 to the School Code and to add Sections 5151.1, 6952.1, 6953.1, 6957.1, 6972.1, 6974.1, 6975.1, and 6977.1 to the Education Code, relating to the support of the public elementary schools, and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Smith, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—61.

NOES—Collins, Sam L., Kraft, and Potter—3.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sargent, Sawallisch, Smith, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—61.

NOES—Collins, Sam L., Kraft, and Potter—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 109—An act to amend Sections 735.3, 735.4 and 736.3 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream, and the establishment of minimum prices thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Clarke, Collins, George D., Crichton, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Robertson, Sargent, Sawallisch, Smith, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 11—An act to add Section 8821.1 to the Education Code, relating to admission of students to junior colleges, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Collins, Sam L. Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Johnson—1.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourn, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Robertson, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Johnson—1.

Bill ordered transmitted to the Senate.

MOTION TO STRIKE SENATE BILL NO. 232 FROM FILE

Mr. Sawallisch moved that Senate Bill No. 232 be stricken from the file.

Motion carried.

Hon. Ernest C. Crowley Presiding

At 2.44 p.m., Hon. Ernest C. Crowley, Member of the Assembly from the Fifth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 509—An act relating to the forest situation in California and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—Collins, Sam L., Kraft, and Potter—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 652—An act to amend Section 3.816 of the School Code and to amend Section 10624 of the Education Code, relating to credit hours of junior college work.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Brady, Brown, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Knight, John B. Kraft, Lowrey, Maloney, Massion, McCollister, Miller, Niehouse, Pelletier, Price, Robertson, Sargent, Sawallisch, Smith, Stream, Thompson, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 961—An act to add Chapter 7, comprising Section 4025, to Part 1 of Division 5 of the Health and Safety Code, relating to water.

Bill read third time.

Demand for Previous Question

Messrs. Debs, Pelletier, Middough, Knight, John B., and Smith demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 961.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Bennett, Carey, Carlson, Clarke, Collins, Sam L., Crowley, Denny, Dunn, Evans, Gaffney, Johnson, Leonard, Maloney, Potter, Robertson, Sawallisch, Thurman, and Werdel—19.

NOES—Anderson, Berry, Brady, Brown, Burns, Call, Collins, George D., Crichton, Debs, Desmond, Dills, Ralph C., Erwin, Gannon, Haggerty, Heisinger, Hollibaugh, King, Knight, John B. Knight, T. Fenton; Lowrey, Lyons, Massion, McCollister, McMillan, Miller, Niehouse, Price, Sargent, Smith, Thomas, Thorp, Watson, Weber, and Wollenberg—34.

MOTION TO STRIKE SENATE BILL NO. 278 FROM FILE

Mr. Lowrey moved that Senate Bill No. 278 be stricken from the file.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1047

At 2.45 p.m., on motion of Mr. Carlson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1047 by the following vote:

AYES—Bashore, Brown, Carlson, Clarke, Collins, Sam L., Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Doyle, Erwin, Evans, Fourt, Gannon, Hollibaugh, Kellems, Knight, John B., Kraft, Leonard, McCollister, Middough, Potter, Price, Sargent, Smith, Thorp, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—33.

NOES—Allen, Anderson, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Collins, George D., Crichton, Crowley, Debs, Dills, Ralph C., Dunn, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, McMillan, Niehouse, O'Day, Pelletier, Robertson, Sawallisch, Thompson, and Thurman—34.

Motion to Expunge Record and Rescind Action

Mr. Potter moved to expunge the record and rescind the action whereby the Assembly refused to concur in Senate amendments to Assembly Bill No. 1047.

Mr. O'Day seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, and Wollenberg—62

NOES—Heisinger and Middough—2.

Further Consideration of Senate Amendments to Assembly Bill No. 1047

The question being: Shall the Assembly concur in Senate amendments to Assembly Bill No. 1047?

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1047 by the following vote:

AYES—Bashore, Brown, Carlson, Clarke, Collins, Sam L., Desmond, Dills, Clayton A., Dilworth, Doyle, Evans, Gannon, Hollibaugh, Johnson, Knight, John B., Kraft, Leonard, McCollister, McMillan, Pelletier, Potter, Price, Rosenthal, Sargent, Weber, Werdel, and Weybret—26.

NOES—Allen, Anderson, Bennett, Berry, Brady, Burns, Call, Carey, Collins, George D., Crichton, Crowley, Debs, Dills, Ralph C., Dunn, Erwin, Field, Haggerty, Hawkins, Heisinger, King, Knight, T. Fenton; Lowrey, Lyons, Maloney, Massion, Middough, Niehouse, O'Day, Robertson, Sawallisch, Smith, Thomas, Thorp, Thurman, Watson, and Wollenberg—36

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONSTITUTIONAL AMENDMENT NO. 6

At 2.46 p.m., on motion of Mr. Call, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Constitutional Amendment No. 6 refused adoption by the following vote:

AYES—Allen, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Denny, Desmond, Dilworth, Doyle, Erwin, Field, Haggerty, Hastain, Johnson, Knight, John B., Kraft, Leonard, Lowrey, McCollister, Middough, Miller, Niehouse, Potter, Price, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Mr. Speaker—45.

NOES—Anderson, Bashore, Bennett, Burkhalter, Collins, George D., Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Evans, Gaffney, Gannon, Hawkins, Heisinger, Hollibaugh, King, Knight, T. Fenton; Lyons, Maloney, Massion, McMillan, O'Day, Pelletier, Robertson, Sargent, Smith, and Wollenberg—28.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****Consideration of Senate Amendments**

Assembly Concurrent Resolution No. 64—Relative to discontinuing the use of a dated symbol on the stationery of the Members of the Legislature.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 64?

Amendment No. 1

In line 10 of the printed resolution, strike out "the symbol "V" and".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Concurrent Resolution No. 64 by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Concurrent Resolution No. 64 ordered enrolled.

Assembly Bill No. 1772—An act making an appropriation from the State Parks Maintenance and Acquisition Fund to the State Park Commission to salvage and move cottages at Seacliff State Park, Santa Cruz County.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1772?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, after "out", insert "of".

Amendment No. 2

On page 1, line 5, of said bill, strike out the second "of", and insert "to".

Amendment No. 3

On page 1, line 4, of said bill, strike out "allocated", and insert "apportioned".

Amendment No. 4

In lines 2 and 3 of the title of the printed bill, as amended, strike out "State Park Commission", and insert "Division of Beaches and Parks, Department of Natural Resources".

Amendment No. 5

On page 1, lines 6 and 7, of said bill, strike out "State Park Commission", and insert "Division of Beaches and Parks, Department of Natural Resources".

Amendment No. 6

On page 1, line 7, of said bill, strike out "used", and insert "expended during the Ninety-fifth and Ninety-sixth Fiscal Years".

Amendment No. 7

In lines 4 and 5 of the title of the printed bill, as amended, strike out "and move cottages", and insert ", repair, and move buildings".

Amendment No. 8

On page 1 of said bill, strike out lines 10 and 11, and insert "ground, the warden's cottage and other administrative buildings at Seacliff State Park, Santa Cruz County."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1772 by the following vote:

AYES—Allen, Beck, Bennett, Berry, Brady, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, King, Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, McMillan, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 1772 ordered enrolled.

Assembly Bill No. 1066—An act to amend Sections 251, 252, 267, 302, 305, 307, 310, 353, 414, 415, 416, 417 and 418 of the Vehicle Code, relating to driver's licenses and proof of ability to respond in damages.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1066?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "267," and insert "257, 267, 271, 276,".

Amendment No. 2

On page 2 of said bill, following line 18, insert

"SEC. 3. Section 257 of the Vehicle Code is amended to read:

257. Age Limit for Operators. No operator's license shall be issued to any person under the age of 16 years except that an operator's license may be issued to a person 14 years of age but less than 16 years of age upon application as required of other minors under Section 350 hereof; but the department shall not issue a license to any such person unless it shall be satisfied on reasonable proof that there is an actual and real necessity for the operation of a motor vehicle by such person [for the purpose of transportation to and from school, or for the welfare of the applicants or his family]. *In such cases the department may issue a license for a period of less than four years and may cancel any such license at any time before the person is 16 years of age whenever in the opinion of the department the safety of such person or of other persons upon the highways may require such cancellation.* The department may require an affidavit from a parent or other person having custody of such minor, setting out the facts of the case.

The department shall impose restrictions on any license issued to such minor as may be appropriate to limit the operation of motor vehicles by such minor to operation within the scope of the necessity as shown and such other restrictions as the department may deem necessary to assure the safe operation of a motor vehicle by the licensee."

Amendment No. 3

On page 2, line 20, of said bill, strike out "SEC. 3.", and insert "SEC. 4."

Amendment No. 4

On page 2 of said bill, following line 25, insert

"SEC. 5. Section 271 of the Vehicle Code is amended to read:

271. Grounds Permitting Refusal of License. The department may refuse to issue an operator's or chauffeur's license to any person:

(a) If the department is satisfied that the applicant is not entitled thereto under the provisions of this code.

(b) If the applicant has failed to furnish the department the information required in the application or reasonable additional information requested by the department.

(c) If the department determines that the applicant has made or permitted to be made unlawful use of any operator's or chauffeur's license.

(d) If the department determines that the applicant has used a false or fictitious name in any application for a license, or has knowingly made a false statement or knowingly concealed a material fact, or otherwise committed any fraud in any such application.

(e) *If the department determines that the applicant is an habitual violator of the traffic laws.*

SEC. 6. Section 276 of the Vehicle Code is amended to read:

276. Term and Expiration of Operator's License. Every operator's license hereafter issued shall expire four years from date of issuance and the department is authorized to cancel and require the renewal of any operator's licenses which have been outstanding four years or more. In the event an operator's license expires during the month of January the department may extend such license for a period of 30 days.

If an applicant for an operator's license has any physical or mental infirmities which, in the opinion of the department, may, during the term of the license to such person, result in his inability to exercise reasonable and ordinary control in the operation of a motor vehicle, the department may issue a license to such person to expire on any date less than four years from the date of issuance as it may consider advisable.

Whenever an applicant for an operator's license does not fully meet the requirements for a driver's license, but can, in the opinion of the department, operate a motor vehicle safely under restricted conditions until he is able to fully meet the requirements for the license, the department may issue a license to such person for a period less than four years.

The provisions of this section and of Section 257 insofar as they authorize the issuance of licenses for periods of less than four years shall not be affected by any extension of drivers' licenses for the duration of the war, but such licenses issued

for a term less than four years under the authority of this section or of Section 257 must be renewed upon expiration.

Every operator's license issued prior to August 14, 1929, is hereby canceled."

Amendment No. 5

On page 2, line 27, of said bill, strike out "SEC. 4.", and insert "SEC. 7."

Amendment No. 6

On page 3, line 1, of said bill, strike out "SEC. 5.", and insert "SEC. 8."

Amendment No. 7

On page 4, line 45, of said bill, strike out "SEC. 7.", and insert "SEC. 10."

Amendment No. 8

On page 5, line 9, of said bill, strike out "SEC. 8.", and insert "SEC. 11."

Amendment No. 9

On page 5, line 26, of said bill, strike out "SEC. 9.", and insert "SEC. 12."

Amendment No. 10

On page 6, line 32, of said bill, strike out "SEC. 10.", and insert "SEC. 13."

Amendment No. 11

On page 7, line 37, of said bill, strike out "SEC. 11.", and insert "SEC. 14."

Amendment No. 12

On page 8, line 21, of said bill, strike out "SEC. 12.", and insert "SEC. 15."

Amendment No. 13

On page 9, line 4, of said bill, strike out "SEC. 13.", and insert "SEC. 16."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1066 by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Collins, Sam L. Crowley, Debs, Denny, Dills, Ralph C. Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Haggerty, Heisinger, Hollibaugh, Johnson, King, Knight, John B. Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Kilpatrick—1.

Assembly Bill No. 1066 ordered enrolled.

Speaker Presiding

At 2.51 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 269

House Resolution No. 269

Relative to the acquisition of a painting of Hock Valley Farm, the residence of General John Sutter

WHEREAS, The John Levy Galleries, Inc., of 11-13 East Fifty-seventh Street, New York, have for sale a painting by W. S. Jewett in 1852 of Hock Valley Farm, the residence of General John Sutter, at a price of seven hundred fifty dollars (\$750); and

WHEREAS, It is fitting and desirable that said painting be possessed by the State of California because of its historical value and interest; now, therefore, be it

Resolved by the Assembly of the State of California, That the Superintendent of Buildings and Grounds be directed to investigate the authenticity of the painting of Hock Valley Farm, by W. S. Jewett, and if the said painting is authentic, that it be purchased and placed among the art treasures of the State at Sutter's Fort; and be it further

Resolved, That the Chief Clerk be directed to prepare and transmit a copy of this resolution to the Superintendent of Buildings and Grounds.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Berry, Brady, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L. Crowley, Debs, Dickey, Dills, Clay-

ton A, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Potter, Price, Robertson, Rosenthal, Sargent, Sawallusch, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 275

House Resolution No. 275 Relative to aid to the aged

WHEREAS, The welfare of the aged of the State is of the greatest importance to the people of the State, and the laws providing for public assistance to aged persons should be administered in a considerate and benevolent manner; and

WHEREAS, It has come to the attention of the Members of the Assembly that some of the places used for the administration of aid to the aged are difficult of access for the aged, or located on the upper floors of public buildings and are not served with an elevator and elevator operator, so that the strength of aged persons is sorely taxed when they find it necessary to present themselves at such places; and

WHEREAS, It has been suggested that the new provisions of Welfare and Institutions Code Section 2163 2, as added thereto by Assembly Bill No. 1994, which provide that personal property does not include personal effects, but that personal effects do not include jewelry, may be construed or interpreted to make the limitations on personal property apply to the engagement rings and wedding rings cherished by applicants for and recipients of aid to the aged; now, therefore, be it

Resolved by the Assembly of the State of California, That it is the consensus of this Assembly that all places used for the administration of aid to the aged ought to be easily accessible to the aged or maimed, and either located on a ground floor or served with an elevator and elevator operator; and that all persons exercising any authority in respect to the selection and maintenance of such places are hereby memorialized to do everything in their power to see that such places are so located and so served; and be it further

Resolved, That the Members of the Assembly do not regard engagement and wedding rings as mere articles of personal adornment, but as enduring symbols of betrothal and holy wedlock; that, as such, engagement rings and wedding rings do not come within the term "jewelry" as used in Section 2163 2 of the Welfare and Institutions Code; and that in enacting that section it was the intention of the Assembly that engagement rings and wedding rings should be considered as personal effects and not as jewelry; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the State Social Welfare Board, and to the board of supervisors of every county in this State.

Resolution read and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 288

House Resolution No. 288

Relating to the salary rates of the employees in the State Alcoholic Beverage Control Division

WHEREAS, On May 28, 1937, the Assembly adopted House Resolution No. 216, which requested and urged the State Personnel Board to increase the salary rates of certain employees in the State Alcoholic Beverage Control Division; and

WHEREAS, The State Personnel Board did increase the salary rates of said employees in accordance with the recommendations made in that resolution, but subsequently decreased the salary rates; and

WHEREAS, The Alcoholic Beverage Control Division of the State Board of Equalization has recently lost many of its liquor control officers to the armed services and the defense industries; and

WHEREAS, The division has been experiencing much difficulty in obtaining replacements from civil service eligible lists by reason of the fact that defense industries are paying their employees higher wages than those now paid to liquor control officers; and

WHEREAS, The enforcement and control work accomplished by the Alcoholic Beverage Control Division has become of increased importance due to conditions created by the war; and

WHEREAS, It is extremely important that the State's social control policies, as provided in the Alcoholic Beverage Control Act, be enforced by personnel highly competent, efficient, and loyal to the State; and

WHEREAS, The liquor, wine, and brewing industries, which, through excise taxes and license fees, finance the support of the State Alcoholic Beverage Control Division, have steadfastly favored an increase of the salaries of the positions in the division hereinafter mentioned; and

WHEREAS, In Chapter 62 of the Statutes of 1943, approved by the Governor on April 2, 1943, an appropriation of two thousand five hundred dollars (\$2,500) was made to meet just such conditions; now, therefore, be it

Resolved by the Assembly of the State of California. That the Assembly hereby finds that as to the following offices in the State Beverage Control Division, the salary rates herein indicated are suitable and necessary minimum rates therefor, in conformity with a sound personnel policy and particularly in view of the conditions presented by the war, and the State Personnel Board is requested and urged to revise the minimum-maximum salary range so as to accomplish the same:

The State Liquor Administrator a minimum salary of ten thousand dollars (\$10,000) per annum; the Associate State Liquor Administrator six thousand dollars (\$6,000) per annum; each district liquor control administrator, in charge of an administrative district, five thousand dollars (\$5,000) per annum; each supervising liquor control officer three thousand dollars (\$3,000) per annum; each special liquor investigator three thousand dollars (\$3,000) per annum, and each liquor control officer two thousand two hundred eighty dollars (\$2,280) per annum; and be it further

Resolved, That the Chief Clerk of the Assembly forthwith transmit copies of this resolution to the State Personnel Board and to each member thereof.

Resolution read and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 289

House Resolution No. 289

Memorializing Congress to enact necessary legislation to permit the reuse of bottles used as containers of alcoholic beverages

WHEREAS, Under the provisions of Federal law the reuse of bottles containing bonded alcoholic beverages is prohibited, and compliance with the Federal laws requires a complete destruction of bottles used for the purpose of containing alcoholic beverages once filed and stamped; and

WHEREAS, Replacement of bottles so destroyed constitutes an extravagance and waste of essential manpower, manufacturing equipment, production facilities and raw materials that would be of inestimable value in production for war; and

WHEREAS, The Federal legislation is designed and intended to protect Federal revenue under internal revenue statutes and adequate provision to safeguard such revenue could be made without the necessity of destruction of containers; now, therefore, be it

Resolved by the Assembly of the State of California, That the House of the State of California hereby respectfully petitions the Congress of the United States to so amend the provisions of the Federal law to permit for the duration of the war the reuse of bottles used for the purpose of containing alcoholic beverages; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the United States and to the Senators and Congressmen from California in the Congress of the United States; and be it further

Resolved, That the Senators and Congressmen from California in the Congress of the United States are respectfully requested to urge the legislation set forth in this resolution.

Resolution read and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 295

House Resolution No. 295

Relative to the creation of an Assembly Committee on the Elections Code, defining its powers and duties, and making an appropriation for its expenses

WHEREAS, There are many obsolete provisions in the Elections Code; and

WHEREAS, There are other provisions which, though not obsolete, are greatly in need of clarification and simplification; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on the Elections Code, which committee shall study and

investigate, accurately and in detail, the provisions of the Elections Code for the purpose of recommending changes and proper legislation in order to clarify and simplify such provisions.

The committee shall consist of three members, appointed by the Speaker of the Assembly. Vacancies on the committee shall be filled by appointment by the Speaker.

Upon the appointment of its members, the committee may organize, appoint a secretary, and employ such clerical and technical assistants, and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein.

The committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records, of every kind and description, and to take all necessary means to compel the attendance of witnesses and to procure testimony. The members of the committee may each administer oaths, and all of the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, and Sections 9400 to 9412 of the Government Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it.

The committee may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter, defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The committee may hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee. The committee may also meet in executive session. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-sixth Legislature. The committee may report to any session of this Legislature or to the regular session of the Fifty-sixth Legislature, on or before March 15, 1945.

Every department, commission, board, agency, officer, and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee upon request, any and all assistance and information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of ten dollars (\$10) per day for accommodations and meals.

The sum of two hundred fifty dollars (\$250) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee hereby created and its members, and for any other charges, expenses, or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee, by warrants of the State Controller drawn upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Crowley, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McColhister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sheridan, Smith, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Carlson, Clarke, and Denny—3.

CONSIDERATION OF HOUSE RESOLUTION NO. 291

House Resolution No. 291

Relative to memorializing Senator Sheridan Downey to support United States Senate Bill No. 654

WHEREAS, The proper care of the feet of the personnel of the Army is essential to its success; and

WHEREAS, It is known that feet, like teeth, require specialized care which only chiropodists can give; and

WHEREAS, Chiropodists have been commissioned in the Navy for some time, and the American Legion at its National Convention in 1942 endorsed the need for chiropodists in the Army; now, therefore, be it

Resolved by the Assembly of the State of California, That the Honorable Senator Downey, United States Senator from California and member of the Military Affairs Committee of the United States Senate, is memorialized to support United States Senate Bill No. 654, Reynolds, providing for the commissioning of chiropodists in the United States Army; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Senator Downey and Senator Reynolds.

Resolution read and adopted.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 296

Relative to memorializing the Office of Price Administration in relation to gasoline allowances for the purposes of taking deer.

WHEREAS, The State of California annually produces over 40,000 mature deer which may be, and ordinarily are, taken by sportsmen; and

WHEREAS, It may be conservatively estimated that such deer will produce over 400,000 pounds of meat, and that the hides will produce over 14,000 coats or over 130,000 pair of gloves; and

WHEREAS, The Federal Government needs buckskin for many military uses for which no suitable substitute has been found; and

WHEREAS, Deer hunting is a form of recreation for thousands of sportsmen who solely because of gasoline rationing will be forced to spend their vacations otherwise; and

WHEREAS, By the simple expedient of allowing each deer hunter a maximum of 12 gallons of gasoline, the deer hunters of the State, through share-the-ride programs, could take the normal share of the State's annual crop which otherwise will not be taken; and

WHEREAS, The unchecked multiplication of large game animals is not in the best interests of the agricultural and livestock industries of the State; and

WHEREAS, A plan has been worked out by the sportsmen's organizations of the State whereby each deer hunter in return for the allowance of such additional gasoline will agree to ship the deer skins to fixed receiving points to be processed and made available to the Federal Government, to save the surplus fat and tallow for sale to local butchers for rendering it usable for making explosives, and to utilize all of the meat for human consumption; and

WHEREAS, All these desirable results can be obtained by allowing prospective deer hunters only 12 additional gallons of gasoline each; now, therefore, be it

Resolved by the Assembly of the State of California, That the Office of Price Administration is hereby respectfully requested to give consideration to the allowance of an additional 12 gallons of gasoline to each deer hunter to be used by him under such conditions and restrictions as will result in the utilization of the meat, hides, tallow, and fat in the manner most conducive to the war effort; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Office of Price Administration, Washington, D. C., the Fish and Wildlife Service of the Department of the Interior of the United States, and to each Representative and Senator from California in the Congress of the United States.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 296, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Werdel:

House Resolution No. 297

Relating to Members of the Assembly who will enter the armed services of the United States at the close of the session

WHEREAS, The Victory Session of the Legislature of the State of California is drawing to a close; and

WHEREAS, Some of our colleagues will enter the armed services of the United States and there continue to render further service to our Country in this National crisis; and

WHEREAS, It is difficult to voice to these colleagues our deep feeling of pride and our good wishes; now, therefore, be it

Resolved by the Assembly of the State of California, That this resolution is adopted as an expression of our pride for our colleagues who are entering the armed services of the United States and as a means of saying Godspeed to them and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send a suitably engrossed copy of this resolution to each Member of the Assembly who is entering the armed services of the United States.

Request for Unanimous Consent

Mr. Werdel asked for, and was granted, unanimous consent to take up House Resolution No. 297, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Maloney:

House Resolution No. 298

WHEREAS, Assistant Legislative Counsel J. D. Strauss has during his service with the Legislative Counsel Bureau rendered himself invaluable by the depth of his learning, unflinching industry, devotion to duty and scholarly attainments; and

WHEREAS, Mr. Strauss on the thirteenth day of November, 1942, temporarily severed his connection with the Legislative Counsel Bureau and the Legislature of this State to serve in the armed forces of the United States for the duration of the present war now being waged between the United States and the governments of Germany, Italy and Japan for the establishment of freedom, peace and equality among and between all nations and races; and

WHEREAS, Mr. Strauss has, since his entry into the armed forces, by the display of those personal qualities which so distinguish him, signalized himself by attaining the rank of Technician 5th Class and is now serving with the Ordnance Corps, United States Army; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby expresses its gratification at the conduct of Technician Strauss, formerly Assistant Legislative Counsel, and wishes him every success in the new field upon which he has entered; and be it further

Resolved, That this body congratulate his parents, Mr. and Mrs. Beny Strauss, and his two brothers on behalf of their son's and brother's attainments, and extends its most earnest hopes for his safe return to them; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby instructed to forward a suitably prepared copy of this resolution to the members of the family of J. D. Strauss.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 298, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Maloney:

House Resolution No. 299

Relating to the service of C. A. Weltner, Assistant Legislative Counsel, in the armed forces

WHEREAS, C. A. Weltner, Assistant Legislative Counsel, upon the twenty-third day of March, 1942, temporarily forsook his chosen profession in order to assist in the maintenance of those principles of freedom, equality, and brotherhood among men of all creeds, of all opinions, of all nationalities, and of all races which are now so sorely beset by the forces of hatred and evil; and

WHEREAS, Through the persevering effort and native ability he has attained the rank of second lieutenant and is now serving with the Ferry Command; and

WHEREAS, His conduct is justifiably a source of proud emotion to both his parents, Mr. and Mrs. H. A. Weltner, of Los Angeles, California; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly desire to express their gratification at the conduct of Lieutenant Weltner and to congratulate his parents thereupon; and be it further

Resolved, That suitably prepared copies of this resolution be forwarded to Lieutenant Weltner and to his parents.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 299, at this time, without reference to committee.

Resolution read and adopted.

By Messrs. Wollenberg, Maloney, Collins, George D., O'Day, Brady, Gaffney, Haggerty, Berry, and Sheridan:

House Resolution No. 300

Relative to the death of Lewis Francis Byington

WHEREAS, Lewis Francis Byington was born in Downieville, Sierra County, California, May 24, 1867, and in early manhood settled in Sierra County, took an active part in community affairs, and was elected to the county board of supervisors and to the State Legislature; and

WHEREAS, Lewis Francis Byington was admitted to the State Bar of California in 1889, took up the work of his chosen profession in San Francisco, and in 1899 was elected District Attorney of San Francisco County, being the first to hold office under the new charter, and has most recently been Public Utility Commissioner of San Francisco; and

WHEREAS, Lewis Francis Byington was recognized as an authority on the history of California, having been Grand President of the Native Sons of the Golden West; and

WHEREAS, The Members of the Assembly are surprised and grieved at his recent demise; now, therefore, be it

Resolved by the Assembly of the State of California. That the Members of the Assembly extend their deep sympathy to the family of Lewis Francis Byington; and be it further

Resolved, That when the Assembly adjourn this day, it do so out of respect to the memory of the late Lewis Francis Byington; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send an engrossed copy of this resolution to the bereaved family.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 300, at this time, without reference to committee.

Resolution read and unanimously adopted by a rising vote of the Assembly.

By Messrs. McMillan and Hawkins:

House Resolution No. 301

Relative to creation of a Committee to Investigate the Establishment of Nursery Schools and Child Care Centers

WHEREAS, The Federal Government has passed legislation providing for the establishment of child care centers in defense industrial areas, part of the cost of which is to be borne by the Federal Government, and part by the States, their agencies, subdivisions, or by corporations or associations; and

WHEREAS, Other States have established programs whereby they undertake to participate in the establishment of child care centers; and

WHEREAS, The present program of the Federal Government may be changed; and

WHEREAS, There has been legislation passed in this State for the purpose of enabling the State to participate in the benefits of the Federal program; and

WHEREAS, The State, in order to receive the benefits of the Federal program, may have to participate in financing the program; and

WHEREAS, It is necessary to the welfare of the State and the successful participation by the State in the war effort, that the Members of the Legislature be advised as to the status of and changes in the Federal program; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created a committee to investigate all problems connected with the establishment and operation of child care centers for children of working parents and the securing for the State of the greatest benefits from the Federal program providing such centers; and be it further

Resolved, That said committee shall consist of five Members of the Assembly, to be appointed by the Speaker; and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have: (i) All the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) all the powers conferred upon committees by the Rules of the Assembly, the Rules of the Senate, and the Joint Rules of the Senate and Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To make a complete study, survey, and investigation of all matters connected with any phase of the subject of this resolution;

(2) To adopt and from time to time amend such rules governing its procedure as may to it appear appropriate;

(3) To meet at any time during the sessions of the Fifty-fifth Session of the Legislature, or after the final adjournment thereof;

(4) To report its findings to the Assembly;

(5) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpoenas, orders, and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0 05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of one thousand five hundred dollars (\$1,500) or so much thereof as may be necessary is hereby made available from the contingent fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Request for Unanimous Consent

Mr. Hawkins asked for unanimous consent to take up House Resolution No. 301, at this time, without reference to committee.

Mr. Field withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Hawkins moved that the Rules be temporarily suspended for the purpose of considering House Resolution No. 301 without reference to committee, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brown, Collins, George D., Crichton, Crowley, Debs, Denny, Dills, Clayton A., Dills, Ralph C., Dunn, Fourt, Gaff-

ney, Haggerty, Hawkins, Hollibaugh, Kilpatrick, King, Knight, John B., Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Sheridan, Smith, Thomas, Thompson, Thorp, and Weber—42.

NOES—Bashore, Burns, Call, Carlson, Clarke, Collins, Sam L., Desmond, Dilworth, Erwin, Field, Gannon, Potter, Sawallisch, Watson, Werdel, and Wollenberg—16.

The question being on the adoption of House Resolution No. 301.

Demand for Previous Question

Messrs. Robertson, Werdel, Dills, Clayton A., Middough, and Berry demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 301.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. McMillan moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Gaffney, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sawallisch, Thomas, Weber, and Mr. Speaker—37.

NOES—Bashore, Carey, Carlson, Clarke, Collins, Sam L., Denny, Desmond, Dilworth, Doyle, Erwin, Field, Fourt, Gannon, Hollibaugh, Potter, Smith, Thorp, Watson, Werdel, and Wollenberg—20.

Time 2.52 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 604—An act to add Section 5.751-1 of the School Code and to add Section 13842.1 of the Education Code, relating to salaries of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof, to take effect immediately;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and the bill, as amended on May 3, 1943, be further amended as follows:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, strike out "six hundred dollars (\$1,600)", and insert "five hundred dollars (\$1,500)".

Amendment No. 2

On page 1, line 12, of said bill, strike out "six hundred dollars (\$1,600)", and insert "five hundred dollars (\$1,500)".

Amendment No. 3

On page 2, lines 23 and 24, of said bill, strike out "six hundred dollars (\$1,600)", and insert "five hundred dollars (\$1,500)".

Amendment No. 4

On page 2, line 29, of said bill, strike out "six hundred dollars (\$1,600)", and insert "five hundred dollars (\$1,500)".

Amendment No. 5

On page 2 of said bill, strike out lines 49 to 51, inclusive; and on page 3, strike out lines 1 and 2, and insert

"SEC. 3. Section 1 of this act remains operative only until the Education Code, enacted by the Legislature at its Fifty-fifth Session, takes effect, at which time Section 5.751-1 of the School Code added by this act is hereby repealed."

Amendment No. 6

On page 3 of said bill, after line 29, insert

"SEC. 6. This act shall not become effective unless an act entitled "An act to add Sections 4.1-1, 4.781-1, 4.782-1, 4.784-1, 4.791-1, 4.793-1, 4.794-1, and 4.796-1 to the School Code and to add Sections 5151.1, 6952.1, 6953.1, 6957.1, 6972.1, 6974.1, 6975.1, and 6977.1 to the Education Code, relating to the support of the public elementary schools and making an appropriation, declaring the urgency thereof, to take effect immediately." is enacted by the Fifty-fifth Session of the Legislature."

SWAN
RICH
DELAP

Senate Committee on Conference

DILWORTH
BECK
FIELD

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Anderson, Bashore, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Rosenthal, Sargent, Sawallisch, Sheridan, Smith, Thomas, Thompson, Thurman, Weher, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—George D. Collins—1.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 1061—An act to amend Sections 1 and 4 of an act entitled "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, relating to the California Farm Debt Adjustment Commission, including extension of the period of existence of and membership upon the commission; making an appropriation therefor;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill be further amended as follows:

Amendment No. 1

In line 7 of the title of the printed bill, as amended, strike out "; making an appropriation therefor".

GORDON
JESPERSEN

Senate Committee on Conference

WEYBRET
CLARKE
THORP

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burns, Call, Carey, Clarke, Collins, George D. Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Potter, Price, Sargent, Sawallisch, Smith, Thomas, Thompson, Thurman, Watson, Weher, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

MOTION TO APPROVE JOURNALS

Mr. Sam L. Collins moved that the Journals for Monday, April 26, 1943; Tuesday, April 27, 1943; Wednesday, April 28, 1943; Thursday, April 29, 1943; Friday, April 30, 1943; Saturday, May 1, 1943; Monday, May 3, 1943; Tuesday, May 4, 1943, and Wednesday, May 5, 1943, be approved as corrected by the Minute Clerk.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourn, Gaffney, Haggerty, Heisinger, Johnson, King, Kraft, Leonard, Lyons, Maloney, McCollister, Middough, Niehouse, O'Day, Potter, Puce, Robertson, Rosenthal, Sargent, Sawalisch, Sheridan, Smith, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

RESOLUTIONS

The following resolutions were offered:

By Mr. Lowrey:

House Resolution No. 302

Resolved, That the thanks of the Assembly of this Fifty-fifth Session are extended to the Honorable Frank N. Killam, Chief of the Bureau of Buildings and Grounds, for the efficient manner in which he has conducted the business of his office, and to Miss Cruz Wallquist, Chief Operator, and to the Capitol Exchange operators for this session of the Legislature; and be it further

Resolved, That a copy of this resolution be suitably engrossed and presented to Frank N. Killam.

Request for Unanimous Consent

Mr. Lowrey asked for, and was granted, unanimous consent to take up House Resolution No. 302, at this time, without reference to committee. Resolution read and adopted.

By Mr. Werdel:

House Resolution No. 303

Resolved, That the thanks of the Assembly are extended to Jack Rossi and William Rust, Assistant Clerks, for the competent and able manner in which they have handled the business of their offices during this session.

Resolved, further, That a suitably engrossed copy of this resolution be presented to Jack Rossi and William Rust.

Request for Unanimous Consent

Mr. Werdel asked for, and was granted, unanimous consent to take up House Resolution No. 303, at this time, without reference to committee. Resolution read and adopted.

By Mr. O'Day:

House Resolution No. 304

Resolved, That the thanks of the Assembly are hereby tendered to Clarence H. Smith, Deputy Controller, and to J. E. Esola, Assistant Deputy Controller, for the uniform courtesy they have shown to each and every Member of this Assembly during this session of the Legislature, and for the able and competent manner in which they have handled the business of their offices.

Request for Unanimous Consent

Mr. O'Day asked for, and was granted, unanimous consent to take up House Resolution No. 304, at this time, without reference to committee. Resolution read and adopted.

Raymond Tolson

Comm - State Books

By Mr. Desmond:

House Resolution No. 305

Resolved, That the thanks of the Assembly are extended to Honorable George H. Moore, State Printer; ~~Harry Orman, Superintendent of the Printing Plant~~, and the entire force of the State Printing Office and the Legislative Bill Room for the cooperation and efficient manner of handling the printing of this session of the Legislature.

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up House Resolution No. 305, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Bashore:

House Resolution No. 306

Henry

Resolved, That the thanks of this Assembly are hereby extended to Mrs. ~~Velma Dunlap~~, File Clerk, for the fine and efficient manner in which she has kept the File, and the courtesy which she has extended to each and every member of this Assembly on all occasions.

Resolved, further, That a suitably engrossed copy of this resolution be presented to Mrs. ~~Velma Dunlap~~.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up House Resolution No. 306, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Haggerty:

House Resolution No. 307

Resolved, That the thanks of this Assembly are extended to Albert Day, Journal Clerk, for the able manner in which he has conducted the business of his office in reading the Daily Journal.

Resolved, further, That a suitably engrossed copy of this resolution be presented to Albert Day.

Request for Unanimous Consent

Mr. Haggerty asked for, and was granted, unanimous consent to take up House Resolution No. 307, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Gannon:

House Resolution No. 308

Resolved, That the thanks of the Assembly are tendered to ~~Mildred Watson~~, History Clerk, and to ~~Dorothy Sims~~, Assistant History Clerk, for the able and competent manner in which they have conducted the business of their office.

Resolved, further, That a copy of this resolution be suitably prepared and presented to ~~Mildred Watson~~ and ~~Dorothy Sims~~.

Request for Unanimous Consent

Mr. Gannon asked for, and was granted, unanimous consent to take up House Resolution No. 308, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Maloney:

House Resolution No. 309

Resolved, That the Members of the Assembly of the Fifty-fifth Session of the California Legislature extend herewith a vote of thanks to Harold Lewright, Assist-

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Handwritten notes:
Request for Unanimous Consent
Mr. Desmond asked for...
Resolution read and adopted.
By Mr. Bashore:
House Resolution No. 306
Resolved, That the thanks...
Resolved, further, That a suitably engrossed copy...
Request for Unanimous Consent
Mr. Bashore asked for...
Resolution read and adopted.
By Mr. Haggerty:
House Resolution No. 307
Resolved, That the thanks...
Resolved, further, That a suitably engrossed copy...
Request for Unanimous Consent
Mr. Haggerty asked for...
Resolution read and adopted.
By Mr. Gannon:
House Resolution No. 308
Resolved, That the thanks...
Resolved, further, That a copy of this resolution...
Request for Unanimous Consent
Mr. Gannon asked for...
Resolution read and adopted.
By Mr. Maloney:
House Resolution No. 309
Resolved, That the Members...

ant Clerk, for the efficient, courteous and competent manner in which he has conducted the business of his office; and be it further

Resolved, That a copy of this resolution be suitably engrossed and presented to Harold Lewright.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 309, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Watson:

House Resolution No. 310

Resolved, That the thanks of the Assembly are extended to ~~C. William Queale~~, Minute Clerk, and to Lillian Burger Slater, Assistant Minute Clerk, for the painstaking care and constantly evidenced geniality with which they have performed the duties of Minute Clerk and Assistant Minute Clerk of the Assembly during the Fifty-fifth Session of the Legislature; and be it further

Resolved, That a copy of this resolution be suitably engrossed and presented to ~~C. William Queale~~, Minute Clerk, and Lillian Burger Slater, Assistant Minute Clerk.

Request for Unanimous Consent

Mr. Watson asked for, and was granted, unanimous consent to take up House Resolution No. 310, at this time, without reference to committee.

Resolution read and adopted.

By Mr. King:

House Resolution No. 311

WHEREAS, Juanita Dependener, as Chief Stenographer, and her corps of efficient stenographers have at all times, and under all conditions, served each and every Member of the Assembly with the greatest possible dispatch, efficiency and uniform courtesy; therefore, be it

Resolved, That we, the Members of this Assembly, extend to them our sincere thanks and appreciation for the splendid services they have performed during the session.

Resolved, further, That a suitably engrossed copy of this resolution be presented to Juanita Dependener.

Request for Unanimous Consent

Mr. King asked for, and was granted, unanimous consent to take up House Resolution No. 311, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Thompson:

House Resolution No. 312

Resolved, That the Assembly extends to the Sergeant-at-Arms, Wilkie Ogg, its thanks for the efficient and courteous manner in which he and his assistants have performed the duties of their office; and be it further

Resolved, That a copy of this resolution, suitably engrossed, be presented to Wilkie Ogg, Sergeant-at-Arms.

Request for Unanimous Consent

Mr. Thompson asked for, and was granted, unanimous consent to take up House Resolution No. 312, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Fourt:

House Resolution No. 313

Resolved, That the Assembly extends to ~~Lillian Larkin and to~~ Myrtle Bashore its thanks for the efficient and courteous manner in which they have handled the business of the Assembly Post Office.

Resolved, further, That a suitably engrossed copy of this resolution be presented to Lillian Larkin and to Myrtle Bashore.

Request for Unanimous Consent

Mr. Fourt asked for, and was granted, unanimous consent to take up House Resolution No. 313, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Stream:

House Resolution No. 314

WHEREAS, Eleanor Donoghue, in the preparation and editing of legislative publications during the Fifty-fifth Session and former sessions of the California Legislature, has rendered valuable service to the Speaker, Officers and Members of the Assembly; and

WHEREAS, Her assistance to Members and Officers of the Assembly, outside of her regular work, given cheerfully and agreeably, and which many times resulted in her working overtime, has helped to expedite the business of this session; and

WHEREAS, Irrespective of ~~night sessions and~~ long hours of work, her genial disposition and charming smile were ever in evidence, and her uniform courtesy unchanged; now, therefore, be it

Resolved, That the Assembly express to Eleanor Donoghue its appreciation for her services; and be it further

Resolved, That a copy of this resolution be suitably engrossed, and presented to Eleanor Donoghue.

Request for Unanimous Consent

Mr. Stream asked for, and was granted, unanimous consent to take up House Resolution No. 314, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Wollenberg:

House Resolution No. 315

Resolved, That the thanks of the Assembly are hereby tendered to Arthur A. Ohnimus, Chief Clerk, for the competent, efficient and able manner in which he has conducted the business of his office, and the uniform courtesy he has shown to each and every Member of the Assembly during this session; and be it further

Resolved, That a copy of this resolution be presented to Arthur A. Ohnimus, Chief Clerk.

Request for Unanimous Consent

Mr. Wollenberg asked for, and was granted, unanimous consent to take up House Resolution No. 315, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Sawallisch:

House Resolution No. 316

WHEREAS, During the many years that Fred B. Wood has been Legislative Counsel, he and his efficient corps of assistants have rendered to this Assembly excellent service; and

WHEREAS, During this war his office has been heavily handicapped by reason of many of his assistants having entered the armed forces of their country; and

WHEREAS, Notwithstanding this loss, Fred B. Wood, and his capable staff of assistants, have rendered to this Assembly splendid service during this session; now therefore, be it

Resolved, That the thanks of this Assembly are hereby tendered to Fred B. Wood, Legislative Counsel, ~~Arthur McHenry~~, Chief Deputy Legislative Counsel,

~~Joseph W. Paulucci, Assistant Chief Deputy Legislative Counsel, Ora Frances Barney, Administrative and Research Secretary, Lola Doyle, Secretary to the Legislative Counsel's Office, for the splendid work and fine cooperation tendered by Fred B. Wood and his assistants to each and every Member of this Assembly during the present session of the Legislature; and be it further~~

~~Resolved, That a copy of this resolution, properly engrossed, be presented to Fred B. Wood, Arthur McHenry, Joseph W. Paulucci, Ora Frances Barney and Lola Doyle.~~

Request for Unanimous Consent

Mr. Sawallisch asked for, and was granted, unanimous consent to take up House Resolution No. 316, at this time, without reference to committee.

Resolution read and adopted.

By Messrs. Lyon and Collins, Sam L. :

House Resolution No. 317

WHEREAS, In a fine spirit of friendship, Fred J. Desch, upon the election of Charles W. Lyon as Speaker, immediately offered his services to the Assembly to assist in the work of the Assembly desk; and

WHEREAS, Owing to the handicap suffered during this war in loss of personnel, the services of Fred J. Desch have been invaluable to this Assembly; and

~~WHEREAS, Without thought of personal comfort, he has remained in constant attendance during every session of this Assembly; therefore, be it~~

~~Resolved, That each and every Member of this Assembly extend his sincere appreciation to Fred J. Desch for the service he has performed, and for his outstanding ability which has materially assisted in expediting the work of this session; and, be it further~~

~~Resolved, That the Chief Clerk of the Assembly is hereby instructed to have suitably prepared a copy of this resolution, and that the same be presented to Mr. Fred J. Desch.~~

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 317, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Field :

House Resolution No. 318

WHEREAS, Honorable Thomas A. Maloney, during the Fifty-fifth Session of the Legislature, has been the Speaker pro tempore of the Assembly; and

WHEREAS, As Speaker pro tempore, he has presided over the Assembly and carried out the duties of his office with uniform courtesy and fairness; therefore, be it

~~Resolved, That the Assembly tenders to Honorable Thomas A. Maloney its cordial appreciation and recognition of his ability as Speaker pro tempore; and be it further~~

~~Resolved, That the Chief Clerk be instructed to have a copy of this resolution suitably engrossed and presented to the Honorable Thomas A. Maloney.~~

Request for Unanimous Consent

Mr. Field asked for, and was granted, unanimous consent to take up House Resolution No. 318, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Robertson :

House Resolution No. 319

WHEREAS, Few men have had the honor and the privilege of presiding over the Assembly as Speaker during the time this Country has been at war; and

~~WHEREAS, Honorable Charles W. Lyon has been Speaker of this Assembly during this Fifty-fifth Session, and by reason of his long legislative experience and familiarity with parliamentary procedure has guided this House in its deliberations, which has resulted in one of the shortest sessions in the history of the Assembly since the bifurcated sessions came into existence; and~~

WHEREAS, During all of the 28 years of Charles W. Lyon's service, both as Senator and Assemblyman, he has evidenced a constant agreeableness and an unruffled temperament under all conditions; and

WHEREAS, As Speaker, he has again demonstrated his ability as a presiding officer and as a legislator, and has presided with the utmost fairness, dignity, and courtesy over the deliberations of this body; now, therefore, be it

Resolved, That this Assembly, by this resolution, affectionately expresses its appreciation of his services, and tenders to him its cordial and appreciative thanks and best wishes; and be it further

Resolved, That the Chief Clerk be instructed to have a copy of this resolution suitably engrossed and presented to Honorable Charles W. Lyon.

Request for Unanimous Consent

Mr. Robertson asked for, and was granted, unanimous consent to take up House Resolution No. 319, at this time, without reference to committee.

Resolution read and adopted.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1825

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered to unfinished business file.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1825—An act to add Article 4a (comprising Sections 970 to 978, inclusive) to Chapter 15 of Division 3 of the Probate Code, relating to the payment of Federal estate taxes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1825?

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "978", and insert "977".

Amendment No. 2

On page 1, line 12, of said bill, strike out "978", and insert "977".

Amendment No. 3

On page 2, line 30, of said bill, after "its", insert "final".

Amendment No. 4

On page 2 of said bill, strike out lines 43 to 50, inclusive.

Amendment No. 5

On page 3, line 1, of said bill, strike out "977", and insert "976".

Amendment No. 6

On page 3, line 13, of said bill, strike out "978", and insert "977".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1825 by the following vote:

AYES—Allen, Anderson, Bashore, Bennett, Berry, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, O'Day, Pelletier, Potter, Price, Robertson, Sargent, Sawallisch, Sheridan, Smith, Stream, Thomas, Thorp, Thurman, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Armstrong—1.

Assembly Bill No. 1825 ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON HOUSE RESOLUTION NO. 301**

At 2.53 p.m., on motion of Mr. McMillan, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the House Resolution No. 301 was refused adoption by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Collins, George D., Crichton, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sargent, Smith, and Thomas—38.

NOES—Bashore, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Denny, Desmond, Dilworth, Doyle, Erwin, Field, Gannon, Hollibaugh, Kraft, McCollister, Potter, Sawallisch, Sheridan, Thompson, Thorp, Thurman, Watson, Weber, Werdel, and Wollenberg—27.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Weber moved that the Rules be temporarily suspended for the purpose of considering an amendment to the Standing Rules by amending House Resolution No. 223, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Debs, Dills, Ralph C., Dunn, Fourt, Gaffney, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, Kraft, Massion, McCollister, Niehouse, O'Day, Robertson, Rosenthal, Sargent, Sheridan, Weber, Werdel, and Mr. Speaker—33

NOES—Allen, Bashore, Burkhalter, Denny, Evans, Gannon, McMillan, Smith, and Thorp—9.

Motion to Amend House Resolution No. 223

Mr. Weber moved that House Resolution No. 223, by Mr. Heisinger, be amended to read as follows:

Amendment No. 1

That Rule 75 of the Standing Rules of the Assembly is amended to read as follows:

"75. There shall be standing committees of the Assembly upon the several subjects stated below, as follows:

1. Rules and House Functions
2. Legislative Procedure
3. Conservation and Planning
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Crime and Correction
10. Public Morals
11. Public Health
12. Social Welfare
13. Civil Service and State Departments
14. Military Affairs
15. Municipal and County Government
16. Elections and Reapportionment
17. Judiciary
18. Constitutional Amendments
19. Agriculture
20. Livestock and Dairies
21. Public Utilities and Corporations
22. Manufacturing and Mineral Industry
23. Labor and Capital
24. Finance and Insurance
25. Transportation and Commerce

Prior to the assignment of members to serve on the several standing committees, the Speaker shall consider the preferences of the members with regard to committee

assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time, and the Speaker thereafter shall determine the number and the members to serve on each standing committee. Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the elected membership of the Assembly.

No Member of the Assembly shall be a member of more than three standing committees except that with the consent of the Speaker and the approval of the House a member may serve on four committees."

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Bennett, Brady, Call, Carey, Carlson, Crowley, Debs, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Evans, Fourt, Gaffney, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, Kraft, Massion, McCollister, Niehouse, O'Day, Pelletier, Robertson, Sargent, Thomas, Thorp, Watson, Weber, Werdel, and Mr. Speaker—36.

NOES—None.

MOTION TO PRINT IN JOURNAL

Mr. Weber moved that Assembly Bill No. 1409, as amended, be printed in the Journal.

Motion carried.

In order that the United States Geological Survey, the responsible officers of the Army, the engineers employed by the cities, counties and the State, and also in the field of private engineering, may adopt and use as the standard for the accurate location of points on the earth, the California Coordinate System as set forth in Assembly Bill No. 1409 is printed herewith as follows:

Assembly Bill No. 1409

An act to define and officially adopt a State-wide system of plane coordinates for designating and stating positions of land survey points within the State of California, and permitting, but not requiring, the use thereof, in survey maps and other documents.

The people of the State of California do enact as follows:

SECTION 1. The system of plane rectangular coordinates hereinafter described shall be known and designated as the "California Coordinate System."

For the purpose of the use of this system the State is divided into seven zones: Zone 1, Zone 2, Zone 3, Zone 4, Zone 5, Zone 6, and Zone 7.

The areas now included in the following counties shall constitute Zone 1: Del Norte, Humboldt, Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama and Trinity.

The area now included in the following counties shall constitute Zone 2: Alpine, Amador, Butte, Colusa, El Dorado, Glenn, Lake, Mendocino, Napa, Nevada, Placer, Sacramento, Sierra, Solano, Sonoma, Sutter, Yolo and Yuba.

The area now included in the following counties shall constitute Zone 3: Calaveras, Madera, Marin, Mariposa, Merced, Mono, San Joaquin, Santa Cruz, Stanislaus, Tuolumne, Alameda, Contra Costa, San Mateo, San Francisco and Santa Clara.

The area now included in the following counties shall constitute Zone 4: Fresno, Inyo, Kings, Monterey, San Benito and Tulare.

The area now included in the following counties shall constitute Zone 5: Kern, San Luis Obispo, Santa Barbara, Ventura and San Bernardino.

The area now included in the following counties shall constitute Zone 6: Imperial, Riverside, San Diego and Orange.

The area now included in Los Angeles County shall constitute Zone 7.

SEC. 2. As established for the use in Zone 1, the California Coordinate System shall be named, and in any land description, report of survey, map or other document in which it is used it shall be designated, the "California Coordinate System, Zone 1."

As established for use in Zone 2, the California Coordinate System shall be named and in any land description, report of survey, map or other document in which it is used, it shall be designated, the "California Coordinate System, Zone 2."

As established for use in Zone 3, the California Coordinate System shall be named and in any land description, report of survey, map or other document in which it is used, it shall be designated, the "California Coordinate System, Zone 3."

As established for use in Zone 4, the California Coordinate System shall be named and in any land description, report of survey, map or other document in which it is used, it shall be designated, the "California Coordinate System, Zone 4."

As established for use in Zone 5, the California Coordinate System shall be named and in any land description, report of survey, map or other document in which it is used, it shall be designated, the "California Coordinate System, Zone 5."

As established for use in Zone 6, the California Coordinate System shall be named and in any land description, report of survey, map or other document in which it is used, it shall be designated, the "California Coordinate System, Zone 6."

As established for use in Zone 7, the California Coordinate System shall be named and in any land description, report of survey, map or other document in which it is used, it shall be designated, the "California Coordinate System, Zone 7."

SEC. 3. The plane rectangular coordinates of a point on the earth's surface, to be used in expressing the position or location of such point in the appropriate zone of this system, shall consist of two distances, expressed in feet and decimals of a foot. One of these distances, to be known as the "x-coordinate," shall give the position in an east-and-west direction from the Y axis; the other, to be known as the "y-coordinate," shall give the position in a north-and-south direction from the X axis. These coordinates shall be made to depend upon and conform to the plane rectangular coordinates of the triangulation and traverse stations of the United States Coast and Geodetic Survey within the State of California, as those coordinates shall be determined to conform with provisions contained in Section 5 of this act. The Y axis of any zone shall be parallel to the meridian passing through the point of control of that zone.

SEC. 4. When any tract of land to be defined by a single description extends from any one into another of the above coordinate zones, the positions of all points on its boundaries may be referred to either of these zones, the zone which is used being specifically named in the description.

SEC. 5. For the purpose of more precisely defining the California Coordinate System, the following definition is adopted:

The California Coordinate System, Zone 1, is a Lambert conformal projection of the Clarke spheroid of 1866, having standard parallels at north latitudes $40^{\circ} 00'$ and $41^{\circ} 40'$, along which parallels the scale shall be exact. The point of control of coordinates is at the intersection of the meridian $122^{\circ} 00'$ west longitude and the parallel $39^{\circ} 20'$ north latitude. This point of control is given the coordinates: $x=2,000,000$ feet and $y=0$ feet.

The California Coordinate System, Zone 2, is a Lambert conformal projection of the Clarke spheroid of 1866, having standard parallels at north latitudes $38^{\circ} 20'$ and $39^{\circ} 50'$, along which parallels the scale shall be exact. The point of control of coordinates is at the intersection of the meridian $122^{\circ} 00'$ west longitude and the parallel $37^{\circ} 40'$ north latitude. This point of control is given the coordinates: $x=2,000,000$ feet and $y=0$ feet.

The California Coordinate System, Zone 3, is a Lambert conformal projection of the Clarke spheroid of 1866, having standard parallels at north latitudes $37^{\circ} 04'$ and $38^{\circ} 26'$, along which parallels the scale shall be exact. The point of control of coordinates is at the intersection of the meridian $120^{\circ} 30'$ west longitude and the parallel $36^{\circ} 30'$ north latitude. This point of control is given the coordinates: $x=2,000,000$ feet and $y=0$ feet.

The California Coordinate System, Zone 4, is a Lambert conformal projection of the Clarke spheroid of 1866, having standard parallels at north latitudes $36^{\circ} 00'$ and $37^{\circ} 15'$, along which parallels the scale shall be exact. The point of control of coordinates is at the intersection of the meridian $119^{\circ} 00'$ west longitude and the parallel $35^{\circ} 20'$ north latitude. This point of control is given the coordinates: $x=2,000,000$ feet and $y=0$ feet.

The California Coordinate System, Zone 5, is a Lambert conformal projection of the Clarke spheroid of 1866, having standard parallels at north latitudes $34^{\circ} 02'$ and $35^{\circ} 28'$, along which parallels the scale shall be exact. The point of control of coordinates is at the intersection of the meridian $118^{\circ} 00'$ west longitude and the parallel $33^{\circ} 30'$ north latitude. This point of control is given the coordinates: $x=2,000,000$ feet and $y=0$ feet.

The California Coordinate System, Zone 6, is a Lambert conformal projection of the Clarke spheroid of 1866, having standard parallels at north latitudes $32^{\circ} 47'$ and $33^{\circ} 53'$ along which parallels the scale shall be exact. The point of control of coordinates is at the intersection of the meridian $116^{\circ} 15'$ west longitude and the parallel $32^{\circ} 10'$ north latitude. This point of control is given the coordinates: $x=2,000,000$ feet and $y=0$ feet.

The California Coordinate System, Zone 7, is a Lambert conformal projection of the Clarke spheroid of 1866, having standard parallels at north latitudes $33^{\circ} 52'$

and 34° 25', along which parallels the scale shall be exact. The point of control is at the intersection of the meridian 118° 20' west longitude and the parallel 34° 08' north latitude. This point of control is given the coordinates: $x=4,186,692.58$ feet and $y=4,160,926.74$ feet.

The position on the ground of the California Coordinate System shall be as marked by triangulation or traverse stations established in conformity with the standards adopted by the United States Coast and Geodetic Survey for first-order and second-order work, whose geodetic positions have been rigidly adjusted on the North American Datum of 1927, and whose plane coordinates have been computed on the system herein defined any such stations may be used for establishing a survey connection with not less than two stations of the California Coordinate System.

SEC 6. Any map, survey or other document which is offered for recording in the office of the county recorder of any county of the State of California and which includes reference to the California Coordinate System, shall contain a certificate signed by a licensed land surveyor or registered civil engineer of the State of California, that the survey has been made by him or under his supervision in accordance with the provisions of Section 5 of this act.

SEC 7. The use of the term, "California Coordinate System," in any land description, report of survey, map or other document, shall be limited to coordinates based on the California Coordinate System as defined in this act.

SEC 8. Nothing contained in this act shall be interpreted as requiring any person to rely on a description based wholly on the California Coordinate System as defined in this act, but any map, survey or other document which is offered for recording in the office of the county recorder of any county of the State of California and which includes references to the California Coordinate System may also contain a reference to some other recorded map, survey, or other document, which latter reference must be sufficient to identify the property with reasonable certainty.

SEC 9. If any provisions of this act be declared invalid, such invalidity shall not affect the validity of any portion of this act which can be given effect without such invalid part.

SEC 10. This act may be cited as the Plane Coordinate Act; and be it further

Resolved, That the Committee on Legislative Organization is directed to investigate the effect of the adoption of such a system upon the description of property lines affecting land titles, and to formulate legislation which would not be detrimental thereto but would aid in such descriptions.

MOTION TO PRINT COPIES OF REPORT

Mr. Weber moved that 1,500 copies of the Report of the Committee on Legislative Organization, appearing in the Journal of May 3d, be printed for general distribution.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Berry, Brady, Brown, Burns, Carey, Clarke, Collins, George D., Debs, Dickey, Dills, Ralph C., Gaffney, Heisinger, Hollibaugh, Kilpatrick, Kraft, Massion, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Weber, Werdel, and Mr. Speaker—28.

NOES—Bashore, Bennett, Call, Carlson, Crichton, Denny, Dunn, Erwin, Evans, Field, Gannon, Haggerty, Hawkins, Johnson, Knight, John B., Lowrey, Maloney, McCollister, Niehouse, Potter, Sawallisch, Smith, Watson, and Wollenberg—24.

RESOLUTIONS

The following resolution was offered:

By Mr. Rosenthal:

House Resolution No. 320

WHEREAS, The Speaker of the Assembly, the Honorable Charles W. Lyon, and the Speaker pro tempore of the Assembly, the Honorable Thomas A. Maloney, and all of the Senior Assemblymen have extended many courtesies, privileges and good advice to the Junior Assemblymen; now, therefore, be it

Resolved by the Assembly of the State of California, That the Junior Assemblymen hereby wish to express their gratitude and thanks to the Speaker, the Speaker pro tempore and the Senior Assemblymen for all of their courtesies, privileges and advice.

Request for Unanimous Consent

Mr. Rosenthal asked for, and was granted, unanimous consent to take up House Resolution No. 320, at this time, without reference to committee.

Resolution read and adopted.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 1623—An act making an appropriation to the State Park Commission, for the acquisition of land in Orange County as part of the State Park System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1623?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "State Park Commission", and insert "Division of Beaches and Parks, Department of Natural Resources".

Amendment No. 2

On page 1, lines 1 and 2, of said bill, strike out "State Park Commission", and insert "Division of Beaches and Parks, Department of Natural Resources".

Amendment No. 3

On page 1, line 2, of said bill, strike out "in", and insert "apportioned under paragraph (b) of Section 5014 of the Public Resources Code to".

Amendment No. 4

On page 1, line 15, of said bill, after the period, insert "Whenever sufficient money is available in said fund the State Controller shall transfer from said fund to the General Fund a sum equal to any money transferred from the General Fund under the provisions of this act."

Amendment No. 5

On page 1, lines 8 and 9, of the printed bill, as amended, strike out ", subject to the conditions provided in this act,".

Amendment No. 6

On page 1, line 13, of said bill, strike out all except "line."; and strike out lines 14 to 21, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1623 by the following vote:

AYES—Anderson, Berry, Brady, Brown, Burns, Carey, Clarke, Collins, George D., Debs, Dickey, Dills, Ralph C., Gaffney, Heisinger, Hollibaugh, Kilpatrick, Kraft, Massion, O'Day, Pelletier, Robertson, Rosenthal, Sargent, Sheridan, Stream, Thomas, Weber, Werdel, and Mr. Speaker—28.

NOES—Bashore, Bennett, Call, Carlson, Cuchton, Denny, Dunn, Erwin, Evans, Field, Gannon, Haggerty, Hawkins, Johnson, Knight, John B., Lowrey, Maloney, McCollister, Niehouse, Potter, Sawallisch, Smith, Watson, and Wollenberg—24.

Assembly Bill No. 1623 ordered enrolled.

MOTION TO STRIKE HOUSE RESOLUTION NO. 230 FROM FILE

Mr. Sam L. Collins moved that House Resolution No. 230 be stricken from the file.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 300

And reports the same correctly re-engrossed.

PELLETIER, Chairman

Above reported bill re-referred to Committee on Municipal and County Government.

MOTION TO STRIKE ITEMS FROM FILE

Mr. Sam L. Collins moved that all matters remaining on the daily file be stricken from the file.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Elections and Reapportionment**

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Senate Bill No. 23

Senate Bill No. 376

Senate Bill No. 1099

Respectfully reports the same back without further action.

ROBERTSON, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 482

Senate Bill No. 1077

Respectfully reports the same back without further action.

POTTER, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 833

Senate Bill No. 1010

Respectfully reports the same back without further action.

DILWORTH, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Senate Constitutional Amendment No. 23

Senate Constitutional Amendment No. 27

Respectfully reports the same back without further action.

CROWLEY, Chairman

Above reported resolutions ordered transmitted to the Senate.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Senate Bill No. 1019

Senate Bill No. 1022

Respectfully reports the same back without further action.

SAWALLISCH, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 56

Respectfully reports the same back without further action.

WATERS, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Public Utilities, Manufacturing, and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which were referred:

- Senate Bill No. 734
- Senate Bill No. 988
- Senate Bill No. 990

Respectfully reports the same back without further action.

ALLEN, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

- Senate Bill No. 424
- Senate Bill No. 960

Respectfully reports the same back without further action.

WEYBRET, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Crime and Correction, to which were referred: referred:

- Senate Bill No. 847
- Senate Bill No. 1058

Respectfully reports the same back without further action.

MIDDOUGH, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

- | | |
|---------------------|---------------------|
| Senate Bill No. 117 | Senate Bill No. 921 |
| Senate Bill No. 759 | Senate Bill No. 972 |
| Senate Bill No. 785 | |

Respectfully reports the same back without further action.

CALL, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

- | | |
|---------------------|---------------------|
| Senate Bill No. 95 | Senate Bill No. 805 |
| Senate Bill No. 353 | Senate Bill No. 818 |
| Senate Bill No. 405 | Senate Bill No. 821 |
| Senate Bill No. 419 | Senate Bill No. 824 |
| Senate Bill No. 803 | |

Respectfully reports the same back without further action.

FIELD, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

- Senate Bill No. 58
- Senate Bill No. 229
- Senate Bill No. 837

Respectfully reports the same back without further action.

RALPH C. DILLS, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 24

Respectfully reports the same back without further action.

WATSON, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Senate Bill No. 245

Respectfully reports the same back without further action.

MALONEY, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 371

Senate Bill No. 556

Senate Bill No. 407

Senate Bill No. 1057

Respectfully reports the same back without further action.

BASHORE, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Senate Bill No. 187

Senate Bill No. 185

Respectfully reports the same back without further action.

THORP, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 32

Senate Bill No. 1003

Respectfully reports the same back without further action.

WATERS, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Senate Bill No. 863

Senate Bill No. 903

Respectfully reports the same back without further action.

BURNS, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Joint Resolution No. 13

Senate Bill No. 882

Senate Bill No. 1103

Respectfully reports the same back without further action.

NIEHOUSE, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Universities and Colleges

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Universities and Colleges, to which was referred:

Senate Bill No. 767

Respectfully reports the same back without further action.

JOHNSON, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 35	Senate Bill No. 620
Senate Bill No. 82	Senate Bill No. 647
Senate Bill No. 90	Senate Bill No. 796
Senate Bill No. 126	Senate Bill No. 865
Senate Bill No. 240	Senate Bill No. 890
Senate Bill No. 365	Senate Bill No. 910
Senate Bill No. 367	Senate Bill No. 1004

Respectfully reports the same back without further action.

WOLLENBERG, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 347—An act to amend Section 7 of the Unemployment Insurance Act, relating to excluded employments under said act;

Assembly Bill No. 447—An act to amend Section 6602 of the Welfare and Institutions Code, relating to the admission and detention of voluntary patients in State hospitals;

Assembly Bill No. 448—An act to add Section 740.5 to the Welfare and Institutions Code, relating to minors believed to be mentally unsound, authorizing the juvenile court to order commitments for observation, and providing for subsequent proceedings in relation to such minors;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 622—An act to amend Section 222 of the Welfare and Institutions Code of the State of California, relating to the cancellation of county warrants for the giving of aid if not presented for payment within six months after issuance;

Assembly Bill No. 624—An act to amend Section 4095 of the Political Code, relating to the cancellation of county warrants issued for aid where same are not presented for payment within six months after issuance;

Assembly Bill No. 628—An act to amend Sections 8963 and 8982 of the Health and Safety Code, relating to public cemetery districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 642—An act to add Section 9651.5 to the Revenue and Taxation Code, relating to motor vehicle transportation license taxes;

Assembly Bill No. 851—An act to amend Section 1106.2 of the Agricultural Code, relating to eggs;

Assembly Bill No. 1020—An act to amend Section 12003 of the Revenue and Taxation Code; to repeal Article 1 of Chapter 3, Part 7, Division 2 of said code; to add a new article, comprising Sections 12251 to 12264 inclusive, to Chapter 3, Part 7, Division 2 of said code, to be known as Article 1; to amend Sections 12402, 12403, 12404, 12405, 12431, 12434, 12438, 12461, 12462, 12464, 12622, 12623,

12626, 12801, 12978, 12996, 12997 and 12999 of said code; and providing that it shall take effect from and after December 31, 1943; all relating to the taxation of insurers; And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1042—An act to add Section 17.1 to the Welfare and Institutions Code, relating to the residence of minor persons;

Assembly Bill No. 1043—An act to repeal Sections 834 and 835 of, and to add Section 833.5 to, the Welfare and Institutions Code, relating to proceedings in the juvenile court with respect to persons over the age of 18 years and under the age of 21 years;

Assembly Bill No. 1106—An act to repeal Chapter 4.3 of Part 6, Division 1, and to amend Sections 3660 and 3661, and Sections 3662 and 3663 of, and to add Chapter 4.3 to Part 6, Division 1 of the Revenue and Taxation Code, relating to real property taxes;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1227—An act to amend Sections 11 and 12 of the Unemployment Insurance Act, relating to the definitions of "wages" and "week" under said act;

Assembly Bill No. 1228—An act to repeal Sections 47 to 51, inclusive, of the Unemployment Insurance Act, relating to exemptions, guaranteed employment, and private employment plans under said act;

Assembly Bill No. 1232—An act to amend Sections 2, 45, 45.9, 45.10, 91, 92, and 94 of the Unemployment Insurance Act, relating to a system of unemployment insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1233—An act to amend Section 15 of the Unemployment Insurance Act, relating to election to become an employer and to have services deemed employment under said act;

Assembly Bill No. 1235—An act to amend Sections 53 and 54 of the Unemployment Insurance Act, relating to base periods and benefits under said act;

Assembly Bill No. 1290—An act to add Section 9034.1 to the Education Code, relating to continuation education classes;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1316—An act to add Article 3.5 to Chapter 2 of the Education Code, relating to the dismissal of employees of State colleges not in State civil service;

Assembly Bill No. 1388—An act to add Section 21155.1 to the Education Code, relating to the State Nautical School;

Assembly Bill No. 1484—An act to amend Section 575 of the Welfare and Institutions Code of the State of California by providing that in counties of the second class the compensation of the referee of the juvenile court shall be three hundred fifty dollars (\$350) per month;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1507—An act to amend Section 1300.1 of the Agricultural Code, relating to processors of farm products;

Assembly Bill No. 1514—An act to add Section 64 and amend Section 101 of the Unemployment Insurance Act, relating to the recoupment of erroneous payments and the prevention of collusion;

Assembly Bill No. 1515—An act to add Sections 56.6 and 56.7 to the Unemployment Insurance Act, relating to cooperation between States in the collection of contributions and obtaining of wage records;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1516—An act to amend Section 52.1 of the Unemployment Insurance Act, relating to the filing of claims;

Assembly Bill No. 1519—An act to amend Sections 44, 45.11 and 46.1 of the Unemployment Insurance Act, relating to the collection of contributions;

Assembly Bill No. 1521—An act to amend Section 27 of the Unemployment Insurance Act, relating to the escheating of funds;

Assembly Bill No. 1522—An act to amend Section 9.7 of the Unemployment Insurance Act, relating to the termination of subject status;

Assembly Bill No. 1621—An act to amend Sections 736 and 736a of the Political Code, relating to the salaries of Justices of the Supreme Court and the district courts of appeal;

Assembly Bill No. 1796—An act to amend Sections 1 and 3 of, and add Section 1.5 to, an act entitled "An act to create the office of public defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the office of the public defender;

Assembly Bill No. 1959—An act to add Sections 134, 1651, 2902, 2909.1, and 2910.1 to, and to amend Sections 2901, 2903, 2904, 2905, 2906, 2908 and 2914 of the Revenue and Taxation Code, relating to the assessment and collection of taxes which are not a lien on real property sufficient to secure payment of such taxes;

Assembly Bill No. 1967—An act to repeal Sections 4239, 4239a, 4239b, 4239c, 4239d, 4239e, 4239f, 4239g, 4239h, 4239i, 4239j, 4239k, 4239l, 4239m, 4239n, 4239o, 4239p, 4239q, 4239r, 4239s, 4239t, 4239u, 4239v, and 4239w of, and to add Sections 4239 and 4239.5 to, the Political Code, relating to compensation for public services in counties of the tenth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate tabled and refused passage to:

Assembly Bill No. 1406
Assembly Bill No. 1334

Assembly Bill No. 1231
Assembly Bill No. 1424

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 866—An act to add Sections 5015.5, 5016, 5017, and 5018 to the Public Resources Code, relating to parks and beaches.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1263—An act to amend Section 2160.5 of the Welfare and Institutions Code, relating to aid to the aged.

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

Assembly Bill No. 1263 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 109	Senate Bill No. 630
Senate Bill No. 509	Senate Bill No. 636
Senate Bill No. 11	Senate Bill No. 714
Senate Bill No. 231	Senate Bill No. 731
Senate Bill No. 270	Senate Bill No. 748
Senate Bill No. 308	Senate Bill No. 752
Senate Bill No. 344	Senate Bill No. 819
Senate Bill No. 360	Senate Bill No. 820
Senate Bill No. 374	Senate Bill No. 987
Senate Bill No. 414	Senate Bill No. 1026
Senate Bill No. 448	Senate Bill No. 1075
Senate Bill No. 502	Senate Bill No. 1081
Senate Bill No. 511	Senate Bill No. 1108
Senate Bill No. 587	

J. A. BEEK, Secretary of the Senate
By MARGARET DOUVILLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1127

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Assembly Bill No. 1127 ordered enrolled

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 37	Senate Bill No. 746
Senate Bill No. 1013	Senate Bill No. 807
Senate Bill No. 561	Senate Bill No. 827
Senate Bill No. 559	Senate Bill No. 1095
Senate Bill No. 558	Senate Bill No. 503
Senate Bill No. 560	Senate Bill No. 449
Senate Bill No. 508	Senate Bill No. 146
Senate Bill No. 797	Senate Bill No. 581
Senate Bill No. 472	Senate Bill No. 756
Senate Bill No. 548	Senate Bill No. 356
Senate Bill No. 729	Senate Bill No. 781
Senate Bill No. 1109	Senate Bill No. 710
Senate Bill No. 1111	Senate Bill No. 300
Senate Bill No. 136	Senate Bill No. 501
Senate Bill No. 168	Senate Bill No. 580
Senate Bill No. 993	Senate Bill No. 1007
Senate Bill No. 599	Senate Bill No. 977
Senate Bill No. 611	Senate Bill No. 307
Senate Constitutional Amendment No. 25	
Senate Constitutional Amendment No. 29	
Senate Concurrent Resolution No. 10	
Senate Concurrent Resolution No. 40	
Senate Concurrent Resolution No. 44	

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 51

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 4th adopted the report of the Committee on Conference concerning:

Senate Bill No. 197—An act to add Section 2729 to the Penal Code, relating to prisons and the sale of prison-made products, and declaring the urgency thereof and that this act shall go into immediate effect.

J. A. BEEK, Secretary of the Senate
By MARGARET DOUVILLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1061—An act to amend Sections 1 and 4 of an act entitled "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, relating to the California Farm Debt Adjustment Commission, including extension of the period of existence of and membership upon the commission; making an appropriation therefor.

Senate Bill No. 998—An act to add Section 59 to the Unemployment Insurance Act, relating to seasonal employment.

Senate Bill No. 902—An act to add Section 6359.5 to the Revenue and Taxation Code, relating to the sales and use taxes and exemptions therefrom.

Senate Bill No. 727—An act making an appropriation to the emergency fund specified in Item 221 of the Budget Act of 1943, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency of this act, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By MARGARET DOUVILLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 604—An act to add Section 5.751-1 of the School Code and to add Section 13842.1 of the Education Code, relating to salaries of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By MARGARET DOUVILLE, Assistant Secretary

Assembly Bill No. 604 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1705—An act to amend Section 105 of the Vehicle Code, relating to the office of director.

J. A. BEEK, Secretary of the Senate
By MARGARET DOUVILLE, Assistant Secretary

Assembly Bill No. 1705 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1265—An act to add Article 9 to Chapter 7 of Part 3 of Division 5 of the School Code, comprising Sections 5.725 to 5.725q, inclusive, and to add Article 8 to Chapter 11 of Division 7 of the Education Code, comprising Sections 13701 to 13718, inclusive, relating to emergency leaves of absence, declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By MARGARET DOUVILLE, Assistant Secretary

Assembly Bill No. 1265 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1094—An act to amend Section 18200 of the Health and Safety Code, relating to the enforcement of the provisions of Part 2 of said code.

J. A. BEEK, Secretary of the Senate
By MARGARET DOUVILLE, Assistant Secretary

Assembly Bill No. 1094 ordered enrolled.

MOTION TO PRINT REPORT IN JOURNAL

Upon motion of Mr. Call, the following Report of the Interim Committee on Fish and Game was ordered printed in the Journal:

Report of Interim Committee on Fish and Game

To the Speaker and Honorable Members of the Assembly

Your Interim Committee on Fish and Game render herewith the report of their activities during the past biennium, together with their recommendations for legislation and legislative action with regard to the present Fish and Game Commission.

Your committee was appointed pursuant to House Resolution No. 79, and immediately thereafter began a study and investigation of all problems concerning fish and game brought to their attention. Every section of California was visited by some member of the committee, it being thought advisable that subcommittees should be used as much as practicable in order to cut down traveling expense.

It might be well at the outset to point out that for the past 10 years California has been facing increasing problems of fish and game management and administration because of:

- (1) The growth of population
- (2) The tremendous increase in fishing and hunting licenses
- (3) The tremendous difficulty of law enforcement brought about by this increase, and the size and topography of the State.

The State comprises a territory comparable to the New England States. In the latter territory, over 600 wardens are employed to enforce fish and game laws and protect wild life, while in California less than 150 carry on that work. While it is difficult now due to the war, and causes incident thereto, to maintain warden personnel at even the lowest level of numbers mentioned above, the committee strongly recommends that in the budget of the Fish and Game Commission provision be made for an increased staff of wardens so as to provide at least 400 such officers. It is a practice little short of silly to continue to add sections to the Fish and Game Code requiring the attention of enforcement officers when the sections already in the code can not be properly enforced because of a lack of personnel.

It must be taken for granted that the prime purpose of fish and game legislation is to conserve our present wild life population and manage it in such a manner as to provide a harvestable surplus.

The economic value of our wild life resources to California beggars description. Many millions of dollars are spent each year by those who seek their pleasure in the playground afforded by nature in this great State. It seems only sound economic procedure to do everything possible to restore wild life resources to their former state of abundance and maintain them in such a state. The committee has been guided in their activities solely by a desire to serve to this end. Statistics at best are poor things to prove points in an argument, but just a glance in the increase in licenses during the past decade shows clearly the tremendous problems which the Division of Fish and Game faces. In 1932 the number of licenses issued by the Fish and Game Commission for this State were 457,434. In 1942 they had increased to the astounding number of 709,593.

I. The Threat to Wild Life by the Growth of Underbrush and Low Growing Shrubs

The committee held hearings throughout much of the forested areas in California and questions were propounded to it concerning the continued growth of brush and low growing shrubs, to the detriment of wild life. From the testimony given, this belief was patent: Uncontrolled burning is a curse, as everyone knows, but controlled burning is an absolute indispensable need. It was pointed out that each year the board and room so badly needed by our wild life is being taken from them by the continued and alarming growth of underbrush and low growing shrubs. Some experiments have shown the efficacy of controlled burning and wherever burning has occurred, whether by controlled, or uncontrolled fires, an amazing increase in wild life in that particular area was noted. This is particularly true with bird life, as well as deer. The committee strongly recommends that some

funds be appropriated for experiments in controlled burning and that a study be made of the possibility of having the State, National, and county forestry officers, and county supervisors cooperate in this program of controlled burning. The result would mean not only increased wild life but increased valuation of the land, and an actual lessening of the fire hazard. Anyone experienced in fish and game management will readily admit that the big problem is board and room for wild life. In the burned areas the rank growth of grass, which always follows a burning, provides necessary food, and the removal of undergrowth gives greater room for animals to live in. This same program would be of inestimable benefit and value to our livestock industry.

II. Administration

As a whole, the administrative setup in the Division of Fish and Game in this State is a good one. It is headed by a commission of five men, their terms set by constitutional provision so that during no one Governor's term of office would a majority of the commission's terms expire. The theory being that the majority members of the commission would never be beholden to any one Governor for their appointments. The theory being that political consideration would thus be reduced to a minimum. But, as pointed out infra, it is not laws nor constitutional provisions that bring about decency in government, but the men who occupy the offices.

Under the commission is a so-called "Executive Secretary" appointed by the commission and exempt from civil service. He is supposed to be the chief administrative officer of the commission. This title and the position, somewhat like "Topsy," "just grown" for there is no statutory provision creating the office. The division is divided into seven bureaus, each headed by bureau chiefs and assistant bureau chiefs. All bureau chiefs and employees are civil service employees, and therefore, have continuity in their office and are not subject to removal except for cause as provided by Civil Service Laws. It would appear from this setup, that the administration should be efficient, economic and effective. It most certainly is not efficient nor effective. There is a complete lack of any real long-term program of planning, for the work of the division is based upon the amount of annual appropriations, and this alone prevents long-term planning. There is little or no cooperation between the various bureaus and their personnel, nor between one bureau chief and another. The so-called executive secretary, as is now appointed, is beholden for his very existence in office to the commission that appointed him. He must do their bidding, or be removed from office. No qualifications whatsoever are set up for his office. He need know nothing about fish and game nor the administration thereof, not of game management or planning. As a matter of fact, the present occupant of the office when appointed to it, frankly stated that he had never hunted nor fished nor even purchased a hunting or fishing license and knew nothing about fish and game. His appointment was a political one, made purely at the request of Governor Olson because of the fact that he had recently been defeated for a political office. There has never been any attempt to appoint a commission solely upon the basis of qualifications. Of the present board, only one member thereof might be considered as having even the slightest qualification to the office to which he was appointed.

It is further recommended that the classification of executive secretary of the Fish and Game Commission be set up by statute with civil service protection, and that the Personnel Board set up the necessary qualifications so that examinations shall be held and a thoroughly qualified executive secretary be engaged for that office.

In the selection of the bureau chiefs and the employees of the division, we have fared much better. Mr. Alan Taft, Chief of the Bureau of Fish Conservation, Mr. Richard Van Cleve, Chief of the Bureau of Marine Fisheries, and Mr. Gordon True, of the Bureau of Game Conservation, are all outstanding men in their field and the State of California is fortunate to have them. The vast natural resources of fish and game which are in this State demand the attention of men of such ability. If more such men were brought into the division and an executive secretary chosen solely because of his qualifications and ability as an administrator and placed at the head of the division, and such officer given civil service status, a program of fish and game management could be embarked upon that would restore fish and game in this State to their former position of abundance.

III. Fish Screens and Bureau of Engineering

There has long been a sore spot with the division which is called the Bureau of Engineering and headed by a man named John Spencer. Spencer has refused over a period of years to do the job he is paid to do, and when any attempt has been made to induce him, or force him to perform his duties as the exigencies or demands require, if it did not agree with his personal desires or views, he would immediately begin a campaign of lobbying various sportsmen organizations in his behalf. He has refused to cooperate with the Bureau of Fish Conservation and has flatly refused to work under the laws affecting his bureau, laid down by the Legislature, because he himself stated, in a fish and game hearing, that he "thought they were unworkable," and by his own testimony he showed he had never attempted to work under them. His main work is that of erection and installation of fishing screens, which are devices placed at the point in streams where irrigation waters are removed so as to

prevent fish being taken out by the irrigation water thus removed. This work is highly important, but properly belongs under the Chief of the Bureau of Fish Conservation, into whose work it naturally falls. It is strongly recommended that Spencer's office be abolished, and that his work be carried on under the direction of the Chief of the Bureau of Fish Conservation, and that he be permitted only to install screens approved by the chief of that bureau at places and times as shall be required by the chief of said bureau.

It is further recommended, that he be required to see that these screens once placed in operation continue to operate as intended, and not merely install them and forget them as has been done in the past. In this connection, it is also recommended that thorough experiment and trial be made of electric fish screens. The committee were privileged to see these in actual operation on a stream with fairly strong current, and with a considerable run-off at the point the screen was installed and there were many features of the electric screen which recommended themselves to the committee and which made them more highly desirable than the other types of screens in use.

It is recommended that the Ways and Means Committee transfer any moneys asked for by the division for the purpose of installing fish screens or the expense of maintaining that part of the personnel engaged in their installation and maintenance, to the Bureau of Fish Conservation to be expended under the supervision and direction of that bureau.

IV. Public Shooting Areas

This is a subject long neglected in this State, and which should no longer be delayed. The State of Pennsylvania has for more than 22 years indulged in a program of acquisition of public shooting areas and has to date purchased over 770,000 acres of land which abound in game, so that the public may thoroughly enjoy public shooting. Thousands of acres of land are available in California for both upland bird and waterfowl shooting. It is strongly recommended that from the abundance of fish and game funds now on hand, there be appropriated annually the sum of \$25,000 until the end of the fiscal year ending June 30, 1955, for the acquisition of lands or water for public shooting areas, and that such acquired areas, as soon as reasonably possible, be operated for public shooting, and that with such moneys so appropriated the commission be authorized to acquire such land and water in localities as is deemed meet and proper, taking into consideration the proximity of the land to areas in which the prospective hunters reside, and also the abundance of game. And that the commission be further authorized to include in its annual budget sufficient funds to operate and maintain such public shooting grounds and that they be authorized to charge nominal fees for the privilege of shooting thereon. That the commission be further authorized, if the land and the proper use for shooting areas permits, to lease said land during the closed season months for farming or grazing or similar uses that would in no way interfere in the use of such land as public shooting areas.

It is further recommended that the commission be authorized to prescribe such rules and regulations respecting seasons, bag limits, number of hunters for each area as the size of the area, the safety of hunters and the abundance of game warrants.

V. Wardens

There is no well organized or functioning of activities in the division for the training of new wardens, nor for the giving of refresher courses for the older men. Apparently the men are supposed to acquire any new information of value to them in their work from extra curricular activities. The Highway Patrol has a plan in operation we could well pattern after. It is recommended that a school for personnel be set up to which all new personnel would be required to attend for a given time and to which older men in the division would be ordered from time to time as their duties would permit or changes require, and that special instructions be given for:

- (a) Game wardens
- (b) Game farm men
- (c) Fish hatchery men
- (d) Trappers and hunters
- (e) Refresher short courses for all present field men of the division.

It is noted that such a program might necessitate changes in the civil service qualifications and regulations.

It is further recommended that a program of fish and game conservation be presented by the division and disseminated through the medium of public schools, both elementary and secondary, boys clubs, and sportsmen's organizations, and that this educational program be coordinated with and by the State Board of Education.

VI. The Fish and Game Code

While the laws affecting fish and game have been codified into one code known as the Fish and Game Code, the code has been added to and patched up to such an extent that it is pretty much of a hodge-podge, with subjects being intermingled

that have no particular affinity and not in proper categories. Many sections could be revamped to advantage, and if a good job of recodifying were done, the code could be simplified and much material removed therefrom without in any way weakening its provisions. It is therefore recommended that a Legislative Committee be created for the purpose of revising and simplifying the Fish and Game Code; that the code thus simplified be presented to the Legislature for adoption or reenactment at the session beginning January, 1945; and in revising the code, all subjects be placed in their proper categories. For instance, all sections affecting trout together; all sections affecting salmon together; all sections affecting upland birds together; all sections affecting water fowl together; and all sections affecting quadrupeds together; and that all useless or outmoded sections be removed, and that any needed sections not now present be placed therein to the end that the Legislature may at the 1945 session adopt this simplified and revised code. It is further recommended that sufficient money be appropriated from the fish and game funds for the expenses of revising this code.

VII. Upland Game Birds

It is apparent California is lagging far behind in upland game production. The committee does not wish to criticize those in charge of the game farms, but it is apparent that some change must be made. The percentage of yield of eggs and birds hatched is pitifully low. It is strongly recommended that the commission or a legislative committee, during the next biennium, give particular attention to game bird raising, and to the advisability of placing all such activities under the supervision and control of a new bureau chief to be known as Chief of the Division of Upland Game Birds. It is strongly recommended that a concerted effort be made to increase the number of valley quail. This outstanding of game birds from the sportsman's standpoint has been gradually going down hill toward the vanishing point for no good reason. It is urged that concerted thought and study and experiment be made in the immediate future to the end that this attractive bird be restored somewhat to its former abundance.

VIII. Improper Activities of the Fish and Game Commission

It might be well to point out at the outset of this part of the report that the Fish and Game Commissioners now hold terms of office for definite periods of time. This only became a fact with the adoption of Assembly Constitutional Amendment No. 45, which was adopted by the people in 1938 by an overwhelming vote. The chairman of this committee was a coauthor of the constitutional amendment. In offering this amendment for adoption, we were motivated by a desire to remove the Fish and Game Commission from politics as far as possible. Many of us interested in the problem for a good many years had high hopes that when the Fish and Game Commissioners were given definite terms of office they would set about the business of administering the Fish and Game Laws of this State uninfluenced by political considerations; that they would refrain from indulging in political activities. Our hopes were shortlived. For it soon became apparent to many of us that it would take more than a law to bring this about; that it would take commissioners who were determined to do a good job in their office irrespective of political demands and considerations. It is clear that the present commission do not hold to that high purpose.

With the advent of the Olson Administration, a temporary Fish and Game Commission was appointed which immediately began to pay off some campaign obligations with favors at their disposal.

A storm of protest was immediately forthcoming, and to a certain extent their desires were frustrated and prevented. Subsequent to this, Olson, then Governor, appointed the following members to the Fish and Game Commission.

Nate F. Milnor, Los Angeles, Chairman
 Lee F. Payne, Los Angeles
 Edwin L. Carty, Oxnard
 Germain Bulecke, San Francisco
 W. B. Williams, Alturas

With the exception of Mr. Carty of Oxnard, whose term expired on January 15, 1943, these men still hold office.

It is well to note that the commission administers all fish and game statutes. That is to say, commercial laws, as well as laws affecting the sportsmen. It is their activity with regard to the commercial laws that the committee wishes to deal with here.

It is like rattling the bones of an old legislative skeleton to talk about the sardine industry, but the committee felt it was incumbent upon it to make a thorough investigation of the subject so that alleged improper activities of the commission would be proved or disproved. Our attention was directed particularly to the subjects by accusations and allegations made against certain commissioners concerning the issuance or withholding of permits for the taking of sardines for the 1941-1942 season.

An investigation was immediately started by the Fish and Game Interim Committee of 1939, and every effort made to determine the truth or falsity of these accusations. A great number of people interested in the industry were questioned as to whether or not improper proposals were made or had been made to them concerning the issuance of permits. Considerable general information was obtained but nothing specific could be proven because of the understandable hesitancy and fear on the part of the industry and members thereof arising from the fact that they would suffer at the hands of the commission were they to give the committee the information desired and which the committee had reason to believe, in many instances, the members of the industry questioned were in possession of. It then became apparent that investigators would have to be appointed to get this information. From that time until February of this year, a continuous investigation has been kept up and a wealth of information obtained. The conclusions from this information are irresistible. These conclusions are:

That the Fish and Game Commission, with the exception of Commissioner Lee Payne, who paid little attention to the commission's business, were guilty of the most reprehensible conduct in the issuance or denial of sardine permits, and in attempts to collect money from applicants for such permits. Whether or not the money obtained was actually used in the Olson campaign has not, as yet, been determined, and a recommendation will hereafter be made in this report concerning a continuance of this investigation to determine that question.

The incidents concerning these activities were as follows:

A convention was held at Santa Barbara commencing June 16, 1942, by the Sardine Institute and other parts of the sardine industry not allied therewith. The convention was held for the purpose of discussing matters of interest to the industry, among which matters was the issuance of the sardine permits for the ensuing season. In this connection it must be pointed out that the sardine industry is divided into two parts.

- (1) Cannerns, and
- (2) Outright reductionists.

The latter operators do no canning at all and reduce their entire catch of sardines to oil and sardine meal. The cannerns are permitted to reduce a considerable portion of their catch under a peculiar wording of the statute. A permit is required for reductionists.

At the Santa Barbara convention, Milnor, and certain other members of the commission, occupied a cottage at the Santa Barbara Biltmore Hotel. Milnor had requested the industry to select a committee from the institute to program their requests concerning permits for the purpose of expediting the business of the commission and at Milnor's request, this committee, composed of Mr. Don Saxby, Mr. John Bogdanovich, and Mr. Mike Galvin, of the institute, in company with Mr. Monte Pfister, went to the cottage above referred to on the evening of Thursday, June 18th, or Friday, June 19th. There they met Commissioners Milnor, Bulcke, Carty, and Williams, and the Executive Secretary George P. Miller. There were also present Mr. Herbert Legg, a Supervisor of Los Angeles County, and a Mr. Brown, whose first name has not been ascertained. It is to be remembered, in this connection, that the committee were called there for the alleged purpose of informing the commission of the desires of the industry so that the work of the commission would be expedited, thus obviating the necessity of every one at the convention speaking on behalf of each applicant.

On the night in question in the cottage above referred to, Milnor opened the discussion, much to the amazement of those representing the industry, by saying, in substance, that the commission had been very fair in dealing with the sardine industry and the members of the industry had profited in the canning and reduction of sardines and pointed out that every thing of benefit the industry had obtained, the commission had obtained for the industry. I have compared the conversation of Milnor with certain people present and those with whom I discussed the matter separately stated, not in the presence of any other person, the conversation Milnor indulged in and the recollection of each one was so deadly similar with the recollection of the others that I am impelled to set forth the conversation here verbatim as it was reported.

According to the reports, Milnor spoke as follows:

"Gentlemen. The Commission has been very fair with your industry and you have made money out of sardine permits which we granted you. Whatever benefits you have received, we got for you. We have been generous with you. Now we expect you to be generous with us. We have a Governor's fight on and it is a stiff one and it takes money to run such a campaign. There have been rumors around that for a \$1000.00 a permit, an additional 1000 tons of sardines may be had. These rumors are bad. We know what the industry wants. They want their permits. They want to take the fish as they want them and they want to pool their equipment. I'll tell you now, you will get your permits but we will decide later whether you will get the other things. Of course, we can't take the money because we are Commissioners, but these gentlemen can." (Pointing to Mr. Herbert Legg and the Mr. Brown referred to above).

"Mr. Carty has been placed in charge of the collection for the Governor's campaign and he has to raise a couple of hundred thousand dollars. I am only a little fellow. My quota is only \$10,000.00."

Carty subsequently in a conversation with a member of the institute said he wasn't going ahead with the fund raising, on account of the proportions it was assuming. He said, "Milnor must be crazy asking for a couple of hundred thousand dollars. Where is he going to get that kind of money? The only people in the natural resources division interested are the commercial fishing interests and they can't raise that kind of money. I'm not going to do it, for somebody will go to jail."

At about this time, Commissioner Carty stepped forward with certain blueprints containing a design for a patented automatic scale for weighing sardines as they are unloaded from the fishing boats, and stated that a report had been made by the State Sealer of Weights and Measures condemning the weighing equipment then and theretofore in use and recommending the use of the patented automatic scale, the blueprints of which were then and there exhibited by Commissioner Carty, and either he or Milnor stated that the commission were of a mind to require the use of the patented scale before permitting operations, but smilingly stated: "Now the Commission has the authority to require the use of these scales. We can require them but we may not." It was the belief of everyone present, with whom this subject was discussed, that this conversation concerning the scales was used as an attempt to intimidate the members of the industry and for the purpose of coercing them into contributing to the alleged Olson campaign fund as above pointed out. As a matter of fact, each person with whom this specific matter was discussed, got the positive impression that if they would contribute as requested no such onerous burden as the scale requirement would be imposed upon such contributor.

Before the meeting closed, a discussion was had again concerning the three requests of the Sardine Institute, and Milnor said:

"No you will get your permits," and then with a shrug of his shoulders said, "but you know how to get the other two things you request."

At this meeting, when the automatic scale requirement was being discussed and the accusation was made that equipment then being used was not weighing correctly and there had been complaints, Milnor made the general accusation that there were complaints against the weighing equipment of all permittees. One of the persons present challenged the statement and asked Milnor to point out in the report, which Milnor was at that time holding in his hands, any place where a charge had been made that his particular weighing equipment was faulty. After some examination of the written report, Milnor was forced to admit that there was no complaint concerning the weighing equipment of the gentleman in question.

Commissioner Bulcke then spoke up and said, with a smile:

"Don't worry (calling the gentleman by name), you will get four thousand tons anyway."

The committee were then requested by Bulcke to contact the other members of the Institute to see how much money they could raise for the alleged Olson campaign fund. Two or three of the members present demurred to the suggestion and expressed apprehension as to how the institute would look upon such a request and feared repercussions. Milnor stated that he hoped the members would see it their (the commissioners') way and go along harmoniously. The committee then left.

The next day the main topic of conversation over all the convention was that the permits, which everyone believed were to be issued by the commission in the meeting at the court house in Santa Barbara that day, would not be issued then and that before any individual received his permit he would have to contribute to the alleged Olson campaign fund. I discussed this specific point with numerous people who were present, and it was the unanimous understanding of every one with whom I talked that permits were going to be issued on a basis of \$1,000 a permit.

On the day following the meeting in the cottage, heretofore referred to, the committee that had attended said meeting were unanimous in their refusal to make any such contributions as were demanded and apparently that was the attitude of most of the members attending the convention. Some members did make the contribution demanded but this subject will be discussed later.

On the last day of the convention, when it became apparent to the commission that the committee with whom the money question was discussed were against contributing the money demanded, Commissioner Bulcke, on the platform in the convention hall, beckoned to one of the members and asked him specifically if he would contact members of the industry with regard to collecting money for Olson and particularly the members of the industry in the Monterey region. The member thus approached agreed to contact the members and did speak to certain members concerning the request. He states that he is not certain whether any of the members contributed as he states that he would not accept any of the money himself but merely carried the request of the commission to the various members, particularly in the Monterey region. Upon questioning he stated that it was his belief that some members did contribute. This member spoke to one of the officials of the

institute concerning the commission's request and their desire for money and the official thus spoken to stated as follows:

"Nothing doing," (calling the other member by his name) "the whole thing stinks and someone is going to jail."

He then pointed out that the commission were properly under the Hatch Act and that any permittee doing business as a corporation would be prohibited under the Purity of Election Laws from contributing to any political campaign if the person contributing were doing business with the Federal Government or an agency thereof. It was also pointed out by the official that in practically every instance, if not every instance, all members of the industry were selling either fish, oil, or meat to the Government, or some agency thereof, and would thus be precluded from making any such contribution and that what could not be done directly could not be done indirectly and that any attempt to do so would be a violation of law, punishable by fine or imprisonment or both.

Apparently the member thus informed reported back to the commission, or some member thereof who had made the demands above referred to for within the next day, Mr. George P. Miller, the Executive Officer of the Fish and Game Commission telephoned a member of the institute and asked for a meeting with himself, with a Mr. Isaacs, and another member of the industry. They met with two of the parties requested being present, the meeting being held some time in July, 1942, in the office of the secretary of the industry. Miller stated that he understood that the commission were being accused by certain members of the industry of an attempt to shake down the sardine industry for money. He vehemently denied any attempt at a shake down, but admitted the money demands, and defended their action in making such a demand by saying that such action was "practical politics." Commissioner Bulecke then stated that he knew the sardine industry wanted to do the right thing with regard to making contributions and that he had been informed that the industry had a finance committee and that the finance committee of the industry should do the collecting for the commission and again eulogized the commission reiterating what had been said at Santa Barbara concerning the generosity of the commission towards the industry and the obligation of the industry in return to be generous with the commission.

One of the members present said in response, that the idea of the finance committee referred to had been abandoned and in fact that the committee had never been appointed and that it had been abandoned after the reports at Santa Barbara that the permits were going to be issued upon basis of \$1,000 a permit. Another member present at the meeting stated that he had taken the proposal of the commission up at a meeting of their group but that the membership had objected to even discussing the matter further and it was thus agreed. It was, however, discussed in small groups but the members had refused to accede to any such demands and would not contribute as demanded. One member said to both Miller and Bulecke, "What about the Hatch Act and the Purity of Election Law? Our attorney advises us that we can not make any such contribution as we are doing business with the Government."

George Miller, the Executive Secretary of the commission, then said, "Well, if you are looking for a way out, you can find one, but if you want to do what we ask you to do, you can do it."

Bulecke then explained a method by which the law could be circumvented in these words: "Well, you set up a separate organization to collect funds for campaign purposes. We do it that way in the C. I. O."

Members of the industry then stated that it would be impossible for them to do as requested.

At Santa Barbara, the day after the meeting in the Fish and Game Commissioner's cottage, the delegates were open and loud in their denunciation of the commission for their money raising demands. Much talk was indulged in by all concerned. In the convention hall, Milnor accused several members in a small group and in an angry tone said, "I understand there are some deals being made or trying to be made. If any deals are made around here, I'll make them."

One member of the industry was approached by Milnor, Bulecke, and Miller to collect funds from the industry, when it became apparent that the members were not responding to the call for funds, and the members so approached agreed to contact the membership on the commission's behalf, and in certain instances did so. In a conversation with another member he said (after calling the member by name and explaining the amount of money the commission was demanding), "I have been appointed by the commission to collect funds for Olson's campaign." The member thus addressed refused the demand and advised that he (the collector) would get into trouble. The collector then made this amazing statement: "If we are going to get anywhere we have to go along. I'm going to be taken care of myself. I'm all fixed up, but we all will get more than we figured on if we go along."

From the reaction of the industry generally, it became apparent that the membership of the industry were not taking kindly to the demands for money. So another course was pursued. Mr. Fred Parr, who has a variety of interests in the industry,

was apparently approached by Germaine Bulcke to attempt to raise some funds, for at a meeting held in San Francisco which met at his request, he stated: "Bulcke (one of the commissioners) has approached me with a proposal that the commission will increase our permits a thousand tons each if we will put up a thousand dollars apiece." This proposal set off a furor, and the meeting broke up almost immediately, the members present first strongly expressing their disapproval of such a proposal. One member present said, "This is just another attempt by the commission to shake down this industry."

Mr. Tom Goodrich, an associate of Parr, just before or just after this meeting, telephoned several members of the industry, urging them to comply with the commission's request for funds, saying that the commission wanted \$500 from each plant. When informed of the position of the industry, he excused his call by saying he was just carrying information from the commission.

Soon after the industry generally had refused to pay the tribute demanded of it, though some had complied, it was generally rumored that new permits were going to be issued to people not theretofore connected with the sardine industry, for the taking of sardines, and it was reported that four permits were to be thus issued for \$10,000. Had this rumor remained only a rumor, it would not be mentioned here, but the rumor persisted, and it was generally discussed throughout the industry, and finally some such permits were issued. Several members of the industry appeared at commission meetings and strongly protested the issuance of these additional permits. But to no avail, for the permits were issued in some instances, as will be later pointed out.

Immediately on the heels of the additional permit rumor, one Ken Parrot, a political figure long associated with gambling interests in and around Los Angeles, and for years an acquaintance of Milnor, in a conversation held in the Biltmore Hotel in Los Angeles, with one of this committee's informants, stated in substance that he was going into the "Sardine Racket." He stated he had just gotten onto it and "It is a racket where one dollar will get you five without doing anything." Subsequently, this Parrot was issued a permit by the commission.

It is reported that a brother of Milnor is associated with Parrot and one Mike Leonis, also connected with gambling activities. It perhaps is a misstatement to say that the permit was issued to Parrot. The permit was actually issued to the Lone Wolf Sardine Company, the owners of which, according to information received, were and are Leonis, Parrot, and the brother of Milnor.

Prior to the issuance of this permit, it was generally objected to by all the industry to its issuance and the collector appointed by the commission, previously mentioned, in a conversation held with Bulcke at Monterey, strongly objected to the issuance of this particular permit. In a conversation held with Bulcke at Monterey, Bulcke was reported to have said that he did oppose issuing the permit to the Lone Wolf Company, but he saw the cards were stacked and everything had been arranged and therefore it was foolish to oppose its issuance. He knew they were going to issue the permit because Milnor wanted it and said, "I had to go along with the program, because I couldn't get anything later if I opposed them in this." The questioner then asked Bulcke why the permit was being issued and that they must be crazy to take such action. Bulcke replied, "Milnor is the strong man in favor of the permit. I wish I could tell you the angles but I can't. Milnor wants it and it is going to be issued." The permit was accordingly issued.

In this connection, it might be pointed out that prior to the issuance of the permits, the commission had stated in clear, unequivocal language that before anyone would be issued a permit they would have to have a full and complete sardine production plant ready for operation at the beginning of the season. And this in the previous season was carried so far that one member was fined several hundred tons of fish from his permit because he was not, it was alleged, ready to operate at the beginning of the season. Yet in the Lone Wolf case, neither the company nor any member thereof had a plant or any part thereof and hasn't to this minute. Subsequent to the issuance of the permit, with the sanction of the commission, the tonnage granted in this permit, or a part thereof, was reduced in another plant.

There was yet another permit issued to an organization formerly in existence and the members of which had previously not been connected with the sardine industry.

In two other instances, permits were applied for and denied.

Only the circumstances surrounding one has been investigated, but it is recommended that the investigation be continued with regard to the others to ascertain the facts connected therewith. In the one investigated, the facts were found to be as follows:

The application was made some time in July and shortly after the application had been filed, a friend of the applicant who was also a friend of Commissioner Bulcke, being informed of the application asked the applicant if there was anything he could do to aid. The applicant stated he would appreciate a word being spoken in his behalf. Apparently this was done by the friend who so volunteered for he subsequently returned to the applicant and stated that Bulcke had informed him that the applicant would have to pay \$2,500 or the permit would not be issued. The applicant then being incensed by such demand, called on Mr. Bulcke personally at his office, which is in the City of San Francisco, which meeting took place between

the primary and general election. There considerable argument was indulged in and Bulcke told the applicant that the permits were being issued upon the basis of \$2,500 per permit. The applicant then assailed Bulcke and reminded him of contributions made by the applicant running into many thousands of dollars in the Olson campaign when Olson was first elected. Bulcke stated that what had been done in the past was of no moment; that they had a Governor's fight on, and needed money and that the permits were being issued for \$2,500, and without this payment no permit would be issued. Bulcke also stated that there were too many permits and that the application had not been filed on time. These facts, however, did not deter them from issuing the permits mentioned above.

The applicant then told Bulcke he would cause an investigation to be made, and assailed the Fish and Game Commission for their conduct in attempting to extort money from applicants instead of basing applications solely upon their merits. His protests were of no avail. The permit was not granted to the applicant, though granted to other applicant. A lawyer friend of applicant subsequently appeared before the commission, the lawyer being a State official, and urged the commission, on the merits of the application, that it be issued. The lawyer was advised to tell applicant to build a plant and the permit would be issued. A school boy would, or should, know at such a time that priorities would prevent the building of the plant and no school boy would invest thousands of dollars necessary to build such a plant without a permit being first issued to him. Such an assurance was nothing more than a refusal to issue the permit and the permit to date has not been issued.

The executive secretary of the commission, Miller, above mentioned, stated to the applicants mentioned that he did not see why they refused to issue the permit and said it should be done.

The two others I have mentioned, above were issued. In view of the Bulcke statement and the conduct of the commission, the only conclusion is that the applications which were refused were refused because the applicants did not pay the price demanded. And it follows as an irresistible conclusion that the other two mentioned must have paid the price demanded.

One important point must be borne in mind which seems clearly to show the need for further investigation, and that is, at least one demand for the \$2,500 made by Bulcke, mentioned above, came after Olson was defeated at the general election.

Conclusions

In view of the reprehensible conduct of the commission as noted above in this report, it is recommended that under the constitutional provision they be removed from office and that an entirely new commission be appointed and that in the appointment of the commission, political consideration be ignored and the commission chosen solely upon the basis of their ability. In this connection, it is also recommended that one commissioner be chosen from the ranks of the commercial groups so that one thoroughly familiar with their needs and requirements and the economic administration of the commercial division shall be able to advise with the commission as a member thereof.

With regard to the commission's activities, it is recommended that the present Fish and Game Committee, or the Governmental Efficiency and Economy Committee, continue the investigation of this commission with regard to ascertaining:

(1) If the amount of money collected by the commissioners as reported above, was collected as campaign funds for the Olson campaign and if so, what actually happened to the money; and if not, to whom the money went.

(2) To ascertain in the collection of such funds, and the attempt to collect such funds, what laws both Federal and State were violated.

(3) That such information thus obtained be turned over to the proper law enforcement officers for action.

(4) It is further recommended that the Attorney General cause an investigation to be conducted by his office and prosecution be indulged in where the facts warrant.

Respectfully submitted.

HARRISON W. CALL, Chairman
ALLEN G. THURMAN

I concur in this report excepting that part making accusations against the secretary and members of the commission. I was not present at the meetings when these accusations were made.

T. J. DOYLE

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR SPEAKER I am directed to inform your honorable body that the Senate on this day returns without further action:

Assembly Bill No. 178

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns without further action:

Assembly Joint Resolution No. 15

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns without further action:

Assembly Bill No. 440	Assembly Bill No. 1802
Assembly Bill No. 602	Assembly Bill No. 83
Assembly Bill No. 603	Assembly Bill No. 946
Assembly Bill No. 1102	Assembly Bill No. 1345
Assembly Bill No. 1676	Assembly Bill No. 1411
Assembly Bill No. 1821	Assembly Bill No. 1855
Assembly Bill No. 2010	Assembly Bill No. 313
Assembly Bill No. 2009	Assembly Bill No. 409
Assembly Bill No. 100	Assembly Bill No. 898
Assembly Bill No. 344	Assembly Bill No. 899
Assembly Bill No. 601	Assembly Bill No. 198
Assembly Bill No. 606	Assembly Bill No. 665
Assembly Bill No. 691	Assembly Bill No. 1093
Assembly Bill No. 854	Assembly Bill No. 1409
Assembly Bill No. 896	Assembly Bill No. 66
Assembly Bill No. 901	Assembly Bill No. 209
Assembly Bill No. 1010	Assembly Bill No. 259
Assembly Bill No. 1064	Assembly Bill No. 316
Assembly Bill No. 1068	Assembly Bill No. 328
Assembly Bill No. 1072	Assembly Bill No. 330
Assembly Bill No. 1104	Assembly Bill No. 339
Assembly Bill No. 1702	Assembly Bill No. 356
Assembly Bill No. 1310	Assembly Bill No. 439
Assembly Bill No. 1500	Assembly Bill No. 457
Assembly Bill No. 1909	Assembly Bill No. 621
Assembly Bill No. 173	Assembly Bill No. 630
Assembly Bill No. 872	Assembly Bill No. 668
Assembly Bill No. 759	Assembly Bill No. 717
Assembly Bill No. 1902	Assembly Bill No. 720
Assembly Bill No. 548	Assembly Bill No. 754
Assembly Bill No. 927	Assembly Bill No. 764
Assembly Bill No. 1037	Assembly Bill No. 1312
Assembly Bill No. 1038	Assembly Bill No. 1829
Assembly Bill No. 85	Assembly Bill No. 1844
Assembly Bill No. 86	Assembly Bill No. 1918
Assembly Bill No. 193	Assembly Bill No. 1997
Assembly Bill No. 312	Assembly Bill No. 2000
Assembly Bill No. 370	Assembly Bill No. 481
Assembly Bill No. 1181	Assembly Bill No. 822
Assembly Bill No. 1192	Assembly Bill No. 839
Assembly Bill No. 1193	Assembly Bill No. 894
Assembly Bill No. 1225	Assembly Bill No. 1103
Assembly Constitutional Amendment No. 34	
Assembly Constitutional Amendment No. 39	
Assembly Concurrent Resolution No. 44	
Assembly Concurrent Resolution No. 49	
Assembly Constitutional Amendment No. 40	
Assembly Concurrent Resolution No. 16	
Assembly Joint Resolution No. 11	
Assembly Concurrent Resolution No. 40	
Assembly Concurrent Resolution No. 55	
Assembly Joint Resolution No. 47	

J. A. BEEK, Secretary of the Senate

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns without further action:

Assembly Bill No. 1253
Assembly Bill No. 1276
Assembly Bill No. 1803

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns without further action:

Assembly Concurrent Resolution No. 17
Assembly Joint Resolution No. 18

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns without further action.

Assembly Bill No 1525

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

RESOLUTIONS

The following resolutions were offered:

By Mr. Allen:

House Resolution No. 321

Resolved. That the Speaker appoint a Committee of Five to wait upon Honorable Earl Warren, Governor of the State of California, and inform him that the Assembly has concluded its labors and awaits his further pleasure.

Request for Unanimous Consent

Mr. Allen asked for, and was granted, unanimous consent to take up House Resolution No. 321, at this time, without reference to committee.

Resolution read and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 321, the Speaker announced the appointment of Messrs. Allen, Berry, Bashore, and Heisinger, and Mrs. Nielhouse, as a Select Committee to wait upon the Governor.

By Mr. Maloney:

House Resolution No. 322

Resolved. That the Speaker appoint a Committee of Three to wait upon the Senate and inform it that the Assembly has concluded its labors and ask if it has any further message to deliver to this body.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 322, at this time, without reference to committee.

Resolution read and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 322, the Speaker announced the appointment of Messrs. McCollister, Lyons, and Evans, as a Select Committee to wait upon the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 24—An act to establish a War Catastrophe Reserve, to make an appropriation, and to provide for its expenditure, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 76—An act to repeal Sections 9202, 9204, 9205, 9206, 9207, 9208, 9209, 9210, 9212, 9213, 9214, 9215, 9217, of, and to amend Sections 9164, 9200, and 9221, of the Public Resources Code, and to add Section 10058 to the Elections Code, relating to the general district elections held in soil conservation districts;

Assembly Bill No. 111—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land in Marin County as part of the State Park System, and to repeal an act entitled "An act making an appropriation to the Department of Natural Resources, Division of Parks, for the acquisition of land in Marin County as part of the State Park System," approved July 12, 1941;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 153—An act to amend Section 103½ of the Code of Civil Procedure, relating to justices' clerks in cities and towns;

Assembly Bill No. 226—An act to add Section 53.55 to the Alcoholic Beverage Control Act, relating to containers and cartons;

Assembly Bill No. 265—An act to amend the title and Sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district, or flood control district," approved April 23, 1913, as amended, and to repeal an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled "An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town," approved March 3, 1909," approved April 3, 1911, relating to the investment of moneys in the sinking funds of or surplus moneys in the treasury of any county, city and county, incorporated city, or other public or municipal corporation or public district, and declaring the urgency hereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 268—An act to amend Sections 101, 102, and 103 of the Welfare and Institutions Code, to repeal Sections 105, 106, and 130 thereof, and to add Section 105 thereto, relating to the State Department of Social Welfare, abolishing the present Social Welfare Board in the department and transferring its powers, duties, responsibilities and jurisdiction to a Social Welfare Board created by this act, abolishing the office of Director of the Department of Social Welfare and transferring its powers, duties, responsibilities and jurisdiction to a new office of Director of Social Welfare, and providing for the appointment and tenure of office of the members of the board and of the director;

Assembly Bill No. 289—An act to amend Sections 4037, 4038, 4112, 4152 and 4178 of, to add Sections 4036½ and 4152a to, and to repeal Sections 4039, 4040 and 4179 of, the Political Code; to amend Section 1052 of the Code of Civil Procedure; and to add Section 12073 to the Insurance Code, relating to duties of county officers;

Assembly Bill No. 308—An act to amend Section 868.10 of, and to add Section 871 to, the Welfare and Institutions Code, relating to wards of the juvenile court;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 783—An act to add Section 9112.5 to the Public Resources Code, relating to soil conservation districts;

Assembly Bill No. 903—An act to amend Section 7 of the Corporation Income Tax Act, relating to corporation taxes;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 360—An act to amend Section 17115 of the Welfare and Institutions Code and to make an appropriation for the support of the Youth Authority, to take effect immediately;

Assembly Bill No. 377—An act to add Chapter 5 to Part 1, Division 7. of the Business and Professions Code, regulating defense training schools, and providing for the issuance of licenses, declaring the urgency hereof, to take effect immediately;

Assembly Bill No. 490—An act to provide for the compilation, publication, and distribution by the Secretary of State of a roster of public officials of California and to make an appropriation therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 537—An act to amend Section 6 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to county peace officers' retirement system;

Assembly Bill No. 545—An act relating to the construction, installation, equipping, stocking and operation of vending stands in public buildings of the State and counties, cities and counties and counties and cities, and providing for their operation by licensed blind persons, and making an appropriation therefor;

Assembly Bill No. 674—An act to add Section 325 to Article 2 of Chapter 1, of Division 3 of the Agricultural Code, relating to foreign cold storage meat;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 701—An act to add Section 2815 to the Agricultural Code, relating to licensed wax-salvage plants, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 731—An act to amend Section 4287 and to repeal Section 4287a of the Political Code, relating to compensation for public services in counties of the fifty-eighth class;

Assembly Bill No. 736—An act to amend the title of an act entitled "An act to provide for the acquisition by municipalities of land for public park or playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring and improving such land," approved April 22, 1909, as amended; and to add two new sections thereto, to be numbered 1b and 1c, providing for the maintenance of improvements on such lands and for the establishment of assessment districts and the assessment of property therein to pay the expenses of maintaining said improvements;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 604—An act to add Section 5751-1 to the School Code and to add Section 138421 to the Education Code, relating to salaries of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1265—An act to add Article 9 to Chapter 7 of Part 3 of Division 5 of the School Code, comprising Sections 5.725 to 5.725g, inclusive, and to add Article 8 to Chapter 11 of Division 7 of the Education Code, comprising Sections 13701 to 13718, inclusive, relating to emergency leaves of absence, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1705—An act to amend Section 105 of the Vehicle Code, relating to the office of director;

Assembly Bill No. 1978—An act to amend Section 901 of the Probate Code, relating to compensation for administration of estates;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1601—An act to add Sections 4.52-5, 4.923-5, 4.930-5, 4.942-5, and 4.950-5 to the School Code and to add Sections 5453.5, 7303.5, 7307.5, 7203.5 and 7226.5 to the Education Code, relating to the support of public junior colleges, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the 5th day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1194—An act to amend Sections 6720 and 6721 and to repeal Section 6726.5 of the Welfare and Institutions Code, relating to escaped and paroled patients and inmates of public hospitals and institutions;

Assembly Bill No. 1287—An act to amend Sections 12291, 13053, 16441, 16442, 16443, 16481, 16484, 16485, 16461 and 18221 of, and to add Sections 13059.1 and 13059.2 to, the Education Code, relating to supervision of the health of pupils in the public schools;

Assembly Bill No. 1301—An act to amend Sections 22116 and 22120 of the Water Code and Sections 1 and 3 of an act entitled "An act to provide for the acquisition, development, and disposal of electrical power by irrigation districts," approved May 21, 1919, relating to the application of the California Irrigation District Act and acts amendatory thereof and supplemental to the California Irrigation District Act and to the borrowing of funds and issuance of warrants and securities by irrigation districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1226—An act to amend Sections 66 to 72, inclusive, of the Unemployment Insurance Act, relating to claims for benefits;

Assembly Bill No. 1335—An act to amend Sections 1, 4, 5 and 5a of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, relating to poisons;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 667—An act to amend Sections 26200.5, 26209, 26212, 26251, 26253, 26254, 26271, 26280, 26281, 26282, 26296, 26302, 26303, 26327, 26328, 26336, 26337, 26338, 26342, 26343, 26361, 26364, 26366, 26367, 26368, and 26380 of, and add Sections 26216 and 26271 (a) to Division 21, Chapter 2 of the Health and Safety Code, relating to the adulteration, misbranding, advertising and sale of drugs and devices, and to the powers of the State Department of Public Health in relation thereto;

Assembly Bill No. 716—An act to add Chapter 9 to Part 6, Division 1, of the Revenue and Taxation Code, relating to the rental and sale of tax-deeded property, the disposal thereof, the assessments, the levy of taxes, the collection of taxes, the redemption of tax-delinquent property and providing for an alternative procedure for accomplishing said purposes;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 521—An act to amend Sections 12755 and 12784 of the Education Code, relating to the revocation of credentials, life diplomas or documents issued by the State Board of Education;

Assembly Bill No. 1094—An act to amend Section 18200 of the Health and Safety Code, relating to the enforcement of the provisions of Part 2 of said code;

Assembly Bill No. 1263—An act to amend Section 2160.5 of the Welfare and Institutions Code, relating to aid to the aged;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1538—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the 5th day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1979—An act to be known as the "Local Area Rehabilitation Act" to authorize cities, counties and cities and counties to reorganize, rehabilitate and reconstruct retrograde areas within the territories thereof; defining such retrograde areas and declaring the existence thereof, declaring the necessity of such reorganization, rehabilitation and reconstruction of such retrograde areas for the preservation of the public peace, health and safety and that same constitute a public use and purpose for which private property may be condemned and granting such cities, counties and cities and counties the right to exercise the power of eminent domain and to enter into contracts for such purposes and that for such purposes public moneys may be spent and other aid given; establishing planning commissions in certain cases and conferring certain powers and duties upon such planning commissions and the legislative bodies of such communities for the purpose of carrying out the purposes of this act; empowering such legislative bodies to make contracts with property owners and others: to sell such properties in the manner prescribed in this act and to take and foreclose mortgages, and to take and enforce undertakings given in the performance of the terms of this act; to maintain actions for the enforcement of such contracts, and prescribing procedure for the performance of the duties of such legislative bodies and planning commissions under this act, and establishing such commissions as State agencies and waiving the trust status of the properties bought and sold in pursuance of the purposes of this act and declaring that this act and the powers thereby conferred are for public use and purpose;

Assembly Bill No. 1983—An act to authorize the Director of Finance to make the Napa State Farm available for the purposes of the California Food and Fiber Production Act and the Emergency Farm Production Act, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1989—An act to add Section 225 to the Fish and Game Code, to empower the State Fish and Game Commission to insure boats and personnel, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1993—An act to amend Section 338 of the Code of Civil Procedure, relating to limitation of actions;

Assembly Bill No. 2002—An act to provide for the payment of a portion of the bonded indebtedness of the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;
And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1854—An act to provide for the limiting or defining of electric service areas by the California Districts Securities Commission between utilities and irrigation districts engaged in the sale of electric power, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 1968—An act to add Section 209.5 to the Revenue and Taxation Code, relating to exemptions from taxation;

Assembly Bill No. 1976—An act to add Section 699.5 to the Military and Veterans Code, relating to assistance to veterans, prescribing the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences, and making an appropriation;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1697—An act to add Section 995.3 to the Fish and Game Code, relating to fish traps;

Assembly Bill No. 1776—An act to add Section 2013 to the Welfare and Institutions Code, relating to the filing of statements by persons or organizations promoting old age pensions;

Assembly Bill No. 1824—An act to amend Section 454 of the Health and Safety Code, relating to county health officers;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1415—An act to add Section 25 to an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, and to add Section 27173 to the Streets and Highways Code, to provide for the building of approach roads in cooperation with city, city and county, county, district, and State authorities;

Assembly Bill No. 1661—An act to add Section 885 to Article 2 of Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to appeals;

Assembly Bill No. 1684—An act to amend Sections 717.5 and 868, of the Fish and Game Code, relating to fish;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1342—An act to amend Sections 5050.2 and 5050.6 of the Welfare and Institutions Code, relating to procedure for the commitment of mentally ill persons;

Assembly Bill No. 1370—An act to amend Section 96 of the Labor Code, relating to assignments of claims;

Assembly Bill No. 1386—An act to add Section 18 to "An act to establish police courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, relating to jurors' fees;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1341—An act to amend Section 5054 of the Welfare and Institutions Code, relating to the procedure for the commitment of mentally ill persons;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1146—An act to add Section 790.1 to the Fish and Game Code, relating to abalones;

Assembly Bill No. 1186—An act to amend Sections 6650, 6651, 6655 and 6662, and to repeal Section 6657 of, and to add Section 6727.5 of the Welfare and Institutions Code, relating to the property and support of patients in State hospitals or patients on parole from such hospitals;

Assembly Bill No. 1266—An act to revise an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and county fire protection district officers and employees, namely county foresters, firewardens and county fire protection district firemen as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 19, 1939, Statutes 1939, Chapter 174, relating to the county foresters, firewardens and firemen's pension system;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 860—An act to amend Sections 653.1, 653.3, 653.6, 653.7 and 653.9 of the Civil Code, all relating to cooperative corporations;

Assembly Bill No. 1055—An act to amend Section 1908 of the Harbors and Navigation Code, relating to fire protection;

Assembly Bill No. 1205—An act to amend Section 1713 of the Welfare and Institutions Code, relating to the Advisory Panel created by the Youth Correction Authority Act;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 990—An act to amend Section 721 of the Political Code, relating to the filing of regulations of State agencies;

Assembly Bill No. 998—An act to add Section 2264 to the Political Code and to add Section 20924 to the Education Code, relating to the employment of a field worker at the California School for the Blind;

Assembly Bill No. 1112—An act to amend Section 385 of the Political Code, relating to the appointment of secretaries, assistants and employees of the Governor, and to repeal Section 386 of the Political Code;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 942—An act to amend Section 1463 of the Penal Code, relating to the disposition of fines and forfeitures in municipal courts;

And reports that the same has been correctly enrolled, and presented to the Governor on the 5th day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 526—An act to amend Section 189 of the Code of Civil Procedure, relating to the destruction of records, files and exhibits in justice courts;

Assembly Bill No. 782—An act to amend Sections 1181, 1380, 1381, 1383, 1386, 1387, 1392, and 1410 of, and to add Sections 1384.5, 1385.5, 1387.5 and 1392.5 to, the Fish and Game Code, relating to fish and game;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 472—An act to amend Section 2943 of the Penal Code, relating to the discharge of prisoners and making an appropriation;

Assembly Bill No. 475—An act making an appropriation to The Adjutant General for the maintenance of the California High School Cadets;

Assembly Bill No. 615—An act to amend Section 3476 and to postpone and suspend the operation of Sections 3511 3, 3571, 3571 3, 3571 5, 3572, 3573, 3574, 3575, 3576, 3577 and 3578 of the Revenue and Taxation Code, relating to taxation; And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 92—An act to add Section 1425 $\frac{1}{2}$ to the Penal Code, relating to justices of the peace acting as court commissioners of juvenile courts in misdemeanor cases involving traffic violations;

Assembly Bill No. 302—An act to amend Section 925 of the Probate Code, relating to disposal of vouchers filed by executors or administrators;

Assembly Bill No. 372—An act to add Section 2222 5 to the Welfare and Institutions Code, relating to aid to the aged, and imposing limitations upon the cancellation, suspension, or revocation of aid granted;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 17—Relative to assistance to needy disabled persons;

And reports that the same has been correctly enrolled, and presented to the Governor on the 5th day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 45—Relative to a Fact-Finding Committee on old-age pension advocacy and promotion, and defining its powers and duties;

Assembly Concurrent Resolution No. 59—Relative to the creation of a Joint Fact-Finding Committee on Un-American Activities in California to investigate the activities of persons and groups known or suspected to be foreign dominated or controlled and recommend legislation for their regulation;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 42—Relative to classification by the Personnel Board of civil service positions established for the duration of the emergency and six months;

Assembly Concurrent Resolution No. 56—Relative to settlement of Jewish refugees in Palestine;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 50—Relative to providing for a full year State-wide celebration in 1950 commemorating admission of California to the

Union and the end of the war and providing for a Joint Committee to plan for the celebration ;

Assembly Concurrent Resolution No. 64—Relative to discontinuing the use of a dated symbol on the stationery of the Members of the Legislature ;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined :

Assembly Concurrent Resolution No. 46—Relative to the creation of a Joint Committee to Investigate Fish and Game Problems ;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined :

Assembly Joint Resolution No. 50—Relative to decentralization of the steel industry ;

Assembly Joint Resolution No. 51—Relative to memorializing Congress to enact legislation creating a Federal agency to study tax structures ;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined :

Assembly Concurrent Resolution No. 65—Relative to the Joint Rules of the Senate and Assembly ;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined :

Assembly Bill No. 12—An act to amend Section 662 of the Elections Code, relating to election officers ;

Assembly Bill No. 363—An act to amend Section 5.409a of the School Code and to amend Section 13011 of the Education Code, relating to the absence of exchange teachers from duty because of illness, injury or quarantine ;

Assembly Bill No. 378—An act providing for the preparation and publication of the California Administrative Register and the California Administrative Code, and making an appropriation therefor ;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined :

Assembly Bill No. 63—An act to add Section 132.5 to the Vehicle Code, relating to hearings conducted by the Department of Motor Vehicles ;

Assembly Bill No. 487—An act to make an appropriation to pay off a portion of the outstanding indebtedness of the State under "An act to provide for the payment of the funded indebtedness of the State of California and to contract a funded debt for that purpose," approved April 2, 1870, and to repeal "An act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund, to repeal an act of the Legislature of the State of California, approved March 4, 1881, entitled 'An act to appropriate money to reimburse the University of California, for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom and appropriated to other State purposes,' and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893," approved March 3, 1893 ;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPLAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 136—An act to amend Section 9 of the Municipal Court Act of 1925, relating to the constitution of the court and to compensation of officials;

Assembly Bill No. 224—An act to add Sections 3211.2, 3211.4, 3211.6, 3211.7, 3211.8, and 3352.5 to, and Chapter 10, comprising Sections 4301 to 4337, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 105 to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to civilian defense workers, including the limiting of the liability of the State of California, counties, cities, and civilian defense organizations for injuries arising out of and occurring in the course of activities as a civilian defense worker, authorizing the California State War Council to certify civilian defense organizations and to make rules and regulations for the classifying and registering of civilian defense workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately;

Assembly Bill No. 263—An act to amend Section 4236g of the Political Code, relating to the compensation of jurors;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 257—An act to add Section 252.5 to the Health and Safety Code, relating to children with an impaired sense of hearing, and making an appropriation therefor;

Assembly Bill No. 426—An act to amend Sections 177 and 178 of the Vehicle Code, relating to motor vehicles;

Assembly Bill No. 590—An act to add Section 9606.7 to the Revenue and Taxation Code, relating to the motor vehicle transportation license tax;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 301—An act to amend Section 79.07 of the Civil Code, relating to destruction of records by county clerks;

Assembly Bill No. 306—An act relating to the Postwar Employment Reserve; defining the powers and duties of State officers in connection therewith, making an appropriation for preparation of plans for a State Building Program, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 406—An act making an appropriation to the Department of Agriculture for the purpose of establishing, equipping, and operating a Poultry Disease Diagnostic and Testing Laboratory in San Diego County;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 343—An act to add Section 7421 to the Business and Professions Code, relating to temporary licenses for hairdressers and cosmeticians or cosmetologists;

Assembly Bill No. 422—An act to add Section 5.503-1 to the School Code and to add Section 13009.1 to the Education Code, relating to the classification of persons as permanent employees of school districts, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 561—An act to add Section 13841.1 to the Education Code, relating to leaves of absence for persons employed by school districts in positions requiring certification qualifications;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 427—An act to amend Sections 6304 and 6320 of the Business and Professions Code, relating to boards of law library trustees and law libraries;

Assembly Bill No. 428—An act to add Section 6346.5 to the Business and Professions Code, relating to the retirement of officers and employees of county law libraries;

Assembly Bill No. 515—An act to provide for the establishment and maintenance of a School of Public Health in the University of California and making an appropriation therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 441—An act authorizing suit against the State of California to quiet title to lands in San Mateo County devised to the City and County of San Francisco, and to the State of California in the alternative, by the will of James M. Huddart, deceased, and regulating the procedure therein;

Assembly Bill No. 543—An act to amend Sections 1 and 5a of an act entitled "The California Air Navigation Act," relating to air navigation;

Assembly Bill No. 583—An act to add Sections 102 and 611.7 to the Fish and Game Code, creating a new fish and game district and regulating the taking of trout therein;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 513—An act to add Section 604.11 to the Vehicle Code, relating to ambulances;

Assembly Bill No. 520—An act to add Section 875 to the State Civil Service Act, relating to promotions and promotional examinations;

Assembly Bill No. 568—An act to add Section 2780.1 to the Penal Code, relating to the prison camps, making an appropriation, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 549—An act to add Section 1920b to the Code of Civil Procedure, relating to the preservation of documentary records by the preparation of photographic copies thereof and providing that such copies may be used in place of the original under certain conditions;

Assembly Bill No. 582—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in a primary election;

Assembly Bill No. 719—An act to amend Section 254 of the Probate Code, relating to succession by kindred of the half blood;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 579—An act to amend Section 23 of "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the deposit of fees in the General Fund and support from the General Fund, and the payment of costs of administration;

Assembly Bill No. 961—An act to add Chapter 7, consisting of Sections 880 and 881, to Division 1 of the Streets and Highways Code, relating to the acquisition, by the State, of shore line property adjoining State highways;

Assembly Bill No. 1018—An act to amend Sections 11561, 11699 and 11715 of the Insurance Code, relating to insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 586—An act to amend Section 3760 of the School Code and to amend Section 10301 of the Education Code, relating to courses of study in elementary schools;

Assembly Bill No. 672—An act to add Section 375 to the Civil Code, relating to the award and assessment of expenses and attorneys' fees in actions or proceedings against directors, officers or employees of a corporation, brought by or on behalf of the corporation;

Assembly Bill No. 879—An act to amend Sections 6051 and 6201 of the Revenue and Taxation Code, relating to the sales and use taxes, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 625—An act to amend Sections 197 and 200 of the Civil Code, relating to minors;

Assembly Bill No. 653—An act to amend Section 2351 of the Labor Code, relating to conditions in places of employment,

Assembly Bill No. 684—An act to amend Section 6015 of the Revenue and Taxation Code and to add Section 6364 to said code, relating to the taxation of the privilege of selling and of storing, using, or otherwise consuming tangible personal property and to certain exemptions from said taxation, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 671—An act to add Section 10205 to Chapter 5, Title 14, Part 2 of the Code of Civil Procedure, relating to dispensing with the giving of notice to persons who are enemies or allied with enemies of the United States as defined in the Trading with the Enemy Act, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 856—An act to amend Section 186 of the Vehicle Code, relating to transfers of vehicles;

Assembly Bill No. 902—An act to amend Section 8 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 698—An act making an appropriation for the control and eradication of oriental fruit moth, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 776—An act to amend Sections 607 and 607f of the Civil Code, relating to the formation of corporations for the prevention of cruelty to animals and children and to the appointment of humane officers by the corporations;

Assembly Bill No. 798—An act to add Section 60091 to the Revenue and Taxation Code, relating to the definition of "storage" and "use" in the sales and use tax law, declaring the urgency hereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 800—An act to amend Section 776 of the Vehicle Code, and Section 11001 of the Revenue and Taxation Code, relating to the reporting and depositing of application and license fees received by the Department of Motor Vehicles, to take effect immediately;

Assembly Bill No. 805—An act making an appropriation for the destruction of beet leaf hoppers;

Assembly Bill No. 857—An act to amend Section 402 of the Vehicle Code, relating to financial responsibility ;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined :

Assembly Bill No. 900—An act to amend Section 226 of the Civil Code, relating to the adoption of children ;

Assembly Bill No. 941—An act to amend Section 117p of the Code of Civil Procedure, relating to fees charged by public officers in connection with small claims actions ;

Assembly Bill No. 1062—An act to amend Section 51112 of the School Code and to add Section 14702 to the Education Code, relating to members of district retirement systems, declaring the urgency thereof, to take effect immediately ;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined :

Assembly Bill No. 908—An act to amend Sections 39, 382 and 623 of the Vehicle Code, and to add Sections 168 and 628 thereto, relating to vehicles and vehicular traffic ;

Assembly Bill No. 929—An act to add Section 448 to the Vehicle Code, relating to authorized emergency vehicles, declaring the urgency thereof, to take effect immediately ;

Assembly Bill No. 1033—An act to add Section 261b to the Code of Civil Procedure, relating to phonographic reporters for superior courts in counties, or cities and counties, having a population of 900,000 or more, providing for the compensation and fees of such reporters, requiring the payment to the county clerk of such counties, or cities and counties, of certain filing and appearance fees, in addition to any other fees now required by law, requiring that such fees be deposited in the salary fund of such counties, or cities and counties ;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined :

Assembly Bill No. 939—An act to add Section 737.6-2 to the Agricultural Code, relating to testing and sampling of fluid milk delivered to distributors in accordance with stabilization and marketing plans ;

Assembly Bill No. 1195—An act to amend Sections 7051, 7058, 7069 and to add Section 7058 I and to repeal Section 7051.5 of the Welfare and Institutions Code, relating to defective and psychopathic delinquents ;

Assembly Bill No. 1346—An act to amend Section 14427 of the Business and Professions Code, relating to the registration of container brands ;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined :

Assembly Bill No. 1028—An act to add Section 3656.5 to the Revenue and Taxation Code, relating to rental by State of tax-deeded property ;

Assembly Bill No. 1031—An act to add Section 1844a to the Code of Civil Procedure, relating to proof of gifts in view of death ;

Assembly Bill No. 1045—An act making an appropriation to pay the claim of the City and County of San Francisco against the State of California ;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined :

Assembly Bill No. 1067—An act to amend Sections 130, 142, 146, 154, 164.5, 164.7, 175, 217, 222, 225, 245.5, 371.5, 374, 378, 383, 384 and 776 of, and to add

Sections 56 and 372 5 to the Vehicle Code, relating to registration of vehicles and fees, and Section 11001 of the Revenue and Taxation Code, relating to the report and deposit of moneys;

Assembly Bill No. 1070—An act to add Section 156 5 to the Vehicle Code, relating to the issuance of stickers in lieu of license plates to vehicles;

Assembly Bill No. 1125—An act to amend Section 276 of the Vehicle Code, relating to operators' licenses;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1081—An act to amend Section 3714 of the Political Code, relating to annual financial estimates of counties;

Assembly Bill No. 1179—An act to add Section 6726 1 to, and to amend Section 6727 of, the Welfare and Institutions Code, relating to payment for family care and other needs of patients on parole from State hospitals, and declaring the urgency thereof;

Assembly Bill No. 1184—An act to amend Section 7302 of, and to add Section 7310 to, the Welfare and Institutions Code, relating to the Langley Porter Clinic;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1063—An act to amend Section 54 of the Vehicle Code and Section 191 of the School Code, relating to school buses;

Assembly Bill No. 1190—An act to amend Sections 7500, 7501, 7505 and 7506 of the Welfare and Institutions Code, relating to the general powers and duties of the State Department of Institutions;

Assembly Bill No. 1222—An act to add Section 21364-2 to the School Code and to add Article 2 1 to Chapter 15 of Division 2 of the Education Code, relating to the powers and duties of the Director of Education, and making an appropriation;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1065—An act to amend Sections 619, 625, 645, 646, 665, and 699 of, to add Section 620 5 to, and to repeal Section 707 of, the Vehicle Code, relating to lamps and devices on vehicles, elevated wheels and length of loads;

Assembly Bill No. 1066—An act to amend Sections 251, 252, 257, 267, 271, 302, 305, 307, 310, 353, 414, 415, 416, 417 and 418 of the Vehicle Code, relating to drivers' licenses and proof of ability to respond in damages;

Assembly Bill No. 1071—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1107—An act to amend Education Code Sections 14265, 14268, 14272, 14274, 14325, 14326, 14327, 14361, 14363, 14427, 14431, 14432, 14433, 14434, 14435, 14436, 14440, 14441, 14442, 14444, 14445, 14446, 14447, 14450, 14452, 14458, 14491, 14492, 14494, 14496, 14523, 14526, 14534, and to add Education Code Sections 14274 1, 14274 2, 14274 3, 14274 4, 14374 5, 14437, 14438, 14458 1, 14458 2, 14458 3, 14469, 14523 1, 14523 2, 14523 3, 14526 1, and 14542, and to repeal Education Code Sections 14365, 14437, 14438, 14439, and 14456, relating to the California State Teachers' Retirement System;

Assembly Bill No. 1111—An act to amend the heading of Article 11 of Chapter 1 of Division 5, to amend Sections 2451, 2452, 2453, 2455, 2831, 2832, 2839, 2840, 2841, 2842, and 2843, to add Sections 3881 and 3882 to, and to repeal Section 2450 of the Elections Code, relating to county central committees;

Assembly Bill No. 1127—An act to add Section 45.1 to the California Irrigation District Act, and Section 26232 to the Water Code, relating to the assessment and redemption of property;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1139—An act to add Sections 153.1, 153.2, and 153.3 to the Agricultural Code, relating to eradication of oriental fruit moth and indemnification for host plants removed and destroyed in connection therewith, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1259—An act to add Section 13003.1 to the Education Code, relating to persons employed by school districts in positions requiring certification qualifications;

Assembly Bill No. 1391—An act to amend Sections 7301, 7303, 7304, 7351, 7352, 7402, 7405, 7501, and 7604 of, and to amend and renumber Section 7306 to be Section 6210.3 of, and to add Sections 8103 and 10017 to, the Public Resources Code, relating to the sale and exchange of land, and granting and taking rights and interests therein, by the State and its political subdivisions, repealing acts and parts of acts therein specified;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1140—An act to provide for the erection and equipment of a building or buildings on the Campus of the University of California at Los Angeles for use in connection with instruction in engineering, for the establishment and maintenance of a course in engineering on the Campus of the University of California at Los Angeles, and to make an appropriation therefor;

Assembly Bill No. 1191—An act to amend Sections 5700, 5703, 5705, 5706, 5707, 5708, 5751, and 5753 of the Welfare and Institutions Code, and to add Sections 5699 and 5700.5 thereto, relating to private institutions;

Assembly Bill No. 1306—An act making an appropriation of two thousand dollars (\$2,000) for the purchase of the files of "American Flag";

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1196—An act to amend Section 5050.7 of the Welfare and Institutions Code, relating to the apprehension of mentally ill or insane persons;

Assembly Bill No. 1293—An act to amend Section 20043 of the Water Code, relating to reports by the California Districts Securities Commission;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1336—An act to amend Section 4212 of, and to add Section 4215 to, the Business and Professions Code, relating to pharmacy;

Assembly Bill No. 1343—An act to amend Section 6731 of the Welfare and Institutions Code, relating to the discharge of patients from State hospitals, and for their subsequent care and support;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1322—An act to amend Sections 8212 and 8213 of the Government Code, relating to qualification of notaries public;

Assembly Bill No. 1414—An act to add Article 1A to Chapter 1 of Division 1 of the Agricultural Code, to include Section 35, relating to the formulation of temporary provisions, conditions, standards, and prices;

Assembly Bill No. 1480—An act to add Section 532 to the Alcoholic Beverage Control Act, relating to places where alcoholic beverages are received, kept, or brought for consumption;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1381—An act to amend Section 162 of, and to add Section 164.1 to the Military and Veterans Code, relating to The Adjutant General;

Assembly Bill No. 1412—An act to add Division 8, comprising Sections 8001 to 8212, inclusive, to the Public Resources Code, relating to surveys and maps, creating a State Board of Maps and Surveys, and prescribing its powers and duties;

Assembly Bill No. 1452—An act to add Section 26.5 to the Fish and Game Code, relating to stocking of waters of the State with fish and providing for the acquisition of public easements over private property for the purpose of taking fish from waters stocked by the State;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1394—An act to add Parts 3 and 4, comprising Sections 7301 to 8557, inclusive, to Division 6 of the Public Resources Code, and to add Sections 10014, 10015, and 10016 to Division 10 thereof, thereby revising and consolidating the law relating to the natural resources of the State, including the sale and exchange of land, and granting and taking rights and interests therein, and regulating the use thereof, by the State and its political subdivisions;

Assembly Bill No. 1399—An act to amend Section 4 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes;

Assembly Bill No. 1431—An act to amend Section 740 of the Welfare and Institutions Code, relating to commitments by the juvenile court, and authorizing commitment of wards to the Youth Correction Authority;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1348—An act to amend Section 14483 of the Business and Professions Code, relating to the registration of laundry supply designations;

Assembly Bill No. 1396—An act to amend Section 4 of the Corporation Income Tax Act of 1937, relating to corporation taxes;

Assembly Bill No. 1729—An act to add Section 367f to the Penal Code, relating to intoxication;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1340—An act to add Section 7501.5 to the Welfare and Institutions Code, relating to mentally ill persons and persons alleged to be mentally ill;

Assembly Bill No. 1518—An act to amend Sections 45.2 and 45.5 of the Unemployment Insurance Act, relating to wage records and the collection of contributions;

Assembly Bill No. 1571—An act to amend Section 1203.6 of, and to add Sections 1203.7, 1203.8, 1203.9, 1203.10, 1203.11, 1203.12, 1203.13, 1203.14, 1203.15 and 1203.16 to, the Fish and Game Code, relating to pheasants;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p. m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1463—An act granting to the City and County of San Francisco certain tidelands and submerged lands belonging to the State of California

and situated in the County of San Mateo for development and use in connection with the San Francisco Airport in San Mateo County and as a part of the public airport being used, operated and maintained by the City and County of San Francisco, regulating the management, use and control thereof and authorizing the reclamation and improvement thereof all in conjunction with the use, operation and maintenance of the San Francisco Airport in San Mateo County;

Assembly Bill No. 1485—An act to amend Section 412 of the Political Code, relating to the Secretary of State;

Assembly Bill No. 1513—An act providing for the acquisition of specified property by the Department of Employment,
And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETTIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1504—An act relating to the National Flag and the Flag of the State of California, and other flags;

Assembly Bill No. 1529—An act to add Section 512 to the Vehicle Code, relating to speed limits on highways under construction or repair;

Assembly Bill No. 1628—An act to add Section 1085 to the Business and Professions Code, relating to fees and expenses of witnesses;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETTIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1570—An act to amend Sections 149 and 152.5 of and to add Sections 96.7 and 162.6 to the State Civil Service Act, relating to the State civil service, declaring the urgency thereof and to take effect immediately;

Assembly Bill No. 1582—An act to amend Sections 290, 303, 403c and 604 of the Civil Code, relating to corporations;

Assembly Bill No. 1623—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land in Orange County as part of the State Park System;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETTIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1581—An act to amend Section 12 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended, relating to the reinstatement of corporations;

Assembly Bill No. 1848—An act to add Sections 2533.1 and 2585.1 to the Education Code, relating to elementary school districts;

Assembly Bill No. 1853—An act to provide for the limiting or defining of electric service areas by the Railroad Commission of the State of California between utilities and irrigation districts engaged in the sale or distribution of electric power, declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETTIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1672—An act to provide aid to counties, cities and counties, cities and districts for civilian defense purposes; to provide for the administration thereof; to make an appropriation for such purposes; and to declare the urgency thereof, to take effect immediately;

Assembly Bill No. 1789—An act to amend Section 4265 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-sixth class;

Assembly Bill No. 1914—An act to repeal Sections 1060 and 1061 of, and to add Sections 1060, 1060.1, 1060.2, 1060.3, 1060.4, 1060.5, 1060.6, 1060.7, 1060.8,

1060 9, 1060 10, 1060.11, 1060.12, 1060.13, 1060.14 and 1062b to, the Code of Civil Procedure, relating to declaratory relief,

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1624—An act to add Section 356 5 to the Streets and Highways Code, relating to the powers of the California Highway Commission and Department of Public Works in respect to the abandonment of State highways, and declaring the urgency thereof to take effect immediately;

Assembly Bill No. 1692—An act to amend Sections 50, 51, 54, and 55 of the Fish and Game Code, relating to game management areas;

Assembly Bill No. 1699—An act to amend Section 152 5 of the State Civil Service Act, relating to leaves of absence to employees who enter war industries;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1633—An act to add Sections 195 5 and 1623.5 to the Streets and Highways Code, relating to expenditure of money allocated to counties, cities, and cities and counties;

Assembly Bill No. 1653—An act to add Section 1340 7 to the Fish and Game Code, relating to the taking of bear;

Assembly Bill No. 1784—An act to amend Section 2 of an act entitled "An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses," approved May 14, 1927, relating to the Commission on Uniform State Laws;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1712—An act to amend Sections 752, 757, 763 and 771 of the Code of Civil Procedure, relating to partition of real and personal property;

Assembly Bill No. 1733—An act to add Sections 6 781-5 and 6.793-5 to the School Code and Sections 19602.5 and 19614.5 to the Education Code, and making an appropriation, relating to child care centers, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1772—An act making an appropriation from the State Parks Maintenance and Acquisition Fund to the Division of Beaches and Parks, Department of Natural Resources, to salvage, repair, and move buildings at Seabiff State Park, Santa Cruz County;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1774—An act to amend Sections 3, 4, 12, 15.1, 15 2, 15 3, 15.4, and 15.5 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, to amend and renumber Sections 8, 23, 24, 24.5, and 25 thereof to be Sections 24 4, 23.1, 24.1, S, and 28, respectively, and to add Sections 2 1, 21 3, 21.6, 23.2, 23.3, 23.4, 23.5, 23 6, 23.7, 24 2, 24.3, 25 1, 25 2, 25 3, 25.4, 25 5, 25.6, 25 7, 25 8, 25.9, 26, 26.1, and 27 thereto, all relating to credit unions, specifying the powers and duties thereof, providing procedures for merger and for dissolution thereof, transferring the supervision thereof and the administration of the act from the Commissioner of Corporations to a new Credit Union Commission established hereby, providing for the appointment, establishment, powers and duties of said commission, and making an appropriation;

Assembly Bill No. 1931—An act authorizing any city, county, or city and county to acquire property and to construct, operate and maintain parking facilities in connection with any stadium or coliseum maintained by such city, county, or city and county, and to make such parking facilities available to the use of the public and to make a charge therefor;

Assembly Bill No. 1964—An act to amend Section 4310 of the Political Code, relating to sheriffs' special funds;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1795—An act to add Section 13½ to the Los Angeles County Flood Control Act, relating to storm drain improvements and drainage system;

Assembly Bill No. 2003—An act to amend Sections 1701 and 1710 of, the heading of Chapter 1 of Division 25 of, and the headings of Articles 2, 3 and 4 of Chapter 1 of Division 25 of, and to repeal Section 17115 of, and to add Sections 1725 and 1742 to, the Welfare and Institutions Code, relating to the Youth Authority and the care, custody and rehabilitation of youths, providing for the costs of such care, custody and rehabilitation, and making an appropriation;

Assembly Bill No. 2015—An act to add Section 1737.5 to the Welfare and Institutions Code, relating to commitments to the Youth Authority;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1823—An act to add Section 4090.2 to the Political Code, relating to county coroners;

Assembly Bill No. 1897—An act to repeal Section 6664 of the Welfare and Institutions Code, relating to State institutions, including the inmates thereof and persons committed thereto.

Assembly Bill No. 1969—An act to add Section 4 to an act entitled "An act to provide for the improvement and reconstruction of a road in the County of Mendocino, and making an appropriation therefor," approved July 11, 1941, relating to availability of any unexpended balance of the appropriation made therein, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1825—An act to add Article 4a (comprising Sections 970 to 977, inclusive) to Chapter 15 of Division 3 of the Probate Code, relating to the payment of Federal estate taxes;

Assembly Bill No. 1953—An act to add Section 672.5 to the Vehicle Code, relating to escorts, declaring the urgency hereof, to take effect immediately;

Assembly Bill No. 1962—An act making an appropriation for the protection of the ocean beach at the City of Redondo Beach;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1907—An act to add Section 5798.1 to the School Code and to add Section 14122.5 to the Education Code, relating to eligible lists and temporary appointments, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1957—An act to add Chapter 10, consisting of Sections 3950 to 3972, inclusive, to Part 6, Division 1, of the Revenue and Taxation Code, relating to actions by purchasers of tax-deeded property to determine adverse claims to or clouds upon that property;

Assembly Bill No. 1999—An act making an appropriation to the Reclamation Board for the purpose of acquiring by purchase, condemnation or other legal means, property, lands, rights of way and easements for the construction, completion and operation of the Yolo By-pass and for the construction of incidental works and for settlement and payment of claims for damages done to property by the flood waters of the Yolo By-pass; and declaring the urgency hereof, to take effect immediately; And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2008—An act to add Section 797 to the Agricultural Code, relating to citrus fruits;

Assembly Bill No. 1984—An act making an appropriation for the support of the California State Guard;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1995—An act to increase the statutory salary and the statutory compensation of State officers and State employees, and making an appropriation;

Assembly Bill No. 2007—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land in Santa Barbara County as part of the State Park System,

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1970—An act to add Section 863 to the State Civil Service Act, relating to time limit for protesting examinations and holding hearings;

Assembly Bill No. 1975—An act to provide for the augmentation of the food and fiber supply of this State and Nation by authorizing public officers of this State to acquire by eminent domain and otherwise agricultural machinery and equipment, and for the use of such agricultural machinery and equipment, making an appropriation therefor, and declaring the urgency of said act, to take effect immediately;

Assembly Bill No. 2004—An act to amend Sections 1, 2, 45, 9, 10, 11, and 13 and to add Sections 41, 91, and 92 to an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax" approved May 5, 1931, as amended, relating to county peace officers' retirement systems and providing for the inclusion in such systems of county and district employees engaged in fire prevention and suppression work, including work related thereto;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2001—An act creating the Palm Springs Winter Park Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Natural Resources in connection therewith, and authorizing the Department of Natural Resources to cooperate with the authority; authorizing the authority to construct and operate systems for the transportation of persons and property to Mount San Jacinto State Park and for the improvement of the recreational facilities in said park, including the development, operation and maintenance of ski grounds and all facilities necessary or convenient for winter sports; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; appropriating such proceeds and all revenues received from the operation of the projects to the uses and purposes set forth herein;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1555—An act to add Section 499c to the Penal Code, relating to theft of automobile tires, and fixing the time when the section shall no longer be effective;

Assembly Bill No. 1560—An act to amend Sections 658 and 658.1 of the Fish and Game Code, relating to the taking of salmon;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1943, at 2 p m.

PELLETIER, Chairman

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER Your Committee on Agriculture, to which were referred:

Assembly Bill No. 108	Assembly Bill No. 1506
Assembly Bill No. 138	Assembly Bill No. 1558
Assembly Bill No. 389	Assembly Bill No. 1651
Assembly Bill No. 785	Assembly Bill No. 1798
Assembly Bill No. 1332	Assembly Bill No. 1932
Assembly Bill No. 1333	

Respectfully reports the same back without further action.

WEYBRET, Chairman

Committee on Civil Service and State Departments

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Civil Service and State Departments, to which were referred:

Assembly Bill No. 121	Assembly Bill No. 926
Assembly Bill No. 127	Assembly Bill No. 1286
Assembly Bill No. 187	Assembly Bill No. 1477
Assembly Bill No. 419	Assembly Bill No. 1835
Assembly Bill No. 533	Assembly Bill No. 1866
Assembly Bill No. 803	

Respectfully reports the same back without further action

T. FENTON KNIGHT, Chairman

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No. 658

Respectfully reports the same back without further action.

MALONEY, Chairman

Committee on Conservation, Natural Resources, and Planning

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER Your Committee on Conservation, Natural Resources, and Planning, to which were referred:

Assembly Bill No. 338	Assembly Bill No. 1303
Assembly Bill No. 405	Assembly Bill No. 1351
Assembly Bill No. 726	Assembly Bill No. 1393
Assembly Bill No. 949	Assembly Bill No. 1402
Assembly Bill No. 950	Assembly Bill No. 1403
Assembly Bill No. 985	Assembly Bill No. 1404
Assembly Bill No. 986	Assembly Bill No. 1405
Assembly Bill No. 1159	Assembly Bill No. 1407
Assembly Bill No. 1240	Assembly Bill No. 1410
Assembly Bill No. 1241	Assembly Bill No. 1441
Assembly Bill No. 1244	Assembly Bill No. 1462
Assembly Bill No. 1245	Assembly Bill No. 1664
Assembly Bill No. 1246	Assembly Bill No. 1718
Assembly Bill No. 1248	Assembly Bill No. 1739
Assembly Bill No. 1297	Assembly Bill No. 1748
Assembly Bill No. 1298	Assembly Bill No. 1773
Assembly Bill No. 1302	Assembly Bill No. 1870

Respectfully reports the same back without further action

RALPH C. DILLS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Conservation, Natural Resources, and Planning, to which were referred.

Assembly Bill No. 1875

Assembly Bill No. 1961

Assembly Bill No. 1900

Assembly Bill No. 1998

Assembly Joint Resolution No. 8

Respectfully reports the same back without further action.

RALPH C. DILLS, Chairman

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Constitutional Amendments, to which were referred:

- Assembly Constitutional Amendment No. 3
- Assembly Constitutional Amendment No. 4
- Assembly Constitutional Amendment No. 5
- Assembly Constitutional Amendment No. 7
- Assembly Constitutional Amendment No. 8
- Assembly Constitutional Amendment No. 10
- Assembly Constitutional Amendment No. 12
- Assembly Constitutional Amendment No. 13
- Assembly Constitutional Amendment No. 14
- Assembly Constitutional Amendment No. 15
- Assembly Constitutional Amendment No. 16
- Assembly Constitutional Amendment No. 18
- Assembly Constitutional Amendment No. 19
- Assembly Constitutional Amendment No. 21
- Assembly Constitutional Amendment No. 22
- Assembly Constitutional Amendment No. 23
- Assembly Constitutional Amendment No. 24
- Assembly Constitutional Amendment No. 25
- Assembly Constitutional Amendment No. 26
- Assembly Constitutional Amendment No. 27
- Assembly Constitutional Amendment No. 28
- Assembly Constitutional Amendment No. 29
- Assembly Constitutional Amendment No. 30
- Assembly Constitutional Amendment No. 31
- Assembly Constitutional Amendment No. 32
- Assembly Constitutional Amendment No. 35
- Assembly Constitutional Amendment No. 36
- Assembly Constitutional Amendment No. 37

Respectfully reports the same back without further action.

CROWLEY, Chairman

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Crime and Correction, to which were referred:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 424 | Assembly Bill No. 737 |
| Assembly Bill No. 454 | Assembly Bill No. 793 |
| Assembly Bill No. 462 | Assembly Bill No. 840 |
| Assembly Bill No. 474 | Assembly Bill No. 1543 |
| Assembly Bill No. 649 | Assembly Bill No. 1642 |
| Assembly Bill No. 682 | Assembly Bill No. 1801 |
| Assembly Bill No. 713 | |

Respectfully reports the same back without further action

MIDDOUGH, Chairman

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 5 | Assembly Bill No. 844 |
| Assembly Bill No. 51 | Assembly Bill No. 920 |
| Assembly Bill No. 91 | Assembly Bill No. 959 |
| Assembly Bill No. 164 | Assembly Bill No. 1006 |
| Assembly Bill No. 274 | Assembly Bill No. 1077 |
| Assembly Bill No. 277 | Assembly Bill No. 1089 |
| Assembly Bill No. 282 | Assembly Bill No. 1134 |
| Assembly Bill No. 288 | Assembly Bill No. 1135 |
| Assembly Bill No. 337 | Assembly Bill No. 1136 |
| Assembly Bill No. 408 | Assembly Bill No. 1137 |
| Assembly Bill No. 425 | Assembly Bill No. 1138 |
| Assembly Bill No. 499 | Assembly Bill No. 1209 |
| Assembly Bill No. 743 | Assembly Bill No. 1210 |
| Assembly Bill No. 744 | Assembly Bill No. 1211 |
| Assembly Bill No. 814 | Assembly Bill No. 1213 |
| Assembly Bill No. 817 | Assembly Bill No. 1215 |
| Assembly Bill No. 821 | Assembly Bill No. 1216 |

Respectfully reports the same back without further action

DILWORTH, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1249	Assembly Bill No. 1464
Assembly Bill No. 1250	Assembly Bill No. 1554
Assembly Bill No. 1251	Assembly Bill No. 1584
Assembly Bill No. 1256	Assembly Bill No. 1585
Assembly Bill No. 1288	Assembly Bill No. 1635
Assembly Bill No. 1289	Assembly Bill No. 1650
Assembly Bill No. 1292	Assembly Bill No. 1666
Assembly Bill No. 1305	Assembly Bill No. 1744
Assembly Bill No. 1315	Assembly Bill No. 1860
Assembly Bill No. 1356	Assembly Bill No. 1864
Assembly Bill No. 1427	Assembly Bill No. 1887
Assembly Bill No. 1458	Assembly Bill No. 1908

Respectfully reports the same back without further action.

DILWORTH, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Education, to which were referred:

Assembly Bill No. 491
Assembly Bill No. 1502

Respectfully reports the same back without further action. DILWORTH, Chairman

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 30	Assembly Bill No. 749
Assembly Bill No. 87	Assembly Bill No. 750
Assembly Bill No. 135	Assembly Bill No. 818
Assembly Bill No. 166	Assembly Bill No. 891
Assembly Bill No. 185	Assembly Bill No. 892
Assembly Bill No. 188	Assembly Bill No. 893
Assembly Bill No. 199	Assembly Bill No. 1277
Assembly Bill No. 218	Assembly Bill No. 1366
Assembly Bill No. 241	Assembly Bill No. 1483
Assembly Bill No. 488	Assembly Bill No. 1616
Assembly Bill No. 494	Assembly Bill No. 1698
Assembly Bill No. 722	Assembly Bill No. 1736
Assembly Bill No. 748	Assembly Bill No. 1804

Respectfully reports the same back without further action.

ROBERTSON, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 1098
Respectfully reports the same back without further action.

ROBERTSON, Chairman

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 18	Assembly Bill No. 403
Assembly Bill No. 37	Assembly Bill No. 410
Assembly Bill No. 82	Assembly Bill No. 418
Assembly Bill No. 109	Assembly Bill No. 483
Assembly Bill No. 159	Assembly Bill No. 506
Assembly Bill No. 172	Assembly Bill No. 507
Assembly Bill No. 189	Assembly Bill No. 534
Assembly Bill No. 221	Assembly Bill No. 535
Assembly Bill No. 262	Assembly Bill No. 536
Assembly Bill No. 292	Assembly Bill No. 597
Assembly Bill No. 298	Assembly Bill No. 598
Assembly Bill No. 303	Assembly Bill No. 607
Assembly Bill No. 304	Assembly Bill No. 608
Assembly Bill No. 305	Assembly Bill No. 609
Assembly Bill No. 311	Assembly Bill No. 610
Assembly Bill No. 395	Assembly Bill No. 611
Assembly Bill No. 396	

Assembly Joint Resolution No. 4

Respectfully reports the same back without further action.

WATERS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 620 | Assembly Bill No. 1214 |
| Assembly Bill No. 637 | Assembly Bill No. 1229 |
| Assembly Bill No. 659 | Assembly Bill No. 1230 |
| Assembly Bill No. 663 | Assembly Bill No. 1236 |
| Assembly Bill No. 692 | Assembly Bill No. 1423 |
| Assembly Bill No. 765 | Assembly Bill No. 1446 |
| Assembly Bill No. 808 | Assembly Bill No. 1447 |
| Assembly Bill No. 809 | Assembly Bill No. 1479 |
| Assembly Bill No. 813 | Assembly Bill No. 1499 |
| Assembly Bill No. 825 | Assembly Bill No. 1517 |
| Assembly Bill No. 828 | Assembly Bill No. 1520 |
| Assembly Bill No. 837 | Assembly Bill No. 1523 |
| Assembly Bill No. 838 | Assembly Bill No. 1532 |
| Assembly Bill No. 972 | Assembly Bill No. 1533 |
| Assembly Bill No. 1036 | Assembly Bill No. 1589 |
| Assembly Bill No. 1079 | Assembly Bill No. 1637 |
| Assembly Bill No. 1087 | Assembly Bill No. 1638 |
| Assembly Bill No. 1088 | |

Respectfully reports the same back without further action.

WATERS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1639 | Assembly Bill No. 1846 |
| Assembly Bill No. 1658 | Assembly Bill No. 1882 |
| Assembly Bill No. 1706 | Assembly Bill No. 1910 |
| Assembly Bill No. 1707 | Assembly Bill No. 1911 |
| Assembly Bill No. 1716 | Assembly Bill No. 1912 |
| Assembly Bill No. 1764 | Assembly Bill No. 1913 |
| Assembly Bill No. 1845 | |

Respectfully reports the same back without further action.

WATERS, Chairman

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 40 | Assembly Bill No. 973 |
| Assembly Bill No. 46 | Assembly Bill No. 1164 |
| Assembly Bill No. 105 | Assembly Bill No. 1206 |
| Assembly Bill No. 124 | Assembly Bill No. 1354 |
| Assembly Bill No. 133 | Assembly Bill No. 1355 |
| Assembly Bill No. 146 | Assembly Bill No. 1374 |
| Assembly Bill No. 309 | Assembly Bill No. 1376 |
| Assembly Bill No. 323 | Assembly Bill No. 1378 |
| Assembly Bill No. 324 | Assembly Bill No. 1379 |
| Assembly Bill No. 349 | Assembly Bill No. 1481 |
| Assembly Bill No. 435 | Assembly Bill No. 1567 |
| Assembly Bill No. 496 | Assembly Bill No. 1572 |
| Assembly Bill No. 551 | Assembly Bill No. 1647 |
| Assembly Bill No. 633 | Assembly Bill No. 1649 |
| Assembly Bill No. 656 | Assembly Bill No. 1656 |
| Assembly Bill No. 826 | Assembly Bill No. 1680 |
| Assembly Bill No. 866 | |

Respectfully reports the same back without further action.

WATSON, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1681 | Assembly Bill No. 1710 |
| Assembly Bill No. 1682 | Assembly Bill No. 1720 |
| Assembly Bill No. 1683 | Assembly Bill No. 1721 |
| Assembly Bill No. 1685 | Assembly Bill No. 1722 |
| Assembly Bill No. 1686 | Assembly Bill No. 1727 |
| Assembly Bill No. 1688 | Assembly Bill No. 1794 |
| Assembly Bill No. 1689 | Assembly Bill No. 1797 |
| Assembly Bill No. 1690 | Assembly Bill No. 1871 |
| Assembly Bill No. 1693 | Assembly Bill No. 1872 |
| Assembly Bill No. 1694 | Assembly Bill No. 1873 |
| Assembly Bill No. 1695 | Assembly Bill No. 1874 |
| Assembly Bill No. 1696 | Assembly Bill No. 1876 |
| Assembly Bill No. 1708 | Assembly Bill No. 2011 |

Assembly Constitutional Amendment No. 33

Respectfully reports the same back without further action.

WATSON, Chairman

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 196	Assembly Bill No. 925
Assembly Bill No. 225	Assembly Bill No. 1057
Assembly Bill No. 238	Assembly Bill No. 1119
Assembly Bill No. 260	Assembly Bill No. 1122
Assembly Bill No. 275	Assembly Bill No. 1123
Assembly Bill No. 287	Assembly Bill No. 1162
Assembly Bill No. 365	Assembly Bill No. 1182
Assembly Bill No. 391	Assembly Bill No. 1183
Assembly Bill No. 511	Assembly Bill No. 1307
Assembly Bill No. 530	Assembly Bill No. 1327
Assembly Bill No. 714	Assembly Bill No. 1328
Assembly Bill No. 739	Assembly Bill No. 1329
Assembly Bill No. 773	Assembly Bill No. 1330
Assembly Bill No. 790	Assembly Bill No. 1358
Assembly Bill No. 812	Assembly Bill No. 1367
Assembly Bill No. 907	Assembly Bill No. 1368
Assembly Bill No. 922	Assembly Bill No. 1438

Respectfully reports the same back without further action.

FIELD, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1442	Assembly Bill No. 1737
Assembly Bill No. 1443	Assembly Bill No. 1755
Assembly Bill No. 1459	Assembly Bill No. 1765
Assembly Bill No. 1478	Assembly Bill No. 1766
Assembly Bill No. 1599	Assembly Bill No. 1767
Assembly Bill No. 1610	Assembly Bill No. 1768
Assembly Bill No. 1611	Assembly Bill No. 1769
Assembly Bill No. 1679	Assembly Bill No. 1770
Assembly Bill No. 1691	Assembly Bill No. 1775
Assembly Bill No. 1725	Assembly Bill No. 1926
Assembly Bill No. 1728	Assembly Bill No. 1941

Respectfully reports the same back without further action

FIELD, Chairman

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 7	Assembly Bill No. 114
Assembly Bill No. 8	Assembly Bill No. 118
Assembly Bill No. 17	Assembly Bill No. 122
Assembly Bill No. 23	Assembly Bill No. 134
Assembly Bill No. 27	Assembly Bill No. 149
Assembly Bill No. 31	Assembly Bill No. 155
Assembly Bill No. 35	Assembly Bill No. 160
Assembly Bill No. 39	Assembly Bill No. 167
Assembly Bill No. 42	Assembly Bill No. 176
Assembly Bill No. 52	Assembly Bill No. 180
Assembly Bill No. 68	Assembly Bill No. 194
Assembly Bill No. 73	Assembly Bill No. 195
Assembly Bill No. 74	Assembly Bill No. 210
Assembly Bill No. 97	Assembly Bill No. 219
Assembly Bill No. 99	Assembly Bill No. 244
Assembly Bill No. 106	Assembly Bill No. 245
Assembly Bill No. 110	Assembly Bill No. 251
Assembly Joint Resolution No. 3	
Assembly Joint Resolution No. 5	
Assembly Joint Resolution No. 6	
Assembly Joint Resolution No. 29	
Assembly Constitutional Amendment No. 6	

Respectfully reports the same back without further action

CALL, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 252 | Assembly Bill No. 477 |
| Assembly Bill No. 253 | Assembly Bill No. 485 |
| Assembly Bill No. 267 | Assembly Bill No. 492 |
| Assembly Bill No. 286 | Assembly Bill No. 501 |
| Assembly Bill No. 291 | Assembly Bill No. 522 |
| Assembly Bill No. 299 | Assembly Bill No. 523 |
| Assembly Bill No. 374 | Assembly Bill No. 527 |
| Assembly Bill No. 375 | Assembly Bill No. 542 |
| Assembly Bill No. 379 | Assembly Bill No. 547 |
| Assembly Bill No. 383 | Assembly Bill No. 550 |
| Assembly Bill No. 394 | Assembly Bill No. 554 |
| Assembly Bill No. 430 | Assembly Bill No. 556 |
| Assembly Bill No. 449 | Assembly Bill No. 557 |
| Assembly Bill No. 450 | Assembly Bill No. 563 |
| Assembly Bill No. 452 | Assembly Bill No. 567 |
| Assembly Bill No. 469 | Assembly Bill No. 574 |
| Assembly Bill No. 476 | Assembly Bill No. 575 |

Respectfully reports the same back without further action.

CALL, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 605 | Assembly Bill No. 905 |
| Assembly Bill No. 614 | Assembly Bill No. 921 |
| Assembly Bill No. 723 | Assembly Bill No. 943 |
| Assembly Bill No. 727 | Assembly Bill No. 944 |
| Assembly Bill No. 733 | Assembly Bill No. 947 |
| Assembly Bill No. 747 | Assembly Bill No. 977 |
| Assembly Bill No. 756 | Assembly Bill No. 982 |
| Assembly Bill No. 757 | Assembly Bill No. 991 |
| Assembly Bill No. 758 | Assembly Bill No. 996 |
| Assembly Bill No. 791 | Assembly Bill No. 1024 |
| Assembly Bill No. 792 | Assembly Bill No. 1034 |
| Assembly Bill No. 807 | Assembly Bill No. 1041 |
| Assembly Bill No. 832 | Assembly Bill No. 1044 |
| Assembly Bill No. 833 | Assembly Bill No. 1046 |
| Assembly Bill No. 834 | Assembly Bill No. 1076 |
| Assembly Bill No. 842 | Assembly Bill No. 1082 |
| Assembly Bill No. 845 | Assembly Bill No. 1099 |

Respectfully reports the same back without further action

CALL, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1101 | Assembly Bill No. 1269 |
| Assembly Bill No. 1116 | Assembly Bill No. 1283 |
| Assembly Bill No. 1126 | Assembly Bill No. 1284 |
| Assembly Bill No. 1144 | Assembly Bill No. 1311 |
| Assembly Bill No. 1148 | Assembly Bill No. 1320 |
| Assembly Bill No. 1149 | Assembly Bill No. 1321 |
| Assembly Bill No. 1151 | Assembly Bill No. 1339 |
| Assembly Bill No. 1152 | Assembly Bill No. 1344 |
| Assembly Bill No. 1153 | Assembly Bill No. 1349 |
| Assembly Bill No. 1154 | Assembly Bill No. 1361 |
| Assembly Bill No. 1155 | Assembly Bill No. 1369 |
| Assembly Bill No. 1168 | Assembly Bill No. 1401 |
| Assembly Bill No. 1178 | Assembly Bill No. 1428 |
| Assembly Bill No. 1199 | Assembly Bill No. 1429 |
| Assembly Bill No. 1204 | Assembly Bill No. 1434 |
| Assembly Bill No. 1208 | Assembly Bill No. 1440 |
| Assembly Bill No. 1212 | Assembly Bill No. 1498 |

Respectfully reports the same back without further action.

CALL, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Judiciary, to which was referred:
 Assembly Bill No. 1565
 Respectfully reports the same back without further action.

CALL, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1539	Assembly Bill No. 1671
Assembly Bill No. 1573	Assembly Bill No. 1673
Assembly Bill No. 1577	Assembly Bill No. 1719
Assembly Bill No. 1583	Assembly Bill No. 1735
Assembly Bill No. 1586	Assembly Bill No. 1741
Assembly Bill No. 1587	Assembly Bill No. 1742
Assembly Bill No. 1598	Assembly Bill No. 1757
Assembly Bill No. 1609	Assembly Bill No. 1758
Assembly Bill No. 1641	Assembly Bill No. 1759
Assembly Bill No. 1643	Assembly Bill No. 1779
Assembly Bill No. 1644	Assembly Bill No. 1780
Assembly Bill No. 1645	Assembly Bill No. 1781
Assembly Bill No. 1646	Assembly Bill No. 1782
Assembly Bill No. 1657	Assembly Bill No. 1785
Assembly Bill No. 1663	Assembly Bill No. 1792
Assembly Bill No. 1668	Assembly Bill No. 1814
Assembly Bill No. 1669	Assembly Bill No. 1826
Assembly Bill No. 1670	

Respectfully reports the same back without further action.

CALL, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1827	Assembly Bill No. 1920
Assembly Bill No. 1828	Assembly Bill No. 1921
Assembly Bill No. 1843	Assembly Bill No. 1922
Assembly Bill No. 1859	Assembly Bill No. 1923
Assembly Bill No. 1877	Assembly Bill No. 1924
Assembly Bill No. 1884	Assembly Bill No. 1927
Assembly Bill No. 1885	Assembly Bill No. 1945
Assembly Bill No. 1889	Assembly Bill No. 1946
Assembly Bill No. 1891	Assembly Bill No. 1971
Assembly Bill No. 1893	Assembly Bill No. 1972
Assembly Bill No. 1895	Assembly Bill No. 1980
Assembly Bill No. 1896	Assembly Bill No. 1982
Assembly Bill No. 1898	Assembly Bill No. 2006
Assembly Bill No. 1919	

Respectfully reports the same back without further action.

CALL, Chairman

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which were referred:

Assembly Bill No. 41	Assembly Bill No. 831
Assembly Bill No. 77	Assembly Bill No. 861
Assembly Bill No. 132	Assembly Bill No. 862
Assembly Bill No. 200	Assembly Bill No. 887
Assembly Bill No. 204	Assembly Bill No. 957
Assembly Bill No. 205	Assembly Bill No. 965
Assembly Bill No. 206	Assembly Bill No. 971
Assembly Bill No. 207	Assembly Bill No. 1022
Assembly Bill No. 392	Assembly Bill No. 1074
Assembly Bill No. 482	Assembly Bill No. 1117
Assembly Bill No. 565	Assembly Bill No. 1118
Assembly Bill No. 629	Assembly Bill No. 1156
Assembly Bill No. 651	Assembly Bill No. 1157
Assembly Bill No. 655	Assembly Bill No. 1167
Assembly Bill No. 679	Assembly Bill No. 1371
Assembly Bill No. 683	Assembly Bill No. 1435
Assembly Bill No. 745	Assembly Bill No. 1436
Assembly Bill No. 819	

Respectfully reports the same back without further action.

HAWKINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Labor and Capital, to which were referred:

- | | |
|------------------------|------------------------|
| Assembly Bill No 1497 | Assembly Bill No 1732 |
| Assembly Bill No. 1524 | Assembly Bill No. 1837 |
| Assembly Bill No. 1619 | Assembly Bill No. 1840 |
| Assembly Bill No. 1634 | Assembly Bill No. 1850 |
| Assembly Bill No. 1636 | Assembly Bill No. 1852 |
| Assembly Bill No 1640 | Assembly Bill No. 1943 |

Respectfully reports the same back without further action

HAWKINS, Chairman

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER Your Committee on Live Stock and Dairies, to which were referred:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 102 | Assembly Bill No. 978 |
| Assembly Bill No 231 | Assembly Bill No. 1200 |
| Assembly Bill No. 297 | Assembly Bill No. 1201 |
| Assembly Bill No 340 | Assembly Bill No. 1202 |
| Assembly Bill No. 436 | Assembly Bill No 1491 |
| Assembly Bill No. 930 | Assembly Bill No. 1535 |
| Assembly Bill No. 931 | Assembly Bill No. 1536 |
| Assembly Bill No. 932 | Assembly Bill No. 1561 |
| Assembly Bill No. 936 | Assembly Bill No 1574 |
| Assembly Bill No. 937 | Assembly Bill No 1878 |

Respectfully reports the same back without further action

THORP, Chairman

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

- | | |
|------------------------|------------------------|
| Assembly Bill No 61 | Assembly Bill No. 1547 |
| Assembly Bill No. 140 | Assembly Bill No. 1654 |
| Assembly Bill No. 239 | Assembly Bill No. 1734 |
| Assembly Bill No. 404 | Assembly Bill No 1749 |
| Assembly Bill No. 502 | Assembly Bill No 1750 |
| Assembly Bill No. 670 | Assembly Bill No 1807 |
| Assembly Bill No 1130 | Assembly Bill No. 1820 |
| Assembly Bill No. 1453 | Assembly Bill No. 1861 |
| Assembly Bill No 1454 | Assembly Bill No. 1933 |

- Assembly Joint Resolution No. 13
- Assembly Joint Resolution No. 39

Respectfully reports the same back without further action

McCOLLISTER, Chairman

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 28 | Assembly Bill No. 1163 |
| Assembly Bill No. 43 | Assembly Bill No 1165 |
| Assembly Bill No. 79 | Assembly Bill No. 1223 |
| Assembly Bill No. 115 | Assembly Bill No. 1482 |
| Assembly Bill No. 269 | Assembly Bill No. 1486 |
| Assembly Bill No. 429 | Assembly Bill No. 1501 |
| Assembly Bill No. 645 | Assembly Bill No 1546 |
| Assembly Bill No. 741 | Assembly Bill No. 1723 |
| Assembly Bill No. 858 | Assembly Bill No. 1724 |
| Assembly Bill No 859 | Assembly Bill No. 1726 |
| Assembly Bill No. 897 | Assembly Bill No 1858 |
| Assembly Bill No 904 | Assembly Bill No. 1867 |
| Assembly Bill No. 994 | Assembly Bill No. 1899 |
| Assembly Bill No. 1039 | |

- Assembly Concurrent Resolution No. 14

Respectfully reports the same back without further action.

BURNS, Chairman

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 16	Assembly Bill No. 762
Assembly Bill No. 65	Assembly Bill No. 774
Assembly Bill No. 156	Assembly Bill No. 815
Assembly Bill No. 175	Assembly Bill No. 841
Assembly Bill No. 300	Assembly Bill No. 954
Assembly Bill No. 317	Assembly Bill No. 993
Assembly Bill No. 333	Assembly Bill No. 1053
Assembly Bill No. 517	Assembly Bill No. 1084
Assembly Bill No. 546	Assembly Bill No. 1108
Assembly Bill No. 558	Assembly Bill No. 1267
Assembly Bill No. 612	Assembly Bill No. 1279
Assembly Bill No. 631	Assembly Bill No. 1285
Assembly Bill No. 688	Assembly Bill No. 1384
Assembly Bill No. 725	Assembly Bill No. 1578
Assembly Bill No. 730	Assembly Bill No. 1579
Assembly Bill No. 732	Assembly Bill No. 1580
Assembly Bill No. 733	Assembly Bill No. 1614
Assembly Bill No. 734	

Respectfully reports the same back without further action.

CARLSON, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1662	Assembly Bill No. 1751
Assembly Bill No. 1700	Assembly Bill No. 1753
Assembly Bill No. 1711	Assembly Bill No. 1763
Assembly Bill No. 1713	Assembly Bill No. 1942

Respectfully reports the same back without further action.

CARLSON, Chairman

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 59	Assembly Bill No. 820
Assembly Bill No. 230	Assembly Bill No. 853
Assembly Bill No. 318	Assembly Bill No. 909
Assembly Bill No. 329	Assembly Bill No. 916
Assembly Bill No. 335	Assembly Bill No. 970
Assembly Bill No. 528	Assembly Bill No. 976
Assembly Bill No. 664	Assembly Bill No. 999
Assembly Bill No. 721	Assembly Bill No. 1100
Assembly Bill No. 816	Assembly Bill No. 1110

Respectfully reports the same back without further action.

POTTER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1172	Assembly Bill No. 1553
Assembly Bill No. 1237	Assembly Bill No. 1575
Assembly Bill No. 1363	Assembly Bill No. 1576
Assembly Bill No. 1364	Assembly Bill No. 1620
Assembly Bill No. 1466	Assembly Bill No. 1630
Assembly Bill No. 1467	Assembly Bill No. 1652
Assembly Bill No. 1469	Assembly Bill No. 1752
Assembly Bill No. 1470	Assembly Bill No. 1812
Assembly Bill No. 1471	

Respectfully reports the same back without further action.

POTTER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1813	Assembly Bill No. 1831
Assembly Bill No. 1815	Assembly Bill No. 1832
Assembly Bill No. 1816	Assembly Bill No. 1833
Assembly Bill No. 1817	Assembly Bill No. 1841
Assembly Bill No. 1818	Assembly Bill No. 1880
Assembly Bill No. 1819	Assembly Bill No. 1928
Assembly Bill No. 1822	Assembly Bill No. 1960
Assembly Bill No. 1830	Assembly Bill No. 2012

Respectfully reports the same back without further action

POTTER, Chairman

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 14	Assembly Bill No. 1418
Assembly Bill No. 170	Assembly Bill No. 1419
Assembly Bill No. 171	Assembly Bill No. 1437
Assembly Bill No. 437	Assembly Bill No. 1448
Assembly Bill No. 495	Assembly Bill No. 1629
Assembly Bill No. 616	Assembly Bill No. 1674
Assembly Bill No. 712	Assembly Bill No. 1738
Assembly Bill No. 1092	Assembly Bill No. 1760
Assembly Bill No. 1170	Assembly Bill No. 1791
Assembly Bill No. 1272	Assembly Bill No. 1868
Assembly Bill No. 1357	Assembly Bill No. 1869
Assembly Bill No. 1373	Assembly Bill No. 1890
Assembly Bill No. 1375	

Respectfully reports the same back without further action.

SAWALLISCH, Chairman

Committee on Public Utilities, Manufacturing, and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Public Utilities, Manufacturing, and Corporations, to which were referred:

Assembly Bill No. 270	Assembly Bill No. 781
Assembly Bill No. 272	Assembly Bill No. 868
Assembly Bill No. 273	Assembly Bill No. 958
Assembly Bill No. 390	Assembly Bill No. 1141
Assembly Bill No. 397	Assembly Bill No. 1275
Assembly Bill No. 398	Assembly Bill No. 1365
Assembly Bill No. 775	Assembly Bill No. 1548
Assembly Bill No. 777	Assembly Bill No. 1667
Assembly Bill No. 778	Assembly Bill No. 1805
Assembly Bill No. 779	Assembly Bill No. 1905
Assembly Bill No. 780	

Respectfully reports the same back without further action.

ALLEN, Chairman

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 11	Assembly Bill No. 130
Assembly Bill No. 19	Assembly Bill No. 141
Assembly Bill No. 25	Assembly Bill No. 147
Assembly Bill No. 44	Assembly Bill No. 150
Assembly Bill No. 45	Assembly Bill No. 151
Assembly Bill No. 40	Assembly Bill No. 161
Assembly Bill No. 56	Assembly Bill No. 177
Assembly Bill No. 69	Assembly Bill No. 186
Assembly Bill No. 71	Assembly Bill No. 236
Assembly Bill No. 80	Assembly Bill No. 235
Assembly Bill No. 81	Assembly Bill No. 382
Assembly Bill No. 117	Assembly Bill No. 552
Assembly Bill No. 123	Assembly Bill No. 646
Assembly Bill No. 129	Assembly Bill No. 650

Assembly Bill No. 673
 Assembly Bill No. 694
 Assembly Bill No. 695
 Assembly Bill No. 728
 Assembly Bill No. 760
 Assembly Bill No. 767

Assembly Bill No. 760
 Assembly Bill No. 794
 Assembly Bill No. 795
 Assembly Bill No. 797
 Assembly Bill No. 799
 Assembly Bill No. 804

Respectfully reports the same back without further action.

BASHORE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 863
 Assembly Bill No. 864
 Assembly Bill No. 874
 Assembly Bill No. 875
 Assembly Bill No. 877
 Assembly Bill No. 878
 Assembly Bill No. 880
 Assembly Bill No. 881
 Assembly Bill No. 882
 Assembly Bill No. 885
 Assembly Bill No. 888
 Assembly Bill No. 951
 Assembly Bill No. 952
 Assembly Bill No. 953
 Assembly Bill No. 954
 Assembly Bill No. 955
 Assembly Bill No. 966
 Assembly Bill No. 997
 Assembly Bill No. 1008
 Assembly Bill No. 1030

Assembly Bill No. 1059
 Assembly Bill No. 1060
 Assembly Bill No. 1090
 Assembly Bill No. 1133
 Assembly Bill No. 1143
 Assembly Bill No. 1176
 Assembly Bill No. 1177
 Assembly Bill No. 1255
 Assembly Bill No. 1257
 Assembly Bill No. 1273
 Assembly Bill No. 1274
 Assembly Bill No. 1372
 Assembly Bill No. 1390
 Assembly Bill No. 1397
 Assembly Bill No. 1398
 Assembly Bill No. 1432
 Assembly Bill No. 1493
 Assembly Bill No. 1494
 Assembly Bill No. 1495
 Assembly Bill No. 1496

Respectfully reports the same back without further action.

BASHORE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1562
 Assembly Bill No. 1568
 Assembly Bill No. 1596
 Assembly Bill No. 1597
 Assembly Bill No. 1607
 Assembly Bill No. 1608
 Assembly Bill No. 1660
 Assembly Bill No. 1665
 Assembly Bill No. 1704
 Assembly Bill No. 1709
 Assembly Bill No. 1714
 Assembly Bill No. 1715
 Assembly Bill No. 1740
 Assembly Bill No. 1743

Assembly Bill No. 1745
 Assembly Bill No. 1778
 Assembly Bill No. 1788
 Assembly Bill No. 1790
 Assembly Bill No. 1838
 Assembly Bill No. 1851
 Assembly Bill No. 1870
 Assembly Bill No. 1892
 Assembly Bill No. 1938
 Assembly Bill No. 1944
 Assembly Bill No. 1948
 Assembly Bill No. 1955
 Assembly Bill No. 1985
 Assembly Bill No. 1986

Respectfully reports the same back without further action.

BASHORE, Chairman

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Roads and Highways, to which were referred:

Assembly Bill No. 29
 Assembly Bill No. 34
 Assembly Bill No. 101
 Assembly Bill No. 220
 Assembly Bill No. 393
 Assembly Bill No. 638
 Assembly Bill No. 761
 Assembly Bill No. 870
 Assembly Bill No. 1001
 Assembly Bill No. 1002
 Assembly Bill No. 1003

Assembly Bill No. 1004
 Assembly Bill No. 1023
 Assembly Bill No. 1029
 Assembly Bill No. 1056
 Assembly Bill No. 1080
 Assembly Bill No. 1105
 Assembly Bill No. 1416
 Assembly Bill No. 1426
 Assembly Bill No. 1675
 Assembly Bill No. 1949
 Assembly Bill No. 1977

Respectfully reports the same back without further action.

STREAM, Chairman

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

- | | |
|---------------------------------------|---------------------------------------|
| Assembly Bill No. 1754 | Assembly Concurrent Resolution No. 24 |
| Assembly Joint Resolution No. 1 | Assembly Concurrent Resolution No. 32 |
| Assembly Joint Resolution No. 31 | Assembly Concurrent Resolution No. 34 |
| Assembly Joint Resolution No. 37 | Assembly Concurrent Resolution No. 41 |
| Assembly Joint Resolution No. 38 | Assembly Concurrent Resolution No. 51 |
| Assembly Joint Resolution No. 41 | Assembly Concurrent Resolution No. 53 |
| Assembly Joint Resolution No. 48 | Assembly Concurrent Resolution No. 54 |
| Assembly Concurrent Resolution No. 8 | Assembly Concurrent Resolution No. 63 |
| Assembly Concurrent Resolution No. 20 | Assembly Concurrent Resolution No. 66 |
| Assembly Concurrent Resolution No. 22 | Assembly Concurrent Resolution No. 67 |

Respectfully reports the same back without further action

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 209

Respectfully reports the same back without further action.

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

- | | |
|--------------------------|--------------------------|
| House Resolution No. 10 | House Resolution No. 168 |
| House Resolution No. 18 | House Resolution No. 172 |
| House Resolution No. 28 | House Resolution No. 183 |
| House Resolution No. 33 | House Resolution No. 188 |
| House Resolution No. 37 | House Resolution No. 215 |
| House Resolution No. 40 | House Resolution No. 216 |
| House Resolution No. 44 | House Resolution No. 221 |
| House Resolution No. 48 | House Resolution No. 227 |
| House Resolution No. 49 | House Resolution No. 236 |
| House Resolution No. 90 | House Resolution No. 260 |
| House Resolution No. 91 | House Resolution No. 265 |
| House Resolution No. 95 | House Resolution No. 266 |
| House Resolution No. 98 | House Resolution No. 274 |
| House Resolution No. 99 | House Resolution No. 276 |
| House Resolution No. 120 | House Resolution No. 278 |
| House Resolution No. 121 | House Resolution No. 282 |
| House Resolution No. 131 | House Resolution No. 283 |
| House Resolution No. 145 | |

Respectfully reports the same back without further action.

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

- House Resolution No. 285
- House Resolution No. 292
- House Resolution No. 293

Respectfully reports the same back without further action.

SAM L. COLLINS, Chairman

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 3	Assembly Bill No. 369
Assembly Bill No. 4	Assembly Bill No. 371
Assembly Bill No. 9	Assembly Bill No. 373
Assembly Bill No. 13	Assembly Bill No. 423
Assembly Bill No. 26	Assembly Bill No. 480
Assembly Bill No. 84	Assembly Bill No. 503
Assembly Bill No. 137	Assembly Bill No. 505
Assembly Bill No. 139	Assembly Bill No. 508
Assembly Bill No. 181	Assembly Bill No. 509
Assembly Bill No. 182	Assembly Bill No. 510
Assembly Bill No. 183	Assembly Bill No. 518
Assembly Bill No. 190	Assembly Bill No. 623
Assembly Bill No. 223	Assembly Bill No. 660
Assembly Bill No. 234	Assembly Bill No. 681
Assembly Bill No. 271	Assembly Bill No. 724
Assembly Bill No. 293	Assembly Bill No. 836
Assembly Bill No. 362	Assembly Bill No. 852
Assembly Concurrent Resolution No. 35	

Respectfully reports the same back without further action.

NIEHOUSE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 917	Assembly Bill No. 1618
Assembly Bill No. 1360	Assembly Bill No. 1655
Assembly Bill No. 1382	Assembly Bill No. 1717
Assembly Bill No. 1450	Assembly Bill No. 1730
Assembly Bill No. 1451	Assembly Bill No. 1786
Assembly Bill No. 1537	Assembly Bill No. 1808
Assembly Bill No. 1563	Assembly Bill No. 1809
Assembly Bill No. 1615	Assembly Bill No. 1836
Assembly Bill No. 1617	

Respectfully reports the same back without further action.

NIEHOUSE, Chairman

Committee on Universities and Colleges

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Universities and Colleges, to which were referred:

Assembly Bill No. 120	Assembly Bill No. 823
Assembly Bill No. 715	Assembly Bill No. 824

Respectfully reports the same back without further action

JOHNSON, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Universities and Colleges, to which were referred:

Assembly Concurrent Resolution No. 28
House Resolution No. 20

Respectfully reports the same back without further action

JOHNSON, Chairman

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 22	Assembly Bill No. 411
Assembly Bill No. 38	Assembly Bill No. 431
Assembly Bill No. 54	Assembly Bill No. 432
Assembly Bill No. 58	Assembly Bill No. 456
Assembly Bill No. 72	Assembly Bill No. 486
Assembly Bill No. 78	Assembly Bill No. 560
Assembly Bill No. 95	Assembly Bill No. 588
Assembly Bill No. 98	Assembly Bill No. 617
Assembly Bill No. 103	Assembly Bill No. 618
Assembly Bill No. 104	Assembly Bill No. 742
Assembly Bill No. 107	Assembly Bill No. 751
Assembly Bill No. 116	Assembly Bill No. 752
Assembly Bill No. 152	Assembly Bill No. 827
Assembly Bill No. 174	Assembly Bill No. 964
Assembly Bill No. 233	Assembly Bill No. 981
Assembly Bill No. 243	Assembly Bill No. 1051
Assembly Bill No. 366	Assembly Bill No. 1078

Respectfully reports the same back without further action.

WOLLENBERG, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER. Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1086	Assembly Bill No. 1606
Assembly Bill No. 1142	Assembly Bill No. 1612
Assembly Bill No. 1262	Assembly Bill No. 1613
Assembly Bill No. 1268	Assembly Bill No. 1622
Assembly Bill No. 1271	Assembly Bill No. 1677
Assembly Bill No. 1324	Assembly Bill No. 1678
Assembly Bill No. 1325	Assembly Bill No. 1731
Assembly Bill No. 1400	Assembly Bill No. 1756
Assembly Bill No. 1408	Assembly Bill No. 1793
Assembly Bill No. 1413	Assembly Bill No. 1800
Assembly Bill No. 1456	Assembly Bill No. 1811
Assembly Bill No. 1457	Assembly Bill No. 1863
Assembly Bill No. 1476	Assembly Bill No. 1883
Assembly Bill No. 1530	Assembly Bill No. 1886
Assembly Bill No. 1556	Assembly Bill No. 1901
Assembly Bill No. 1557	Assembly Bill No. 1965
Assembly Bill No. 1566	Assembly Bill No. 1966

Respectfully reports the same back without further action.

WOLLENBERG, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1973
Assembly Bill No. 1981
Assembly Bill No. 1987

Respectfully reports the same back without further action

WOLLENBERG, Chairman

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, and ordered printed in the Journal:

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD DISTRIBUTION ADMINISTRATION, WASHINGTON, D.C., May 1, 1943

Mr. Arthur A. Ohnimus, Chief Clerk, California Legislature
Sacramento, California

DEAR MR. OHNIMUS: Your letter of March 27th addressed to Secretary Wickard together with a copy of House Resolution No. 139 has been referred to this office for reply.

Maximum Price Regulation No. 269 has now been amended and a copy is enclosed for your information.

We believe that this amendment will be helpful in meeting some of the objectives in House Resolution No. 139.

Yours very truly,

C. C. WARREN, Chief
Economic Analysis Section, Poultry Products Division,
Dairy and Poultry Branch

REPORTS OF SELECT COMMITTEES

The Select Committee appointed to wait upon His Excellency, the Governor, appeared before the bar of the Assembly, and reported that they had communicated with the Governor, and that he had no further communication to make to the Assembly.

The Select Committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out, and that the Senate had concluded its labors and was ready to adjourn.

APPOINTMENT OF INTERIM COMMITTEES

Pursuant to the provisions of House Resolution No. 202, the Speaker announced the appointment of Messrs. Rosenthal, Chairman; Kellems, Kraft, Debs, and Mrs. Niehouse as such Assembly Committee on Aviation.

Pursuant to the provisions of House Resolution No. 295, the Speaker announced the appointment of Messrs. Robertson, Chairman; Beck, and Miller as such Assembly Committee on the Elections Code.

Pursuant to the provisions of House Resolution No. 238, the Speaker announced the appointment of Messrs. Gannon, Robertson, Price, Thomas, and Field as such Assembly Interim Committee on the Japanese Problem.

Pursuant to the provisions of House Resolution No. 231, the Speaker announced the appointment of Messrs. Call, Chairman; Carlson, Sheridan, Crowley, and McMillan as such Assembly Committee on the Judiciary System.

Pursuant to the provisions of House Resolution No. 268, the Speaker announced the appointment of Messrs. Middough, Chairman; Gaffney, Kilpatrick, Brown, and Carey as such Assembly Interim Committee on Juvenile Delinquency.

Pursuant to the provisions of House Resolution No. 191, the Speaker announced the appointment of Messrs. Burns, Chairman; Berry, and Armstrong as such Assembly Committee on Motor Vehicle Legislation.

Pursuant to the provisions of House Resolution No. 190, the Speaker announced the appointment of Messrs. Knight, T. Fenton, Chairman; Weber, Guthrie, Thompson, and Johnson as such Assembly Committee on Postwar Rehabilitation.

Pursuant to the provisions of House Resolution No. 64, the Speaker announced the appointment of Messrs. Sawallisch, Chairman; Crichton, Call, Maloney, and Collins, Sam L., as such Assembly Interim Committee on Public Morals.

Pursuant to the provisions of House Resolution No. 137, the Speaker announced the appointment of Messrs. Pelletier, Chairman; Heisinger, and Bennett as such Assembly Interim Committee to Investigate Into the Possibilities, Establishment and Encouragement of the Silk Industry.

Pursuant to the provisions of Senate Concurrent Resolution No. 40 (Resolution Chapter 123, Statutes of 1943), the Speaker announced the

appointment of Messrs. Bashore, Hastain, and Lowrey as such Fact-Finding Committee on Agricultural and Industrial Employment. .

Pursuant to the provisions of Assembly Concurrent Resolution No. 50 (Resolution Chapter 130, Statutes of 1943), the Speaker announced the appointment of Messrs. Weybret, Stream, and Doyle as such Joint Centennial Committee.

Pursuant to the provisions of Assembly Concurrent Resolution No. 46 (Resolution Chapter 129, Statutes of 1943), the Speaker announced the appointment of Messrs. Watson, Erwin, and Thurman as such Joint Legislative Committee on Fish and Game Problems.

Pursuant to the provisions of Senate Bill No. 509 (Chapter 1086, Statutes of 1943), the Speaker announced the appointment of Messrs. Leonard and Denny as such Joint Committee to Investigate Forestry Conditions in California.

Pursuant to the provisions of Assembly Concurrent Resolution No. 45 (Resolution Chapter 128, Statutes of 1943), the Speaker announced the appointment of Messrs. Fourt, Hawkins, and Lyons as such Joint Fact-Finding Committee on Old Age Pension Advocates and Promoters.

Pursuant to the provisions of Senate Concurrent Resolution No. 10 (Resolution Chapter 122, Statutes of 1943), the Speaker announced the appointment of Messrs. Bashore, Haggerty, and King as such Joint Committee on the Tax Structure of the State.

Pursuant to the provisions of Assembly Concurrent Resolution No. 59 (Resolution Chapter 132, Statutes of 1943), the Speaker announced the appointment of Messrs. Kellems, Dilworth, and Dickey as such Joint Fact-Finding Committee on Un-American Activities in California.

At the request of the Governor and the Senate Committee created by Senate Resolution No. 147, the Speaker announced the appointment of Messrs. Fourt and Robertson to join and act with said Senate Committee, in behalf of but without cost to the Assembly, on its trip to Washington.

APPOINTMENT OF MEMBERS TO PREPARE ARGUMENTS

The Speaker announced the appointment of the following Members of the Assembly to prepare arguments for and against the following constitutional amendments:

Assembly Constitutional Amendment No. 1—Affirmative: Messrs. Anderson and Bashore.

Assembly Constitutional Amendment No. 2—Affirmative: Messrs. Lyon and Carlson.

Assembly Constitutional Amendment No. 17—Affirmative: Messrs. Potter and Maloney; negative: Mr. T. Fenton Knight.

CHANGES IN INTERIM COMMITTEE MEMBERSHIP

The Speaker announced the appointment of Mr. Burkhalter as a member of the Joint Committee on Water Problems, vice Mr. Johnson, resigned.

The Speaker announced the appointment of Mr. George D. Collins as a member of the Assembly Fact-Finding Committee on Correctional Problems, vice Mr. O'Day, resigned.

The Speaker announced the appointment of Mr. Pelletier as a member of the Interim Committee on Governmental Efficiency and Economy, vice Mr. Bashore, resigned.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Gaffney and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Washington J. McCormick, of Montana.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Bob Crosby of Mather Field.

On request of Mr. Middough and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to W. G. Williams, United States Coast Guard, of Long Beach, and Albert L. Vondersaar, United States Coast Guard, of Indianapolis, Indiana.

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Ida May Adams of Los Angeles.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Earl Warren, wife of Governor Warren.

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Major Gerald Wallace of Auburn.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private Charles E. Ross, United States Army, and Mr. and Mrs. Donald Ketcham and son, Larry, of Oakland.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant J. Milton Bloomquist, Corporal Roy J. Ehlen, Private George Busch, United States Army, and Private Sigmund Schary, United States Air Force.

On request of Mr. Gannon and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Commander J. E. Brenner, Lieutenant Frances Rich, United States Naval Reserve, of Washington, D. C., Lieutenant Tora L. Petersen, United States Naval Reserve, Ensign Barbara Brown, United States Naval Reserve, Yeoman Marie L. Corrisean, and Yeoman Dale Gregson.

On request of Mr. Thurman and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant Fred C. Garrison of Camp McQuaide.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Honorable Gerald Mekma, American Consul, of Lower California, and Señor Stephen Ferro, governor-elect of the State of Sonora, Mexico.

On request of Mr. Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. C. C. Trillingham of Los Angeles and the Reverend P. Martin Baker of San Marino.

On request of Mr. Berry and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James E. Larson and Eugene A. Kemper, United States Navy.

On request of the Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Governor Victor Meyers of the State of Washington.

On request of Mr. Robertson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Honorable E. O. Campbell of Goleta, former Assemblyman.

On request of Mr. Bashore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant and Mrs. N. B. Shipley, United States Navy, of Miami, Florida.

On request of Messrs. Thurman and Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. John Dexter of Mariposa and Dean Leshner of Merced.

On request of Mr. Ralph C. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Elizabeth Schumacher of Eagle Rock.

On request of Mr. Brown, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. M. L. Annear of Modesto and Mrs. Nimitz of Turlock.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to E. E. Smith of Riverside.

On request of Mr. Middough and the Los Angeles delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lulu Jones and Aurora Springer of Los Angeles.

On request of Messrs. O'Day, Gaffney, and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Daniel F. Del Carlo of San Francisco.

On request of Mr. Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Thomas A. Maloney of San Francisco and Mr. and Mrs. Thomas A. Maloney, Jr., of Sacramento.

On request of Mr. Waters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Gladys Hawley, Miss Karla Hawley, and Mrs. F. R. McReynolds of Los Angeles.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant and Mrs. Bob Matthews and Joe Matthews of Sacramento.

On request of Mr. Speaker and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private Ralph Harlan of Cleveland, and Sergeants Fred Lindner and Joseph E. Williams of Chico.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Corporals Norwal K. Morlan of Sacramento and Herman Collin of Montpelier, Vermont.

On request of Mr. Carlson and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles O'Connor, United States Army, of Lansing, Michigan.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Earl C. Behrens of San Francisco.

On request of Messrs. Maloney and Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Earl Dills, United States Navy, brother of Assemblymen Ralph C. Dills and Clayton A. Dills.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Josephine Alderman of Sacramento.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Doc. Winkleman of Los Angeles and Mattie Ryan of Chicago.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Phil Rapalee, United States Navy, of Illinois.

COMMITTEE FROM THE SENATE

Senators DeLap, Rich, and Tenney appeared before the bar of the Assembly, and announced that the Senate had concluded its labors and was now ready to adjourn sine die.

ADJOURNMENT SINE DIE

At 3 o'clock p.m., on Wednesday, May 5, 1943, in accordance with the provisions of Senate Concurrent Resolution No. 32, the Honorable Charles W. Lyon, Speaker of the Assembly, announced that the time for final adjournment of the Fifty-fifth Session of the Legislature of the State of California had arrived, and therefore declared the Assembly adjourned sine die, in honor of the War Mothers of the United States of America and out of respect to the memory of the late Hon. Lewis Francis Byington.

C. WILLIAM QUEALE, Minute Clerk

RECAPITULATION OF
ASSEMBLY MEASURES

113	202	331	277	479	635	641	353	830	331	1021	957	1196	881	1389	533	1582	888	1934	896
125	939	332	195	484	327	643	347	835	505	1025	333	1197	1053	1391	759	1588	476	1935	1133
126	402	336	122	487	606	644	320	846	389	1026	334	1198	473	1392	900	1590	981	1936	325
131	709	341	43	489	502	647	70	847	647	1027	174	1203	615	1394	609	1591	658	1937	992
136	725	342	498	490	1102	648	830	848	390	1032	910	1205	974	1395	335	1592	659	1940	626
142	349	345	59	493	1003	652	587	849	726	1033	1031	1207	704	1396	887	1593	889	1947	993
143	6	346	60	497	777	653	899	850	270	1035	971	1217	284	1399	984	1594	660	1951	982
144	307	348	310	500	678	654	1128	851	935	1040	528	1218	285	1414	740	1600	62	1952	115
153	S24	350	192	504	45	661	300	855	590	1042	713	1219	286	1415	580	1602	1057	1953	734
154	568	351	26	512	586	662	302	856	1129	1043	873	1220	287	1420	985	1603	924	1954*	1074
162	27	352	7	514	578	666	869	857	936	1045	1050	1221	975	1421	176	1604	890	1956	662
163	93	354	28	515	1080	667	779	865	447	1049	1006	1222	915	1422	177	1621	551	1957	897
165	255	355	151	516	318	669	317	867	727	1050	469	1224	328	1425	857	1624	661	1958	735
169	1026	357	311	519	582	672	934	869	526	1052	1105	1228	1106	1430	595	1625	715	1959	689
179	194	358	196	525	109	674	851	871	430	1054	790	1232	1107	1433	835	1626	716	1962	1075
184	633	359	675	526	867	675	720	876	354	1055	1051	1233	1108	1439	986	1627	717	1963	663
191	4	360	605	537	933	676	722	879	1004	1058	874	1235	1109	1444	688	1628	1035	1964	639
192	403	361	676	538	1028	677	723	883	355	1061	470	1239	916	1460	617	1631	326	1967	511
197	772	363	827	539	645	678	724	884	356	1062	714	1242	917	1461	534	1632	623	1968	994
201	329	364	164	540	344	684	822	886	271	1063	875	1243	654	1463	947	1633	891	1969	1134
202	37	367	44	541	365	685	64	889	438	1065	876	1247	1054	1465	1034	1648	477	1975	583
203	38	368	29	543	868	686	1061	890	506	1066	911	1252	175	1468	988	1653	804	1976	1058
211	866	376	187	544	607	687	699	895	32	1067	877	1258	882	1472	442	1659	732	1983	719
212	404	377	574	549	1126	689	179	900	901	1069	1007	1259	833	1473	443	1661	795	1984	737
213	256	378	1060	553	461	693	462	906	700	1070	878	1260	199	1474	444	1672	805	1988	638
214	231	380	547	555	180	696	951	910	306	1073	1024	1261	200	1475	445	1684	860	1989	808
215	120	384	8	559	338	697	98	911	169	1081	972	1263	856	1480	730	1692	806	1990	995
216	569	385	123	561	829	698	613	912	193	1083	549	1264	57	1484	618	1697	807	1991	1119
217	121	386	312	562	153	699	751	913	507	1091	958	1266	1009	1485	1055	1701	718	1992	201
222	518	387	774	564	410	700	99	914	197	1094	1131	1270	747	1487	274	1705	1062	1993	1025
224	920	399	313	566	710	701	711	915	467	1095	184	1278	1082	1488	731	1712	892	1994	358
226	825	400	499	568	950	702	100	918	789	1096	791	1280	918	1489	275	1720	748	1995	1120
227	363	401	775	569	322	703	101	919	902	1097	529	1281	413	1490	276	1733	923	1996	414
228	405	402	66	570	323	704	102	923	937	1106	754	1287	883	1492	619	1746	741	1999	610
229	846	406	1099	571	324	705	103	928	468	1109	912	1290	756	1503	705	1747	448	2002	611
232	441	407	1100	572	46	707	348	929	591	1112	550	1291	1083	1504	1050	1761	961	2003	690
235	10	412	30	573	1047	708	952	934	440	1113	725	1293	683	1505	474	1762	509	2004	926
240	308	413	521	576	1029	709	104	935	110	1114	701	1294	531	1507	620	1771	537	2005	449
246	181	414	522	577	18	710	268	938	391	1115	702	1295	532	1508	535	1772	1073	2008	745
247	519	415	523	578	296	711	269	939	1049	1120	56	1296	684	1509	655	1783	733	2013	746
250	497	416	524	579	1030	716	752	940	272	1121	156	1299	685	1510	621	1784	742	2014	996
254	520	417	437	580	297	718	463	941	903	1124	118	1300	686	1511	588	1787	510	2015	898

Number of Assembly Bills approved by Governor—710.

* Bills approved by Governor with reductions and eliminations. (Constitution, Article IV, Section 34.)

**ASSEMBLY BILLS VETOED BY THE GOVERNOR
DURING SESSION**

290,	453,	455,	464,	473,	524,	706,	771,	924,	1254,	1387.
Total.....										11

ASSEMBLY BILLS POCKET VETOED BY THE GOVERNOR

20,	32,	63,	92,	148,	248,	1125,	1145,	1158,	1226,	1227,	1238,
249,	256,	261,	268,	302,	343,	1265,	1282,	1308,	1323,	1341,	1342,
347,	353,	372,	426,	465,	513,	1347,	1370,	1412,	1431,	1445,	1452,
520,	521,	529,	531,	545,	586,	1455,	1540,	1544,	1601,	1623,	1699,
625,	642,	657,	671,	680,	690,	1774,	1776,	1834,	1897,	1914,	1915,
719,	729,	740,	860,	902,	903,	1916,	1939,	1970,	1978,	1979,	2001,
908,	961,	990,	1005,	1016,	1018,	2007					
1028,	1031,	1048,	1071,	1107,	1111,						
Total.....											85

ASSEMBLY BILLS STRICKEN FROM ASSEMBLY FILE

112,	119,	237,	242,	334,	589,	1075,	1085,	1449,	1545,	1925
Total.....										11

**ASSEMBLY BILLS REMAINING IN CONFERENCE COMMITTEES
WITHOUT FURTHER ACTION**

381,	1047.										
Total.....											2

SENATE BILLS STRICKEN FROM ASSEMBLY FILE

135,	232,	278,	515,	771,	849,	864.				
Total.....							7			

ASSEMBLY CONSTITUTIONAL AMENDMENTS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
1	71	Anderson, et al	Property exemptions for military service	Apr 7
2	95	Lyon	Compensation of members of Legislature	May 4
17	115	Potter, et al	Relating to taxation	May 8
Total			3	

ASSEMBLY CONCURRENT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
1	3	Maloney, et al	Selection of Legislative Counsel	Jan 8
2	2	Lyon, et al	Accredited press representatives	Jan 7
3	4	Lyon, et al	Adjournment respect to memory of Hon Godfrey A Andreas	Jan 8
4	5	Lyon, Pelletier	Adjournment respect to memory of Hon Dwight H Hart	Jan. 11
5	6	Desmond, et al	Adjournment respect to memory of Frank H Cory	Jan 11
6	14	Desmond, Gannon	Amendment to charter of County of Sacramento	Jan 12
7	15	Desmond, Gannon	Amendment to charter of County of Sacramento	Jan 12
9	7	Johnson Carey	Amendment to charter of City of Berkeley	Jan 11
10	8	Middough, Howser	Amendments to charter of City of Long Beach	Jan 11
11	9	O'Day, et al	Amendments to charter of City, County of San Francisco	Jan 11
12	10	Lyon, Burns	Commendation of former members in armed forces	Jan 11
13	16	Desmond, Gannon	Adjournment in respect to memory of Frank J Rulistaller	Jan 12
15	17	Allen, Weybiel	California State Council of Defense	Jan 15
18	20	Bashore, et al	Adjournment respect to memory of Herbert Johnson Evans	Jan 18
19	25	Lyon	Delegates to Council of State Governments	Jan 20
21	43	Allen, Crowley	Convention reports, D A V, and G A R	Feb 1
23	29	Sargent, Knight, T F	Amendments to charter of City of Pasadena	Jan 26
25	31	Howser, Kellems	Amendment to charter of County of Los Angeles	Jan 28
26	44	Allen, et al	Convention reports, Order of Purple Heart	Feb. 1
27	45	Allen, et al	Convention reports, Veterans of Foreign Wars	Feb 1
29	46	Collins, Sam L	Constitutional recess of Legislature	Feb 1
30	59	Carlson, Johnson	Prohibi-tion of spastic and crippled children	Apr 27
31	47	Desmond, et al	Commendation of Joseph C Beard	Feb 1
33	73	Hollibaugh	Memorial to Civil War Veterans	Apr 13
36	56	Lyon	Adjournment respect to memory of Joseph Timmons	Mar 10
37	57	Dills, R C, et al	Invitation to Madame Chiang Kai-shek	Mar 10
38	62	Call, et al	Facilities for care of dead	Mar 18
39	60	McCollister, et al	Adjournment respect to memory of Charles F. Reindollar	Mar 16
42	127	Johnson, et al	Classification by Personnel Board of civil service positions	May 12
45	128	Call, et al	Fact-Finding Committee on Old-Age Pension Advocacy and Pro-mo-tion	May 12
46	129	Watson	Creates Joint Committee to Investigate Fish and Game problems	May 12
47	69	Dills, R C, et al	Adjournment respect to memory of Judge Ben B. Lindsey	Apr 2
48	72	Dickey	Amendments to charter of City of Alameda	Apr 9
50	130	Weybiel	Celebration to commemorate admission of California to Union	May 12
52	120	Collins, Sam L	Relative to Joint Rules	May 8
56	131	Rosenthal	Settlement of Jewish refugees in Palestine	May 12
57	82	Crichton	Amendments to charter of City of Fresno	Apr 26
58	93	Field	Amendments to charter of City of Glendale	Apr 26
59	132	Kellems, et al	Joint Fact-Finding Committee on Un-American Activities	May 12
60	93	Call	Amendments to charter of City of San Mateo	Apr 27
61	94	Lowrey, et al	Adjournment respect to memory of W O Russell	Apr 27
62	121	Thurman	Request for establishment of forest products laboratory	May 8
64	133	Carey, et al	Discontinuing use of dated symbol	May 12
65	134	Collins, Sam L	Joint Rules of Senate and Assembly	May 12
Total			44	

ASSEMBLY JOINT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
2	80	Kilpatrick, et al	Hearing instruments for hard of hearing	Apr 23
7	116	Kilpatrick, et al	Small businesses in the war effort	May 8
9	18	Dunn, et al	Celebration of Jefferson Bicentennial	Jan. 18
10	19	Bashore, et al	Distribution of food, farm labor	Jan 18
12	28	Weber, Thorp	Essential farm products	Jan 26
14	48	Massion, et al	Small business enterprises	Feb 1
16	90	Burkhalter, et al	Federal participation in Los Angeles Freeway	Apr 27
17	135	Kilpatrick, et al	Aid to needy disabled persons	May 12
19	118	Joinson	Insurance for members of armed forces	May 8
20	32	Crowley	OPA investigation in Vallejo	Jan. 29
21	102	Howser, Middough	Naming of cruiser for City of Long Beach	May 6
22	40	Nehouse	Earnings of old-age pensioners	Jan 31
23	49	Miller, et al	Compensation to civilians	Feb. 1
24	41	Weber, et al	Shortage of motor truck transportation	Jan 31
25	58	Lowrey, et al	Reciprocal trade agreements	Mar. 12
26	50	Massion, Kraft	Pharmacy Corps Bill	Feb. 1
27	51	Call, et al	Administration of fishery production	Feb. 1
28	63	King, Lowrey	Destruction of crops by ducks	Mar 24
30	103	O'Day	Pay increase for Department of Employment employees	May 6
32	104	Knight, T F	Auditing accounts of Department of Employment	May 6
33	59	Knight, J B, et al	Workmen's compensation for civilian defense volunteers	Mar 15
34	64	Beck, Bashore	Wages of Post Office employees	Mar 24
35	17	Field, et al	Investigation of rent control administration	Apr. 21
36	68	Lyon, et al	Limits to regulation of inter-state commerce	Apr. 1
40	105	Thomas, et al	Military, naval academy on Pacific Coast	May 6
43	91	Desmond	Increasing quota Portuguese administration	Apr 27
44	107	Hastain	Appointment of Hon Jesse Lapp	May 7
45	108	Hastain	Agricultural employment of Mexicans	May 7
46	109	Lowrey	Repair facilities for agricultural equipment	May 7
49	117	Lyon	Appropriation for student nurses	May 8
50	136	Gaffney, et al	Decentralization of steel industry	May 12
51	137	Lyon	Relating to creating a Federal agency to study tax structures	May 12
52	119	Allen	Sponsorship of 13th Armored Division of the United States Armed Forces	May 8
Total				33